American Bar Association
Young Lawyers Division

DIVERSITY PLAN

www.americanbar.org/groups/young_lawyers.html
2015-2016 ABA YLD
Diversity Plan Revision Committee

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ABA YLD DIVERSITY PLAN
(Approved Spring 2000)
(Amended October 2001)
(Amended May 2007)
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(Amended May 2012)
(Amended February 2016)

EXECUTIVE SUMMARY

The ABA Young Lawyers Division (ABA YLD) is the largest voluntary bar association division in the United States. It has a total membership of approximately 135,000+ and is also recognized as an entity within the ABA that institutionally promotes and embraces diversity. The ABA YLD acknowledges and recognizes that its strength and success is due, in large part, to the diversity that its membership brings.

In an effort to improve diversity in the profession and ensure that diversity is preserved and encouraged throughout the life of the ABA YLD despite leadership changes, this Diversity Plan has been adopted. The Plan is not only a road map, but it is also a written commitment designed to assist and encourage the members and leaders of the ABA YLD to ensure full and equal participation for lawyers regardless of race, color, sex, disability, religion, national origin, sexual orientation or gender identity.

This Diversity Plan, consistent with Section 1.4 of the ABA YLD’s Bylaws, is made in conjunction with Goal III of the ABA Goals: “To create full and equal participation in the profession by minorities, women and persons with disabilities.” In 1986, the ABA adopted Goal IX—a bold initiative towards diversity within the profession. Goal IX paved the way for the formation of the Center for Racial and Ethnic Diversity (and its constituent entities: Commission on Racial and Ethnic Diversity in the Profession; Coalition on Racial and Ethnic Justice; Commission on Racial and Ethnic Diversity in the Educational Pipeline; Commission on Hispanic Legal Rights & Responsibilities, and its sister entities, the Commission on Women in the Profession, the Commission on Disability Rights, and the Commission on Sexual Orientation and Gender Identity (SOGI).

1 The YLD Council at its Spring 2000 meeting approved the original Diversity Plan.

2 Section 1.4 of the YLD Bylaws (as amended August 2010):

§ 1.4. Diversity
(a) Pluralism. The Division shall encourage the participation and representation in its membership and leadership, and in the bar association and the legal profession generally, of the many diverse groups within the community that the Division serves. For the purposes of these bylaws, “diversity” includes but is not limited to consideration of (1) any status on the basis of which discrimination is prohibited or discouraged by these bylaws; and (2) kind, size, or place of practice.

(b) Nondiscrimination. The Division shall not discriminate, and shall actively oppose discrimination, on the basis of (1) (A) ancestry, color, or race, (B) cultural or ethnic background, (C) economic disadvantage, (D) ideological, philosophical, or political belief or affiliation, (E) marital or parental status, (F) national or regional origin, (G) physical disability, (H) religion, or religious or denominational affiliation, (I) sex, or (J) sexual orientation or preference; (2) kind, size, or place of practice; and (3) any other status on the basis of which discrimination is prohibited or discouraged by (A) these bylaws, (B) federal law (whether or not the law applies directly to the Division or the Association), or (C) the Association.

The ABA YLD endeavors to revise its Diversity Plan in a renewed effort to ensure that diversity is consistently being promoted and preserved throughout the profession and the Division.
DIVERSITY MISSION STATEMENT

To promote diversity within the profession and ensure equal opportunity and inclusion for all lawyers regardless of race, color, ethnicity, national origin, gender, disability, sexual orientation and gender identity in the membership, leadership, programming, and other activities of the ABA YLD by doing the following:

- Actively recruiting lawyers of color, women lawyers, lawyers with disabilities, and lesbian, gay, bisexual and transgender (“LGBT”) lawyers;
- Fostering an environment of inclusion to assist in retention of lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers;
- Identifying and attempting to remove all barriers, whether institutional, attitudinal or behavioral, to the full and meaningful participation of lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers in the ABA YLD;
- Actively seeking the participation of lawyers of color, women lawyers, lawyers with disabilities and LGBT lawyers in ABA YLD events and on programs, task forces, and working groups; and
- Providing lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers with opportunities and training to take on leadership roles within the ABA YLD.

ANNUAL ACTIVITIES

Appointments

1. The ABA YLD Chair or Chair-elect shall make appointments within the Division to ensure that diversity will be reflected. The ABA YLD Chair or Chair-elect shall also ensure that a member of the Diversity Team is present on the Appointments Committee. In an effort to ensure the continuity of the provisions contained within the Diversity Plan, despite changes in administration, the ABA YLD Chair or Chair-elect shall also do the following:

- Appoint an individual within the ABA YLD whose primary goal is to carry out the Diversity Plan and to promote Goal III of the ABA. This person shall hold the title of “Diversity Director”;
- Appoint a Diversity Team, consisting of the MIPC Chair, WIPC Chair, Civil Rights and Social Justice Committee Chair, SOGI Chair, Public Education Chair, Disability Rights Chair, Liaisons to ABA Goal III entities (Commission on Racial and Ethnic Diversity in the Profession, Commission on Women in the Profession, Commission on Sexual Orientation and Gender Identity, Council on Racial and Ethnic Diversity in the Educational Pipeline, and Commission on Disability Rights), all National Affiliate Representatives3, and any ABA YLD members at large;

3 “National Affiliates” currently include the Hispanic National Bar Association (“HNBA”), the National Bar Association (“NBA”), the National Asian Pacific American Bar Association (“NAPABA”), the National Native American Bar Association (“NNABA”), and the
• Appoint any Vice Director(s) to assist the Diversity Director in implementing the Diversity Plan; And;
• Work with ABA YLD staff to compile statistics regarding the diversity of Division appointees and applicants.
• Present the results to Council and determine if any improvements are needed.

Orientation

2. In an effort to encourage unequivocal support and participation of ABA YLD Officers, other Council Members, Committee Chairs, and Committee Liaisons in implementing the Diversity Plan, a copy of the plan will be provided to all ABA YLD Officers, other Council Members, Committee Chairs, and Committee Liaisons at each orientation of the new bar year.

3. At each orientation of the new bar year, a presenter shall provide diversity training to stress the importance of diversity and its long-term benefit to the ABA YLD. (To ensure attendance, reimbursement shall be tied to attendance of this training.)

4. Incoming National Affiliate Representatives shall receive the same invitation and funding from the ABA YLD as new incoming District Representatives receive to attend each orientation of the new bar year. Their orientation shall include all training sessions, including, but not limited to, FEMA training, and social functions to which incoming District Representatives are invited.

Collaborative Efforts

5. The Diversity Director shall coordinate efforts among other members of the Diversity Team, to include the Minorities in the Profession Committee (MIPC), Women in the Profession Committee (WIPC), Sexual Orientation and Gender Identity Committee (SOGI), Public Education Committee, and the Individual Rights and Responsibilities Committee (IRR) regarding diversity programming, by doing the following:

• Seeking the active participation of lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers; by funding their travel and lodging expenses through existing scholarship or fellowship programs, or by the establishment of new programs.
• Publicizing and distributing information regarding scholarship or fellowship programs to the young lawyers divisions or sections of the National Minority Bar Associations.
• Participating annually in the ABA Diversity Center Joint Exhibit project at the annual meetings of the National Bars of Color to provide materials about ABA YLD services, programs, projects, and publications.
• Communicating the existence of ABA YLD affiliate benefits to the leadership of the National Affiliates via the National Affiliate Representatives.

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National LGBT Bar Association (NLGBTBA).

\(^1\) In addition to ABA YLD Officers, ABA YLD Council members include District Representatives, Constitutional Representatives, National Affiliate Representatives, Directors and some Coordinators.

\(^5\) “National Minority Bar Associations” include but are not limited to the National Affiliates described above.
National Affiliates and National Affiliate Representatives

6. Current ABA YLD bylaws Art.3.1(b) provide that, “the council may recognize as a “national affiliate” any affiliate that applies for recognition if it includes, (1) chapters (by whatever name called) in at least ten states, and (2) at least six thousand young lawyers.”

7. The ABA YLD Chair shall appoint as member of the Council, upon recommendation by each National Affiliate, an individual to serve as the representative to the ABA YLD for said National Affiliate. The length of term for a National Affiliate Representative shall be two (2) years and shall begin at the same time as that of incoming District Representatives.

- The HNBA and NBA will recommend their National Affiliate Representatives to the ABA YLD for a two-year period beginning in 2008 and shall recommend a representative every even year thereafter.
- The NAPABA and NLGBTBA will recommend their National Affiliate Representatives to the ABA YLD for a two-year period beginning in 2009 and shall recommend a representative every odd year thereafter.
- The NNABA will recommend their National Affiliate Representatives to the ABA YLD for a two-year period beginning in 2015 and shall recommend a representative every odd year thereafter.
- Future appointments by newly recognized National Affiliates should occur on a staggered basis, based on a two-year length of service for the newly appointed National Affiliate Representatives.

8. The ABA YLD shall fund the National Affiliate Representatives in the same manner that District Representatives are funded, and said funding shall be in accordance with the ABA YLD Reimbursement Policy.

9. Prior to the ABA YLD Annual, Midyear and other National Conferences, the ABA YLD Chair, Chair-Elect, or Diversity Director shall draft a letter to all new National Affiliate Representatives, welcoming them to the YLD in an effort to further cement collaboration between the ABA YLD and the National Affiliate.

9. The ABA YLD Chair or Chair-elect may appoint National Affiliate Representatives to other positions within the ABA YLD (in addition to the Diversity Team), in an effort to provide said representatives with the opportunity to experience meaningful involvement within the ABA YLD.

10. Where appropriate, the ABA YLD shall prospectively use the terms “National Affiliate Representatives” and “District Representatives” together in all ABA YLD resource materials which define, discuss, or describe the duties of said representatives within the ABA YLD.

ABA YLD Liaisons

11. ABA YLD Diversity Team Liaisons are meant to be ambassadors of the ABA YLD to the ABA-at-large, representing the YLD’s voice in the ABA’s Goal III Entities. This ambassadorship will encourage collaboration and develop relationships between the ABA YLD and the corresponding entity. The Liaisons will liaise with the leadership, including the commissioners and Staff of their corresponding entity, in order to create quarterly reports, content programming, articles, and co-sponsorships.

12. The ABA YLD Chair shall appoint an individual to serve as a Liaison to the following ABA Entities: a)
Center for Racial and Ethnic Diversity; b) Commission on Racial and Ethnic Diversity; c) Commission on Sexual Orientation and Gender Identity; d) Commission on Women in the Profession; e) Commission on Disability Rights; and f) Council on Racial and Ethnic Diversity in the Educational Pipeline.

**Speakers/Articles**

13. The YLD Chair and Diversity Director should promote and encourage participation of lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers on ABA YLD programs and on ABA counterpart programs.

14. The ABA YLD Chair; Diversity Director, and Diversity Team should utilize the existing ABA Diverse Speakers Directory database to promote lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers in programming proposals and other events.

15. The ABA YLD Chair, Diversity Director, and Communications Director (in conjunction with Editors of The Affiliate and The Young Lawyer) should promote and seek submissions from lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers for the ABA YLD’s publications.

16. Promote and seek active participation in the Legal Expert Author Pool (LEAP) hosted by the ABA Center for Racial and Ethnic Diversity in the Profession, as well as the Pipeline Diversity Directory, hosted by the Council for Racial and Ethnic Diversity in the Educational Pipeline.

**Goal III Responsibilities**

_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.

In 2008, the ABA House of Delegates reformed its goals and mission “to promote full and equal participation in the legal profession by minorities, women, persons with disabilities, and persons of differing sexual orientations and gender identities.” The ABA also produces an annual Goal III Report which assesses minority* representation in ABA leadership, and its general membership, and reviews other ABA diversity-related initiatives as follows:

- Determining the representation of minorities in the ABA and its leadership positions;
- Presenting information on diversity-related initiatives through the ABA, including administrative and operational departments;
- Identifying and developing ongoing strategies and practices to assist Sections, Divisions, and Forums and other ABA entities in increasing minority participation, particularly in those areas where minorities are underrepresented; and
- Recognizing progress in achieving great minority representation and the objectives of Goal III.
- Ensuring that all ABA documents, forms, webpages etc. are accessible to our disabled members.

*According to the 2005-2006 Goal IX Report, the ABA Commission on Racial and Ethnic Diversity utilizes the term “minority” to describe racially and ethnically diverse lawyers (e.g. those persons of African, Hispanic, Asian, Pacific Islander, or Native American ancestry).
17. The Diversity Director shall be responsible for ensuring that the ABA YLD is accomplishing and complying with Goal III duties by doing the following:

- Ensuring all ABA YLD committees are keeping Goal III in mind when selecting speakers/writers for programs;

- Working with relevant ABA YLD Committees and ABA Commissions to recruit more lawyers of color, women, persons with disabilities, and persons of differing sexual orientations and gender identities;

- Assisting YLD Staff in completing the Goal III report card for submission to Commission on Racial and Ethnic Diversity in the Profession;

- Promoting lawyers of color, women, persons with disabilities, and persons of differing sexual orientations and gender identities, to other ABA sections; and

- Overseeing the YLD’s annual scholarship program which encourages the active participation of lawyers of color, women, persons with disabilities, and persons of differing sexual orientations and gender identities among other young lawyers.

**Conferences, Programs and Meetings**

18. The ABA YLD shall make all reasonable efforts to make first-timers, lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers alike, feel welcome and included in all aspects of its meetings, events and activities, by doing the following:

- Including in the registration form an optional check-off box for attendees’ background, i.e., whether the attorney is minority, female, disabled, LGBT and/or a first-time attendee. This information shall be used only by ABA YLD staff ahead of time to identify these attendees;

- Conducting a first-timers’ reception at the Annual, Midyear and other National conferences in conjunction with members of the Diversity Team;

- Ensuring that the Diversity Director, as well as the NCT team, introduces newcomers to people within the ABA YLD, especially to the ABA YLD Officers, other Council Members, Committee Chairs, and Committee Liaisons; and

- Prior to the ABA YLD Annual, Midyear and other National Conferences, the ABA YLD Chair or Chair-elect shall send a welcome letter to the newcomers regarding conference programming and the first-timers’ reception.

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1 Scholarship Categories include (1) General Practice, Solo & Small Firm Practitioners; (2) Government, Military and Public Sector Lawyers; (3) Minorities in the Profession (which includes lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers).
19. Have diversity programming at the Annual, Midyear and other National Conferences, the goal of which is to provide affiliates with information to disseminate to their local bar associations and related affiliates for implementation.

20. Due to the ever-changing nature of the legal profession in the 21st century, the ABA YLD shall make an effort to include diversity of practice programming, or other programming relevant to young lawyers who may not be in a traditional practice. Such programming could include programs on how to start your own practice, or a panel of young lawyers in diverse areas of non-traditional practice.

21. Encourage joint and substantive programming with Commission on Racial and Ethnic Diversity in the Profession, Commission on Women in the Profession, Commission on Sexual Orientation and Gender Identity, the Council on Racial and Ethnic Diversity in the Educational Pipeline, Commission on Disability Rights and ABA Section of Individual Rights and Responsibilities during the Annual, Midyear and other National Conferences. This programming shall be designed to address the issues and concerns of lawyers of color, women lawyers, lawyers with disabilities and LGBT lawyers.

22. Due to our desire to collaborate with larger ABA Entities, Sections and Divisions including, but not limited to Goal III Entities, the Diversity Team shall host an annual Diversity Expo at each Midyear meeting, allowing the ABA-at-large to promote their diversity programs and initiatives to young lawyers. This Expo should be incorporated de facto into each Mid-year meeting schedule and should not require an annual program proposal. This program will encourage and promote annual collaboration between the ABA YLD and its sister ABA Sections, Divisions, and Entities.

**Outreach to National Minority Bar Associations**

23. The ABA YLD Chair, ABA YLD Chair-elect or member of the Diversity Team shall, whenever possible, attend the national meetings of the National Minority Bar Associations, including the National Affiliates, in an effort to establish a presence with these associations.

24. The ABA YLD shall make all reasonable efforts to correspond with National Minority Bar Association leaders located in the city where the Annual, Midyear or other National conference is being held. Whenever possible the ABA YLD Chair, ABA YLD Chair-elect or Diversity Director shall do the following:

- Send an introduction/welcome letter to the Chair, Leader or President of each National Minority Bar Association, and include a current copy of the ABA YLD’s Diversity Plan; and
- Invite leaders of these National Minority Bar Associations to attend the ABA YLD Council dinner and/or the first-timers’ reception.

25. The ABA YLD shall encourage the co-sponsoring of a young lawyers division event (e.g., continuing legal education seminar, luncheon), where appropriate, at the National Affiliates’ annual conferences.
26. **Description and Categories:** The ABA YLD Scholars program is designed to encourage the participation of minority, solo/small firm, government, private sector, and military service attorneys in the ABA YLD. The program consists of the following Scholarship Categories: a) General Practice, Solo & Small Practitioners; b) Government, Military and Public Sector Lawyers; and c) Minorities in the Profession.

27. **Eligibility:** To be eligible, an ABA YLD Scholar must be a “young lawyer,” which is defined as any licensed attorney who is under the age of thirty-six (36), or who has been licensed for no more than five years at the start of the scholarship year (September 1). Applicants for the program should be ABA YLD-eligible lawyers who fall within at least one of the scholarship areas. There is no requirement that applicants be presently involved with an ABA YLD affiliate; however, such involvement is encouraged. Although applications will be accepted will be accepted from non-ABA members, any person chosen as a scholarship recipient must be an ABA member before receiving assistance. Further, anyone receiving a scholarship must be present at all three funded conferences.

28. **Selection Process:** The Review Committee shall comprise a group of ABA YLD Members chosen by the Diversity Director for the current year, including but not limited to the Chair of the Minorities in the Profession Committee, a member of LAB, an ABA YLD Staff Representative, and the incoming Diversity Director.

**SUGGESTED ACTIVITIES**

The ABA YLD’s diversity commitment extends beyond its organizational structure. The Division shall encourage the following suggested activities to enhance its outreach efforts:

**Law Student Outreach**

29. The ABA YLD shall make all efforts to provide assistance to or support the ABA Law Student Division in its outreach efforts to law students of color, women law students, law students with disabilities and LGBT law students during law school.

**Community Outreach**

30. ABA YLD may pursue and encourage affiliates to assist in the promotion of diversity within the community and the legal profession. Further, the Diversity Director shall encourage the ABA YLD Scholars to implement Diversity-related programming at their local affiliates.

**Mentoring**

31. The ABA YLD Chair and Diversity Director should encourage ABA YLD Officers, other Council Members, Committee Chairs and Liaisons to serve as mentors for lawyers of color, women lawyers, lawyers with disabilities, and LGBT lawyers.