

Goal III Report: The State of

# Racial and Ethnic Diversity

IN THE AMERICAN BAR ASSOCIATION

Commission on Racial and Ethnic Diversity 2010



Goal III Report: The State of

# Racial and Ethnic Diversity

**Commission on Racial and Ethnic Diversity in the Profession**

AMERICAN BAR ASSOCIATION

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## Introduction

The Commission on Racial and Ethnic Diversity in the Profession was created in 1986 to address the ABA's then newly adopted Goal IX.<sup>1</sup> Later, Goal IX would be amended to include not only racial and ethnic minorities but also women, persons with disabilities, and persons of differing sexual orientation and gender identification.<sup>2</sup> In 2008, the ABA House of Delegates reformed its goals and mission, reducing them to four key Goals. These newly adopted Goals are:

- **Goal I:** Serve our Members.
- **Goal II:** Improve our Profession.
- **Goal III:** Eliminate Bias and Enhance Diversity.
- **Goal IV:** Advance the Rule of Law.

The ABA encompassed the tenets of Goal IX into the newly created Goal III. The objective of Goal III is to, "Eliminate Bias and Enhance Diversity." To this end Goal III seeks to:

- Promote full and equal participation in the association, our profession, and the justice system by all persons; and
- Eliminate bias in the legal profession and the justice system.

Additionally, in 2001 the Center for Racial and Ethnic Diversity was formed to coordinate and enhance the ABA's diversity efforts. The Center is comprised of three racial and ethnic diversity entities, the Commission on Racial and Ethnic Diversity in the Profession, the Presidential Advisory Counsel on Diversity in the Profession and the Council on Racial and Ethnic Justice. As a result, these entities allow the ABA to address diversity with a three-pronged approach.

- The Commission on Racial and Ethnic Diversity in the Profession provides services for racially and ethnically diverse lawyers, judges, and others who are in the legal profession.
- The Presidential Advisory Counsel on Diversity in the Profession provides programs and services to increase diversity in the educational "pipeline" to the legal profession.
- The Council on Racial and Ethnic Justice addresses issues related to the racial and ethnic bias in the justice system.

The Commission, the Center for Racial and Ethnic Diversity, and the ABA have continued to work individually and jointly in pursuit of

diversity within the ABA, the justice system and the profession. To that end, the Commission on Racial and Ethnic Diversity in the Profession believes that the diversity aspiration espoused by Goal III should be measured and analyzed annually so that it may serve to:

- Monitor and assess the ABA's own progress in achieving its diversity goals;
- Motivate leaders at all levels within the ABA to continue to promote the objectives of Goal III; and,
- Encourage and inspire our profession to maintain its commitment to diversity.

### Footnotes

1. The Original Goal IX's mission was "To promote the full and equal participation in the legal profession by minorities."

2. These areas are now addressed by the Commission on Mental and Physical Disability Law, the Commission on Women in the Profession, and the Commission on Sexual Orientation and Gender Identity.

## Methodology

The Annual Goal III Survey is conducted with a view toward:

- Determining the representation of minorities in the ABA and its leadership;
- Presenting information on diversity-related initiatives throughout the ABA;
- Identifying and developing ongoing strategies and practices to assist ABA entities in increasing minority participation, particularly in those areas where minorities are under-represented; and,
- Recognizing the practices that have resulted in greater diversity within the ABA and its leadership.

To this end, the data reported herein is jointly collected, and then separately examined and reported by the ABA's Commission on Racial and Ethnic Diversity in the Profession, Commission on Women in the Profession, Commission on Sexual Orientation and Gender Identification, Commission on Mental and Physical Disability Law, and the Standing Committee on Continuing Legal Education, as applicable. Each fall the Chair and Staff Liaison of each ABA entity to be evaluated submits

a joint-reporting survey form. Specifically, the survey is completed by each ABA Section, Division and Forum. The survey form asks each entity for information regarding the composition of its leadership as well as any information regarding programs geared towards increasing diversity within their entity.<sup>1</sup>

Each year, we continue to refine and improve upon our ability to report information that will aid members and bar leaders in their diversity efforts. This report reflects the composition of ABA membership and examines the progress of diversity in the ABA at various levels of its leadership and membership. Therefore, the data is presented in a historical context, entity by entity. The report is primarily based on a comparative analysis of minority participation in ABA Sections, Divisions and Forum leadership in 2000-01 (the year we first began reporting this data), 2008-09 and 2009-10. When applicable to the entity's analysis, we have included data from other reporting years. Additionally, the report provides raw numbers in addition to percentages so that easier analysis and more meaningful comparisons can be made. The Report also provides a sample of successful practices that are currently being employed by ABA's entities in their diversity efforts.

Finally, in an effort to become more ecologically friendly this year's report will be published on-line. An electronic copy of this year's report, in addition to previous Goal IX reports and data, is available at <http://new.abanet.org/centers/diversity/Pages/periodicals.aspx>.

### Footnote

1. The Commission is aware that for some individuals the issues of race and ethnicity can be sensitive and as a result can lead to individuals being counted as "Other" or "Unknown." Consequently, identifying leaders as "Other" and "Unknown" is no longer an option. Anyone whose race or ethnicity is unknown or not reported is counted as "Caucasian." Additionally, a provision has been made so that multiracial individuals can be counted accurately.



## Membership

According to the 2000 Census, the population of the United States was 24.9% non-white.<sup>1</sup> Within the legal profession, racial and ethnic minorities accounted for 9.7% of all lawyers (not including judges). While this is an increase of 2.1% from 1990, when minorities represented 7.6% of the profession, it is not reflective of the percentage of minorities in the general population.

Among all lawyers, African Americans comprised 3.9%, Asian Americans 2.3%, Hispanics 3.3%, and Native Americans 0.2%. Among judges, 15.9% were reported as a racial or ethnic minority: African Americans 8.8%, Asian Americans 1.7%, Hispanics 4.5%, and Native Americans 0.8%.

Comparing the general population to the combination of lawyers and judges demonstrates the lack of diversity within our profession.

2000	U.S. Census Minority Demographics, Percentages		
	General Population	Lawyers	Lawyers and Judges
African American	12.90%	3.9%	4.20%
Asian American	4.20%	2.3%	2.29%
Hispanic	12.50%	3.3%	3.70%
Native American	1.50%	0.2%	0.24%

ABA Membership	Total Per Year, Percentages/Actual Figures					
	2000-2001*		2008-2009*		2009-2010*	
	#	%	#	%	#	%
African American	3,777	2.71%	3,914	3.22 %	4,133	3.41%
Asian American	3,483	2.50%	3,641	2.99 %	3,752	3.10%
Hispanic	3,165	2.27%	3,085	2.54 %	3,344	2.76%
Native American	828	0.59%	611	0.50%	665	0.55%
Caucasian	126,480	90.88%	108,663	89.32%	107,279	88.64%
Other	1,439	1.03%	1,738	1.43%	1,854	1.53%
Unknown	269,513	0	232,419	0	213,560	0
Total	408,685	100%	354,071	100%	334,587	100%

\* Members of unknown race are not included in the calculation.

This bar year the ABA's total membership of 334, 587, approximately 140, 511 members reported their race, ethnicity or gender. While the data are limited, we can draw several conclusions. African American, Asian Pacific and Hispanic membership has exhibited continuous percentage growth. Hispanic membership has been on the increase since 2007 and Native American membership has shown steady percentage growth since 2006. In terms of actual numbers, every sub-group<sup>2</sup> exceeded 2008-2009 numbers. The ABA's steady organizational growth is a good indicator of the minority growth potential of the individual Sections, Divisions and Forums. Although we are concerned about the impact that the global economic downturn may have on membership, we remain cautiously optimistic that the organization will be able to find innovative ways to, at least, maintain its current membership levels and to attract minority participation. The ABA's long-standing commitment to diversity in the legal profession is well known. It is a national and international voice in the ongoing push for inclusion in the legal and non-legal world.

### Footnote

1. Statistics taken from the Census include those individuals who reported that they were white as well as one or more other race(s).

2. Does not include members identified as "Unknown".

## ABA Leadership—Presidential Appointments

Appointments to ABA Standing and Special Committees, Commissions, Task Forces and other entities are made by the incoming President of the ABA.<sup>1</sup> These appointments are highly visible and involve entities that are responsible for a significant portion of the ABA's work. The appointment process provides an opportunity

for any member of the ABA to be considered for a position, and careful thought and deliberation is involved in making these appointments.

The Office of the President sets the tone for the rest of the ABA with the emphasis it places on racial and ethnic diversity within the organization and

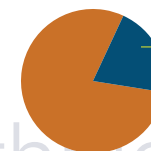
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Total Member Appointments	By President, Percentages		
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009	William H. Neukom 2007-2008
Percentage of Female Appointments	44.3% (337)	42% (293)	39% (275)
Percentage of Minority Appointments	26.3% (200)	25% (175)	23.6% (167)
Percentage of Female Minority Appointments	14.6% (111)	12.5% (87)	9.7% (69)
Total	760	693	705

Chair Appointments (Including Co-Chair, Vice-Chair and Honorary Chair)	By President, Percentages		
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009	William H. Neukom 2007-2008
Percentage of Female Appointments	33.7% (26)	30.9% (26)	30.8% (25)
Percentage of Minority Appointments	27.2% (21)	19% (16)	19.7% (16)
Percentage of Female Minority Appointments	11.6% (9)	12% (10)	12.3% (10)
Total	77	84	81

Total Member Appointments (Including Co-Chair, Vice-Chair and Honorary Chair)	By President, Actual Figures		
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009	William H. Neukom 2007-2008
Male Appointments	423	400	430
Female Appointments	337	293	275
Total	760	693	705

racial and ethnic



**25.00%**  
Minority Appointments  
as of October 2009

Male Appointments	By President, Actual Figures		
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009	William H. Neukom 2007-2008
Caucasian	333	312	322
African American	46	39	48
Hispanic	22	19	27
Asian	18	22	26
Native American	4	8	7
Arab American	0	0	0
Other	1	0	0
Unknown	0	0	0
Total	423	400	430

Female Appointments	By President, Actual Figures		
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009	William H. Neukom 2007-2008
Caucasian	222	206	206
African American	67	51	41
Hispanic	22	19	17
Asian	16	11	7
Native American	4	6	4
Other	1	0	0
Unknown	5	0	0
Total	337	293	275

Appointments by Ethnicity	By President, Actual Figures		
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009	William H. Neukom 2007-2008
African American	113	90	89
Hispanic	44	38	34
Asian	34	33	33
Native American	8	14	11
Arab-American	0	0	0
Other	1	0	0
Total	200	175	167

the legal profession. The most visible and meaningful way in which the President can convey the importance of diversity and inclusion is through his or her own appointments.

The total number of minority appointments made by ABA President Carolyn B. Lamm in 2009-10 is 200. This represents 26.3% of Lamm's total number of member appointments. This is a modest increase from the appointments made by former President H. Thomas Wells in 2008-09, which totaled 175 (25% of his total member appointments) and former President William H. Neukom in 2007-08, which totaled 167 (23.6% of his total number of appointments). However, Lamm's appointments are a decrease from former President Karen J. Mathis' appointments in 2006-07, which totaled 211 (28.6% of her total member appointments). Still, this is an excellent record when compared to the percentage of minority attorneys who are members of the ABA.

A breakdown of President Lamm's minority member appointments

shows that she appointed 113 African Americans, 44 Hispanics, 34 Asians and eight Native Americans. Additionally, President Lamm made a total of 21 minority chair appointments in 2009-10, which represents 27.2% of her total number of chair appointments. Lamm made more minority chair appointments than former presidents Wells (16 appointments at 19%), Neukom (16 appointments at 19.7%) and Mathis (18 appointments at 23%).

The ABA Office of the President continues to take the lead in demonstrating the value of diversity, particularly through appointments and the work of the ABA Diversity Center, which is housed in the Office of the President.

### Footnote

1. Every selection for a position by the President-Elect constitutes an appointment. The President-Elect appoints committee members to fill all vacancies created on Standing Committees (terms ending in 2009 for Carolyn B. Lamm). The President-Elect appoints every member of Special Committees, Commissions and several other entities (these appointments are for one-year terms).

## ABA Leadership—Elected Leadership

The percentage of racial and ethnic minorities on the ABA Board of Governors increased slightly. In 2008-2009, six of the 38 (15.78 %) elected members were minorities (five African Americans and one Hispanic). Of the current minority leaders there is a Native American

member, a change from the previous 10 years. In 2007-2008, six of the 38 (15.78 %) elected members were minorities (four African Americans and two Hispanics). Since 2003-2004, there have been no Asian Americans serving on the Board of Governors.



**18.42%**  
Minority Leadership  
in 2009-2010

### racial and ethnic

Board of Governors	By Year, By Ethnicity		
	2000-2001	2007-2008	2008-2009
African American	2	5	4
Asian American	1	0	0
Hispanic	0	1	2
Native American	0	0	1
Non-Minority	34	34	31
Total	37	38	38

Appointments by Disability	By President, By Year	
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009
Disability	18	46

Appointments by Sexual Orientation	By President, By Year	
	Carolyn B. Lamm 2009-2010	H. Thomas Wells, Jr. 2008-2009
Gay/Lesbian/Bi-Sexual	12	11
Transgender	2	3



# sections

- Administrative Law and Regulatory Practice
- Antitrust Law
- Business Law
- Criminal Justice
- Dispute Resolution
- Environment, Energy, and Resources
- Family Law
- Health Law
- Individual Rights and Responsibilities
- Intellectual Property Law
- International Law
- Labor and Employment Law
- Law Practice Management
- Legal Education and Admissions to the Bar
- Litigation
- Public Contract Law
- Public Utility, Communications and Transportation Law
- Real Property, Trust and Estate Law
- Science and Technology Law
- State and Local Government Law
- Taxation
- Tort Trial and Insurance Practice

# divisions

- General Practice, Solo and Small Firm Division
- Government and Public Sector Lawyers Division
- Judicial Division
- Law Student Division
- Senior Lawyers Division
- Young Lawyers Division

# forums

- Affordable Housing and Community Development Law
- Air and Space Law
- Communications Law
- Construction Industry
- Entertainment and Sports Law
- Franchising

*The following is based primarily on a comparative analysis of minority participation in ABA Section, Division and Forum leadership in 2000-01 (the year we first began to report this data), and the past two bar years 2008-09 and 2009-10. When applicable to the analysis, we have included data from other reporting years.*

## Administrative Law and Regulatory Practice

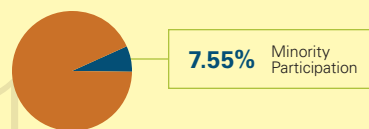
The Administrative Law and Regulatory Practice Section continued to make excellent progress toward increased diversity within its leadership ranks in the past year and serves as a model for the entire ABA. The total number of minority lawyers participating in Section leadership more than doubled this year, increasing from 70 in 2008-09 to 163 in 2009-10. Minorities comprise 30.47% of the total leadership in this Section, up from 16.09% in 2008-09.

Overall, the Section added 100 new leadership positions. Minority leadership participation grew with the addition of these new positions. African American lawyers continue to show the most significant increase in participation among minority groups with 124 members compared to 52 members in 2008-09. Hispanic lawyers' leadership numbers increased

from six in 2008-09 to 19 in 2009-10, enabling them to rebound after losing 50% of their leadership positions in 2008-09. The numbers for Asian Pacific lawyers also increased, moving from 12 in 2008-09 to 20 in 2009-10.

Minority growth in the Council/Forum Governing Committee category is worthy of mention, increasing from one to six minority members in the last year. Minority participation in the Committee/Forum Division Chairs category showed a sizeable increase from three in 2008-09 to 50 in 2009-10. Last year the Section reported 65 minority lawyers in the Programming Faculty category. However, despite overall Section growth in this category, minorities lost five positions. The Nominating Committee radically decreased in size from 125 to only four positions this year. Despite drastically

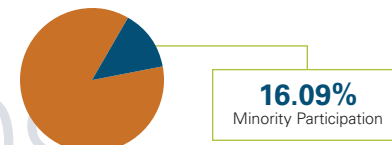
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2000-2001 Administrative Law and Regulatory Practice							
African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	Percentage
9	2	1	0	12	147	159	7.55%

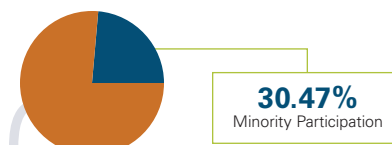
\*Although the Section's minority participation number of 12 for 2000-01 is the Section's lowest recorded number, this number does not include data for the Additional Committee Leadership, Publication Authors and House of Delegates. The Section's 2006-07 overall minority participation number of 26 is the lowest recorded number reflecting data reported in these three categories, which enables us to make a more accurate comparison to the 2008-09 minority participation numbers.

## 2008-2009



2008-2009 Administrative Law and Regulatory Practice							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	7	8
Council or Forum Governing Committee	1	0	0	0	1	10	11
Committee Chairs or Forum Division Chairs	0	2	1	0	3	96	99
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	125	125
Programming Faculty	50	10	5	0	65	125	190
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>52</b>	<b>12</b>	<b>6</b>	<b>0</b>	<b>70</b>	<b>365</b>	<b>435</b>

## 2009-2010



2009-2010 Administrative Law and Regulatory Practice							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	7	8
Council or Forum Governing Committee	5	1	0	0	6	21	27
Committee Chairs or Forum Division Chairs	42	4	4	0	50	74	124
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	3	4
Programming Faculty	50	5	5	0	60	190	250
Publication Authors	25	10	10	0	45	75	120
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>124</b>	<b>20</b>	<b>19</b>	<b>0</b>	<b>163</b>	<b>372</b>	<b>535</b>

## *Administrative Law and Regulatory Practice*

CONTINUED FROM PAGE 7

fewer positions in this category, minorities gained a presence, going from no positions to one. The number of positions available in the Publication Authors category increased overall, from zero Section positions to 120 positions. Minorities hold 45 (37.5%) of these positions.

The Section reports that it uses diverse panelists, speakers and authors in order to enrich and diversify the opinions presented in its programming and publications. In addition, the Section recently published four books on various top-

ics by diverse authors. However, the Section reports that it does not track the percentage of its budget devoted to the advancement of diversity. We recommend that the Section begin to track these expenditures in order to identify the impact of funding on minority leadership growth. It is clear that the Section is making an effort to encourage outstanding minority participation. The Section's commitment to diversity bodes well for future minority growth in the Section's leadership ranks.

## Antitrust Law

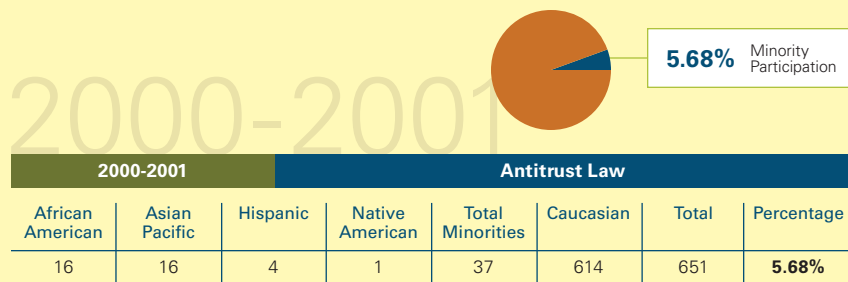
For the first time in 10 years, the Antitrust Law Section reported a decrease in the actual number of minorities participating in Section leadership. Minority numbers dropped from 50 to 35 (30%). Every year since 2000-01, the Section has successfully increased the number of minorities in leadership positions—that is until this year. Between 2008-09 and 2009-10, the number of minorities in leadership decreased by 15 members. The percentage of minority involvement in Section leadership actually increased slightly this year from 5.06% to 5.46% due primarily to an overall decrease in available leadership positions Section-wide. While African American members gained five positions moving from 10 to fifteen, and Hispanic members maintained at the same level as last year, Asian Pacific

members lost 45.9% of their leadership positions. This is particularly disheartening because this group grew by more than 50% in 2008-09.

On the positive front, minorities now have a position on the Council/Forum Governing Committee. Although they maintained positions in the Committee/Forum Division Chairs, Other Leadership, Programming Faculty and Publication Authors categories, minorities now hold fewer seats in each of these areas. Unfortunately, minorities lost the one seat they had on the Nominating Committee. The bulk of the minority presence continues to be in Programming Faculty.

The Section reports that it allocated \$27,800 to diversity initiatives. It also reports that it co-sponsors the Joint Exhibit Project with the

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2008-2009 Antitrust Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	12	12
Council or Forum Governing Committee	0	0	0	0	0	21	21
Committee Chairs or Forum Division Chairs	2	1	0	0	3	56	59
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	4	12	1	0	17	222	239
Nominating Committee	1	0	0	0	1	4	5
Programming Faculty	3	16	2	0	21	404	425
Publication Authors	0	8	0	0	8	217	225
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>10</b>	<b>37</b>	<b>3</b>	<b>0</b>	<b>50</b>	<b>938</b>	<b>988</b>



2009-2010 Antitrust Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	11	11
Council or Forum Governing Committee	1	0	0	0	1	20	21
Committee Chairs or Forum Division Chairs	1	0	0	0	1	64	65
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	4	3	0	0	7	214	221
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	9	12	2	0	23	126	149
Publication Authors	0	2	1	0	3	169	172
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>15</b>	<b>17</b>	<b>3</b>	<b>0</b>	<b>35</b>	<b>606</b>	<b>641</b>

## *Antitrust Law*

CONTINUED FROM PAGE 9

Center for Racial and Ethnic Diversity; regularly develops and submits substantive programs for consideration at the National Conference for the Minority Lawyer co-sponsored by the Commission on Racial and Ethnic Diversity in the Profession; and co-sponsors substantive programming with the National Bar Association during its annual convention.

The Section's commitment to diversity is evident, though not reflected in its disproportionately low minority participation of 5.46%. The key is to translate this commitment into real numbers before minorities slip any further from the leadership ranks. Hopefully, the Section's efforts will provide better results next year.

## Business Law

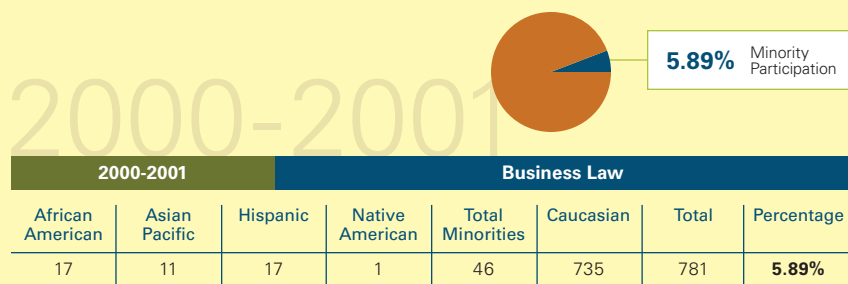
The Section exhibited a decrease in the total number of minorities participating in leadership positions, from 222 to 176. However, the percentage of minority involvement in Section leadership increased to 12.04%. This percentage increase is proportionate to the overall reduction in available leadership positions in the Section.

Year after year, the Business Law Section has set a positive example for other ABA entities in its ongoing commitment to inclusion at all levels of leadership within the Section. Despite the decrease in the number of minority leaders this year, minorities continue to maintain a presence in eight of the nine leadership categories, including upper echelon leadership positions. Minority positions increased in the Council/Forum Governing Committee, Additional Committee Leadership

and Publication Authors categories. Diverse members lost ground in the Other Leadership and Programming Faculty categories. The Section lost 18 African American, eight Asian Pacific and 23 Hispanic members from leadership this year. However, we are pleased to see the number of Native American member leaders grow from five to eight this year. Most of the minority members are in the Programming Faculty category. It is notable that the number of Hispanics in this category of leadership dropped by 23 members, after having increased by 25 for a total of 51 members last year.

Even with the loss of minority leadership this year, the Section still boasts solid minority leadership numbers across leadership categories that other groups can continue to

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2008-2009 Business Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	1	0	0	3	0	3
Council or Forum Governing Committee	2	1	0	0	3	17	20
Committee Chairs or Forum Division Chairs	11	0	2	0	13	45	58
Additional Committee Leadership	13	6	6	2	27	650	677
Other Leadership	20	10	3	0	33	188	221
Nominating Committee	3	0	0	0	3	8	11
Programming Faculty	49	48	40	2	139	896	1,035
Publication Authors	0	0	0	1	1	0	1
House of Delegates	0	0	0	0	0	4	4
<b>Total</b>	<b>100</b>	<b>66</b>	<b>51</b>	<b>5</b>	<b>222</b>	<b>1,808</b>	<b>2,030</b>



2009-2010 Business Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	8	9
Council or Forum Governing Committee	3	1	0	0	4	16	20
Committee Chairs or Forum Division Chairs	7	3	2	0	12	47	59
Additional Committee Leadership	13	8	6	2	29	313	342
Other Leadership	11	7	2	1	21	159	180
Nominating Committee	2	0	0	0	2	6	8
Programming Faculty	46	37	18	4	105	708	813
Publication Authors	0	1	0	1	2	25	27
House of Delegates	0	0	0	0	0	4	4
<b>Total</b>	<b>82</b>	<b>58</b>	<b>28</b>	<b>8</b>	<b>176</b>	<b>1,286</b>	<b>1,462</b>



## *Business Law*

CONTINUED FROM PAGE 11

look to for inspiration. The Section reports that it devoted \$216,000 to racial and ethnic diversity programming. It continues to take a comprehensive approach toward promoting diversity within its ranks and the profession, and regularly monitors, and assesses the effectiveness of its diversity programs. The Diversity Committee leads the Section's effort in recruiting and retaining lawyers from underrepresented groups and ensures that the Section is addressing issues of relevance to these constituencies. The Committee is currently exploring the impact of the current economic crisis on diversity. It is presenting a program on this topic during the Section's upcoming spring meeting.

The Business Law Section continues its broad support of several diversity-related initiatives and events, including an annual Diversity Networking Reception, the

CLEO Fellow Scholarship Program, Corporate Director Diversity Program, Business Court Representative Program, Business Law Diversity Clerkship Program and the Business Law Fellows, Ambassadors and Diplomat Programs, all of which involve lawyers of color in the Section's substantive work. The Section co-sponsors the Joint Exhibit Program, the National Conference of the Minority Lawyer and the Law Student Outreach Program in furtherance of minority bar outreach. In addition, the Section's Meetings Committee screens all program panels and speakers to ensure diversity.

Given the number of ongoing initiatives it has in place, its excellent diversity track record and proven dedication to promoting inclusion, we believe that the Section is on the right path toward expanding and solidifying minority leadership participation.

## Criminal Justice

This has been a good year for the Criminal Justice Section relative to the progress of minority leadership participation. The actual and proportionate number of minorities in leadership positions increased. The number of minorities involved in leadership grew from 41 to 72. The percentage of minorities in leadership showed only slight growth from 15.53% to 15.55%. The Section's minority growth came in a year when the number of available leadership positions also increased. African American, Asian Pacific, Hispanic and Caucasian members all increased their positions in leadership. Native American members, however, continue to be unrepresented.

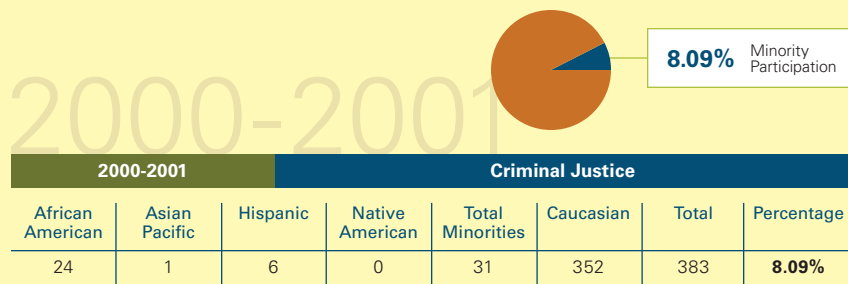
Last year, the Section had no Committee/Forum Chair positions available. This year it added 119 such positions. Diverse members hold 26

(21.85%) of these newly added positions. Minorities maintained their presence in the Primary Leadership, Council/Forum Governing Committee, Nominating Committee, Programming Faculty and Publication Authors categories.

The Section and its collaborating partners, the Section of Individual Rights and Responsibilities and the ABA Council on Racial and Ethnic Justice, were awarded a grant in the amount of \$125,000 to study the issue of cross cultural communication in the criminal justice system and the underlying disparate impact of the system on people of color. The Bureau of Justice Statistics also awarded the Section a grant to develop a Racial Justice Task Force Pilot Project.

Including these monetary awards, the Section estimates that it has expend-

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2008-2009 Criminal Justice							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	0	0	2	7	9
Council or Forum Governing Committee	4	0	0	0	4	0	4
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	6	8
Programming Faculty	23	4	4	0	31	180	211
Publication Authors	1	1	0	0	2	30	32
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>32</b>	<b>5</b>	<b>4</b>	<b>0</b>	<b>41</b>	<b>223</b>	<b>264</b>



2009-2010 Criminal Justice							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	0	0	2	10	12
Council or Forum Governing Committee	4	0	4	0	8	27	35
Committee Chairs or Forum Division Chairs	17	3	6	0	26	93	119
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	9	11
Programming Faculty	14	4	7	0	25	192	217
Publication Authors	9	0	0	0	9	60	69
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>48</b>	<b>7</b>	<b>17</b>	<b>0</b>	<b>72</b>	<b>391</b>	<b>463</b>

## *Criminal Justice*

CONTINUED FROM PAGE 13

ed approximately \$500,000 on project affecting minorities. The Section will appoint a diversity director to oversee the implementation of its diversity plan, which will address issues such as minority recruitment, retention and participation; facilitate mentoring opportunities; conduct outreach to and encourage joint programming with minority bar associations and professional organizations; and develop events and other programming specifically focused on issues of interest

and concern to diverse lawyers.

Last year, we predicted that through focused recruitment and leadership development, particularly among Hispanic members, the Section could reverse the negative minority growth it experienced in 2008-09. This prediction was correct and is borne out by the Section's 2009-10 leadership statistics, most notably in the numbers for Hispanic members whose leadership involvement quadrupled this year.

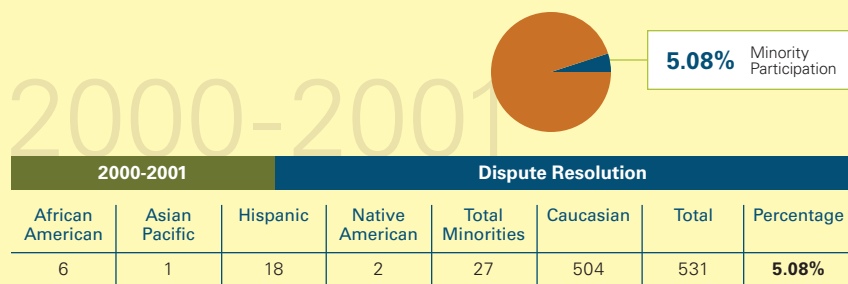
## Dispute Resolution

The Section made modest growth relative to the percentage of minorities in leadership positions, increasing from 14.07% to 14.48%. The good news is that the actual number of minority participation continues on a relatively high level; the bad news is that it didn't grow this past year. Unlike last year, when the Section boasted minority gains in every measureable area, the number of minorities participating at the leadership level remained unchanged at 73 from 2008-09 to 2009-10.

We are pleased with the Section's ability to maintain a Native American leadership presence. Native American members continue to hold two leadership positions. Participation for this sub-group had been zero since 2005-06. The Council/Forum Governing category saw an overall decrease in membership from

26 to 19. With this decrease came a decrease in minority participation from seven to four members. In the Committee/Forum Division Chairs category, minorities maintained the 12 positions they had in 2008-09; however, there was a redistribution of minority participation among the racial and ethnic subgroups. African Americans decreased from eight to six members, Asians increased from three to four members and Hispanics increased from one to two members. In 2008-09, the Additional Committee Leadership category provided four leadership opportunities for minorities (three African American and one Asian Pacific member). This year there are no positions in this category available. Minorities maintained the two positions that they had on the Nominating Committee.

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2008-2009 Dispute Resolution							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	6	7
Council or Forum Governing Committee	3	3	1	0	7	19	26
Committee Chairs or Forum Division Chairs	8	3	1	0	12	53	65
Additional Committee Leadership	3	1	0	0	4	11	15
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	6	8
Programming Faculty	30	7	8	2	47	347	394
Publication Authors	0	0	0	0	0	2	2
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>47</b>	<b>14</b>	<b>10</b>	<b>2</b>	<b>73</b>	<b>446</b>	<b>519</b>



2009-2010 Dispute Resolution							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	7	8
Council or Forum Governing Committee	2	2	0	0	4	15	19
Committee Chairs or Forum Division Chairs	6	4	2	0	12	49	61
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	5	7
Programming Faculty	25	12	15	2	54	350	404
Publication Authors	0	0	0	0	0	3	3
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>36</b>	<b>18</b>	<b>17</b>	<b>2</b>	<b>73</b>	<b>431</b>	<b>504</b>

## *Dispute Resolution*

CONTINUED FROM PAGE 15

The Section added 10 new Programming Faculty positions this year, and minority participation in this category grew from 47 to 54 members. This growth resulted in an increase among Asian Pacific members from seven to 12 members and Hispanic members from eight to 15 members.

The Section reports that it spent \$15,000 in support of diversity-related initiatives. A portion of this expenditure was devoted to producing the spring 2009 issue of *Dispute Resolution Magazine* focused on diversity. The Section secured Marvin Johnson and Maria Volpe, long-time advocates for increased diversity in the dispute resolution arena, as guest editors of the issue. This comprehensive publication included articles on bias in mediation, race narratives in dispute resolution, obstacles to achieving diversity in ADR, the impact of the mediator's race on the outcome of mediation and addressing racial discrimination in the workplace. According to the Section, this publication has sparked quite a bit of discussion on the subject of diversity.

As in past years, the Section awarded scholarships to attend its spring 2009 conference in New York to underrepresented groups. These scholarships, specifically marketed to minority and women's bars, enabled 1,000 attendees to take advantage of the strong diversity programming track that the Section developed for the conference. The Section promotes its diversity efforts and recruits diverse members by exhibiting at diversity-related events. It's also working to develop a diverse faculty for CLE programming. Finally, the Section is planning a program for its 2010 spring conference on the history of diversity in the profession. The Section reports that these efforts have had a "tangible impact" on increasing diversity in the Section.

It is clear that the Section places a high value on diversity. We applaud its efforts in this area and hope that the initiatives the Section has in place will help it do more than just maintain the prior year's level of minority participation and increase the actual number of minorities in leadership positions.

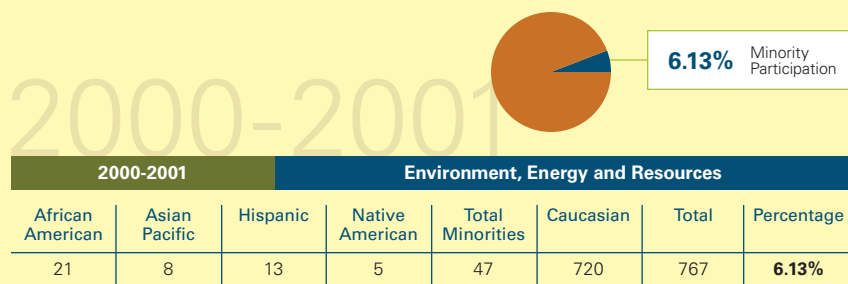
## Environment, Energy and Resources

“Fluctuating progress” is no longer the best way to describe the Environment, Energy and Resources Section with regard to its minority leadership although the Section’s minority leadership number remain disappointingly low. Since the Section first began Goal III reporting, the number of minorities in leadership positions in the Section has see-sawed sharply from year to year—that is until this year. Historically, whenever the Section posted an increase in minority leadership, it typically lost that increase the following year (the exception being in 2002-03 and 2003-04, when the Section experienced two consecutive years of loss). Last year the Section’s minority leadership numbers changed little from the previous year, and the percentage of minorities in leadership increased. This year we are pleased to see that both the number and

percentage of minorities in leadership increased (from 68 to 77 and 5.78% to 5.98%, respectively). This breaks the cycle of fluctuation that has historically dogged the Section. We are hopeful that the current minority participation numbers and percentages mark the beginning of a more positive trend in minority leadership in the Section.

This year the number of available leadership slots increased Section-wide. African American, Asian Pacific and Native American members strengthened their presence at the leadership level. However, Hispanic and Caucasian members lost positions. Minorities are represented in six of the eight leadership categories available in the Section, including the Nominating Committee, which is a start. Minorities have not had

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2008-2009 Environment, Energy and Resources							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	11	11
Council or Forum Governing Committee	1	1	0	0	2	12	14
Committee Chairs or Forum Division Chairs	4	0	0	1	5	75	80
Additional Committee Leadership	15	5	1	1	22	120	142
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	6	6
Programming Faculty	7	2	3	4	16	362	378
Publication Authors	5	3	11	4	23	521	544
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>32</b>	<b>11</b>	<b>15</b>	<b>10</b>	<b>68</b>	<b>1,109</b>	<b>1,177</b>



2009-2010 Environment, Energy and Resources							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	11	11
Council or Forum Governing Committee	2	0	0	0	2	12	14
Committee Chairs or Forum Division Chairs	6	0	0	2	8	97	105
Additional Committee Leadership	11	2	1	3	17	156	173
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	6	4	4	4	18	387	405
Publication Authors	10	10	4	7	31	541	572
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>36</b>	<b>16</b>	<b>9</b>	<b>16</b>	<b>77</b>	<b>1,211</b>	<b>1,288</b>



## *Environment, Energy and Resources*

CONTINUED FROM PAGE 17

a presence on this committee since 2007-08. Diverse members still have not been able to make any real headway into Primary Leadership.

The Section reports that it allocated \$94,300 to diversity programming, of which \$52,500 was raised through grants. The Section continues to sponsor a Diversity Fellowship Program in Environmental Law to address the disproportionate underrepresentation of diverse groups in the environmental law field. This year it awarded 23 fellowships to law students from historically underrepresented groups. The goal of the program is to encourage diverse

law students to take an interest in environmental law. The Section reports that not only have a number of the fellowship recipients continued their interest in environmental law, but many have become ABA and Section members.

The heightened importance and visibility of global environmental and energy issues provides the Section with a powerful platform for recruiting and retaining diverse legal talent. We encourage the Section to continue to look for innovative ways to attract and groom minority members to take on leadership roles within the Section and beyond.

## Family Law

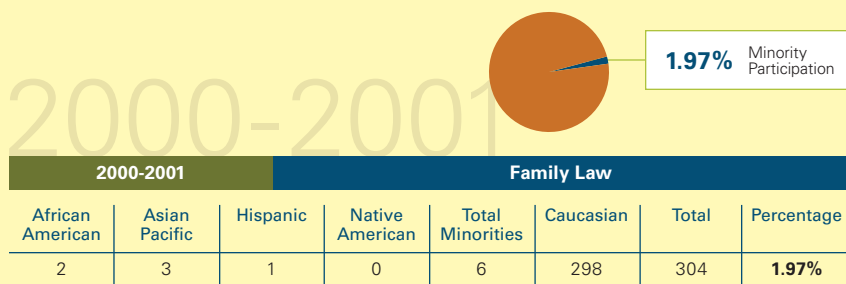
Last year we had good news and bad news with regard to the progress of minority leadership in the Family Law Section. This year we have nothing but bad news. The number and percentage of minorities in Section leadership have both declined. In a year when the total number of available leadership slots dipped only slightly (by five positions), minority numbers decreased by 52%, from 25 to 13, and minority percentages fell from 6.60% to 3.48%.

The numbers and percentages for Caucasian members in leadership increased this year. African American members gained just one seat in leadership and Asian Pacific members maintained the two positions they had in 2008-09. Hispanic members lost eight positions and Native American members lost five. Minorities continue to be

represented in the Council/Forum Governing Committee, Committee/Forum Division Chairs, Other Leadership, Programming Faculty and Publication Authors categories; however their numbers have either dropped or remain unchanged from last year. Most disappointing is the loss of minority presence in Primary Leadership.

The Section reports that it spent \$1,500 on diversity programming. The bulk of this expense went toward underwriting the cost of hosting minority bar leadership at the Section's fall and spring receptions. Unfortunately, their efforts were seemingly unsuccessful in attracting minority bar participation. The Section continues to emphasize the importance of diversity at CLE planning meetings, editorial board meetings,

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2008-2009 Family Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	1	0	1	5	6
Council or Forum Governing Committee	0	0	1	1	2	18	20
Committee Chairs or Forum Division Chairs	1	0	0	2	3	43	46
Additional Committee Leadership	0	0	0	0	0	2	2
Other Leadership	0	0	1	1	2	50	52
Nominating Committee	0	0	0	0	0	4	4
Programming Faculty	2	0	3	2	7	156	163
Publication Authors	1	2	4	3	10	74	84
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>4</b>	<b>2</b>	<b>10</b>	<b>9</b>	<b>25</b>	<b>354</b>	<b>379</b>



2009-2010 Family Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	6	6
Council or Forum Governing Committee	0	0	0	1	1	19	20
Committee Chairs or Forum Division Chairs	1	0	0	2	3	40	43
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	1	0	1	0	2	64	66
Nominating Committee	0	0	0	0	0	4	4
Programming Faculty	2	1	0	1	4	139	143
Publication Authors	1	1	1	0	3	87	90
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>13</b>	<b>361</b>	<b>374</b>

## *Family Law*

CONTINUED FROM PAGE 19

nominating committee meetings and committee appointment meetings. However, it states that “the number of diverse family law members who have the time and expertise to be speakers, authors or Section leaders is extremely limited,” and point to this as the reason for its inability to garner more significant minority participation. We don’t doubt the impact of budget limitations on the Section’s low minority participation numbers, particularly in this harsh economic climate. However, we do not support the notion that the pool of diverse candidates eligible for Section leadership is limited.

Increasing diversity in the profession requires a serious commitment of time, energy and resources. The entities that have been most successful at increasing minority representation have developed comprehensive, long-term diversity strategies and are proactive in their outreach and

implementation relative to those strategies. The 2008-09 chair of the Family Law Section was a Hispanic woman. However, it appears that the Section lost its momentum after her tenure in office. The Section’s lack of forward movement on this front is disappointing, particularly in light of the fact that family law is a practice area well populated with minority practitioners. We recommend that the Section engage in more meaningful outreach to diverse groups. There is a plethora of talented minority family law practitioners. The Section must search them out. Two years ago, Section leaders consulted with the Commission for Racial and Ethnic Diversity in the Profession for advice on increasing minority involvement in the Section. We suggest that Section leaders continue to work with the Commission and broaden their outreach to other ABA entities in this regard.

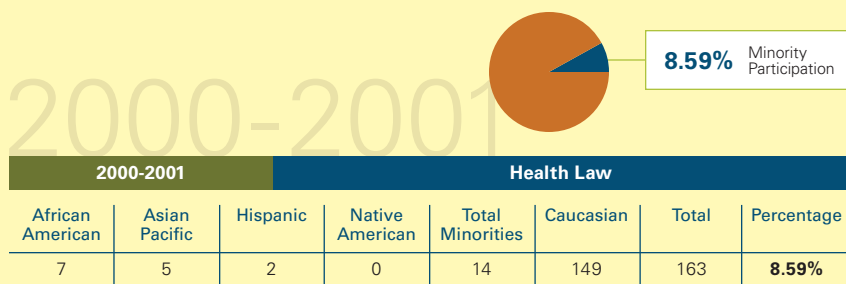
## Health Law

Minority leadership took a small downward turn in the Health Law Section this year but the Section's overall numbers look strong. The number of available leadership positions in the Section overall decreased by 132. Commensurate with this decrease was a loss of minority leadership opportunities. The total number of minorities active in Section leadership decreased from 70 to 46. Minorities now comprise 16.25% of the Section's leadership, a small drop from 16.87% in 2008-09.

The Section continues to retain minorities in several upper echelon leadership arenas, including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs (2 of 5 members are minorities), Nominating Committee (11 of 41 members are minorities) and Other Leadership. However, due to the significant decrease in avail-

able positions in the Other Leadership category, minority participation declined precipitously from 39 to two, which is unfortunate, because the preponderance of minority leaders in the Section were members of this group. Minorities also hold positions in the Programming Faculty and Publication Authors categories.

The Section devoted \$2,000 to the promotion of diversity this year, primarily for travel and the sponsorship of receptions. It believes that its leadership reflects its diversity. There is no indication of whether the Section's diversity plan is still in place, and we are not aware of any specific diversity-related programming planned for the future. We are hopeful that the Section's strong showing of minority members on its nominating committee will result in an increase in minorities in primary leadership positions.



2008-2009 Health Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	5	6
Council or Forum Governing Committee	1	1	0	0	2	5	7
Committee Chairs or Forum Division Chairs	2	0	1	0	3	11	14
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	20	8	11	0	39	130	169
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	17	1	1	0	19	113	132
Publication Authors	1	4	0	0	5	74	79
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>43</b>	<b>14</b>	<b>13</b>	<b>0</b>	<b>70</b>	<b>345</b>	<b>415</b>



2009-2010 Health Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	0	0	2	8	10
Council or Forum Governing Committee	1	1	0	0	2	8	10
Committee Chairs or Forum Division Chairs	7	1	3	0	11	30	41
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	1	1	0	2	11	13
Nominating Committee	1	0	1	0	2	3	5
Programming Faculty	6	5	1	0	12	92	104
Publication Authors	6	2	7	0	15	83	98
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>23</b>	<b>10</b>	<b>13</b>	<b>0</b>	<b>46</b>	<b>237</b>	<b>283</b>

## Individual Rights and Responsibilities

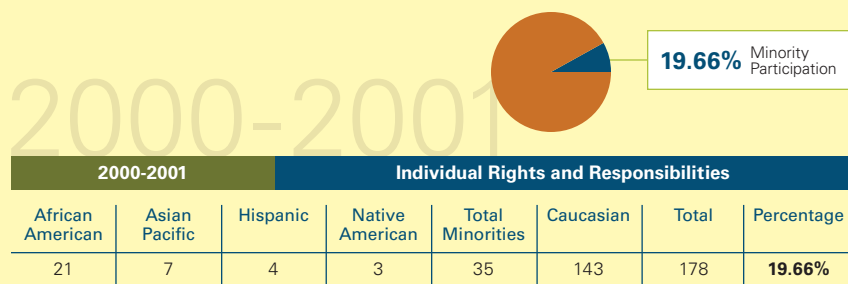
The news is mixed for the Section of Individual Rights and Responsibilities on the minority leadership front. The Section experienced a minor setback this year. The total number of minorities in Section leadership is 27 compared to 30 in 2008-09. The percentage of minorities in the Section also has decreased from 22.22% in 2008-09 to 21.95%.

As was the case last year, it appears that these small setbacks may be related, at least in part, to a reduction of leadership opportunities in the Section, which fell again this year. The Section lost ground in almost every minority sub-group this year, the exception being Native American members, who gained one additional leadership position. Despite these losses, the Section continues to have minority representation in several high-level leadership

positions, including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Other Leadership and the House of Delegates. Minority leadership increased slightly in the Programming Faculty category and decreased slightly in the Publication Authors category.

The Section continues to set an example for other ABA entities in its recruitment, promotion and retention of diverse attorneys in Section leadership. Its nominating committee considers the Section's diversity needs when selecting new officers and Council members. In 2007-08 and again in 2008-09, minorities comprised one quarter of the Section's Council members, while minorities comprised half of the Section's Executive Committee

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2008-2009 Individual Rights and Responsibilities							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	1	1	0	3	6	9
Council or Forum Governing Committee	3	1	0	2	6	13	19
Committee Chairs or Forum Division Chairs	2	1	0	1	4	25	29
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	2	2	1	1	6	17	23
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	2	2	1	0	5	16	21
Publication Authors	3	2	0	0	5	27	32
House of Delegates	0	0	1	0	1	1	2
<b>Total</b>	<b>13</b>	<b>9</b>	<b>4</b>	<b>4</b>	<b>30</b>	<b>105</b>	<b>135</b>



2009-2010 Individual Rights and Responsibilities							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	1	1	0	3	5	8
Council or Forum Governing Committee	3	1	1	1	6	15	21
Committee Chairs or Forum Division Chairs	3	1	0	1	5	36	41
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	1	1	1	0	3	8	11
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	3	1	0	2	6	14	20
Publication Authors	1	1	0	1	3	17	20
House of Delegates	0	0	1	0	1	1	2
<b>Total</b>	<b>12</b>	<b>6</b>	<b>4</b>	<b>5</b>	<b>27</b>	<b>96</b>	<b>123</b>

## *Individual Rights and Responsibilities*

CONTINUED FROM PAGE 22

membership. The Section focuses a significant amount of its advocacy on advancing the rights of Native Americans and supporting the work of tribal lawyers and courts through its Native American Concerns Committee. In addition, the Section actively participates in several minorities bar association annual conventions, including the National Bar Association, Hispanic National Bar Association and National Asian Pacific American Bar Association. Finally, the Section sponsors the Thurgood Marshall Award Dinner, during which it recognizes the contributions of a member of the legal

profession to the advancement of civil rights, civil liberties and human rights in the United States. Ten of the 18 recipients of this award have been persons of color.

The Section of Individual Rights and Responsibilities was founded with the express purpose of ensuring equal opportunity and civil rights for all Americans. Its general goal has always been to enhance ethnic and racial diversity in the legal profession and society. We have no doubt that these goals and ideals will continue to guide the Section as it works toward increased inclusion among its leadership.



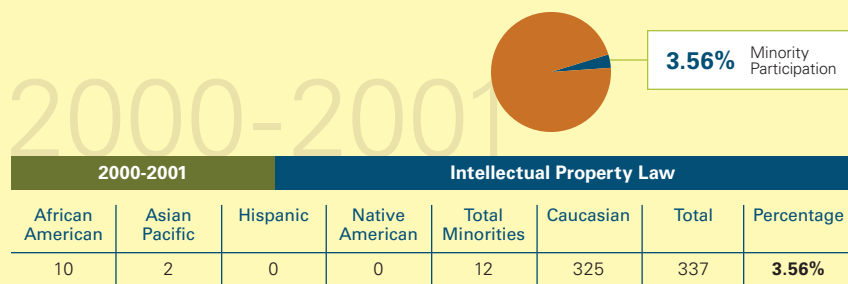
## Intellectual Property Law

The Intellectual Property Law Section made important progress in promoting minorities into leadership roles from 2002-2006 and in 2007-08. The Section can now add 2009-10 to that list. The total number of minorities in Section leadership is 34, up from 24. Minorities comprise 6.81% of the leadership positions, compared to 6.15% in 2008-09. The Section, as a whole, enjoyed growth in the number of leadership positions available overall. The number of African Americans in Section leadership showed the most growth among diverse groups. Minority leadership increased in almost all categories except Council/Forum Governing Committee and Committee/Forum Division Chairs, which decreased from one to zero and 10 to six, respectively. Minorities were not able to recapture their presence in Primary Leadership.

The Section reports that it allocated \$36,000 (2.20%) to diversity programming this year. The Section supports the American Intellectual Property Law Education Foundation

(AIPLEF), which promotes diversity in the intellectual property bar. The Section has representation on the AIPLEF Board of Trustees. Through its affiliation with AIPLEF, the Section supports the Sidney B. Williams Jr. Award, which grants awards to minority law students who have shown a dedication to Intellectual Property Law, and are outstanding in the field. It also collaborates with the Antitrust and Litigation sections in support of the Judicial Intern Opportunity Program, which places minority students in judicial clerkships throughout the nation. The Section has also appointed a liaison to the Commission on Racial and Ethnic Diversity in the Profession, as well as the Asian Patent Attorneys Association.

Last year we recommended that the Section dedicate more time and focused resources to developing a comprehensive diversity game plan to help it recoup its losses and sustain minority leadership growth. It appears that the Section took our recommendation to heart.



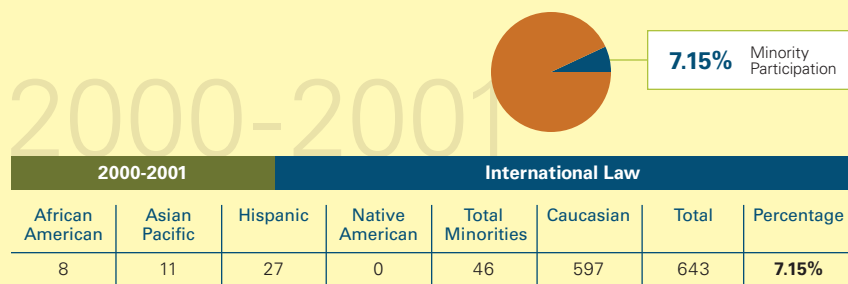
2009-2010 Intellectual Property Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	10	10
Council or Forum Governing Committee	0	0	0	0	0	16	16
Committee Chairs or Forum Division Chairs	3	3	0	0	6	60	66
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	7	2	1	0	10	85	95
Nominating Committee	1	0	0	0	1	3	4
Programming Faculty	7	5	0	0	12	129	141
Publication Authors	3	1	1	0	5	159	164
House of Delegates	0	0	0	0	0	3	3
<b>Total</b>	<b>21</b>	<b>11</b>	<b>2</b>	<b>0</b>	<b>34</b>	<b>465</b>	<b>499</b>

## International Law

The International Law Section has experienced its second consecutive year of impressive minority growth at the leadership level. The number of minorities in leadership roles rose from 186 to 214 (a 15% increase). Although this number is lower than the Section's peak number of 256, it is another good step toward closing the gap. The percentage of minority participation this year is 13.28%, up from last year's 12.39%. Native American members continue to have a presence in the Section, although their numbers decreased by one. Asian Pacific members expanded their participation in Section leadership by 45%. African American and Hispanic leaders also grew in number this year. Diverse members are represented in seven of the nine

leadership categories offered by the Section, including high level posts. The overall increase in leadership positions seems to have positively influenced minority growth.

Last year, the Section developed a five-year Diversity Plan and established a Diversity Committee. It reported that it dedicated \$2,000 to diversity programming this year. The Section co-sponsored a joint program with the ABA Diversity Center entitled "Humanitarian Opportunity or Lost Year," which dealt with the issue of the current economic climate and its impact on the profession and diversity. We hope that the Section will be able to extend the minority growth that it has cultivated well into the future.



2008-2009 International Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	17	18
Council or Forum Governing Committee	1	1	0	1	3	31	34
Committee Chairs or Forum Division Chairs	1	1	1	1	4	117	121
Additional Committee Leadership	5	2	7	1	15	265	280
Other Leadership	1	1	4	0	6	237	243
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	26	38	91	0	155	606	761
Publication Authors	0	0	1	0	1	35	36
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>35</b>	<b>44</b>	<b>104</b>	<b>3</b>	<b>186</b>	<b>1,315</b>	<b>1,501</b>



2009-2010 International Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	2	0	3	14	17
Council or Forum Governing Committee	2	2	1	0	5	41	46
Committee Chairs or Forum Division Chairs	1	1	4	0	6	117	123
Additional Committee Leadership	1	11	8	0	20	269	289
Other Leadership	2	14	4	2	22	315	337
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	30	35	92	0	157	626	783
Publication Authors	0	0	0	0	0	9	9
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>37</b>	<b>64</b>	<b>111</b>	<b>2</b>	<b>214</b>	<b>1,398</b>	<b>1,612</b>

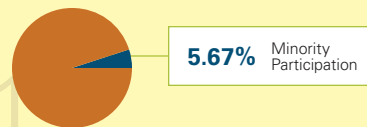
## Labor and Employment Law

The Labor and Employment Law Section's efforts to promote more minorities to positions of leadership within the Section paid off big this year, though we note once again there are no minorities in primary leadership/officer positions. The Section has, once again, increased its minority participation rates, albeit almost exclusively in Programming Faculty and Publication Authors. This represents three consecutive years of growth. The Section garnered its highest level of minority leadership participation this year, though we note once again there are no minorities in Primary Leadership/Officer positions. The percentage of minorities in overall leadership increased from 9.67% to 20.76%. Some of that percentage growth is tied to the reduction of available leadership positions Section-wide. However, despite

the reduction in available positions, the raw number of minorities in positions of leadership rose from 238 to 280 (an increase of 42 positions).

African Americans are the only group showing growth this year. Asian Pacific, Hispanic and Caucasian members all lost some ground, but still maintain a solid presence in the Section. Native American members have not been involved at the leadership level in several years. The overall reduction in leadership positions in the Section impacted the Additional Committee Leadership and Publication Authors categories most significantly. The total number of Additional Committee Leadership positions dropped from 284 to 5 (a 98% reduction). Minorities lost all 33 positions held in this category, as a result. Likewise, the number of

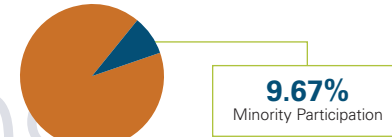
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2000-2001

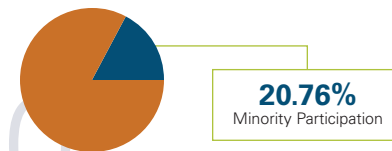
2000-2001		Labor and Employment Law					
African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	Percentage
44	10	17	3	74	1230	1304	5.67%

2008-2009



2008-2009		Labor and Employment Law					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	9	9
Council or Forum Governing Committee	2	0	1	0	3	0	3
Committee Chairs or Forum Division Chairs	10	0	1	0	11	59	70
Additional Committee Leadership	17	8	8	0	33	251	284
Other Leadership	1	0	1	0	2	13	15
Nominating Committee	0	0	0	0	0	3	3
Programming Faculty	77	36	24	0	137	752	889
Publication Authors	15	12	25	0	52	1,135	1,187
House of Delegates	0	0	0	0	0	2	2
Total	122	56	60	0	238	2,224	2,462

2009-2010



2009-2010		Labor and Employment Law					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	5	5
Council or Forum Governing Committee	2	0	1	0	3	24	27
Committee Chairs or Forum Division Chairs	9	0	1	0	10	36	46
Additional Committee Leadership	0	0	0	0	0	5	5
Other Leadership	2	1	1	0	4	12	16
Nominating Committee	0	0	0	0	0	3	3
Programming Faculty	66	34	26	0	126	751	877
Publication Authors	97	18	22	0	137	231	368
House of Delegates	0	0	0	0	0	2	2
Total	176	53	51	0	280	1,069	1,349

## *Labor and Employment Law*

CONTINUED FROM PAGE 26

available positions in the Publication Authors category dropped from 1,187 to 368 (a 69% decrease). However, despite this loss, minorities actually gained more leverage in this category, increasing from 52 to 137 positions (a 62% jump). The number of positions available on the Council/Forum Governing Committee dropped from 27 to three this year, but on a positive note, all three of the remaining positions are held by minorities. The Section has not had minority representation in Primary Leadership since 2002-03. This disappointing trend, as previously noted, continues in 2009-10. There also continues to be lack of minority presence on the Nominating Committee this year.

The Section reports that it spent \$100,000 (3% of its budget) on diversity-related programming. The Section developed a comprehensive Diversity Plan in 2002 that sets long-range diversity goals and establishes an action plan for the achievement of these goals. Section leadership and the Equal Opportunity in the Legal Profession (EOLP) Committee regularly review and evaluate the progress made under the plan. The

Section's diversity efforts include the creation of a Leadership Development Program, which identifies potential leaders from diverse groups and involves them in Section's work; establishment of a Standing Committee Best Practices Task Force, which drafts reports and recommendations for attracting, retaining and involving diverse membership in committee work; posting leadership position opportunities on the Section's website; and offering five scholarships to diverse bar associations to attend the Section's national CLE conference. The Section's 15 standing committees also engage in their own diversity-related projects relative to membership, programming and leadership.

The Section's goal to increase participation of minority lawyers in the profession and in all Section functions is still a work in progress. We would like to see the Section find ways to extend consistent leadership growth across all diverse groups. However, the Section has taken a positive step forward this year. It is our expectation that the initiatives that the Section has in place will continue to pay dividends well into the future.

## Law Practice Management

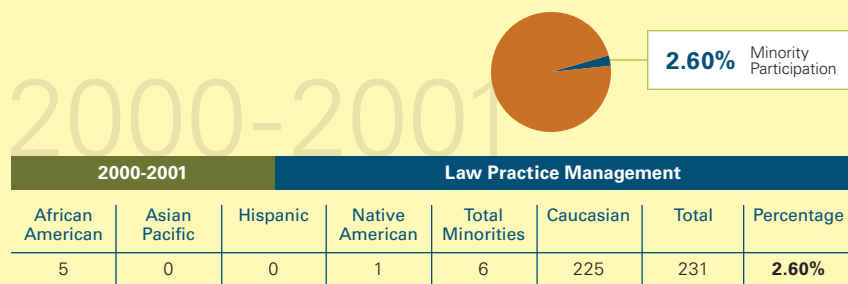
This year the Law Practice Management Section made very slight, incremental progress on the minority leadership front. The number of minorities in leadership only rose from 22 to 23, and the percentage of minorities in leadership increased from 5.43% to 6.82%. The Section lost a total of 68 leadership positions. Given the minimal increase in the actual number of minorities involved in Section leadership, the percentage increase in minority participation is very likely due to the availability of fewer leadership opportunities overall.

Minority members maintained their presence in Primary Leadership and on the Council/Forum Governing Committee. They lost the sole position they had in Additional Committee Leadership but gained an important new position on the

Nominating Committee. Minorities made significant strides in the Programming Faculty area. Available positions in this category grew Section-wide, and it appears that diverse members benefitted from that growth, moving from two to 18 positions. Unfortunately, the same cannot be said for the Publication Authors area, which lost 92 positions overall. All groups—diverse and otherwise—lost ground in this category.

The Section reportedly spent \$15,000 on its diversity efforts this year. Under the umbrella of its Diversity Committee, the Section developed the MELawyring Program, which promotes self-advocacy among members of diverse backgrounds. Through this program, the Section held two interactive workshops

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2008-2009 Law Practice Management							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	4	5
Council or Forum Governing Committee	1	1	1	0	3	18	21
Committee Chairs or Forum Division Chairs	0	0	0	0	0	18	18
Additional Committee Leadership	1	0	0	0	1	24	25
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	8	8
Programming Faculty	2	0	0	0	2	127	129
Publication Authors	9	3	3	0	15	182	197
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>14</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>22</b>	<b>383</b>	<b>405</b>



2009-2010 Law Practice Management							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	7	8
Council or Forum Governing Committee	0	1	1	0	2	17	19
Committee Chairs or Forum Division Chairs	0	0	0	0	0	10	10
Additional Committee Leadership	0	0	0	0	0	4	4
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	1	0	0	0	1	8	9
Programming Faculty	14	1	3	0	18	163	181
Publication Authors	0	0	1	0	1	104	105
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>16</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>23</b>	<b>314</b>	<b>337</b>

## *Law Practice Management*

CONTINUED FROM PAGE 28

during which the participants could design their own personal success strategies. The Section collaborated with the Young Lawyers Division to increase the number of first-time attendees at the Section's quarterly meeting. The collaboration was fruitful; the Section received an increased number of applications for committee appointments for the following bar year. The incoming chair of the Section has appointed several of these applicants, many of whom are minority, to funded positions. The Section also hosted a Leadership Forum, which offered participants an opportunity to learn about the operations of the Section. Additionally, the Section collaborated with Price-waterhouseCoopers in the creation

of a survey that participating law firms could use to assess their own diversity initiatives. The information gathered via the survey will be used to enhance the Section's ability to be a resource to these firms in developing diversity programming.

We would like to see the Section improve its minority leadership growth in more than small increments. Small steps forward are better than no progress at all, but it will take more than small steps to get the Section back to the record 38 minority leadership positions that it had in 2004-05, let alone surpass that number. The programming that the Section currently has in place will, we hope, help keep it on pace to accomplish this goal.

## Legal Education and Admissions to the Bar

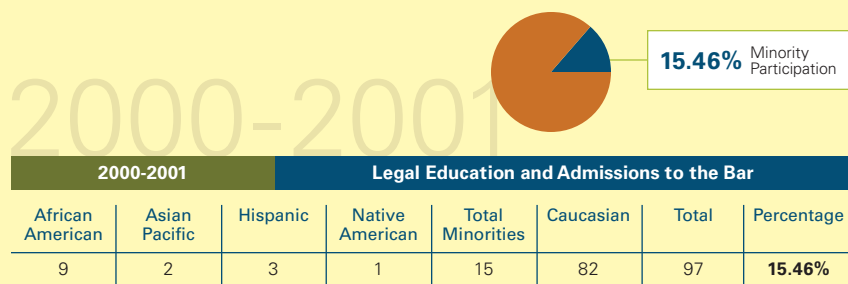
Congratulations are in order for the Section of Legal Education and Admissions to the Bar. The Section finally halted the downward slide in minority leadership participation that has plagued it for the past several years. The number of diverse members in leadership this year increased from 5 to 11. The proportionate number of minorities in leadership increased from 10.00% in 2008-09 to 20.37%. African Americans demonstrated the most growth among diverse members. Caucasian members lost two positions this year. This coupled with the Section's addition of four more leadership positions enabled diverse members to gain more footing in the Section.

Minorities continue to serve in high-level capacities, with positions in the Committee/Forum Division

Chairs, Nominating Committee, House of Delegates and Council/Forum Governing Committee categories. In fact, it is this latter category where diverse members have had the greatest growth. We are pleased to see the re-emergence of Native Americans with two positions in Section leadership this year.

The Section continues to be at the forefront of championing diversity in legal education through the law school accreditation process and Section-sponsored programs and initiatives. The Section has been guided in its work by the Standards for Approval of Law Schools, which contains several provisions promoting diversity. The Section reports that it remains committed to these Standards, despite criticism from governmental agencies for be-

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2008-2009 Legal Education and Admissions to the Bar							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	2	2
Council or Forum Governing Committee	0	0	1	0	1	15	16
Committee Chairs or Forum Division Chairs	1	0	0	0	1	22	23
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	1	0	2	5	7
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	1	0	0	0	1	1	2
<b>Total</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>5</b>	<b>45</b>	<b>50</b>



2009-2010 Legal Education and Admissions to the Bar							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	5	5
Council or Forum Governing Committee	2	0	1	2	5	9	14
Committee Chairs or Forum Division Chairs	3	0	0	0	3	21	24
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	7	9
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	1	0	0	0	1	1	2
<b>Total</b>	<b>8</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>11</b>	<b>43</b>	<b>54</b>



## *Legal Education and Admissions to the Bar*

CONTINUED FROM PAGE 30

ing “too aggressive” in support of diversity among faculty, students and staff in legal education. The Section states that adherence to the Standards has been a significant contributing factor to the increase in minority participation in legal education from less than 5% in 1971 to 21.9% in 2008. The Section also cites an increase in minority faculty (16.3% for full-time professors and 11% for law school deans). The Section sponsored a Successful Bar Passage conference with over 200 participants. The conference addressed outcome programs, academic support, curriculum innovation and diversity issues. It continues to act as a resource for other ABA entities

on questions regarding diversity in legal education. The Section participated in the recent ABA Presidential Diversity Summit entitled, “Diversity in the Profession: The Next Steps” and has recommended speakers for hearings and diversity conferences. It currently supports the Alliance for Education’s initiative to allow bar exam expenses for federal student loan programs.

Last year we suggested that the Section conduct an analysis of where it was, where it would like to go and how it plans to get there. It is clear that the Section took our suggestion to heart, given the progress it has made in moving minorities into positions of leadership.

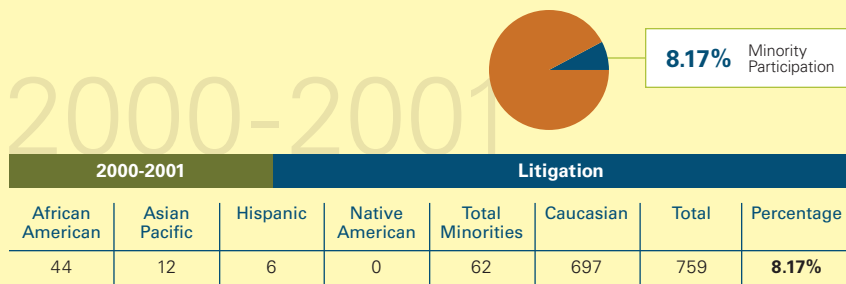
# Litigation

Last year's minority leadership numbers were the highest ever reported by the Section of Litigation. The Section recorded high numbers again this year. The total number of minorities in leadership is 309, up from 209. Minorities now comprise 22.29% percent of the leadership positions in the Section. This is about the same as last year's 22.28%. The number of Caucasians in leadership and the number of leadership positions available overall also increased.

Minorities from every subgroup are represented in high-level leadership roles, including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Nominating Committee and House of Delegates. The Section has one less Primary Leadership position available this year; there appears to be a direct correla-

tion between this reduction and the loss of one minority position in this category. The Section offered the same number of leadership opportunities in the Council/Forum Governing Committee category as it did last year. Caucasian members lost one position in this category. It appears that diverse members picked up this position increasing their presence from four to five. Leadership opportunities in the Committee/Forum Division Chairs category grew from 197 to 320 overall. Diverse and non-diverse members benefited from this growth. African American participation increased by 50%, and Asian Pacific members nearly tripled their involvement. Of concern is the loss of Other Leadership positions Section-wide. This reduction in opportunities resulted

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2008-2009		Litigation						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	
Primary Leadership/Officers	2	1	0	0	3	10	13	
Council or Forum Governing Committee	4	0	0	0	4	19	23	
Committee Chairs or Forum Division Chairs	23	5	8	3	39	158	197	
Additional Committee Leadership	0	0	0	0	0	0	0	
Other Leadership	25	5	7	0	37	106	143	
Nominating Committee	1	0	0	0	1	3	4	
Programming Faculty	70	17	18	1	106	398	504	
Publication Authors	10	5	1	2	18	32	50	
House of Delegates	1	0	0	0	1	3	4	
<b>Total</b>	<b>136</b>	<b>33</b>	<b>34</b>	<b>6</b>	<b>209</b>	<b>729</b>	<b>938</b>	



2009-2010		Litigation						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	
Primary Leadership/Officers	2	0	0	0	2	10	12	
Council or Forum Governing Committee	4	1	0	0	5	18	23	
Committee Chairs or Forum Division Chairs	47	14	13	4	78	242	320	
Additional Committee Leadership	0	0	0	0	0	0	0	
Other Leadership	0	0	0	0	0	0	0	
Nominating Committee	1	0	0	0	1	3	4	
Programming Faculty	132	14	21	0	167	652	819	
Publication Authors	14	16	25	0	55	149	204	
House of Delegates	1	0	0	0	1	3	4	
<b>Total</b>	<b>201</b>	<b>45</b>	<b>59</b>	<b>4</b>	<b>309</b>	<b>1,077</b>	<b>1,386</b>	

## Litigation

CONTINUED FROM PAGE 32

in a loss of 37 minority positions, which may or may not have been absorbed into other leadership areas. The Section offered additional leadership opportunities in the Programming Faculty and Publication Authors categories. Again, diverse and non-diverse members benefited from this growth. The Section's publishing arm is extremely robust. We are delighted that minority representation in this area tripled in 2009-2010.

The Section reports that it budgeted \$373,369 (5.59% of its total budget) for diversity programming. It has had a long-standing commitment to diversity as evidenced by its Diversity Plan, which was created to enhance diversity in leadership, membership, the ABA and the profession, as a whole. Though proud of its achievements relative to diversity, the Section states that it is not content to rest on the laurels of past accomplishments. To that end, it continues to promote attorneys of color to positions of leadership and authority. The current chair of the Section is a woman of color as were two of the immediate past chairs of the Section; one of the four delegates to the House of Delegates is a woman of color; 21.74% of the

Section's governing council members are attorneys of color; one of the five members of the Section's Advisory Committee on Nominations, which recommends the slate of future leadership positions, is an attorney of color; and of the 320 appointed leaders in the Section, almost one quarter (24%) are attorneys of color.

The Section reports that it has successfully implemented 65% of the 90 steps toward advancing inclusion outlined in its Diversity Plan. The current plan holds Section leaders and staff accountable for accomplishing the Section's diversity goals. The Section hired a full-time Committees and Diversity Initiatives Director to oversee the implementation of the plan. In addition to these efforts, the Section's Minority Trial Lawyer Committee publishes *Minority Trial Lawyer*, a publication written for, and primarily by, minority trial lawyers. The Section sponsors the Judicial Intern Opportunity Program (JIOP), which offers summer internships to diverse law students interested in doing legal research and writing for federal and state judges. The Section contributed \$477,500 to the 2009 JIOP program. The Section also provides financial support to the ABA Legal Opportunity Scholarship

program, which provides renewable \$5,000 scholarships to diverse law students. To date, the Section has contributed over \$400,000 to this worthy program.

We commend the Section for successfully integrating a culture of diversity into every aspect of its policies and practices. Its "good is not good enough" approach toward inclusion in the profession raises the bar for virtually all other ABA entities.

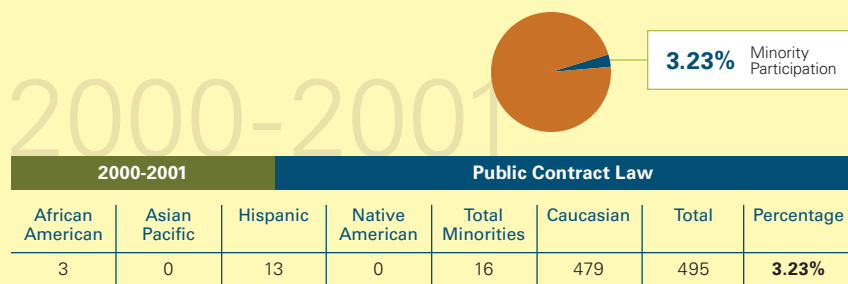
## Public Contract Law

It is hard to believe that just two years ago we touted the Public Contract Law Section's potential to join the vanguard of the ABA's diversity movement. Fast forward two years, and we see that the Section has not begun to live up to this expectation. Last year the Section posted its lowest minority leadership participation numbers (12) and percentages (2.48%) ever. This year its minority involvement stats have not changed much. The number of minorities in leadership remains at last year's low of 12. The percentage of minority involvement did increase to 2.98%, but most of that increase can be attributed to the overall reduction in leadership opportunities in the Section, as a whole.

The Section added Council/Forum Governing Committee and Other Leadership positions. Diverse and

non-diverse members capitalized on the availability of these additional opportunities. In 2008-09, the Section ceased offering leadership positions in the Other Leadership category, which resulted in the loss of nine minority positions. This year the Section added new positions in this category. Minorities recouped three of these newly added seats. Diverse members also re-established a presence in the Committee/Forum Division Chairs category with two new positions. The Section reduced the number of Additional Committee Leadership positions to zero this year. This reduction caused minority members to lose five leadership positions. In the Programming Faculty and Publication Authors categories, diverse members held on to their positions, experiencing no change from 2008-09 levels, despite

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2008-2009		Public Contract Law					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	7	7
Council or Forum Governing Committee	0	0	0	0	0	13	13
Committee Chairs or Forum Division Chairs	0	0	0	0	0	148	148
Additional Committee Leadership	4	1	0	0	5	85	90
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	1	2
Programming Faculty	0	1	0	0	1	142	143
Publication Authors	1	1	3	0	5	74	79
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>6</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>12</b>	<b>472</b>	<b>484</b>



2009-2010		Public Contract Law					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	3	3
Council or Forum Governing Committee	0	1	0	0	1	18	19
Committee Chairs or Forum Division Chairs	1	0	1	0	2	142	144
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	3	0	0	0	3	54	57
Nominating Committee	0	0	0	0	0	2	2
Programming Faculty	0	1	0	0	1	131	132
Publication Authors	0	4	1	0	5	39	44
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>0</b>	<b>12</b>	<b>391</b>	<b>403</b>

## *Public Contract Law*

CONTINUED FROM PAGE 34

the Section-wide loss of positions in these categories.

The Section reports that it expended \$8,000 to underwrite diversity scholarships targeted to members of underserved groups. One of the scholarship recipients was an African American woman. She was also a Section program speaker at the 2009 ABA Annual Meeting. In addition, the 2009-10 Section chair appointed

several new committee officers who are lawyers of color.

Despite the negligible change in minority leadership participation numbers this year, these diversity activities give us hope that the Section is on a path toward greater inclusion at its highest levels. We recommend that the Section use its current efforts as a springboard for additional diversity programming.

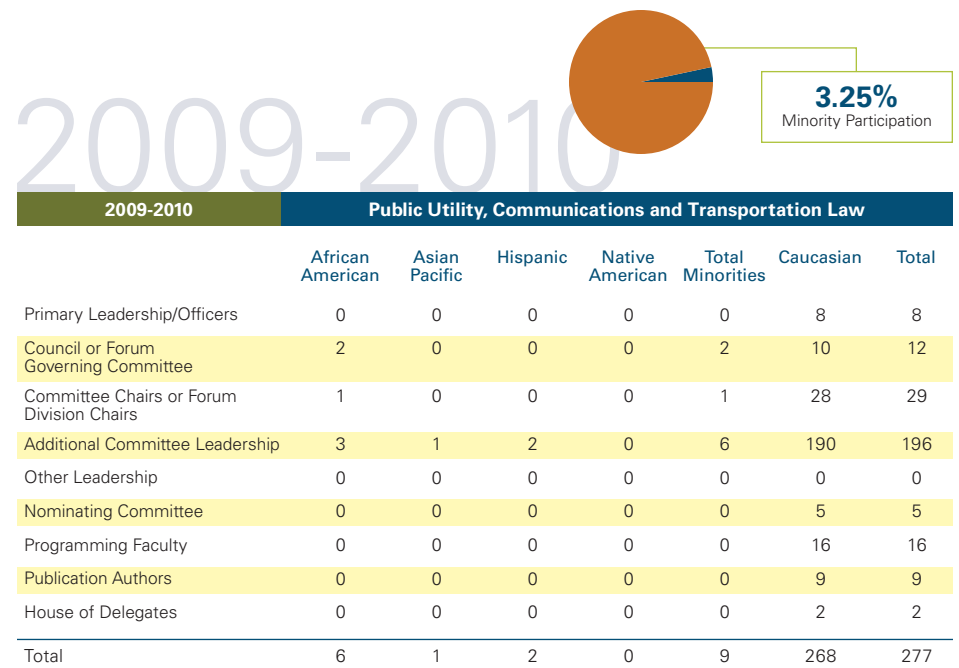
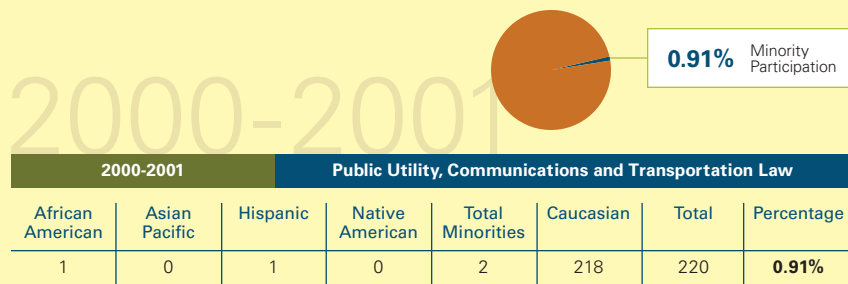
## Public Utility, Communications and Transportation Law

The Public Utility, Communications and Transportation Law Section lost a little bit of ground relative to minority leadership this year. The number of minorities in leadership dropped slightly from 10 to nine; the percentage of minorities in leadership dropped from 3.56% to 3.25%. Overall, the Section experienced a downward trend relative to the number of leadership opportunities available and the participation of diverse and non-diverse members.

The Section added six new positions to the Committee/Forum Division Chairs category. Minorities directly benefited, claiming one of these newly added seats. Diverse members retained the six positions that they had in Additional Committee Leadership, despite losses

in the overall availability of these positions. Minorities lost their presence in the Programming Faculty category but maintained their two positions on the Council/Forum Governing Committee.

The Section reports that it allocated \$2,000 to diversity this year. In addition, it states that it continues to make a conscious effort to add minorities to its Long-Range Planning Committee. This appears to be the primary diversity-oriented initiative that the Section is actively engaged in. We would like to see the Section develop a more substantial menu of diversity programming. Without expanded programming, the Section can expect to see further decreases in minority leadership participation.



## Real Property, Trust and Estate Law

This was a somewhat better year for diversity in the Real Property, Trust and Estate Law Section. The number of available leadership opportunities in the Section grew to 602 this year. The number of minorities in leadership increased from 15 to 25. Although this is still well below the Section's all-time high of 48 leaders of color (2007-2008), it is an improvement on last year's raw numbers. However, the percentage of minorities in leadership roles dipped a bit, from 4.34% to 4.15%. Clearly, the growth in available positions outpaced the growth in minority leadership participation this year.

The Section added new Committee/Forum Division Chairs, Additional Committee Leadership and Programming Faculty positions. Diverse and non-diverse members

benefited from these newly added seats. We are happy to report that the Section maintained its minority representation in the House of Delegates. Minorities lost two positions in Other Leadership, despite the increase in available positions in this area. Minorities failed to gain any traction in the Primary Leadership and Nominating Committee categories, again, despite Section-wide growth in these areas. Relative to the Council/Forum Governing Committee, minorities maintained their positions but were unable to increase their numbers in this area, once again, despite Section-wide growth.

The Section designated \$33,500 to fund diversity programming this year. In addition, it drafted revisions to its Diversity Plan. The Section's diversity-related activities include

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2008-2009 Real Property, Trust and Estate Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	6	6
Council or Forum Governing Committee	1	1	1	0	3	0	3
Committee Chairs or Forum Division Chairs	0	0	1	0	1	0	1
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	3	0	1	0	4	0	4
Nominating Committee	0	0	0	0	0	4	4
Programming Faculty	3	0	3	0	6	208	214
Publication Authors	0	0	0	0	0	111	111
House of Delegates	0	1	0	0	1	2	3
<b>Total</b>	<b>7</b>	<b>2</b>	<b>6</b>	<b>0</b>	<b>15</b>	<b>331</b>	<b>346</b>



2009-2010 Real Property, Trust and Estate Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	8	8
Council or Forum Governing Committee	1	1	1	0	3	32	35
Committee Chairs or Forum Division Chairs	2	1	0	0	3	117	120
Additional Committee Leadership	0	0	1	0	1	31	32
Other Leadership	0	0	2	0	2	112	114
Nominating Committee	0	0	0	0	0	5	5
Programming Faculty	4	9	2	0	15	270	285
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	1	0	0	1	2	3
<b>Total</b>	<b>7</b>	<b>12</b>	<b>6</b>	<b>0</b>	<b>25</b>	<b>577</b>	<b>602</b>



## *Real Property, Trust and Estate Law*

CONTINUED FROM PAGE 37

offering free meeting registration to first-time minority bar members; participating in ABA Diversity Center programs; appointing a liaison to the Commission on Racial and Ethnic Diversity in the Profession; purchasing booth space at minority bar conferences; and purchasing a table at the Spirit of Excellence Awards Luncheon. Additionally, the Section offers introductory CLE programs

on real property to minority bar members and participates in CLEO activities.

It is critical that the Section take advantage of every opportunity to identify diverse members with leadership potential and develop their talents. This is only way to ensure that minority leadership growth remains on par with the availability of leadership opportunities.

## Science and Technology Law

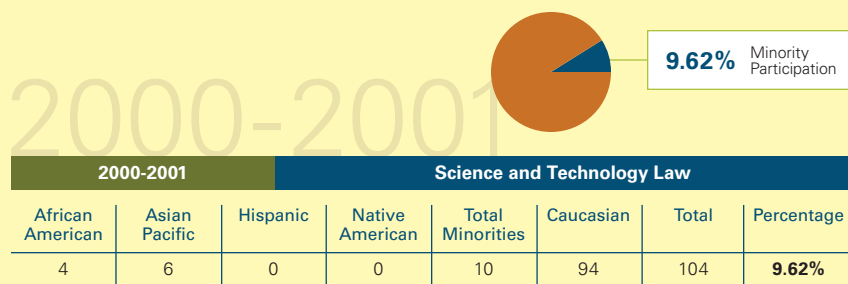
The Science and Technology Law Section experienced a mix of good news and less than good news relative to minority participation in leadership this year. On the positive side, the Section added 49 new leadership positions. Diverse and non-diverse members benefited from these newly added positions. The number of minorities serving in leadership increased from 40 to 45 this year. However, the percentage of minorities in leadership fell from 22.35% to 19.74%. As is the case with a few other entities, there is an imbalance between the growth in available positions and the growth in minority leadership participation this year.

Minorities hold positions in seven of the nine leadership areas offered by the Section, including most of the upper echelon positions. The Section was able to increase minority

leadership in four areas; it was able to maintain its levels of minority participation in one other area. Even in one of the areas where participation decreased, minorities still have a presence. Publication Authors is the only area where minorities experienced a decrease that resulted in negative leadership participation. The Additional Committee Leadership and Other Leadership areas provided the most growth opportunity for diverse members this year. We are particularly pleased with the growth of Native American leadership in the Section.

The Section reports that its primary focus, as outlined in its strategic plan, is on membership diversification. It allocated \$4,800 in furtherance of this and other diversity-related goals. The Section conducted

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2008-2009 Science and Technology Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	6	7
Council or Forum Governing Committee	0	1	4	0	5	10	15
Committee Chairs or Forum Division Chairs	0	1	4	2	7	42	49
Additional Committee Leadership	1	3	1	0	5	32	37
Other Leadership	0	4	1	0	5	0	5
Nominating Committee	0	0	1	0	1	4	5
Programming Faculty	4	3	3	0	10	33	43
Publication Authors	2	2	2	0	6	10	16
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>7</b>	<b>15</b>	<b>16</b>	<b>2</b>	<b>40</b>	<b>139</b>	<b>179</b>



2009-2010 Science and Technology Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	1	0	2	6	8
Council or Forum Governing Committee	1	1	2	0	4	11	15
Committee Chairs or Forum Division Chairs	0	3	6	2	11	38	49
Additional Committee Leadership	0	3	6	2	11	38	49
Other Leadership	1	5	7	1	14	57	71
Nominating Committee	0	1	0	0	1	4	5
Programming Faculty	0	1	1	0	2	22	24
Publication Authors	0	0	0	0	0	5	5
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>2</b>	<b>15</b>	<b>23</b>	<b>5</b>	<b>45</b>	<b>183</b>	<b>228</b>

## *Science and Technology Law*

CONTINUED FROM PAGE 39

a survey of attendees at the 2008 ABA Annual Meeting to gauge their satisfaction with the level of diversity on the Section's program panels. The Section used these evaluations to encourage its Planning Committee and CLE program moderators to diversify their discussion panels. It continues to support the Commission on Women in the Profession's women

of color research initiative. It also contributed to the ABA Legal Opportunity Scholarship, which provides diverse students with opportunities to attend law school.

We encourage the Section to continue its diversity efforts and to seek innovative ways to meet its diversity needs. Through innovation comes true progress.

## State and Local Government Law

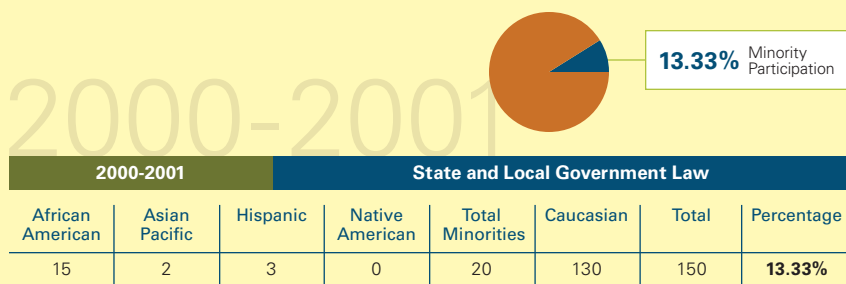
There are 22 minorities in leadership positions in the Section this year. This represents no change from last year's number. However, minorities currently make up 12.36% of the total number of members in leadership roles. This represents a percentage increase from 10.84% in 2008-09. The discrepancy between the number and percentage of minorities in leadership positions is most likely attributable to the reduction in the number of available positions in the Section overall.

Despite an overall reduction in the number of available positions, the Section did provide new leadership opportunities in the Primary Leadership, Council Forum Governing Committee and Nominating Committee categories. Minorities fill nine of these new positions. Minorities also gained a position in Other

Leadership, despite a Section-wide reduction in this area. On the flip-side, minorities retained their existing two positions in the Committee/Forum Division Chairs category but could not parlay their presence into additional growth, despite an increase in the number of positions available in this area. Minorities lost ground in the Programming Faculty and Additional Committee Leadership categories and were unable to take advantage of newly created positions offered in the Publication Authors category.

The Section budgeted \$5,000 on diversity programming this year. It amended its Diversity Plan to bring it into alignment with the ABA's definition of diversity. The newly revised plan will serve as a working document to measure improvements

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2008-2009 State and Local Government Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	9	10
Council or Forum Governing Committee	3	1	0	0	4	10	14
Committee Chairs or Forum Division Chairs	2	0	0	0	2	10	12
Additional Committee Leadership	4	3	2	0	9	41	50
Other Leadership	0	0	0	0	0	65	65
Nominating Committee	0	0	0	0	0	4	4
Programming Faculty	3	2	1	0	6	40	46
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>13</b>	<b>6</b>	<b>3</b>	<b>0</b>	<b>22</b>	<b>181</b>	<b>203</b>



2009-2010 State and Local Government Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	1	0	0	3	17	20
Council or Forum Governing Committee	5	1	1	0	7	24	31
Committee Chairs or Forum Division Chairs	1	1	0	0	2	12	14
Additional Committee Leadership	0	1	0	0	1	12	13
Other Leadership	0	1	0	0	1	12	13
Nominating Committee	4	0	0	0	4	15	19
Programming Faculty	2	0	2	0	4	58	62
Publication Authors	0	0	0	0	0	4	4
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>14</b>	<b>5</b>	<b>3</b>	<b>0</b>	<b>22</b>	<b>156</b>	<b>178</b>

## *State and Local Government Law*

CONTINUED FROM PAGE 41

in key areas. The immediate past chair of the Section, an African American woman, identified diversity as a key focus of her term. During her tenure, increasing diversity in substantive programming was a priority. The Section sponsored a CLE session highlighting inclusion in state and local government, which featured a diverse panel of speakers. The Section believes that

such visible representations of inclusiveness will entice diverse attorneys to become more involved in leadership.

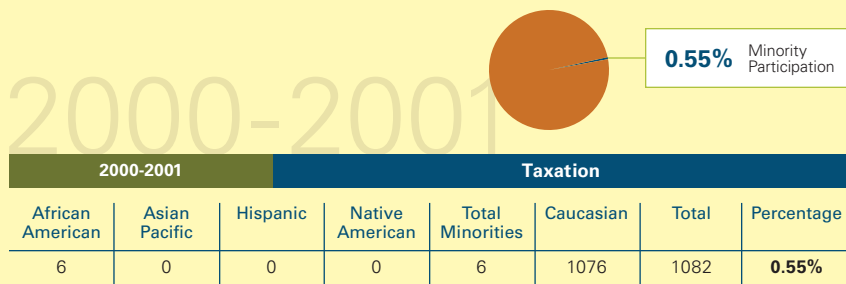
The Section experienced stagnation in its minority participation numbers this year. We would like to see it identify ways to overcome this stagnation and move minority participation numbers and percentages forward next year.

# Taxation

Last year we noted that the Taxation Section was growing in almost every way imaginable. The number of minorities in leadership expanded from 80 to 156. The percentage of minorities in Section leadership grew to 4.48%, the second highest percentage of minority participation since 2000-01. This year the news is not so good. Minorities number 134 this year, which is a loss of 22 positions. The proportionate number of minorities increased, due primarily to a reduced number of available leadership positions overall. Diverse and non-diverse members lost leadership seats as a result. With the exception of two positions in the Council/Forum Governing Committee, most of the minority leaders that remain in the Section are concentrated in the Programming Faculty and Publication Authors categories.

The Section allocated 3% of its budget to support diversity programming. It offers law student career programs that provide career information on tax law. These programs are annual events. It sponsors a Law Student Tax Challenge Writing Contest that attracts over 40 J.D. and LL.M. student teams each year. Minority participation in this competition has grown each year. Additionally, the Section underwrites a Legal Opportunity Scholarship that enables a diverse student to attend law school. The Section acknowledges that it has work to do with regard to racial and ethnic diversity within its ranks. It believes that its pipeline efforts targeting law students and young lawyers will eventually bear fruit. Therefore, the Section's diversity efforts are primarily aimed

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2008-2009 Taxation							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	2	0	2	9	11
Council or Forum Governing Committee	1	0	0	0	1	16	17
Committee Chairs or Forum Division Chairs	0	1	1	0	2	56	58
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	1	0	2	28	30
Programming Faculty	29	33	68	0	130	2,863	2,993
Publication Authors	9	6	4	0	19	352	371
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>40</b>	<b>40</b>	<b>76</b>	<b>0</b>	<b>156</b>	<b>3,326</b>	<b>3,482</b>



2009-2010 Taxation							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	0	0
Council or Forum Governing Committee	0	0	0	0	0	0	0
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	33	45	40	3	121	2,070	2,191
Publication Authors	5	5	3	0	13	339	352
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>38</b>	<b>50</b>	<b>43</b>	<b>3</b>	<b>134</b>	<b>2,409</b>	<b>2,543</b>

## *Taxation*

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at recruiting potential members from these two populations.

Last year we expressed hope that the Section's initiatives would result in increased minority numbers, particularly with regard to Native American members. Although total minority numbers fell this year, the numbers for Native American

and Hispanic members increased.

The Section's long-range outlook on building diversity demonstrates that it is in it for the long haul and is committed to building diversity in the profession from the ground floor up. We look forward to continued increases in minority participation in the years to come.



## Tort Trial and Insurance Practice

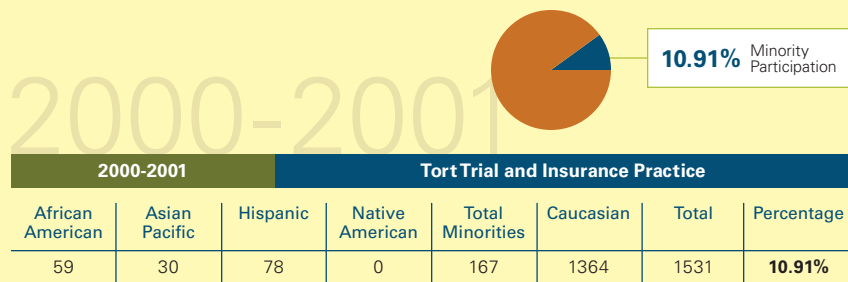
Numbers are up, percentages are down. That's the story of the Section of Tort Trial and Insurance Practice this year. The total number of minorities in leadership is 170 compared to 68 in 2008-09. The percentage of minorities in leadership is 10.19%, down from 12.34%. The number of available leadership slots Section-wide increased. Diverse and non-diverse members enjoyed increases across the board. However, the percentage growth in minority participation did not keep pace with the increase in available leadership posts.

Minorities hold positions in six of the eight leadership categories offered by the Section. The bulk of positions held by minorities are in the Additional Committee Leadership and Programming Faculty areas. The Section added a total of 1,117 new

leadership positions this year. Diverse members hold 170 positions, an increase of 102 positions. Although they did not see any increases in their numbers, minorities held on to two positions on the Council/Forum Governing Committee despite a Section-wide reduction in this area. The Section also cut Committee/Forum Division Chairs positions, but diverse members did not fare as well; they lost three positions.

The Section reports that it allocated \$234,658 (6% of its budget) for diversity. It produced a diversity training video that emphasizes the competitive advantage of embracing and maintaining a diverse workforce. It anticipates that the video will become a leading training tool for the legal profession. The Section continues to support the TIPS

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2008-2009 Tort Trial and Insurance Practice							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	5	5
Council or Forum Governing Committee	2	0	0	0	2	22	24
Committee Chairs or Forum Division Chairs	9	4	3	0	16	63	79
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	22	8	12	2	44	316	360
Publication Authors	3	3	0	0	6	74	80
House of Delegates	0	0	0	0	0	3	3
<b>Total</b>	<b>36</b>	<b>15</b>	<b>15</b>	<b>2</b>	<b>68</b>	<b>483</b>	<b>551</b>



2009-2010 Tort Trial and Insurance Practice							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	7	7
Council or Forum Governing Committee	1	1	0	0	2	21	23
Committee Chairs or Forum Division Chairs	4	2	7	0	13	48	61
Additional Committee Leadership	54	17	28	1	100	630	730
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	1	0	0	1	24	25
Programming Faculty	17	9	12	9	47	528	575
Publication Authors	3	1	3	0	7	237	244
House of Delegates	0	0	0	0	0	3	3
<b>Total</b>	<b>79</b>	<b>31</b>	<b>50</b>	<b>10</b>	<b>170</b>	<b>1,498</b>	<b>1,668</b>

## *Tort Trial and Insurance Practice*

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Leadership Academy, a year-long leadership training program targeting diverse groups. The Section reports that it is seeing increased participation of diverse members in leadership as a result of the academy. In addition, it sponsored the Coalition of Bar Association of Color Dinner and presented the Liberty Achievement Award to the Honorable Matthew Perry Jr. and Honorable Shelvin Louise Hall for their extraordinary life-long efforts toward the achievement of liberty for all. The Section provided scholarships to minority

lawyers to attend the dinner. The Section believes that its involvement with the annual dinner will increase its visibility among lawyers and judges of color.

Through development of its own diversity training video and leadership academy, the Tort Trial and Insurance Practice Section has demonstrated that it can be an innovator in the diversity movement. We commend the Section on its progressive attitude and outlook, but look to better results in recruiting and retaining minority leaders.

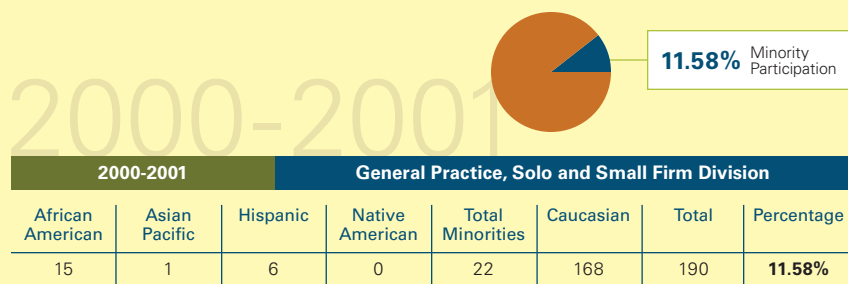
## General Practice, Solo and Small Firm Division

Last year we noted that the tide seemed to be turning in a positive direction for the General Practice, Solo and Small Firm Division. We were right and this year the tide has turned in a positive direction for both the number *and* percentage of minorities in Section leadership. The 99 minority leaders in the Section this year not only improves on last year's numbers but surpasses the 69 minority members that the Division peaked with in 2005-06. The percentage of minorities in leadership increased impressively from 12.43% to 17.97% this year.

The decrease in Caucasian members in leadership and the Division's addition of 20 new leadership positions, combined to help boost minority participation rates. Diverse members hold positions in eight of the nine leadership

categories. Minorities made the most impact in the Publication Authors, Other Leadership, and Programming Faculty areas. All minority groups, including Native Americans, are well represented in Division leadership.

The Division dedicated \$9,800 to diversity initiatives. The Division established the Diversity Fellows Program 10 years ago and continues to sponsor this very successful program, which annually provides leadership development opportunities to four diverse members of the Division. After successful completion of the fellowship year, the recipients are appointed to regularly funded positions within the Division the following bar year. We applaud the Division's success in boosting its minority numbers and percentages this year.



2008-2009 General Practice, Solo and Small Firm Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	2	4
Council or Forum Governing Committee	3	1	0	0	4	17	21
Committee Chairs or Forum Division Chairs	3	3	4	3	13	44	57
Additional Committee Leadership	12	3	3	0	18	54	72
Other Leadership	0	0	1	0	1	5	6
Nominating Committee	0	0	0	0	0	5	5
Programming Faculty	7	1	1	0	9	78	87
Publication Authors	4	4	6	4	18	257	275
House of Delegates	0	0	0	1	1	3	4
<b>Total</b>	<b>30</b>	<b>12</b>	<b>16</b>	<b>8</b>	<b>66</b>	<b>465</b>	<b>531</b>



2009-2010 General Practice, Solo and Small Firm Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	1	0	1	4	5
Council or Forum Governing Committee	3	2	1	0	6	17	23
Committee Chairs or Forum Division Chairs	5	0	0	0	5	0	5
Additional Committee Leadership	0	0	0	0	0	4	4
Other Leadership	18	2	3	5	28	112	140
Nominating Committee	1	0	0	0	1	3	4
Programming Faculty	8	4	6	1	19	66	85
Publication Authors	18	7	13	0	38	244	282
House of Delegates	0	0	0	1	1	2	3
<b>Total</b>	<b>53</b>	<b>15</b>	<b>24</b>	<b>7</b>	<b>99</b>	<b>452</b>	<b>551</b>

## Government and Public Sector Lawyers Division

The actual number of minorities serving in a leadership capacity in the Division slipped again this year, from 16 in 2008-09 to 12 in 2009-10. However, as was the case last year, decreased Caucasian participation in leadership and fewer leadership positions, has resulted in a percentage increase in the level of minority participation, from 21.05% in 2008-09 to 23.08% in 2009-10.

The number of African American members in leadership positions dropped from 13 in 2008-09 to eight in 2009-10. This was the only minority sub-group to show a gain in leadership participation levels last year. The number of Asian Pacific members in leadership increased by one, moving from three to four, but the number of Hispanics in Division leadership remains at zero this year.

The Division continues to have

minorities serving in high-level leadership roles such as Primary Leadership, Council/Forum Governing Committee and Committee/Forum Division Chairs. Although the overall number of available positions on the Council/Forum Governing Committee remained at 23, minorities increased their numbers from three to five this year. However, minorities lost ground at the leadership level overall. The Division's loss of leadership positions in the Additional Committee Leadership category detrimentally impacted minorities, resulting in their loss of four minority leadership positions. Despite the addition of eight positions in the Committee/Forum Division Chairs category, minority participation dropped slightly in this category from three to two.

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2008-2009 Government and Public Sector Lawyers Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	0	0	2	6	8
Council or Forum Governing Committee	2	1	0	0	3	20	23
Committee Chairs or Forum Division Chairs	3	0	0	0	3	0	3
Additional Committee Leadership	3	1	0	0	4	0	4
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	2	3
Programming Faculty	2	1	0	0	3	15	18
Publication Authors	0	0	0	0	0	15	15
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>13</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>60</b>	<b>76</b>



2009-2010 Government and Public Sector Lawyers Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	5	6
Council or Forum Governing Committee	2	3	0	0	5	18	23
Committee Chairs or Forum Division Chairs	2	0	0	0	2	9	11
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	1	1
Programming Faculty	3	1	0	0	4	5	9
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>8</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>40</b>	<b>52</b>

## *Government and Public Sector Lawyers Division*

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Diverse members also lost ground in Primary Leadership, moving from two positions to one. Particularly concerning is the decrease in the number of positions available on the Nominating Committee overall. This decrease may have resulted in the loss of the sole minority on the committee. In the Programming Faculty category, minority participation increased from three to four. The Publication Authors classification lost all fifteen of its positions this year. With this loss comes the loss of opportunities to recruit diverse authors for Division publications.

Broken down by race and ethnicity, African American members lost five leadership positions this year, going from 13 to eight, and Asian Pacific members gained only one position. Unfortunately, Hispanic members have not been able to regain a foothold in Division leadership since their loss of nine positions in 2007-08. Their numbers remain at zero.

The Division reports that it spent approximately \$2,000 (2% of its budget) on diversity-related efforts. Despite its limited financial resources, the Division continues to engage in activities that promote

diversity, such as its sponsorship of diverse CLE panels and the Pathways to Success for Women and Minorities in the Public Sector Program, which features a panel of successful diverse leaders discussing their personal experiences in the profession; use of diverse images in its publications; support of diverse council membership (21.74% of council members are of color); and the development of a Web page featuring the Division's Diversity Plan with links to the ABA Commission on Racial and Ethnic Diversity in the Profession and the ABA Council on Racial and Ethnic Justice. The Division believes that its current diversity initiatives will give its minority members the tools they need for advancement into leadership levels of the profession.

The Division is taking steps in support of diversity and inclusion; however, we are concerned about the overall continued decrease in the number of minorities participating in leadership since 2007-08. We encourage the Division to take a look at the possible reasons for the ongoing loss of minority participation and to develop a strategy to move minority participation in a positive direction.

## Judicial Division

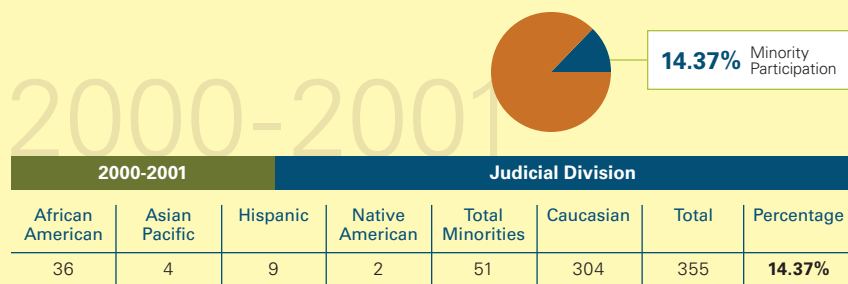
The Judicial Division accrued a modest increase in minority leadership participation this year. Minority members number 22 (an increase of one) and make up 17.74% of leadership (up from 17.50%). Members of every minority sub-group hold positions of authority in the Division. Minorities increased their presence in the Committee/Forum Division Chairs category. They maintained their positions in the Council/Forum Governing Committee, Nominating Committee, Programming Faculty and Publication Authors categories. Diverse members lost the one seat they had in Primary Leadership.

The Judicial Division's commitment is exemplified by its continuing implementation of its Diversity Plan and the ongoing programming that it has in place. The Division presented three very successful diversity-

oriented programs that explored the perceptions of racial and ethnic bias as it relates to fair and equal treatment in the courtroom: 1) "The Assumption of Justice: A Dialogue on Color, Ethnicity and the Courts," a CLE program produced in collaboration with the Section of State and Local Government, 2) "And Justice for All?," a CLE conference presented through the Carrington Lecture Series and 3) "The Assumption of Justice: A Town Hall Dialogue on Color, Ethnicity and the Courts," co-sponsored by the Commission on Racial and Ethnic Diversity in the Profession. The Town Hall event received so much positive feedback that the Division plans to replicate it at upcoming meetings in Washington D.C. and San Francisco.

The Division co-sponsored the

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2008-2009		Judicial Division						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	
Primary Leadership/Officers	0	1	0	0	1	0	1	
Council or Forum Governing Committee	1	0	2	0	3	10	13	
Committee Chairs or Forum Division Chairs	3	0	0	1	4	15	19	
Additional Committee Leadership	0	0	0	0	0	0	0	
Other Leadership	0	0	0	0	0	0	0	
Nominating Committee	1	0	0	0	1	5	6	
Programming Faculty	2	1	0	0	3	12	15	
Publication Authors	7	0	1	1	9	56	65	
House of Delegates	0	0	0	0	0	1	1	
<b>Total</b>	<b>14</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>21</b>	<b>99</b>	<b>120</b>	



2009-2010		Judicial Division						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	
Primary Leadership/Officers	0	0	0	0	0	1	1	
Council or Forum Governing Committee	3	0	0	0	3	9	12	
Committee Chairs or Forum Division Chairs	3	2	0	1	6	17	23	
Additional Committee Leadership	0	0	0	0	0	0	0	
Other Leadership	0	0	0	0	0	0	0	
Nominating Committee	0	0	1	0	1	6	7	
Programming Faculty	2	1	0	0	3	12	15	
Publication Authors	7	0	1	1	9	56	65	
House of Delegates	0	0	0	0	0	1	1	
<b>Total</b>	<b>15</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>22</b>	<b>102</b>	<b>124</b>	

## *Judicial Division*

CONTINUED FROM PAGE 50

Judicial Clerkship program for the ninth year in a row. Through its Tribal Courts Council, it continued to educate the judiciary on Native American concerns. During ABA Day in Washington D.C., the Division addressed senators and members of Congress on the lack of Native American's in the judiciary. The Division's Judicial Mentor Program matched 50 lawyers and judges for one-on-one mentoring. In addition, the Division published the fourth edition of *The Directory of Minority Judges in the United States*. The Standing Committee on Minorities in the Judiciary broadened its outreach to local schools during the Midyear and Annual Meetings. Finally, the Division recently inaugurated the first online, fully searchable diversity database. This one-of-a-kind database details information about minority judges on the state bench. The database can be found on the Division's diversity website.

The \$101,921 that the Judicial Division allocated to diversity programming was money well spent. The Division is dedicated to promoting diversity in the judiciary, and it shows. The Division's advocacy for more Native Americans at the judicial level is particularly impressive.

The Division comprises individual Conferences related to specific judicial practice areas. We understand that the pool of minorities is greater in some Conferences than in others and that some Conferences have made greater headway than others in the diversity leadership process. Likewise, we are also aware that the Conferences support and promote the diversity-related activities, events and programming produced through the Judicial Division. We recommend that the Conferences continue to work together and share strategies and best practices to strengthen minority leadership Division-wide.



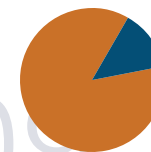
## Judicial Division—Appellate Judges Conference

Like the Judicial Division as a whole, the Appellate Judges Conference experienced minor growth in minority participation in leadership activities. The total number of minorities in leadership positions in the Conference is four (up from three), and minorities currently make up 19.05% of the total number of judges in leadership roles (up from 15.79%).

Minority judges from this conference currently serve in the Committee/Forum Division Chairs (three

positions) and Nominating Committee (one position) categories. The Conference reports that it devoted 3.5% of its budget to diversity, primarily in supporting the Judicial Clerkship Program by offering a scholarship to a diverse member who otherwise would not have been able to participate. We hope to see minority members continue in upper level leadership positions within the Conference.

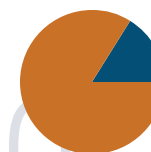
2008-2009



**15.79%**  
Minority Participation

2008-2009	Appellate Judges Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	1	0	1	0	2	5	7
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	3	3
Programming Faculty	1	0	0	0	1	6	7
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>16</b>	<b>19</b>

2009-2010



**19.05%**  
Minority Participation

2009-2010	Appellate Judges Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	0	0	0	0	0	8	8
Committee Chairs or Forum Division Chairs	3	0	0	0	3	5	8
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	1	1	2	3
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>17</b>	<b>21</b>

## Judicial Division—Appellate Judges Conference

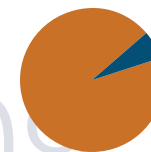
### COUNCIL OF APPELLATE LAWYERS (CAL)

The Council of Appellate Lawyers has two minorities (up from one) in leadership positions, which represents 9.52% of Council leadership (up from 6.67%). Both of the minority-held positions are on the Council/Forum Governing Committee.

We understand that the pool of

minorities is relatively small in this particular practice area, which makes it more difficult to cultivate minority leadership talent. The Council must take advantage of opportunities to educate diverse law students about this type of legal work and develop an effective recruitment strategy.

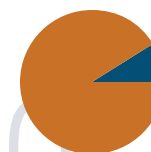
# 2008-2009



**6.67%**  
Minority Participation

2008-2009	Council of Appellate Lawyers						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	2	2
Council or Forum Governing Committee	1	0	0	0	1	12	13
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>14</b>	<b>15</b>

# 2009-2010



**9.52%**  
Minority Participation

2009-2010	Council of Appellate Lawyers						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	2	2
Council or Forum Governing Committee	0	0	2	0	2	17	19
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>19</b>	<b>21</b>

## Judicial Division—Appellate Judges Conference

### COUNCIL OF APPELLATE STAFF ATTORNEYS (CASA)

And then there was one.... After a year without a single minority lawyer in leadership, we are pleased to see a diverse member represented in the Council. This one addition increases the percentage of minorities from 0.00% to 14.29%. We are particularly happy to see that this new member serves in Primary Leadership.

Last year we noted that because

the Council had minority participation in the past, it was likely that it would be able to rebound in this area. We were right. However, the Conference must continue to engage in meaningful outreach to recruit more minorities for leadership service. The Council still has no where to go but up.

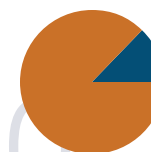
# 2008-2009



**0.00%**  
Minority Participation

2008-2009	Council of Appellate Staff Attorneys						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	0	0	0	0	0	4	4
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>5</b>

# 2009-2010



**14.29%**  
Minority Participation

2009-2010	Council of Appellate Staff Attorneys						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	1	2
Council or Forum Governing Committee	0	0	0	0	0	5	5
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>6</b>	<b>7</b>

## Judicial Division—Lawyers Conference

The Lawyers Conference is treading a little water this year with regard to minority participation in leadership. The number of minority lawyers serving in leadership is nine—the same as last year. Percentage minority leadership involvement increased by a statistically insignificant amount, from 29.03% to 30.0%, and this was due to the decrease in Caucasian leadership by one position. On an

encouraging note, all of the minority members hold positions in upper echelon leadership areas, including Primary Leadership, Council/Forum Governing Committee and Committee/Forum Division Chairs.

Treading water means no progress is being made. We are hopeful that the Lawyer’s Conference can make a move forward in its diversity efforts and boost its minority leadership growth.



2008-2009	Lawyers Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	1	0	1	3	4
Council or Forum Governing Committee	3	0	0	0	3	8	11
Committee Chairs or Forum Division Chairs	2	0	1	0	3	7	10
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	2	0	0	0	2	3	5
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>9</b>	<b>22</b>	<b>31</b>



2009-2010	Lawyers Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	2	4
Council or Forum Governing Committee	3	0	0	0	3	9	12
Committee Chairs or Forum Division Chairs	3	0	1	0	4	7	11
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	2	2
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>9</b>	<b>21</b>	<b>30</b>

## Judicial Division–National Conference of Administrative Law Judges

One step forward, one step back.... Last year we were very pleased with the progress made by the National Conference of Administrative Law Judges in the area of diversity leadership. The Conference had 19 minority leaders and comprised 26.03% of the Conference. This year is a different story; minorities hold only eight positions (the second lowest level since the Conference began recording such data), which resulted in their percentages falling to 16%. This drop was due to a reduction in the number of positions available in

two leadership categories: Council/Forum Governing Committee and Committee/Forum Division Chairs. Hardest hit were Native American members, who lost all six of the positions that they held in 2008-09.

After three consecutive years of increased minority involvement in Conference leadership, it is very disappointing to see such a drop in participation. Rebuilding is always a challenge. We have no doubt that the Conference can overcome this setback given its history, but it will take some effort.

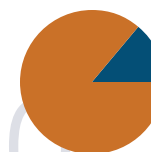
# 2008-2009



**26.03%**  
Minority Participation

2008-2009	Administrative Law Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	4	4
Council or Forum Governing Committee	1	0	0	1	2	6	8
Committee Chairs or Forum Division Chairs	11	0	0	5	16	38	54
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>19</b>	<b>54</b>	<b>73</b>

# 2009-2010



**16.00%**  
Minority Participation

2009-2010	Administrative Law Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	4	4
Council or Forum Governing Committee	2	0	0	0	2	7	9
Committee Chairs or Forum Division Chairs	5	0	0	0	5	25	30
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>42</b>	<b>50</b>

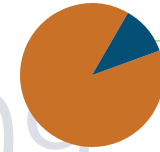
## Judicial Division—National Conference of Federal Trial Judges

There hasn't been much movement in minority leadership participation in the National Conference of Federal Trial Judges this year. As was the case in 2008-09, there are three minorities in leadership roles in the Conference. Diverse members currently make up 13.04% of the total number of federal trial judges in leadership roles. This is a modest increase from 12.50% in 2008-09, related to the reduction of one lead-

ership position in the Conference. Diverse members neither gained nor lost positions due to the reduction. Minorities currently serve in the Council/Forum Governing Committee and Committee/Forum Division Chairs categories.

Though we are glad that diverse members maintained their positions in the Conference, we hope that they are able to increase their leadership involvement next year.

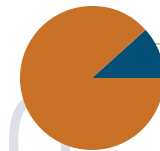
2008-2009



**12.50%**  
Minority Participation

2008-2009	Federal Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	3	3
Council or Forum Governing Committee	1	0	0	0	1	8	9
Committee Chairs or Forum Division Chairs	1	0	0	0	1	6	7
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	1	0	1	1	2
Publication Authors	0	0	0	0	0	2	2
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>21</b>	<b>24</b>

2009-2010



**13.04%**  
Minority Participation

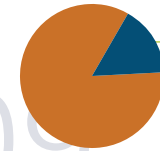
2009-2010	Federal Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	2	2
Council or Forum Governing Committee	1	0	1	0	2	9	11
Committee Chairs or Forum Division Chairs	0	0	1	0	1	5	6
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	3	3
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>20</b>	<b>23</b>

## Judicial Division–National Conference of Specialized Court Judges

The National Conference of Specialized Court Judges gained ground with regard to minority leadership participation. This year, there are a total of 11 minority Specialized Court judges in positions of leadership in the Conference. This is up from nine in 2008-09. The percentage of minority involvement this year is 26.83%. This increase is an improvement on the 19.15% that the Conference reported in 2008-09, and moves the Conference closer to the record 33.33%

that it garnered in 2007-08. This minority growth occurred despite a decrease in the number of leadership positions available. Diverse members are represented in the Primary Leadership, Council/Forum Governing Committee and Committee/Forum Division Chairs categories. Their growth from two to seven seats in the latter category is particularly impressive. We hope the Conference can keep up the momentum as it gets closer to surpassing its record numbers of 2007-08.

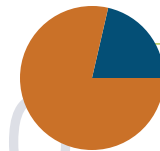
2008-2009



**19.15%**  
Minority Participation

2008-2009	Specialized Court Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	1	3
Council or Forum Governing Committee	2	0	1	0	3	11	14
Committee Chairs or Forum Division Chairs	1	0	1	0	2	19	21
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	3	4
Programming Faculty	1	0	0	0	1	3	4
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>6</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>9</b>	<b>38</b>	<b>47</b>

2009-2010



**26.83%**  
Minority Participation

2009-2010	Specialized Court Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	2	3
Council or Forum Governing Committee	2	0	1	0	3	11	14
Committee Chairs or Forum Division Chairs	4	0	3	0	7	14	21
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	2	2
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>7</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>11</b>	<b>30</b>	<b>41</b>

## Judicial Division–National Conference of State Trial Judges

The National Conference of State Trial Judges experienced a slight setback with regard to the actual number of diverse members in leadership this year. Minorities lost one position bringing their number to 16. The Conference also reports a decline in Caucasian membership this year. Minorities now comprise 38.10% of the leadership positions, up from 31.48% in 2008-09. In this case, much of the percentage increase is due to a loss of leadership opportunities in the Conference as a whole.

Diverse members still maintain a healthy presence in several upper level leadership categories including Primary Leadership, Council/Forum Governing Committee, Committee/

Forum Division Chairs, Nominating Committee and House of Delegates. As a result of the reduction in overall leadership opportunities, minorities lost five Programming Faculty positions. However, it appears that some of these losses were absorbed by other leadership areas. Once again, there is no Hispanic or Native American presence among the state trial judges this year.

Despite losses, minorities still maintain a presence in the Conference. In 2007-08, diverse members from every racial/ethnic sub-group were represented. We would like to see the Conference recapture the broad-based minority representation it once had in its leadership ranks.



2008-2009	State Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	4	5
Council or Forum Governing Committee	3	1	0	0	4	6	10
Committee Chairs or Forum Division Chairs	4	0	0	0	4	16	20
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	1	0	0	2	3	5
Programming Faculty	5	0	0	0	5	8	13
Publication Authors	0	0	0	0	0	0	0
House of Delegates	1	0	0	0	1	0	1
<b>Total</b>	<b>14</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>37</b>	<b>54</b>



2009-2010	State Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	1	0	0	1	4	5
Council or Forum Governing Committee	5	1	0	0	6	5	11
Committee Chairs or Forum Division Chairs	4	2	0	0	6	12	18
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	1	0	0	2	5	7
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	0	0	0	0	0	0	0
House of Delegates	1	0	0	0	1	0	1
<b>Total</b>	<b>11</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>26</b>	<b>42</b>



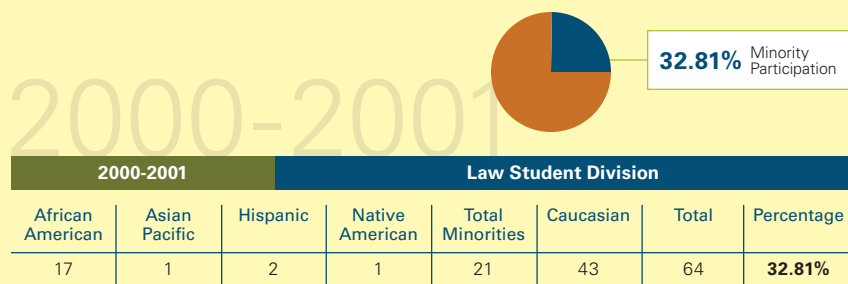
## Law Student Division

Onward! This could be the rallying cry for the Law Student Division based on the increase in minority leadership participation this year. The minority leaders in the Division now number 45 up from 38 in 2008-09. The percentage of minorities participating in leadership activities in the Section grew from 25.33% to 26.79%. With regard to minority participation, we look at both quantity and quality. We are pleased with the quantitative and qualitative growth that minorities made in the Division this year. They are participating at the highest levels with positions in Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Additional Committee Leadership, Other Leadership and the House of Delegates. Of particular note is the fact that all three of

the Division's House of Delegates representatives are minorities. Diverse members have a presence in every one of the available leadership categories, and all four of the minority sub-groups are represented. The Division added new leadership positions this year and diverse and non-diverse members benefited.

The Division sponsors a variety of diversity-related programming, including a grant program that provides seed money and programming support to law student organizations developing public service projects; the ABA Law Student Division VITA Program, which supports law student organizations in developing public service in their communities; the Dean Henry J. Ramsey Jr. Diversity Award, presented annually to a student, faculty

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2008-2009 Law Student Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	1	0	0	3	5	8
Council or Forum Governing Committee	5	3	2	1	11	17	28
Committee Chairs or Forum Division Chairs	0	0	0	0	0	4	4
Additional Committee Leadership	2	0	0	0	2	5	7
Other Leadership	6	4	3	1	14	49	63
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	2	1	3	0	6	31	37
House of Delegates	1	1	0	0	2	1	3
<b>Total</b>	<b>18</b>	<b>10</b>	<b>8</b>	<b>2</b>	<b>38</b>	<b>112</b>	<b>150</b>



2009-2010 Law Student Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	2	0	0	4	4	8
Council or Forum Governing Committee	3	4	2	1	10	11	21
Committee Chairs or Forum Division Chairs	2	0	0	0	2	2	4
Additional Committee Leadership	0	1	0	0	1	11	12
Other Leadership	9	4	3	0	16	47	63
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	4	1	3	1	9	48	57
House of Delegates	2	1	0	0	3	0	3
<b>Total</b>	<b>22</b>	<b>13</b>	<b>8</b>	<b>2</b>	<b>45</b>	<b>123</b>	<b>168</b>

## *Law Student Division*

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member, administrator or student organization of an ABA-approved law school; Diversity Day (designated by the Division as March 2), on which law schools nationwide are encouraged to celebrate diversity through programming, events and activities; affiliated bar outreach through which the Division builds relationships with affiliated bar law student organizations; scholarships to minority law

students; a Diversity Committee; and a diversity page on the Division website. The Division reports that it allocated \$50,000 (4.5% of its budget) to diversity programming.

The Law Student Division is to be commended on its outstanding effort to further the cause of diversity. The law students active in the Division's programming are the future of diversity in the ABA.

## Senior Lawyers Division

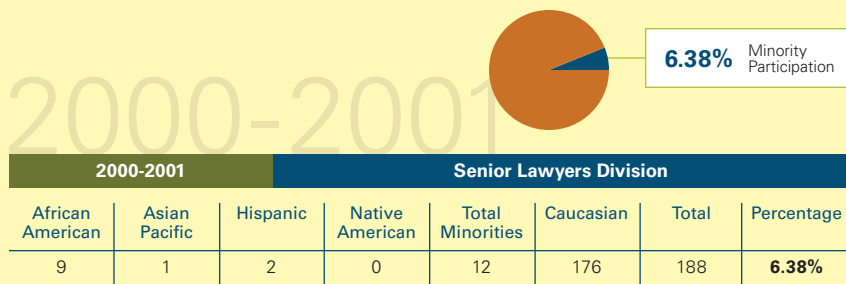
Last year we lamented the Division's ongoing inability to garner more than one minority in its leadership ranks. We are pleased to see the number of minorities participating at the leadership level increase to four this year. The percentage of minority participation grew from 1.12% to 4.40%. However, this is still woefully low and less than the Division's 6.38% minority participation rate in 2000-2001.

This year minority members in leadership are all African American. The one position held by a minority member last year was on the Council/Forum Governing Committee. There are no minorities serving on this committee this year. However, one diverse member now serves in the category of Other Leadership, another serves in the Programming Faculty category, and two serve in

the Publication Authors category.

The Division's historical inability to build its minority membership has been quite disconcerting. We are cautiously optimistic that the Division will be able to capitalize on the minority growth that it achieved this year. However, the Division does not appear to have a budget line dedicated to advancing diversity, and its diversity-related activities have been limited to a few e-mail recruitment activities targeted to young lawyers engaged in the practice of elder law. The Division believes that these young lawyers "undoubtedly included lawyers of diverse ethnic and racial backgrounds." It is not clear whether any of the minority growth that the Division experienced this year can be attributed to this targeted e-mail program.

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2008-2009 Senior Lawyers Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	7	7
Council or Forum Governing Committee	1	0	0	0	1	13	14
Committee Chairs or Forum Division Chairs	0	0	0	0	0	26	26
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	18	18
Nominating Committee	0	0	0	0	0	5	5
Programming Faculty	0	0	0	0	0	14	14
Publication Authors	0	0	0	0	0	3	3
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>88</b>	<b>89</b>



2009-2010 Senior Lawyers Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	8	8
Council or Forum Governing Committee	0	0	0	0	0	16	16
Committee Chairs or Forum Division Chairs	0	0	0	0	0	29	29
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	1	0	0	0	1	4	5
Nominating Committee	0	0	0	0	0	5	5
Programming Faculty	1	0	0	0	1	5	6
Publication Authors	2	0	0	0	2	18	20
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>87</b>	<b>91</b>

## *Senior Lawyers Division*

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Further, we understand that due to budget constraints, the Division does not have as much money to spend on diversity matters as some other ABA entities. However, we remind the Division that it has something that other ABA entities don't have—a built-in base of potential members from which to tap. The pool of minorities with active membership and leadership experience in other

ABA entities is sizeable and should provide the Division with a wealth of potential minority members. It is imperative that the Division identify cost-effective strategies to attract minorities, who in many cases are already experienced ABA leaders, as they become age eligible. If the Division is unable or unwilling to do this, it will lose out on a wealth of future leadership potential.

## Young Lawyers Division

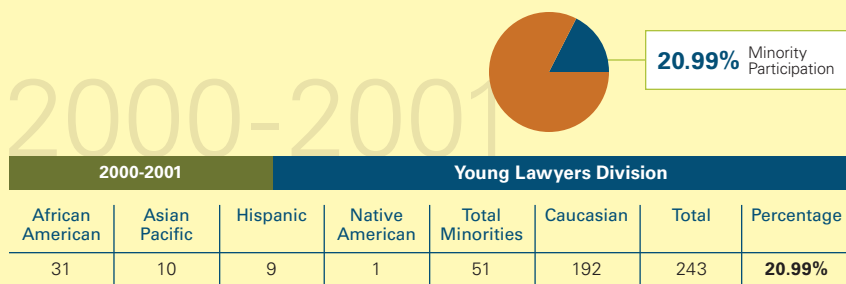
The Young Lawyers Division made excellent progress this year with regard to minority leadership participation. The number of minorities holding leadership positions in the Division this year is 121, and although it doesn't come close to the Division's all-time high of 191, it is a good improvement over last year's number of 87. The percentage of minorities in leadership jumped from 22.89% to 25.58%. The Division offered more leadership opportunities this year, which was good news in terms of growth for both diverse and non-diverse members. Native American members were the only group that lost positions, dropping from six positions to just one.

Compared to other ABA entities, the Division maintains impressively solid minority participation. Diverse members hold positions in every category of leadership, including upper level offices. Publication Authors, Additional Committee Leadership, Programming Faculty, Council/Forum Governing Committee and Other Leadership claim the lion's

share of the minority leadership in the Division this year.

The Young Lawyers Division has a longstanding reputation for recruiting and fully integrating its diverse membership into the work of the Division, at all levels, including leadership. The \$37,000 it has earmarked for diversity programming enables the Division to continue support of the 101/201 Practice Series, which provides short, informative articles on a range of substantive legal topics. Additionally, the Division developed a template to assist in the collection of its Goal III data. The ABA Diversity Center and General Counsel approved the form. The Division hopes that the template will enhance the ability of other ABA entities in their diversity-related information gathering efforts as well.

The Young Lawyers Division is the first stop for newly admitted lawyers and lawyers with limited experience. The leadership training that they receive as young lawyers will help catapult them into the highest levels of leadership as they become seasoned practitioners.



2008-2009 Young Lawyers Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	0	0	2	3	5
Council or Forum Governing Committee	5	3	6	0	14	47	61
Committee Chairs or Forum Division Chairs	2	0	1	0	3	28	31
Additional Committee Leadership	6	5	3	1	15	35	50
Other Leadership	4	1	4	1	10	56	66
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	15	4	2	0	21	55	76
Publication Authors	14	0	3	4	21	66	87
House of Delegates	0	0	1	0	1	3	4
<b>Total</b>	<b>48</b>	<b>13</b>	<b>20</b>	<b>6</b>	<b>87</b>	<b>293</b>	<b>380</b>



2009-2010 Young Lawyers Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	1	0	0	2	3	5
Council or Forum Governing Committee	7	1	4	0	12	32	44
Committee Chairs or Forum Division Chairs	6	1	2	0	9	21	30
Additional Committee Leadership	5	9	8	1	23	38	61
Other Leadership	4	3	3	0	10	39	49
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	12	2	2	0	16	125	141
Publication Authors	37	6	5	0	48	91	139
House of Delegates	0	0	1	0	1	3	4
<b>Total</b>	<b>72</b>	<b>23</b>	<b>25</b>	<b>1</b>	<b>121</b>	<b>352</b>	<b>473</b>

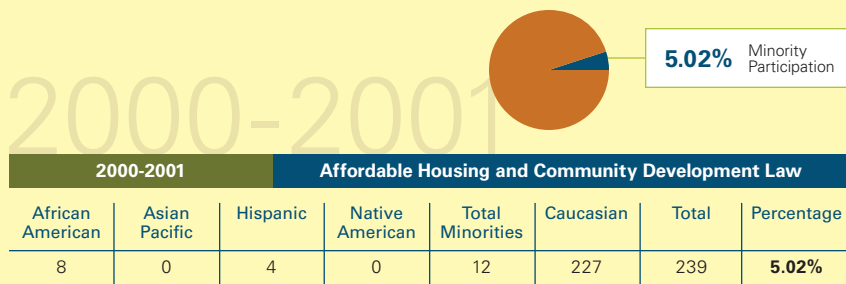
## Affordable Housing and Community Development Law

Minority leadership in the Forum on Affordable Housing and Community Development unfortunately remains on the decline. Overall, the number of minorities (all of whom are African American) in leadership this year is 13, down from 14 in 2008-09. The percentage of minorities in the Forum dropped to 10.83%, down from 12.96% in 2008-09. Last year we expressed concern over the complete loss of Asian Pacific member involvement and the continued absence of Native American participation in the Forum. We renew our concern about the lack of representation from these two groups and add to it a new concern about the loss of the Hispanic members from Forum leadership, particularly in light of the fact that the Forum added 12 new leadership positions overall.

As was the case last year, the bulk

of the Forum's minority involvement is in Programming Faculty. Minority members also continue to be active in the Council/Forum Governing Committee; however, minorities lost their presence on the Nominating Committee, where they previously held two of the three positions.

The Forum has developed a listserv of individuals of color in the field of affordable housing and community economic development, believing that it will enhance the Forum's visibility among minorities and eventually attract more diverse members. We wish them luck with this endeavor, but encourage them to take a more active approach toward broadening the level of diversity in the Forum. We suggest that they develop a strategy targeted at expanding diversity participation among *all* minority groups.



2008-2009	Affordable Housing and Community Development Law						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	2	2
Council or Forum Governing Committee	3	0	0	0	3	4	7
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	2	0	0	0	2	1	3
Programming Faculty	7	0	2	0	9	85	94
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
Total	12	0	2	0	14	94	108



2009-2010	Affordable Housing and Community Development Law						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	0	0
Council or Forum Governing Committee	3	0	0	0	3	4	7
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	3	3
Programming Faculty	10	0	0	0	10	100	110
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
Total	13	0	0	0	13	107	120

## Air and Space Law

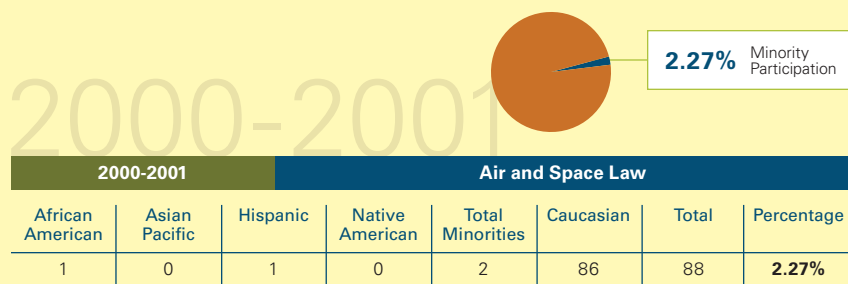
The number of minorities in Forum leadership (all of whom are African American) dropped from five in 2008-09 to three in 2009-10. This represents a second consecutive year of decline from 5.32% to 5.26%.

This slight percentage decrease may correlate to the loss of leadership positions overall in the Forum.

We had hoped that the Forum's 2009-10 minority participation numbers would rebound, getting them closer to 2007-08 levels of 14.00%. Unfortunately, this was not the case. Last year, minorities held two Council/Forum Governing Committee positions, one Other Leadership position and two Programming Faculty positions. This year minori-

ties hold three Programming Faculty positions, up from two last year. The Forum's diversity is limited to one minority group and one leadership area. These are discouraging signs.

The Forum reports that it devoted no money toward diversity-related programming. However, it states that it has insisted on adding minorities to leadership roles on the governing committee and cites that its membership chair and space law liaison are both women of color. We would like to see the Forum extend its outreach to a broader group of diverse members. Such outreach will expand its opportunities to increase minority participation at higher levels.



2008-2009 Air and Space Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	6	6
Council or Forum Governing Committee	2	0	0	0	2	12	14
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	1	0	0	0	1	1	2
Nominating Committee	0	0	0	0	0	4	4
Programming Faculty	2	0	0	0	2	65	67
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>89</b>	<b>94</b>



2009-2010 Air and Space Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	0	0
Council or Forum Governing Committee	0	0	0	0	0	3	3
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	3	0	0	0	3	51	54
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>54</b>	<b>57</b>

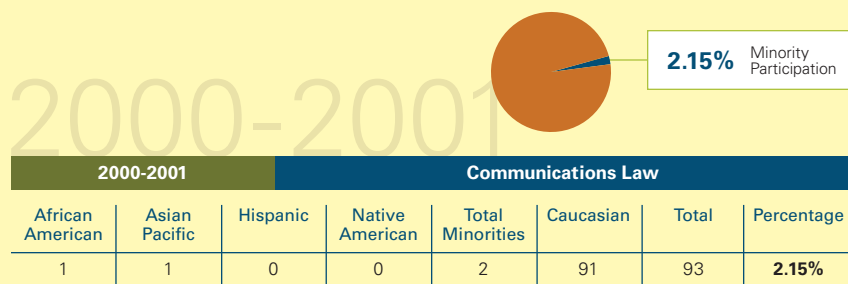
## Communications Law

Minorities in the Forum Committee on Communications Law lost two leadership positions this year. Their proportionate representation in the Forum dropped from 10.56% to 8.17%. African Americans regained a presence in the Forum by increasing their numbers from one to seven, after having lost nine leadership positions in 2008-09. Asian Pacific members lost two positions decreasing their numbers from eight to six. Unfortunately, Hispanic members suffered the greatest decrease, losing all of their leadership positions. Native Americans have never had a presence in the Forum.

Minorities gained ground in upper level leadership with two positions in the Committee/Forum Chairs category and two positions in the Additional Committee Leadership category. A minority member also

holds one position in the Publication Author's category. However, most of the minority participation is concentrated in the Programming Faculty area. We encourage the Forum to continue to look for ways to move the minorities serving in the latter area into higher level leadership roles.

The Forum recently launched a First Amendment and Media Law Moot Court Competition designed to expose minority law students to the Forum and media law practice. The Forum invited minority law student associations to co-sponsor the competition. This type of innovative diversity-related programming is a valuable resource. We encourage the Forum to build on this type of outreach, particularly with regard to increasing Hispanic membership in Forum leadership.



2008-2009 Communications Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	0	0
Council or Forum Governing Committee	1	0	0	0	1	10	11
Committee Chairs or Forum Division Chairs	0	2	0	0	2	7	9
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	1	0	1	10	11
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	3	3	0	6	80	86
Publication Authors	0	3	2	0	5	20	25
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>8</b>	<b>6</b>	<b>0</b>	<b>15</b>	<b>127</b>	<b>142</b>



2009-2010 Communications Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	1	0	0	0	1	10	11
Committee Chairs or Forum Division Chairs	0	2	0	0	2	8	10
Additional Committee Leadership	2	0	0	0	2	7	9
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	4	3	0	0	7	100	107
Publication Authors	0	1	0	0	1	20	21
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>7</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>146</b>	<b>159</b>

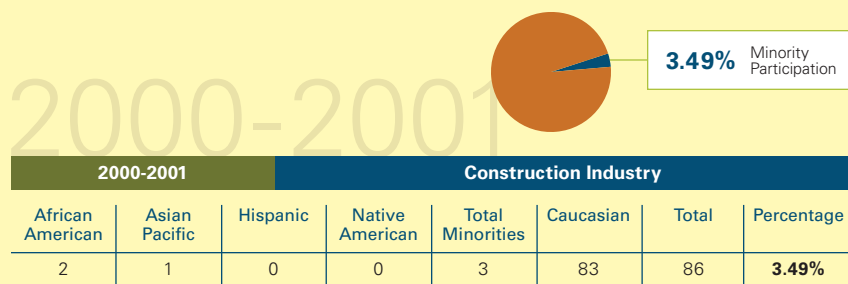


## Construction Industry

Despite a reduction in the number of leadership positions available Forum-wide, the number of minorities active at the leadership level increased from 13 to 15 this year. The percentage of minorities in leadership roles also increased from 5.53% to 7.73%.

Minorities maintained the two positions they held in the Council/Forum Governing Committee category, the one position held in the Committee/Forum Division Chairs category and the one position held in the Nominating Committee category. However, the majority of the minority-held positions are concentrated in the Programming Faculty category. Asian Pacific members made the greatest gains, increasing their presence in leadership by 50%.

The Forum spent approximately \$100,000 in support of diversity-related programming. A portion of this expense underwrites the Forum's Women and Minority Fellowship program, through which women and diverse lawyers are provided an opportunity to become involved in Forum activities. Fellowship recipients receive a waiver of all Forum program fees and dues and reimbursement of reasonable travel and accommodation expenses to attend the Forum's Annual Meeting program. We are encouraged by the modest increase in minority leadership participation and hope that the Forum can begin to cultivate diversity growth in a way that is sustainable over an extended period of time.



2008-2009 Construction Industry							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	3	3
Council or Forum Governing Committee	1	1	0	0	2	10	12
Committee Chairs or Forum Division Chairs	0	0	1	0	1	13	14
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	14	14
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	2	1	1	0	4	101	105
Publication Authors	1	1	3	0	5	75	80
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>13</b>	<b>222</b>	<b>235</b>



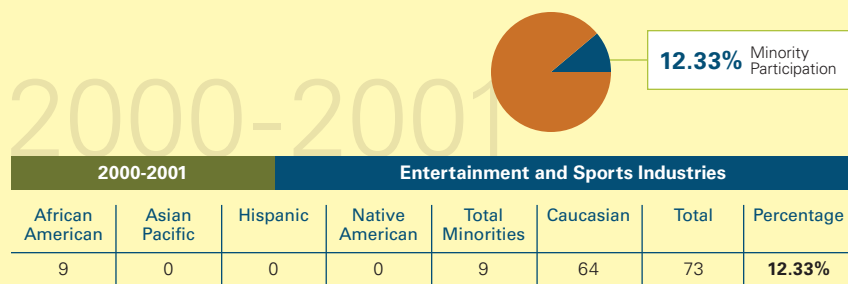
2009-2010 Construction Industry							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	3	3
Council or Forum Governing Committee	1	1	0	0	2	10	12
Committee Chairs or Forum Division Chairs	0	1	0	0	1	17	18
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	1	0	0	1	6	7
Programming Faculty	3	2	5	0	10	130	140
Publication Authors	0	1	0	0	1	13	14
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>4</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>15</b>	<b>179</b>	<b>194</b>

## Entertainment and Sports Industries

The Forum Committee on Entertainment and Sports Industries suffered a significant decline in minority participation this year. Minority involvement in Forum leadership decreased from 17 in 2008-09 to 11 this year. The percentage of minorities in leadership decreased from 11.26% to 6.83%. Asian Pacific members bore the brunt of the loss, with a decrease from five positions to one. Minorities gained two positions in the Council/Forum Chairs category and a position on the Nominating Committee. They maintained their presence in the Committee/Forum Division Chairs and Publication Authors categories, but lost the one position they had in Primary Leadership. The bulk of minority participation is in the Programming Faculty area, despite the decrease in positions from 12 to five.

The Forum, unfortunately, reports no diversity-related expenditures or

programming this year. In 2008-09, the Forum reported that it had co-sponsored a program with the University of Miami School of Law and the Grammy Foundation's Entertainment Law initiative to address the international music marketplace and government and economic instability in Latin and South America. The purpose of this program was to attract more Hispanic members to the Forum. The Forum has not disclosed whether its co-sponsorship of this program bore any fruit, but clearly there is no positive correlation to Hispanic leadership growth as this group lost two leadership positions this year. The Forum must become more proactive in recruiting and developing minority talent; based on the number of minorities in the entertainment and sports law fields, the Forum should have little problem attracting diverse candidates.



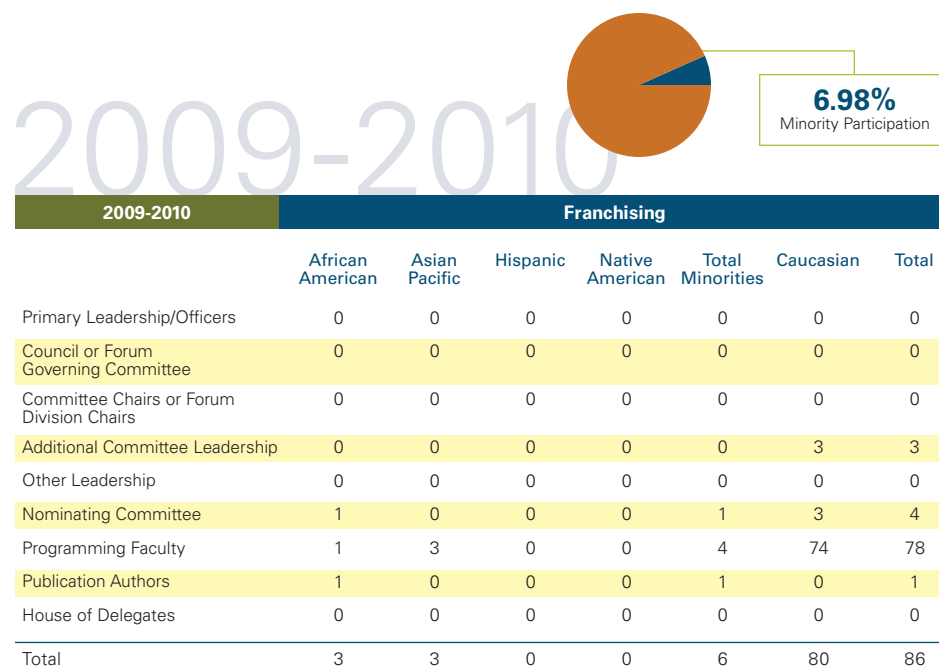
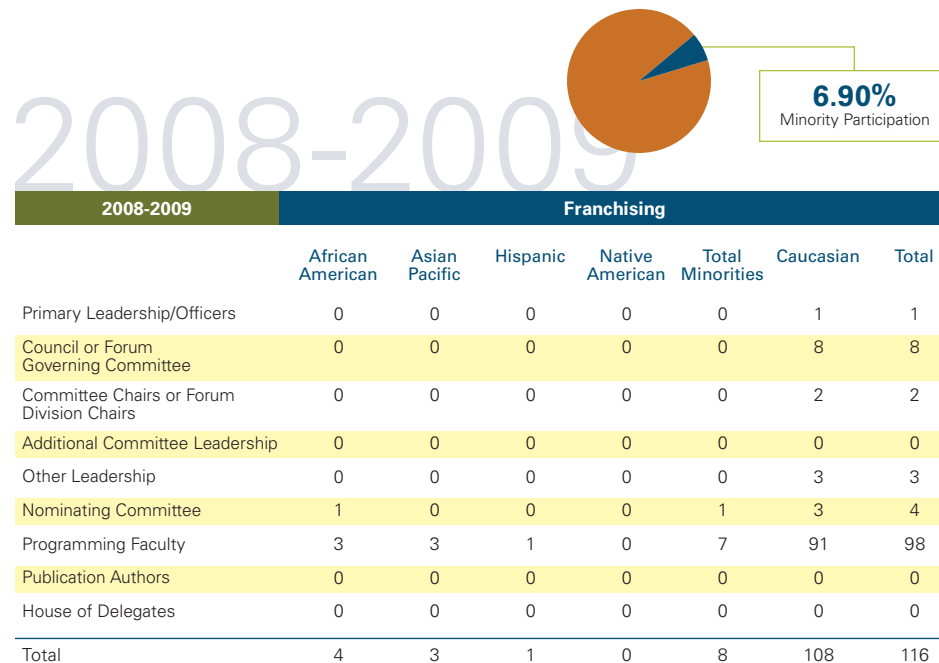
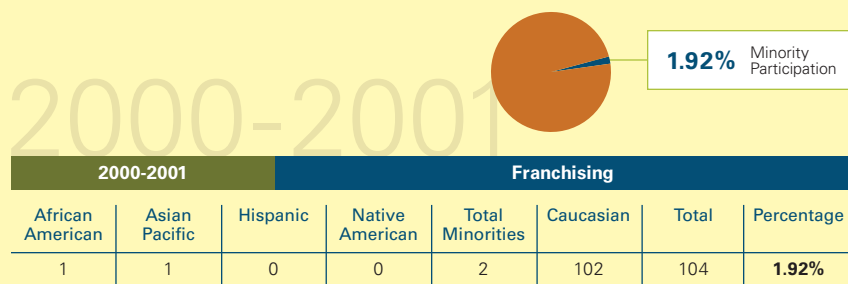
2009-2010 Entertainment and Sports Industries							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	1	1
Council or Forum Governing Committee	1	0	1	0	2	3	5
Committee Chairs or Forum Division Chairs	2	0	0	0	2	8	10
Additional Committee Leadership	0	0	0	0	0	10	10
Other Leadership	0	0	0	0	0	1	1
Nominating Committee	1	0	0	0	1	1	2
Programming Faculty	2	1	2	0	5	104	109
Publication Authors	1	0	0	0	1	22	23
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>7</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>11</b>	<b>150</b>	<b>161</b>

## Franchising

The Forum Committee on Franchising experienced incremental growth in the percentage of minorities in leadership roles this year, increasing from 6.90% to 6.98%. However, the actual number of minorities in leadership positions decreased from eight to six. One minority member continues to serve on the Nominating Committee, another assumed a Publication Authors position; the rest serve as Programming Faculty. Hispanic members lost the one position they had in the Programming

Faculty category.

The Forum reports that it allocated \$1,000 (less than 1%) of its budget to diversity-related efforts. It does not mention the status of its 2008-09 Diversity Committee program designed to identify diverse Forum members with immediate and long-term leadership potential. Nor does the Forum note the existence of any new diversity programming. We encourage the Forum to renew its efforts in this area.



# sections

- Administrative Law and Regulatory Practice . . . . . 30.47%
- Litigation . . . . . 22.29%
- Individual Rights and Responsibilities . . . . . 21.95%
- Labor and Employment Law . . . . . 20.76%
- Legal Education and Admissions to the Bar . . . . . 20.37%
- Science and Technology Law . . . . . 19.74%
- Health Law . . . . . 16.25%
- Criminal Justice . . . . . 15.55%
- Dispute Resolution . . . . . 14.48%
- International Law . . . . . 13.28%
- State and Local Government Law . . . . . 12.36%
- Business Law . . . . . 12.04%
- Tort Trial and Insurance Practice . . . . . 10.19%
- Law Practice Management . . . . . 6.82%
- Intellectual Property Law . . . . . 6.81%
- Environment, Energy, and Resources . . . . . 5.98%
- Antitrust Law . . . . . 5.46%
- Taxation . . . . . 5.27%
- Real Property, Trust and Estate Law . . . . . 4.15%
- Family Law . . . . . 3.48%
- Public Utility, Communications and Transportation Law . . . . . 3.25%
- Public Contract Law . . . . . 2.98%

# divisions

- Law Student Division . . . . . 26.79%
- Young Lawyers Division . . . . . 25.58%
- Government and Public Sector Lawyers Division . . . . . 23.08%
- General Practice, Solo and Small Firm Division . . . . . 17.97%
- Judicial Division . . . . . 17.74%
- Senior Lawyers Division . . . . . 4.40%

# forums

- Affordable Housing and Community Development Law . . . . . 10.83%
- Communications Law . . . . . 8.18%
- Construction Industry . . . . . 7.73%
- Franchising . . . . . 6.98%
- Entertainment and Sports Law . . . . . 6.83%
- Air and Space Law . . . . . 5.26%

*The above are based on the percentage of minority participation in ABA Section, Division and Forum leadership in 2009-10.*

## Strategies Toward Success

This report provides an analysis of the status of minority leadership growth for every reporting ABA entity. The progress made by certain ABA entities merits special recognition. Their efforts serve as examples of how to foster racially and ethnically diverse leadership talent. Each of the highlighted entities has developed strategies or undertaken programming to identify and nurture potential minority leaders. Their efforts are now beginning to bear fruit in the form of minority leadership growth—many times at the highest levels of leadership.

### Section of Litigation

- **What They Did.**

The Section recorded high numbers again this year. The total number of minorities in leadership is 309, up from 209. Minorities now comprise 22.29% percent of the leadership positions in the Section. The number of Caucasians in leadership and the number of leadership positions available overall also increased. Minorities from every sub-group are represented in high-level leadership roles, including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs,

Nominating Committee and House of Delegates. Leadership opportunities in the Committee/Forum Division Chairs category grew from 197 to 320 overall. Diverse and non-diverse members benefited from this growth. African American participation increased by 50%, and Asian Pacific members nearly tripled their involvement. The Section offered additional leadership opportunities in the Programming Faculty and Publication Authors categories. Again, diverse and non-diverse members benefited from this growth. The Section's publishing arm is extremely robust. Minority representation in this area tripled this year.

- **How They Did It.**

The Section reports that it budgeted \$373,369 (5.59% of its total budget) for diversity programming. It has had a long-standing commitment to diversity as evidenced by its Diversity Plan, which was created to enhance diversity in leadership, membership, the ABA and the profession. Though proud of its achievements relative to diversity, the Section states is not content to rest on the laurels of past accomplishments. To that end, it continues to promote

attorneys of color to positions of leadership and authority. The current chair of the Section is a woman of color, as were two of the Section's immediate past chairs; one of its four delegates to the House of Delegates is a woman of color; 21.74% of the Section's governing council members are attorneys of color; one of the five members of the Section's Advisory Committee on Nominations, which recommends the slate of future leadership positions, is an attorney of color; and of the 320 appointed leaders in the Section, almost one quarter (24%) are attorneys of color. The Section reports that it has successfully implemented 65% of the 90 steps toward advancing inclusion outlined in its Diversity Plan. The current plan holds Section leaders and staff accountable for accomplishing the Section's diversity goals. The Section hired a full-time Committees and Diversity Initiatives Director to oversee the implementation of the plan. In addition to these efforts, the Section's Minority Trial Lawyer Committee publishes *Minority Trial Lawyer*, a publication written for, and primarily by, minority trial lawyers. The Section sponsors the Judicial Intern Opportunity Program, which offers summer internships to diverse law students interested in

doing legal research and writing for federal and state judges. The Section contributed \$477,500 to the summer 2009 program. The Section also provides financial support to the ABA Legal Opportunity Scholarship program, which offers renewable \$5,000 scholarships to diverse law students. To date, the Section has contributed over \$400,000 to this worthy program.

### Section of Labor and Employment Law

- **What They Did.**

The Section, once again, increased its minority participation rates. This represents three consecutive years of growth. The Section garnered its highest level of minority leadership participation this year, increasing from 9.67% to 20.76%. Despite a reduction in available positions in the Section, the raw number of minorities in positions of leadership rose from 238 to 280 (an increase of 42 positions).

- **How They Did It.**

The Section reports that it spent \$100,000 (.03% of its budget) on diversity-related programming. It developed a comprehensive Diversity Plan in 2002 that sets long-range diversity goals and establishes an action plan for the achievement of these goals.

Section leadership and the Equal Opportunity in the Legal Profession (EOLP) Committee regularly review and evaluate the progress made under the plan. The Section's diversity efforts include the creation of a Leadership Development Program, which identifies potential leaders from diverse groups and involves them in Section work; establishment of a Standing Committee Best Practices Task Force, which drafts reports and recommendations for attracting, retaining and involving diverse membership in committee work; posting of leadership position opportunities on the Section's website; and presentation of five scholarships to diverse bar associations to attend the Section's national CLE conference. The Section's 15 standing committees also engage in their own diversity-related projects relative to membership, programming and leadership.

### General Practice Solo and Small Firm Division

- **What They Did.** The Division increased both the number *and* percentage of minorities in its leadership this year. The 99 minority leaders in the Division not only improves on last year's numbers but surpasses the 69 minority members

that the Division peaked with in 2005-06. The percentage of minorities in leadership increased impressively from 12.43% to 17.97% this year. Diverse members hold positions in eight of the nine leadership categories. Minorities made the most impact in the Publication Authors, Other Leadership, and Programming Faculty areas. All minority groups, including Native Americans, are well represented in Division leadership.

- **How They Did It.** The Division dedicated \$9,800 to diversity initiatives. It established the Diversity Fellows Program 10 years ago and continues to sponsor this very successful program, which annually provides leadership development opportunities to four diverse members of the Division. After successful completion of the fellowship year, the recipients are appointed to regularly funded positions within the Division the following bar year.

### Young Lawyers Division

- **What They Did.** The Young Lawyers Division made very good progress this year with regard to minority leadership participation. The number of minorities holding leadership positions in the Division is 121,

which is a significant improvement over last year's number of 87. The percentage of minorities in leadership jumped from 22.89% to 25.58%. The Division offered more leadership opportunities this year, which was good news in terms of growth for both diverse and non-diverse members. Compared to other ABA entities, the Division maintains impressively solid minority participation. Diverse members hold positions in every category of leadership, including upper level offices. Publication Authors, Additional Committee Leadership, Programming Faculty, Council/Forum Governing Committee and Other Leadership claim the lion's share of the minority leadership in the Division this year.

- **How They Did It.** The Young Lawyers Division has a longstanding reputation for recruiting and fully integrating its diverse membership into the work of the Division, at all levels, including leadership. The \$37,000 it earmarked for diversity programming enables the Division to continue support of the 101/201 Practice Series, which provides short, informative articles on a range of substantive legal topics. Additionally, the Division developed a template to assist in the collection of its Goal III data.

The Division believes that the ABA-approved template will enhance the ability of other ABA entities to gather diversity-related information as well.

### Law Student Division

- **What They Did.** The Division increased minority leadership this year to 45, up from 38 in 2008-09. The percentage of minorities participating in leadership activities in the Division grew from 25.33% to 26.79%. Minorities are participating at the highest levels with positions in Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Additional Committee Leadership, Other Leadership and the House of Delegates. Of particular note is the fact that all three of the Division's House of Delegates representatives are minorities. Diverse members have a presence in every one of the available leadership categories, and all four of the minority sub-groups are represented. The Division added new leadership positions this year and diverse and non-diverse members benefited.
- **How They Did It.** The Division sponsors a variety of diversity-related programming, including the ABA Law



Student Division VITA Program, which supports law student organizations in developing public service in their communities; the Dean Henry J. Ramsey Jr. Diversity Award, presented annually to a student, faculty member, administrator or student organization of an ABA-approved law school; Diversity Day (designated by the Division as March 2), on which law schools nationwide are encouraged to celebrate diversity through programming, events and activities; affiliated bar outreach through which the Division builds relationships with affiliated bar and law student organizations; scholarships to minority law students; a Diversity Committee; and a diversity page on the Division website. The Division reports that it allocated \$50,000 (4.5% of its budget) to diversity programming.

### *Section of Criminal Justice*

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- **What They Did.** The Section grew the number of minorities involved in leadership from 41 to 72. It also increased (just slightly) the percentage of minorities in leadership from 15.53% to 15.55%. The Section's minority growth came in a year when the number of available leadership positions increased with the addition of 119 new positions. Diverse

members hold 26 (21.85%) of these newly added positions. African American, Asian Pacific, Hispanic and Caucasian members all increased their positions in leadership. Minorities maintained their presence in the Primary Leadership, Council/Forum Governing Committee, Nominating Committee, Programming Faculty and Publication Authors categories.

- **How They Did It.** The Section and its collaborating partners, the Section of Individual Rights and Responsibilities and the ABA Council on Racial and Ethnic Justice, received a grant in the amount of \$125,000 to study the issue of cross cultural communication in the criminal justice system and the underlying disparate impact of the system on people of color. The Bureau of Justice Statistics also awarded the Section a grant to develop a Racial Justice Task Force Pilot Project. Including these monetary awards, the Section estimates that it will expend approximately \$500,000 on projects impacting minorities. The Section plans to appoint a diversity director to oversee the implementation of its diversity plan, which will address issues such as minority recruitment, retention and participation; facilitate mentoring opportuni-

ties; expand outreach and joint programming with minority bar associations and professional organizations; and develop events and other programming specifically focused on issues of interest and concern to diverse lawyers.

### *Section of International Law*

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- **What They Did.** The International Law Section experienced its second consecutive year of minority growth at the leadership level. The number of minorities in leadership roles rose from 186 to 214 (a 15% increase). The percentage of minority participation this year is 13.28%, up from last year's 12.39%. Native American members continue to have a presence in the Section. In addition, Asian Pacific members expanded their participation in Section leadership by 45%. African American and Hispanic leaders also grew in number this year. Diverse members are represented in seven of the nine leadership categories offered by the Section, including high-level posts.
- **How They Did It.** The Section developed a five-year Diversity Plan and established a Diversity Committee to implement the plan. It dedicated \$2,000 to diversity programming this year and co-sponsored a

well-received program with the ABA Diversity Center entitled "Humanitarian Opportunity or Lost Year," which dealt with the issue of the current economic climate and its impact on the profession and diversity.

### *Section of Intellectual Property Law*

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- **What They Did.** The Section made significant progress in promoting minorities into leadership roles from 2002-2006 to the present. The total number of minorities in Section leadership is 34, up from 24 members. Minorities comprise 6.81% of the leadership positions, compared to 6.15% in 2008-09. The Section, as a whole, enjoyed growth in the number of leadership positions available overall. The number of African Americans in Section leadership showed the most growth among diverse groups. Minority leadership increased in almost all categories.
- **How They Did It.** The Section reports that it allocated \$36,000 to diversity programming this year. It also supports the American Intellectual Property Law Education Foundation (AIPLEF), which promotes diversity in the intellectual property bar. The Section has

representation on the AIPLEF Board of Trustees. Through its affiliation with AIPLEF, the Section also supports the Sidney B. Williams Jr. Award, which grants awards to minority law students who have shown a dedication to Intellectual Property Law, and are outstanding in the field. The Section collaborates with the Antitrust and Litigation Sections in support of the Judicial Intern Opportunity Program, which places minority students in judicial clerkships throughout the nation. In addition, it actively seeks diverse panelists and speakers for its programming.

\$52,500 was raised through grants. It continues to sponsor a Diversity Fellowship Program in Environmental Law to address the disproportionate underrepresentation of diverse groups in the environmental law field. This year it awarded 23 fellowships to law students from historically underrepresented groups. The goal of the program is to encourage diverse law students to take an interest in environmental law. The Section reports that not only have a number of the fellowship recipients continued their interest in environmental law, but many have become ABA and Section members.

### *Section of Environment Energy and Resources*

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- **What They Did.**

The Section increased both the number and percentage of minorities in leadership from 68 to 77 and 5.78% to 5.98%, respectively. It also increased the number of available leadership slots Section-wide. African American, Asian Pacific and Native American members strengthened their presence at the leadership level. Minorities are represented in six of the eight leadership categories available in the Section, including the Nominating Committee.

- **How They Did It.**

The Section allocated \$94,300 to diversity programming of which



## ABA Goal III Entities

### ABA Center for Racial and Ethnic Diversity

The Diversity Center serves as the coordinating entity for the main groups within the ABA that address racial and ethnic diversity issues. The Center serves as the centralized resource for diversity interests within the ABA and the profession.

The services provided by the Center include:

- Consulting on creating and updating diversity plans
- Assisting with identifying diverse speakers and authors
- Assisting with promotion of diversity programming
- Offering a comprehensive website that serves as the portal to diversity activities throughout the ABA

### Commission on Racial and Ethnic Diversity in the Profession

#### **Focuses on the Needs of Racially & Ethnically Diverse Lawyers**

The ABA Commission on Racial and Ethnic Diversity in the Profession provides services for racially and ethnically diverse lawyers, judges, and others who are in the profession. It is the catalyst for creating leadership and professional opportunities for racially and ethnically diverse lawyers. To that end, the Commission presents a variety of programs, conferences, publications and products that address the needs of minority lawyers and their employers.

The Commission's initiatives include:

- Minority Counsel Program
- Conference of Minority Partners
- Conference of Minority In-House Counsel
- National Conference for the Minority Lawyer
- Spirit of Excellence Awards
- The Goal III Report: The State of Racial and Ethnic Diversity in the ABA

For more information about the Commission, visit <http://new.abanet.org/centers/diversity/Pages/Legalprofession.aspx>

### Coalition on Racial and Ethnic Justice

#### **Focuses on Social Justice Issues and Provides Services to Reduce Racial & Ethnic Bias in the Justice System**

The ABA Coalition on Racial and Ethnic Justice addresses issues related to racial and ethnic bias in the justice system. It serves as a means to develop partnerships and eliminate bias in the justice system. Its focus is on social justice issues, based on the concepts of human rights and equality.

The Coalition's services and initiatives include:

- Providing technical assistance and advice on implementing specific programs, strategies and partnerships
- Hosting public forums for dialogue between legal institutions and non-legal groups
- Election Protection Project
- Overrepresentation of Juveniles of Color in the Justice System Project
- Restoring Justice and Equity during Disasters Initiatives

For more information about the Coalition, visit <http://new.abanet.org/centers/diversity/Pages/SocialJustice.aspx>  
*Council for Racial and Ethnic Di-*

### iversity in the Educational Pipeline Increase Diversity Among Students in the Pipeline to the Legal Profession

The ABA Council for Racial and Ethnic Diversity in the Educational Pipeline works to increase diversity among students in the pipeline to the legal profession. It collaborates with key stakeholders to address issues and build networks to effect change.

The Council's work comprises an array of pipeline diversity topics, from preschool to bar passage. It has addressed issues such as:

- Law School admissions
- Bar examination passage
- Disparities in K-20 education

The Council's initiatives include:

- Judicial Clerkship Program
- Pipeline Diversity Directory
- Pipeline Diversity workshops and training
- ABA Legal Opportunity Scholarship

For more information about the Council, visit <http://new.abanet.org/centers/diversity/Pages/Pipeline.aspx>

## BUILDING UPON OVER 25 YEARS OF RACIAL AND ETHNIC DIVERSITY AT THE ABA

**1980** ABA President calls for “a better understanding of the concerns and problems of minority lawyers” to determine constructive and meaningful ways to address these problems.

**1984** Task Force on Minorities in the Legal Profession created.

**1986** Goal IX—*To Promote Full and Equal Participation in the Profession by Minorities and Women*—adopted.

**1986** Commission on Opportunities for Minorities in the Profession created to continue work of the Task Force.

**1992** Presidential Task Force on Minorities in the Justice System created—later becomes the Council on Racial and Ethnic Justice.

**1992** ABA President-Elect started hosting the annual Presidents Elect meeting to bring together leaders of the four major national minority bar associations.

**1998** Spirit of Excellence Award established to recognize individuals who have contributed to the advancement of racial and ethnic diversity in the profession.

**2000** ABA Legal Opportunity Scholarship Fund created to encourage racial and ethnic minority students to attend law school and to provide financial assistance to those in need.

**2000** ABA Presidential Advisory Council on Diversity created to focus on improving diversity in the pipeline to the profession.

**2000** Commission on Opportunities for Minorities in the Profession changed its name to the Commission on Racial and Ethnic Diversity in the Profession.

**2001** ABA Center for Racial and Ethnic Diversity created as coordinating body for diversity efforts throughout the ABA.

**2008** ABA restructured its Mission & Goals, and identified diversity as one of only four Association priorities. The new Goal 3 is to:

*“Eliminate Bias and Enhance Diversity”*  
with the following objectives:

- Promote full and equal participation in the association, our profession, and the justice system by all persons.
- Eliminate bias in the legal profession and the justice system.

### *Commission on Mental and Physical Disability Law*

The ABA’s Commission on Mental and Physical Disability Law was established in 1973 to respond to the advocacy needs of persons with mental and physical disabilities. The Commission promotes the ABA’s commitment to justice and the rule of law for persons with mental, physical, and sensory disabilities and to promote their full and equal participation in the legal profession. The Commission carries out an array of projects and activities addressing disability-related public policy, disability law, and the professional needs of lawyers and law students with disabilities.

### *Commission on Sexual Orientation and Gender Identity*

The Commission on Sexual Orientation and Gender Identity was formed in 2007. The mission of the Commission is to secure for lesbian, gay, bisexual and transgender persons full and equal access to and participation in the ABA, the legal profession and the justice system. Through education efforts, policy development, building relationships with leaders in the profession, and other activities, the Commission seeks to secure equal treatment in the ABA, the legal profession and the justice system without regard to sexual orientation or gender identity, remove barriers to professional advancement, and promote diversity.

### *Commission on Women in the Profession*

The Commission on Women was formed in 1987 to assess the status of women in the legal profession, identify barriers to advancement, and recommend to the ABA actions to address problems identified by the Commission. The mission of the Commission is to secure the full and equal participation of women in the ABA, the legal profession, and the justice system.

## 2009-2010 Commission on Racial and Ethnic Diversity in the Profession

The ABA Commission on Racial and Ethnic Diversity in the Profession is a diverse group of committed lawyers that, through its work and programs, is the catalyst for creating leadership and economic opportunities for racially and ethnically diverse lawyers within the ABA and the legal profession. We provide a voice to surface and tackle issues of discrimination, racism and bigotry, and to inspire the ABA and the profession to value differences, to be sensitive to prejudice, and to reflect the society they serve. The Commission on Racial and Ethnic Diversity in the Profession is a part of the ABA Center for Racial and Ethnic Diversity, which coordinates and enhances the ABA's diversity efforts.

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Fred W. Alvarez

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