

Goal III Report: The State of

# Racial and Ethnic Diversity

IN THE AMERICAN BAR ASSOCIATION

Commission on Racial and Ethnic Diversity 2011



Goal III Report: The State of

# Racial and Ethnic Diversity

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

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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.

The Commission on Racial and Ethnic Diversity in the Profession believes that the Sections, Divisions, and Forums' progress towards achieving the diversity component of Goal III should be measured and analyzed annually 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
- Encourage and inspire our profession to maintain its commitment to diversity
- Provide leaders with best practices and alert them to areas in need of improvement

### 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 underrepresented; and,
- Recognizing those practices that have resulted in greater diversity within the ABA and its leadership.

To this end, the data reported herein are 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. The survey is completed by each ABA Section, Division and Forum (the "entity"). Each fall the Chair and Staff Liaison of each ABA entity to be evaluated submits a joint-reporting survey

form. The survey form asks each entity for information regarding the composition of its leadership as well as information regarding programs geared towards increasing diversity within the 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.

The Goal III report describes the composition of ABA membership and examines the progress towards greater diversity in the ABA at various levels of its leadership and membership. Therefore, the data are 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 these data), 2009-10 and 2010-11. 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 the reader can make easier analysis and more meaningful comparisons. The Report also provides a sample of successful practices that are currently being employed by ABA 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/

Goal III 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.

This bar year the ABA's total membership is 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> remained steady. Although we are concerned about the impact that the global economic downturn that began in 2008 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 continue 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.

### Footnotes

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"

	U.S. Census Minority Demographics		
	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, Actual Figures/Percentages					
	2000-2001*		2009-2010*		2010-2011*	
	#	%	#	%	#	%
African American	3,777	2.71%	3,914	3.22 %	4,156	3.49%
Asian American	3,483	2.50%	3,641	2.99 %	3,670	3.08%
Hispanic	3,165	2.27%	3,085	2.54 %	3,282	2.75%
Native American	828	0.59%	611	0.50%	677	0.57%
Caucasian	126,480	90.88%	108,663	89.32%	105,470	88.54%
Other	1,439	1.03%	1,738	1.43%	1,861	1.56%
Unknown	269,513	0	232,419	0	208,427	0
Total	408,685	100%	354,071	100%	327,543	100%

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

## 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 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 Stephen N. Zack in 2010-11 is 251. This represents 33.47% of Zack's total number of member appointments. This is an increase from the appointments made by former President Carolyn B. Lamm in 2009-10, which totaled 200 (26.3% of her total member appointments) and former President H. Thomas Wells in 2008-09, which totaled 175 (25% of his total number of appointments). Zack's appointments are the highest of any ABA President. His is an excellent record and represents a commendable focus on diversity,

especially when the percentage of his appointments is compared to the percentage of minority attorneys who are members of the ABA.

A breakdown of President Zack's minority member appointments shows that he appointed 107 African Americans, 84 Hispanics, 49 Asians and 10 Native Americans. Additionally, President Zack made a total of 27 minority chair appointments in 2010-11, which represents 29.35% of his total number of chair appointments. Zack made more minority chair appointments than former presidents Lamm (21 appointments at 27.2%), Wells (16 appointments at 19%), and Neukom (16 appointments at 19.7%).

The ABA Office of the President continues to take the lead in demonstrating the value of diversity, particularly through the appointments process.

### Footnotes

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 2010 for Stephen L. Zack). The President-Elect appoints every member of Special Committees, Commissions and several other entities (these appointments are for one-year terms).

## Elected Leadership

The percentage of racial and ethnic minorities on the ABA Board of Governors increased only slightly since 2000-2001. In 2009-2010, seven of the 38 (18.42 %) elected members were minorities (four African Americans, two Hispanics and one Native

American). In 2010-2011, nine of the 40 (22.5 %)<sup>1</sup> elected members were minorities (six African Americans, two Hispanics and one Native American). Since 2003-2004, there have been no Asian Americans serving on the Board of Governors.

Elected Leadership	Board of Governors		
	2000-2001	2009-2010	2010-2011
African American	2	4	6
Asian American	1	0	0
Hispanic	0	2	2
Native American	0	1	1
Non-Minority	34	31	31
Total	37	38	40

### Footnotes

1. This year there are a total of 40 members on the Board of Governors as there is a Secretary-elect and a Treasurer-Elect.



# 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 these data), and the past two bar years 2009-10 and 2010-11. When applicable to the analysis, we have included data from other reporting years.*

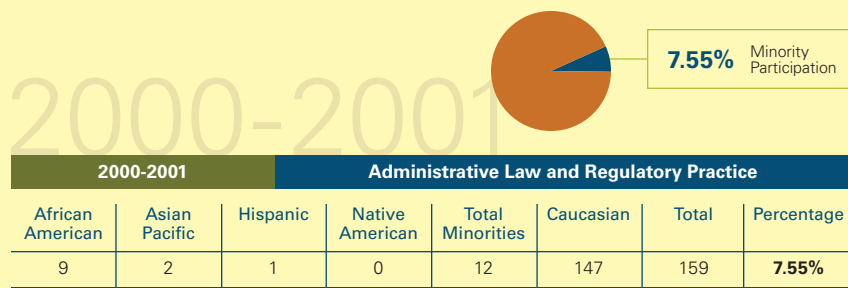
## Administrative Law and Regulatory Practice

The Administrative Law and Regulatory Practice Section enjoyed its highest levels of minority leadership participation last year with diverse groups comprising 30.47% of Section leadership. Unfortunately, the Section suffered a setback in minority leadership growth this year. Despite the Section's addition of 128 new leadership positions, the total number of minority lawyers participating in Section leadership dropped from 163 to 130. Minorities now hold 19.6% of the leadership positions in the Section, significantly down from 2009-10 levels, but still higher than 2008-09 levels of 16.09%. This is a disturbing trend, especially given the addition of so many new leadership positions.

African American lawyers suffered the greatest decrease in participation, losing 42 leadership positions.

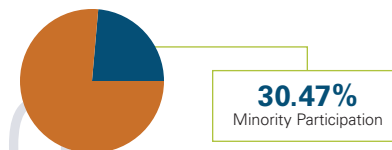
On a positive note, Hispanic lawyers strengthened their presence by taking on nine additional positions moving their numbers to 28 positions, up from 19 positions in 2008-09. It is also encouraging to see that a Native American attorney is now active in leadership. Minorities made the greatest gains in the Committee/Forum Division Chairs category gaining four additional positions. Diverse groups sustained the greatest decrease in the Programming Faculty category, losing 34 positions. However, minorities maintained their sizeable presence in the Publication Authors category retaining 45 positions. Minorities continue to hold positions in upper echelon leadership categories such as Primary Leadership and Council/Forum Governing Committee.

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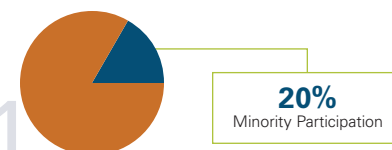
\*Although the Section's minority participation number of 12 for 2000-01 is the Section's lowest recorded number, this number does not include data for the Additional Committee Leadership, Publication Authors and House of Delegates. The Section's 2006-07 overall minority participation number of 26 is 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.

## 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>

## 2010-2011



2010-2011 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	3	0	0	0	3	24	27
Committee Chairs or Forum Division Chairs	42	4	8	0	54	74	128
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	2	3
Programming Faculty	10	5	10	1	26	224	250
Publication Authors	25	10	10	0	45	200	245
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>82</b>	<b>19</b>	<b>28</b>	<b>1</b>	<b>130</b>	<b>533</b>	<b>663</b>

## *Administrative Law and Regulatory Practice*

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The Section reports that it approved a strategic plan in 2010, which includes goals to increase diversity among its membership, panelists and authors. Another Section initiative calls for the recruitment and development of diverse members for positions on the Section's committees and Council. Additionally, the Section published several books on careers in administrative law written by minority authors and encouraged submissions by diverse authors to its *Developments in Administrative Law* publication. These ground level efforts are a good starting point for growth. However, the Section will have to build on these efforts in order to regain greater diversity in its leadership.

Last year we recommended that the Section begin to track the percentage of its budget devoted to the advancement of diversity in order to identify the impact of funding on minority leadership growth. However, it did not do so. In light of the decrease in minority leadership participation in the Section this year, we strongly recommend that it take our advice and begin tracking the amount of funds dedicated to its diversity efforts. We also recommend that the Section create a roadmap for implementing the diversity goals in the new strategic plan that includes criteria for measuring success and periodic reviews of Section progress.

## Antitrust Law

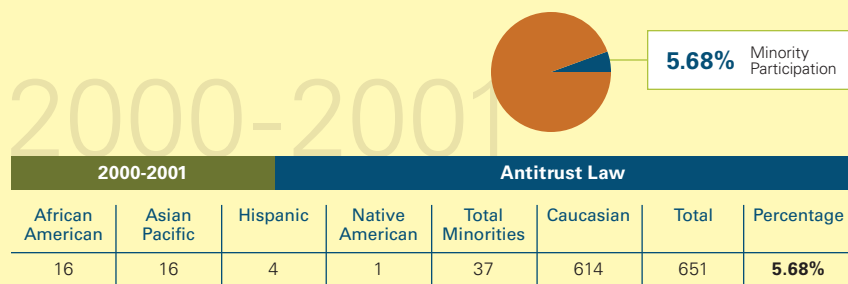
Last year the Antitrust Section reported a decrease in the number of minorities participating in Section leadership. This was the first time in 10 years that the actual number of minorities dropped. We are pleased to report that the Section's minority leadership participation more than doubled from 35 to 74 this year. The percentage of minorities in leadership also doubled from 5.46% to 11.04%. These are the highest levels of minority leadership participation reported by the Section since it began recording these data in 2000-01. The Section added 29 new leadership positions; minority leadership growth outpaced the growth in new slots.

Asian Pacific and Hispanic members made the most gains in participation with increases of 21 and 15 new positions, respectively. African

American members made a modest gain of three positions. Diverse members are represented in all but one area of Section leadership with the most participation occurring in the Programming Faculty, Publication Authors and Additional Committee Leadership categories.

The Section allotted \$41,181 toward diversity efforts this year. The investment has clearly paid off. The Section states that "diversity is a core value." This is evidenced by the programming that it has sponsored throughout the year. Its "Why Antitrust?" seminars expose law students, particularly those of color, to the benefits of a career in antitrust. The Section recently presented the program at Duke University Law School. The Section also developed a similar program on privacy law. The

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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>



2010-2011 Antitrust Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	12	13
Council or Forum Governing Committee	2	0	1	0	3	18	21
Committee Chairs or Forum Division Chairs	1	1	1	0	3	71	74
Additional Committee Leadership	2	1	2	0	5	0	5
Other Leadership	3	4	2	0	9	100	109
Nominating Committee	1	0	0	0	1	3	4
Programming Faculty	7	27	11	0	45	390	435
Publication Authors	1	5	1	0	7	0	7
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>18</b>	<b>38</b>	<b>18</b>	<b>0</b>	<b>74</b>	<b>596</b>	<b>670</b>

## *Antitrust Law*

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“101 Privacy and Information Security Law Series for Law Students” was recently presented at various law schools in Oregon and at Georgetown University in Washington, D.C.

The Section reports that its diversity activities have been enhanced by the addition of young lawyer representatives on the Section’s substantive, administrative and publication committees. These representatives, a number of whom are minorities, will be able to engage in substantive committee work, assist with outreach to other young lawyers and position themselves for future leadership positions. Additionally, the Section will be co-sponsoring a session on antitrust and consumer protection issues at the 2011 National Bar Association Annual Convention. The Section is currently working with the ABA on a pilot project to attract more government lawyers by addressing concerns and misperceptions about the cost and value of Section membership that have previously been barriers to diversity. The Section continues to sponsor the Joint Exhibit Project with national minority bar associations. Further, it requires that all program panels reflect racial and/or ethnic diversity. The Section’s Antitrust Junior Scholars recently presented a free symposium in New York that showcased a diverse mix of young scholars. The well-attended program attracted a sizeable number

of local minority law students.

The Section’s commitment to diversity has never been more evident. Moreover, it has found compelling ways to translate this commitment into real minority growth within its leadership ranks.

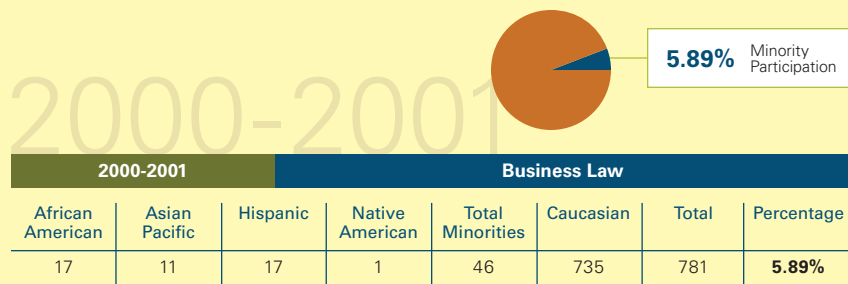
## Business Law

The news is mixed for the Business Law Section. In 2009-10, the Section reported 176 minorities in leadership positions, a decrease from the 222 reported in 2008-09. Despite the decrease in the actual number of minority leaders last year, the percentage of diverse members in leadership increased due primarily to an overall reduction in the number of available leadership positions. This year the Section reports a nominal increase of two additional minorities in leadership, bringing the total to 178. However, the percentage of minorities in leadership decreased this year from 12.04% in 2009-10 to 11.40% despite the addition of 97 new leadership slots. It is disappointing that more minorities were not chosen to fill these new positions.

Minorities experienced the most gain in the Committee/Forum

Division Chairs category with the addition of 15 new positions (bringing their number to 27 positions), followed the addition of 10 new positions in Other Leadership (bringing their number to 31) and four new positions in the Additional Committee Leadership category (bringing their number to 33). Diverse members realized modest gains in the Primary Leadership and Council/Forum Governing Committee categories with one new position in each. Minorities lost ground in Programming Faculty with 27 fewer positions. However, despite the loss of these positions, minorities retained 78 positions in this category. Diverse members also lost the only two positions they had on the Nominating Committee. African American members were the only

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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>



2010-2011 Business Law		African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers		1	1	0	0	2	0	2
Council or Forum Governing Committee		4	1	0	0	5	0	5
Committee Chairs or Forum Division Chairs		18	6	3	0	27	189	216
Additional Committee Leadership		17	6	5	5	33	501	534
Other Leadership		26	3	2	0	31	135	166
Nominating Committee		0	0	0	0	0	0	0
Programming Faculty		37	28	13	0	78	543	621
Publication Authors		0	1	0	1	2	9	11
House of Delegates		0	0	0	0	0	4	4
<b>Total</b>		<b>103</b>	<b>46</b>	<b>23</b>	<b>6</b>	<b>178</b>	<b>1,381</b>	<b>1,559</b>

## Business Law

CONTINUED FROM PAGE 11

diverse group to add new leadership positions. They gained 21 new positions giving them 103 members in leadership. Asian Pacific, Hispanic and Native American members lost positions; however, they all continue to maintain a solid presence in positions of authority with 46, 23 and six positions respectively.

The Section reports that it devoted \$204,300 or 3% of its operating budget to advancing diversity. The Section states that “outreach is a fundamental component of all that [it] does and will continue to be a driving force behind many new initiatives.” To that end, it continues to look for ways to reach out to diverse constituencies through a variety of programming. The Section’s Diversity Committee leads the way through recruitment and retention programming and by addressing areas of concern to lawyers of color. The committee sponsored a program at the 2010 Annual Meeting entitled, “Making the Business Case for Diversity and Inclusion,” which focused on the economic benefits of diversity in the legal profession. The Committee presented “Establishing a Culture of Excellence in Your Organization: Beyond Diversity and Inclusion” at its April 2010 Spring Meeting. This program provided a “blueprint” for changing organizational culture to maximize the potential of all of its members.

As was the case last year, the Business Law Section continues its broad support of numerous diversity-related initiatives and events, including an annual Diversity Networking Reception, the CLEO Fellows 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. The Section’s Membership Committee has created a “Getting Members Involved Guide” to provide guidance to committee chairs in involving members, particularly those of color, in Section work. The Committee has also developed a companion publication distributed to Business Law Fellows, Ambassadors, Diplomats, CLEO Fellows and law students to provide them with information about becoming more involved. Finally, the Section will sponsor the Women of Color Research Initiative in 2010-11.

The growth of available leadership positions in the Section outpaced

the growth of minorities moving into those positions resulting in a percentage decrease in minority involvement in the Section this year. We hope the Section’s continued dedication to substantial programming designed specifically to grow minority participation will shortly address this imbalance.

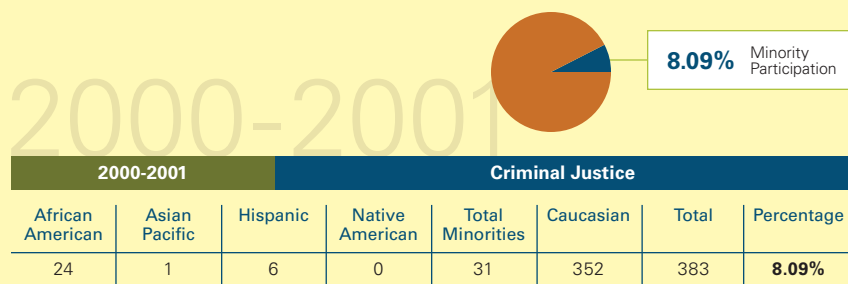
## Criminal Justice

The Criminal Justice Section continues to show minority leadership growth. Once again, the actual and proportionate number of minorities in leadership positions increased, albeit only slightly in terms of actual numerical growth. The total number of diverse members in leadership is 74 up from 72 in 2009-10. The percentage of diverse members in leadership is 17.70%, up from 15.55% in 2009-10. Given the nominal increase in the number of diverse members participating, the percentage growth can most likely be attributed to the decrease in available leadership positions from 463 in 2009-10 to 418 in 2010-11.

Asian Pacific and Hispanic members experienced the most growth with the addition of new positions that bring their numbers to 13 and 25, respectively. African American

members lost 12 positions; however, they continue to have a strong relative presence in the Section with a total of 36 positions. Native American members continue to be unrepresented in leadership. The Programming Faculty (30 positions), Publication Authors (11 positions) and Nominating Committee (3 positions) categories are areas where minorities have increased. Minorities maintained their two positions in Primary Leadership. Diverse members continue to hold four positions in the Council/Forum Governing Committee (20 positions) and the Committee/Forum Division Chairs categories, despite some losses. The Section did not offer any leadership opportunities in Other Leadership in 2009-10. This year it added four positions in this category, and all

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## Criminal Justice

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four are held by minority members. Minority growth correlates to the addition of leadership positions in other categories as well, including Publication Authors and Programming Faculty.

The Section reports that it spent \$222,000 (8% of its operating budget) on the advancement of diversity. The Section states that it has developed a diversity plan that will take measureable steps to increase the diversity of its membership and leadership. The Section's First Vice-Chair will act as diversity director and will oversee the implementation of the plan. Additionally, the Section was awarded two grants for multi-year projects on diversity. The Racial Justice Task Force Pilot Project, funded by the Bureau of Justice Assistance, will implement the Racial Justice Task Force model in four jurisdictions. These pilot programs will tackle specific racial justice issues in the identified jurisdictions. The "Building Community Trust: Improving Cross Cultural Communication in the Criminal Justice System" initiative will address the challenges of managing an increasingly diverse work force in the criminal justice field. The initiative will also focus on identifying ways to change public perceptions of fairness in the system.

The Racial, Ethnic Justice and Diversity Committee oversees the

Section's Diversity Action Plan, manages the Criminal Justice Solutions Project, which develops resources to assist jurisdictions in establishing racial justice task forces, and collaborates with the Vera Institute of Justice on its Prosecution and Racial Justice Program. The Section actively supported two diversity-related policies adopted by the ABA House of Delegates: 1) an update of the ABA policy on racial profiling and 2) the ABA policy on cross-racial jury identification.

The Criminal Justice Section's comprehensive strategy addresses diversity on a micro and macro level. Its diversity plan focuses on the advancement of diversity on a Section- and Association-wide basis, while its grant funded projects and initiatives support diversity on a more systemic basis. We hope that this broad approach will reap more significant minority participation in the upcoming year.

## Dispute Resolution

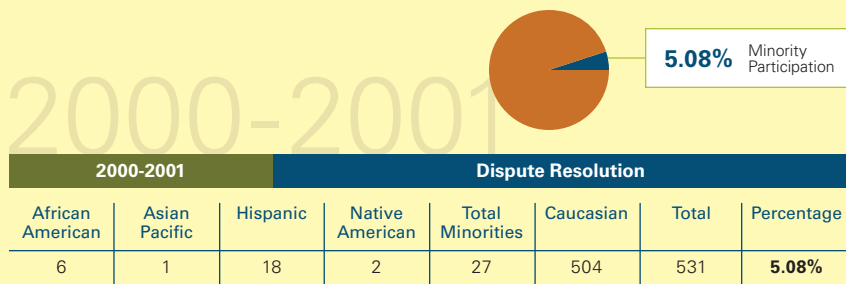
The Section of Dispute Resolution once again made modest growth relative to the percentage of minorities in leadership, from 14.48% in 2009-10 to 15.30% in 2010-11. The actual number of minorities in leadership grew impressively from 73 in both 2008-09 and 2009-10 to 90 in 2010-11. The two-year stagnation in minority growth was disconcerting. We are pleased to see that the Section has been able to push past whatever was stifling the professional growth of its diverse members.

The Section added 82 new positions in six leadership categories, two of which (Additional Committee Leadership and Other Leadership) had no available positions in 2009-10. Minorities capitalized on the addition of these new slots by assuming five new positions.

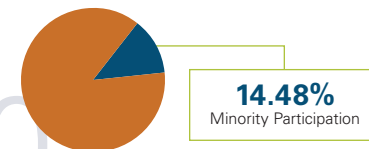
Diverse members are represented in seven of the Section's nine leadership areas, including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Additional Leadership, Other Leadership, Nominating Committee and Programming Faculty (which boasts the greatest number of minority members with 73 positions). African American and Asian Pacific members strengthened their presence; Hispanic and Native American members maintained their 2009-10 levels of involvement.

The Section allocated \$9,800 in support of its diversity efforts. Central to these efforts is the establishment of the Scorecard on Diversity Task Force. The task force, which comprises representatives from the largest ADR providers in the

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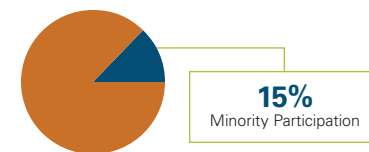


## 2009-2010



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>

## 2010-2011



2010-2011 Dispute Resolution							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	8	9
Council or Forum Governing Committee	2	3	0	0	5	14	19
Committee Chairs or Forum Division Chairs	3	1	0	0	4	58	62
Additional Committee Leadership	2	1	1	0	4	13	17
Other Leadership	1	0	0	0	1	0	1
Nominating Committee	2	0	0	0	2	6	8
Programming Faculty	31	24	16	2	73	394	467
Publication Authors	0	0	0	0	0	1	1
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>42</b>	<b>29</b>	<b>17</b>	<b>2</b>	<b>90</b>	<b>496</b>	<b>586</b>

## *Dispute Resolution*

CONTINUED FROM PAGE 15

country, is dedicated to increasing diversity among mediator and arbitrator rosters. During the 2010-11 bar year, the task force will conduct focus groups with corporate users of ADR services and law firms to identify ways to increase the number of cases assigned to diverse ADR professionals. In the upcoming year, the task force will focus on several initiatives: 1) developing a user survey and challenge; 2) surveying ADR provider practices on diversity; 3) creating a diversity website; and 4) developing a diversity plan. As it did last year, the Section awarded scholarships to traditionally underserved groups and minority bars to attend its 2010 Spring Conference. Additionally, the Section continues to require that all of its CLE programming proposals include a detailed statement about the diversity of the proposed presenters to ensure minority representation among its faculty.

It is clear that the Section of Dispute Resolution continues to place a high value on diversity. We have no doubt that the Section's new and continuing initiatives contributed to its ability to break free of the stagnation in minority leadership that had dogged the Section for the previous two years.

## Environment, Energy and Resources

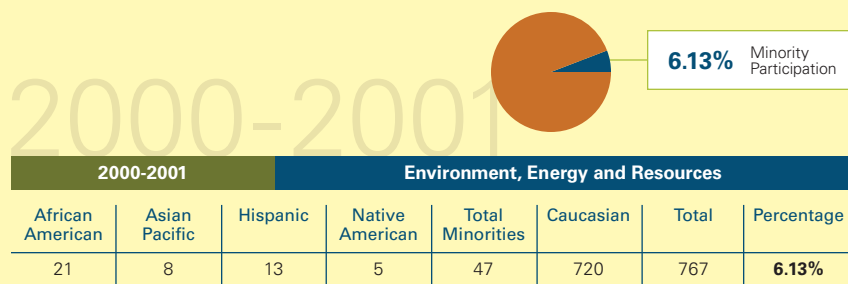
Last year the Section of Environment, Energy and Resources posted positive minority leadership growth numbers and percentages for the second consecutive year. We were hopeful that this marked the beginning of a more positive trend in minority leadership growth in the Section. Our optimism was justified. Minority leadership numbers and percentages both increased again this year. The number of minorities in leadership is 92, up from 77 in 2009-10. The percentage of minorities in leadership is 7.65%, up from 5.98% last year. However, the number of leadership positions available in the Section dropped this year from 1,288 to 1,202, which may have had an impact on percentage growth.

Minorities are represented in six of the eight leadership areas currently available in the Section. Diverse

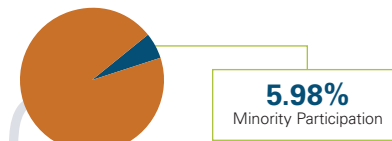
members have the greatest presence in the Publication Authors category with 34 positions (up from 31 positions in 2009-10). Diverse members made the most strides in the Programming Faculty category with the addition of 11 new positions. Minorities picked up two additional positions each in the Council/Forum Governing Committee and Committee/Forum Division Chairs categories, increasing minority-held positions to four in both areas. Diverse members gained three positions in Additional Committee Leadership, increasing minority presence from 17 to 20 positions in this area.

Minorities from all sub-groups are well represented in Section leadership. African American members have the greatest presence with 35 positions, down just slightly from

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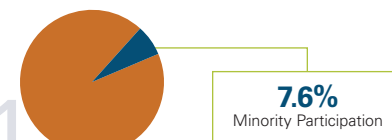


## 2009-2010



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>

## 2010-2011



2010-2011 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	4	0	0	0	4	10	14
Committee Chairs or Forum Division Chairs	0	0	2	2	4	49	53
Additional Committee Leadership	15	1	1	3	20	149	169
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	8	8	11	2	29	390	419
Publication Authors	7	6	13	8	34	494	528
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>35</b>	<b>15</b>	<b>27</b>	<b>15</b>	<b>92</b>	<b>1,110</b>	<b>1,202</b>

## *Environment, Energy and Resources*

CONTINUED FROM PAGE 17

36 in 2009-10. Hispanic members exhibited the most growth this year with the addition of 18 new positions giving them a total of 27 positions. Asian Pacific and Native American members hold 15 positions, respectively. The latter two sub-groups lost one position each this year.

The Section reports that it allocated \$100,382 to its diversity efforts. Involving racial and ethnic minorities in the Section is a high priority, and as such, the Section continues to support the Diversity Fellowship in Environmental Law Program, which was developed to interest law students in environmental law, particularly those from historically underrepresented groups. The Section awarded 27 fellowships to law students in nine states last year. The Section reports that many past fellowship recipients have become ABA and Section members, thus enhancing diversity within the association. Moreover, the Section states that many former fellows have continued their involvement in the environmental law field, which has helped to promote diversity within the profession at large. The Section states that it strives for diversity in its CLE programming. It also offers travel stipends to Native American members. Additionally, the Section participates in the Joint Minority Exhibit project and welcomes opportunities to co-sponsor events with non-ABA entities that have

more diverse audiences.

As environmental and energy issues remain at the forefront globally, the Section has an invaluable opportunity to provide diverse practitioners entrée into the field and to eventually propel these practitioners into leadership.

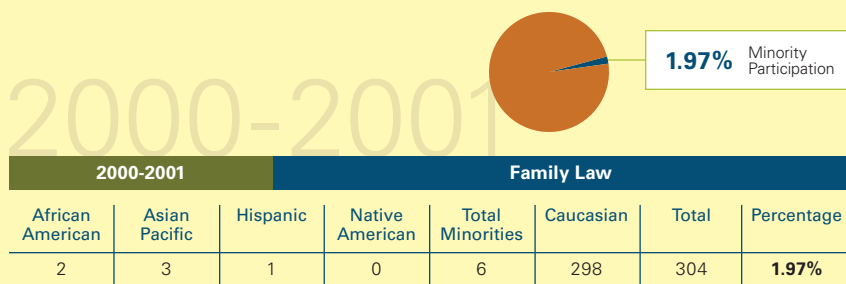
## Family Law

The 2009-10 bar year was a disappointing step backwards for the Section of Family Law with regard to minority leadership participation. The Section saw decreases in both numeric and percentage growth of diverse groups. This year the Section appears to have experienced a slight upswing in minority growth. The Section tapped four additional minority members for leadership posts, bringing the total number to 17 (up from 2009-10 levels of 13 but still less than 2008-09 levels of 25). The percentage of diverse members in Section leadership is currently 4.66%. This is a small improvement over its 2009-10 percentage of 3.48% but does not surpass the 2008-09 percentage of 6.60%.

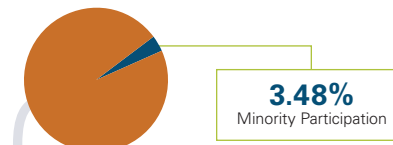
African American, Native American, Asian Pacific and Hispanic members are all represented in

leadership, with the latter two subgroups showing the most growth. The majority of the Section's minority participation is in the Publication Authors category (nine minority members). The Section added 20 new leadership slots in this category, and minority participation increased commensurately. Despite the fact that the Section decreased the number of available slots in the Programming Faculty category by 26, diverse members held on to the four positions that they had last year. We were disappointed about the loss of minority presence in the Primary Leadership category last year. We are pleased to see that a diverse member has regained a position in this leadership category. Unfortunately, minorities lost the one position that they had on the

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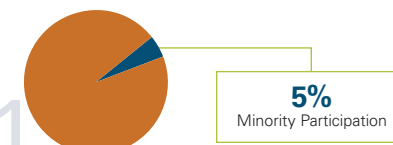


## 2009-2010



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>

## 2010-2011



2010-2011 Family Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	1	1	5	6
Council or Forum Governing Committee	0	0	0	0	0	20	20
Committee Chairs or Forum Division Chairs	0	0	1	1	2	42	44
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	1	1	61	62
Nominating Committee	0	0	0	0	0	4	4
Programming Faculty	0	3	1	0	4	113	117
Publication Authors	2	3	4	0	9	101	110
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>2</b>	<b>6</b>	<b>6</b>	<b>3</b>	<b>17</b>	<b>348</b>	<b>365</b>

## Family Law

CONTINUED FROM PAGE 19

Council/Forum Governing Chairs Committee. Overall, minorities are represented in five of the Section's nine leadership areas.

The Section reports that it set aside \$500 (less than 1% of its budget) for diversity-related activities. It allocated an additional \$1,500 for CLE conference waivers for minority bar leaders but did not succeed in attracting any members of the minority bar to the event. The Section participates in the Joint ABA Exhibit at national bar conventions and states that it is looking for ways to attract minority authors, CLE presenters and family law practitioners. The Section states that it is planning future CLE programs on topics of interest to minority practitioners. In addition, the Section has created a bilingual brochure for divorce clients entitled, "20+ Preguntas y Respuestas Sobre su Divorcio" ("20+ Frequently Asked Questions About Divorce"). The Diversity Committee meets with Section staff twice a year to review the success and failure of past initiatives and to plan new programming that will attract diverse family law practitioners. The Section will be sponsoring a future CLE conference in Anchorage, Alaska. The conference will focus on Native American legal issues affecting family law practice.

Last year the Section had no clear direction or long-range plan with regard to the recruitment of diverse

practitioners. We were particularly concerned about its failure to engage in meaningful outreach to minority groups. This year the Section appears to be more creative and proactive in its approach to building minority leadership participation. The bilingual brochure for divorce clients and the Alaskan conference dedicated to Native American family law issues are promising. The Section should build on this type of programming and reduce its reliance on more passive activities, such as underwriting conference registration waivers. Further, we recommend that it continue to consult with the Commission on Racial and Ethnic Diversity in the Profession and other ABA entities, as appropriate, to identify ways to further broaden its minority leadership base. There are plentiful resources in the ABA for best practices in diversity and this Section would be well served by consulting them

## Health Law

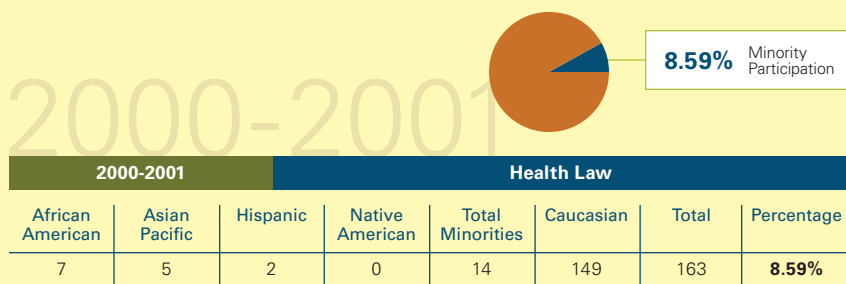
The Health Law Section continues to struggle in its efforts to increase minority leadership participation. The number of diverse members active in leadership roles remains flat at 46 (the same as in 2009-10). The percentage growth of minorities in leadership dropped from 16.25% to 13.64%. These disappointing numbers came in a year when the Section added 54 new leadership positions. Clearly, the increase in available positions did not translate into greater participation for minority members.

Diverse members built on their presence in Programming Faculty by adding eight new positions giving them 20 positions. They also increased their numbers by one in the Committee/Forum Division Chairs category bringing their numbers to 12. However, these gains were offset by losses in other areas. Minorities

lost six of their nine positions in the Publication Authors category and one of their two positions on the Nominating Committee. Additionally, diverse members lost the only two positions they had in the Other Leadership category. Minorities retained positions in the Primary Leadership and on the Council/Forum Governing Committee. Overall, African American members saw an increase of four new positions, but Asian Pacific and Hispanic members lost positions. All three minority sub-groups are represented in the Section's hierarchy. Native American members are not represented in Section leadership.

The Section spent \$5,000 on diversity programming. The Diversity Coordinating Committee revised the Section's diversity plan. The Section

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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>



2009-2010		Health Law					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	0	0	2	4	6
Council or Forum Governing Committee	1	1	0	0	2	8	10
Committee Chairs or Forum Division Chairs	8	2	2	0	12	27	39
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	12	4	4	0	20	145	165
Publication Authors	3	1	5	0	9	102	111
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>27</b>	<b>8</b>	<b>11</b>	<b>0</b>	<b>46</b>	<b>291</b>	<b>337</b>



## *Health Law*

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sponsored a diversity breakfast at EMI and continues to ensure minority participation in all Section activities including CLE programming and publications. Other than these activities, there is no indication that the Section has any other concrete diversity-related programming in place. We suggest that the Section review and update its diversity plan, including devising measurable and concrete steps to increase its diverse participation. Part of the updated plan should include a review of how its diversity dollars are spent to ensure that funds spent equate to results achieved.

## Individual Rights and Responsibilities

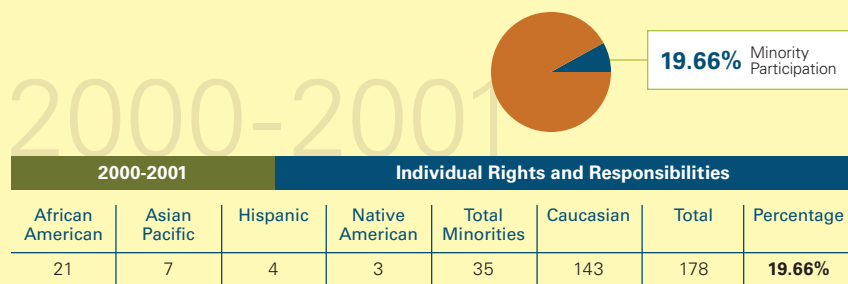
The Section of Individual Rights and Responsibilities leads by example in the advancement of diversity. Its goal has always been to enhance ethnic and racial diversity in the legal profession and society as a whole. The Section continues to make positive strides toward achieving that goal, as evidenced by its minority leadership participation levels. The number of diverse members in Section leadership this year is 38, up from 27 in 2009-10. The percentage of diverse members in leadership is 23.9%, an increase from 21.95% in 2009-10.

The Section added 36 new leadership positions, and diverse members benefited. African American, Asian Pacific, Hispanic and Native American members are all represented in the Section's leadership ranks. Minorities made the greatest gains

in the Publication Authors (five new positions), Council/Forum Governing Committee (three new positions), Nominating Committee (three new positions), and Additional Committee Leadership (two new positions) categories. Minorities lost positions in two areas: Committee/Forum Division Chairs and Other Leadership. In the latter category, minorities lost all three of the positions that they held. This is the only category with no minority representation.

A good share of the Section's budget is allocated to inclusion programming. This year it devoted \$25,000 to its diversity efforts. The Section continues to recruit diverse members through the implementation of the Diversity Plan, particularly at the committee membership and

continued on page 24



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>



2010-2011 Individual Rights and Responsibilities							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	1	1	0	4	3	7
Council or Forum Governing Committee	5	0	1	3	9	14	23
Committee Chairs or Forum Division Chairs	3	0	0	1	4	19	23
Additional Committee Leadership	1	0	1	0	2	23	25
Other Leadership	0	0	0	0	0	10	10
Nominating Committee	1	0	1	1	3	1	4
Programming Faculty	3	1	2	1	7	23	30
Publication Authors	8	0	0	0	8	27	35
House of Delegates	0	0	1	0	1	1	2
<b>Total</b>	<b>23</b>	<b>2</b>	<b>7</b>	<b>6</b>	<b>38</b>	<b>121</b>	<b>159</b>

## *Individual Rights and Responsibilities*

CONTINUED FROM PAGE 23

Section leadership levels. It actively participates in a variety of minority bar association annual conventions including HNBA, NBA and NAPABA. The Section established the Thurgood Marshall Award in 1992 to recognize legal professionals who have made long-term contributions to the advancement of civil rights, civil liberties and human rights in the United States. Ten of the 19 award recipients have been persons of color. The Section states that diversity is always a consideration when its Nominating Committee selects new officers and Council members. In 2009-10, the Section's Executive Committee comprised five minorities. Eight minorities were members of its Council.

The Section continues its work in support of the Native Hawaiian Government Reorganization Act to promote Native American self-determination and self-governance. Likewise, the Section also continues its efforts in support of the Tribal Law and Order Act, which provides funding for tribal courts. Finally, the Section held a Lobby Day to urge Congressional support for the Civil Rights Tax Relief Act of 2009, which seeks to end unfair taxation of recoveries in employment discrimination and civil rights cases.

The Section's work toward greater inclusion in the profession speaks for itself. It is clear that the Section's goals and ideals continue to guide it

as it works toward the advancement of people of color within its own ranks and beyond.

## Intellectual Property Law

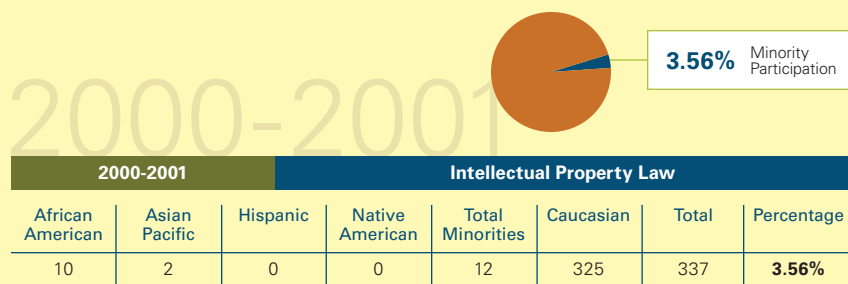
The Intellectual Property Law Section is on a roll with regard to its ability to promote its diverse members into leadership. With the exception of one year (2006-07), the Section has successfully promoted a steady stream of diverse members into leadership positions. This year the total number of minorities in Section leadership grew from 34 to an impressive 87, a 45% increase. The percentage of minorities in leadership is 13.10%, a significant increase from 6.81% in 2009-10.

The Section increased the number of available leadership seats by 165. Minority leadership growth appears to have been helped by the addition of these new slots. Asian Pacific members reaped the most growth in positions with 43 total seats, up from 11 in 2009-10. African American members gained 12 new

positions giving them a total of 33 seats. Hispanic members added 9 new positions bringing them to 11 positions in total. However, Native American members continue to have no representation in the Section leadership. Minorities have positions in the following leadership categories: Council/Forum Governing Committee, Committee/Forum Division Chairs, Other Leadership, Nominating Committee, Programming Faculty and Publication Authors.

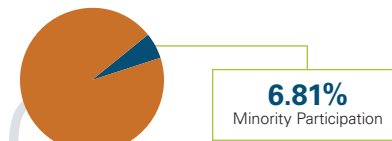
As it did last year, the Section dedicated \$36,000 (2.20% of its operating budget) to diversity programming. The Section continues to support the American Intellectual Property Law Education Foundation (AIPLEF), which promotes diversity in the intellectual property bar. The AIPLEF grants several awards to

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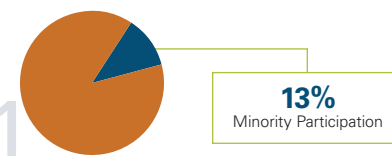
## 2009-2010

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>



## 2010-2011

2010-2011 Intellectual Property Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	0	0	0	14	14
Council or Forum Governing Committee	1	0	0	0	1	15	16
Committee Chairs or Forum Division Chairs	4	0	0	0	4	56	60
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	2	2	0	0	4	50	54
Nominating Committee	1	0	0	0	1	4	5
Programming Faculty	6	5	4	0	15	174	189
Publication Authors	19	36	7	0	62	261	323
House of Delegates	0	0	0	0	0	3	3
<b>Total</b>	<b>33</b>	<b>43</b>	<b>11</b>	<b>0</b>	<b>87</b>	<b>577</b>	<b>664</b>



## *Intellectual Property Law*

CONTINUED FROM PAGE 25

diverse students including The Sidney B. Williams Jr. Award, which recognizes minority students who have shown a dedication to the Intellectual Property Bar and are outstanding in the field. The Section has continued its collaboration with the Antitrust Law and Litigation Sections in support of the Judicial Intern Opportunity Program, which places diverse students in judicial clerkships nationwide. The Section's Committee on Minorities hosted a cocktail reception for diverse groups during its Spring Conference.

The lion's share of the Section's minority leadership growth is in the Publication Authors category with a total of 62 minorities. The Section states that it has actively sought to populate its program speaker panels with diverse presenters and to expand ethnic diversity among its committee chairs and other areas of leadership. It appears that the Section has had limited success in accomplishing this goal. We would like to see the Section focus on expanding minority growth more broadly throughout leadership categories, particularly Primary Leadership and other upper echelon positions. While diverse participation in publications is valuable, it is not as visible as participation in CLE and on Council.

## International Law

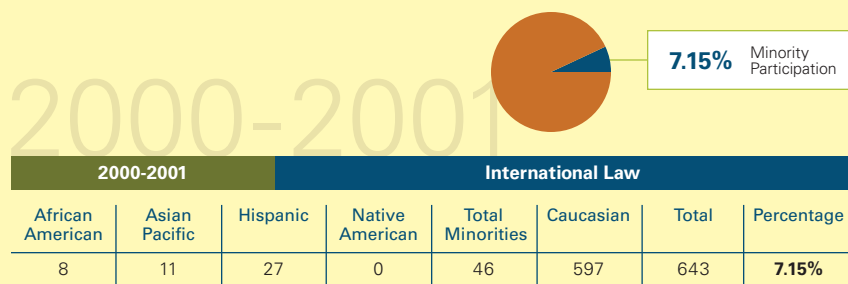
The International Law Section experienced negligible growth this year. The good news is that the number of diverse members in leadership did not drop. The bad news is that it did not increase either. The actual number of minorities in leadership positions remains at 214 for the second year in a row. Moreover, the change in the proportionate number of minorities in leadership between this year (13.30%) and last year (13.28%) is statistically insignificant.

There was no change in the minority make-up in the Section's various leadership categories. The Section reduced the number of available leadership positions overall by three; however, this small reduction had no impact on the status of diverse members. On a positive note, minorities continue to have a presence in seven of the Section's nine leadership

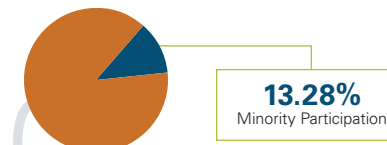
areas, including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Additional Leadership, Other Leadership, Nominating Committee and Programming Faculty. Hispanic members hold the most positions with 111; Asian Pacific members hold 64 positions. African Americans hold 37 seats and Native American members have two positions.

The Section co-sponsored a program with the Commission of Racial and Ethnic Diversity in the Profession at the ABA Annual Meeting in Chicago entitled, "Law Firm Legal Aid: International Humanitarian Opportunity or Lost Year?" Additionally, the Section is developing a diversity newsletter that will focus on the Section's inclusion-related initiatives. The Section's Diversity

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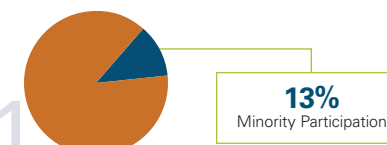


## 2009-2010



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>

## 2010-2011



2010-2011 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	4	5
Programming Faculty	30	35	92	0	157	626	783
Publication Authors	0	0	0	0	0	7	7
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>1,395</b>	<b>1,609</b>

## *International Law*

CONTINUED FROM PAGE 27

Committee is currently working on the implementation of a comprehensive and updated diversity plan to increase diversity Section-wide. The Section states that it is “necessary to promote a more diverse legal profession for a number of reasons. . . .a diverse legal profession is more just, productive and intelligent because diversity, both cognitive and cultural, often leads to better questions, analyses, solutions and processes.” Whether the diversity plan will produce the desired results remains to be seen. However, if the Section continues to adhere to this guiding philosophy, and seriously addresses the mandates of its diversity plan, we believe that it will increase its ability to achieve its diversity goals.

## Labor and Employment Law

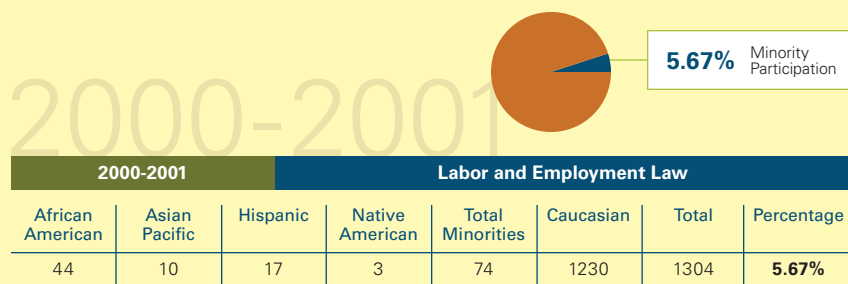
The Section of Labor and Employment Law reports that the demographic and statistical data that it provided to the Commission on Racial and Ethnic Diversity in the Profession for its 2009-10 Goal III report was inaccurate due to administrative errors. Shortly before publication of this report the Section provided corrected 2009-10 data but the Commission has not had sufficient time to study the revisions. Therefore, the following summary analysis will disregard 2009-10 data and make comparisons with 2008-09 statistics. The Section has provided the Commission with accurate data for the current 2010-11 Goal III Report. The following summary analysis is based on that information. We appreciate the Section's candor.

The number of diverse members currently participating in Section

leadership is 399, up from 238 in 2008-09. The percentage of diverse members in leadership is 15.61%, up from 9.67% in 2008-09. There are currently 2,556 leadership positions in the Section compared with 2,462 in 2008-09. Minorities are represented in every leadership category except Primary Leadership and the House of Delegates. As was the case in 2008-09, most minority-held positions are in the Programming Faculty and Publication Authors categories. African American members have the greatest presence with 230 members in leadership. Asian Pacific members hold 87 positions and Hispanic members hold 82 positions. Native American members have no presence in Section leadership.

The Section reports that it spent \$161,000 on its diversity initiatives.

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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
<b>Total</b>	<b>176</b>	<b>53</b>	<b>51</b>	<b>0</b>	<b>280</b>	<b>1,069</b>	<b>1,349</b>



2010-2011 Labor and Employment 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	2	0	1	0	3	24	27
Committee Chairs or Forum Division Chairs	4	0	2	0	6	48	54
Additional Committee Leadership	26	11	8	0	45	311	356
Other Leadership	15	3	2	0	20	59	79
Nominating Committee	1	0	0	0	1	2	3
Programming Faculty	85	40	37	0	162	816	978
Publication Authors	97	33	32	0	162	888	1,050
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>230</b>	<b>87</b>	<b>82</b>	<b>0</b>	<b>399</b>	<b>2,157</b>	<b>2,556</b>



## *Labor and Employment Law*

CONTINUED FROM PAGE 29

The Section's numerous programs all have a diversity focus including: 1) the Leadership Development Program (involvement of potential leaders of color in the substantive work of the Section); 2) the Best Practices Task Force (recruitment, retention and participation of diverse members); 3) revision of the funding formula for Standing Committee Midwinter meetings to create incentives for the development of diversity-related activities; 4) publication of Section leadership position opportunities on the ABA website; 5) scholarships for members of diverse bar associations to attend Section conferences; 6) diversity programming and outreach events including the Reception Honoring Diversity in the Profession and Lessons for the Multi-Cultural Marketplace; 7) the Section Development Fund, which provides funding for diverse members to become more active in Section activities. Additionally, the Section's Standing Committees engage in their own outreach. These committees recruit diverse speakers to participate on panels; sponsor diversity programs on issues such as employment discrimination and mandatory arbitration of statutory discrimination claims; conduct outreach to minority bars and law schools and sponsor diversity-related Town Hall meetings and networking events.

The Section developed a compre-

hensive diversity plan in 2002 that establishes long-range goals and an action plan for achievement. Section leaders regularly evaluate the progress made under the plan. The Section has invested time and attention to increase and enhance opportunities for diverse members. We applaud the Section for its diligence and commitment to this overarching goal. We also hope that we will soon see minorities represented in Primary Leadership.

## Law Practice Management

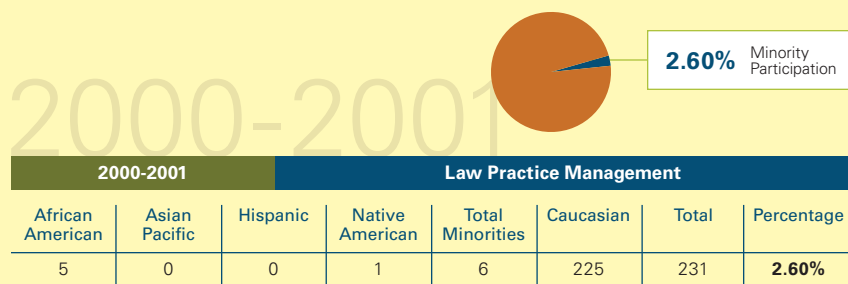
This year the Law Practice Management Section (LPM) realized both numerical and percentage increases in minority leadership involvement. In a year when the Section offered seven fewer leadership positions, the actual number of minorities in leadership increased from 23 to 29, and the percentage of minorities in leadership jumped from 6.82% to 8.78%.

Minorities are involved in every area of Section Leadership except the House of Delegates. African American members have the strongest presence with 21 positions; Hispanic members hold four positions and Asian American members hold three positions. We are especially pleased to see that a Native American practitioner has joined the leadership ranks in the Publication Authors category. This year diverse members took on leadership roles in areas where they

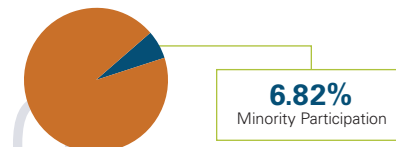
had no presence in 2009-10, including the Committee/Forum Division Chairs, Additional Leadership and Other Leadership categories. (In fact, minorities had no presence in the Committee/Forum Division Chairs and Other Leadership categories in 2008-09 either.) Diverse members lost a slot in Primary Leadership and on the Council/Forum Governing Committee. As is the case with many of the ABA entities reporting this year, the majority of the minority positions are in the Programming Faculty category.

The Section reports that allocated \$18,000 to support diversity. The Section presented “What Law School Didn’t Teach You: Self-Advocacy for Survival and Sustainability,” as part of former ABA President Carolyn Lamm’s 2009-10 distance learning

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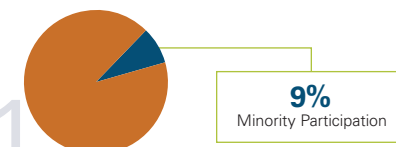


## 2009-2010



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>

## 2010-2011



2010-2011 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	1	0	0	0	1	17	18
Committee Chairs or Forum Division Chairs	1	0	0	0	1	10	11
Additional Committee Leadership	1	0	0	0	1	3	4
Other Leadership	0	0	1	0	1	5	6
Nominating Committee	1	0	0	0	1	5	6
Programming Faculty	14	1	3	0	18	163	181
Publication Authors	2	2	0	1	5	89	94
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>21</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>29</b>	<b>301</b>	<b>330</b>

## *Law Practice Management*

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program, which addressed diversity from other perspectives including race and ethnicity. The program was presented as a live webcast and was developed to assist practitioners in identifying and tapping into their unique talents, beyond knowing how to practice law. The Section also sponsored two MELawyering interactive workshops at the Spring Meeting. The purpose of the workshops was to offer empowerment strategies to those from diverse backgrounds. Due to its popularity, the Section will present the workshop again at its Fall Section Meeting in Washington D.C.

Through its Diversity Committee, the Section is exploring the possibility of establishing an ABA Diversity Certified Program. This program would offer certification or certificates of approval to law firms that complied with certain diversity standards. The Diversity Committee has also proposed the development of a Diversity Leadership Program that would recruit two diverse members per year to serve in leadership positions. The Section would underwrite the costs of these members. This proposal will be presented at the Fall Section Meeting. Additionally, the 2009-10 LPM chair appointed several Young Lawyer Division members to funded positions in furtherance of ethnic diversity. The Section hosted a Leadership Forum to give attendees an opportunity to question LPM

leaders about the operation of the Section. Finally, LPM produces several webinars that have increased the availability of the Section's content to legal practitioners.

Last year we were concerned that the Section seemed to be moving toward minority growth only in small increments. We are pleased to see that the Section has stepped up the pace in getting diverse members more involved in leadership. Its proposed certification and leadership programs are particularly promising.

## Legal Education and Admissions to the Bar

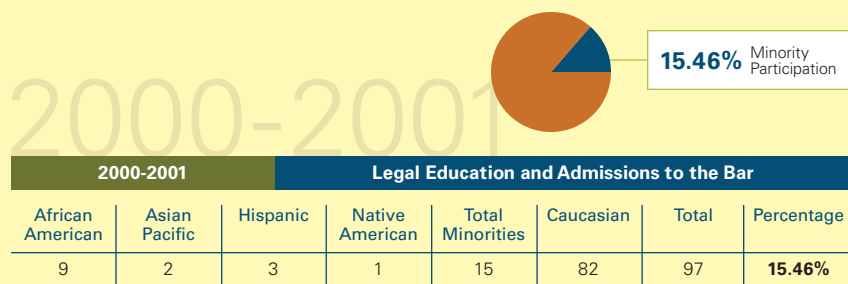
Last year the Section of Legal Education and Admissions to the Bar took a big step forward in the advancement of minorities into leadership positions. The Section doubled the number and percentage of minorities in leadership, halting the downward slide that it had been experiencing in previous years. Although the Section experienced only slight growth this year, we are pleased to see that it continues to find ways to get minorities more involved in roles of authority. Diverse members hold 13 positions in leadership, up from 11. The percentage of minorities in leadership roles increased from 20.37% to 21.31%.

Once again, diverse members serve in high level leadership capacities, holding six positions on the Council/Forum Governing Committee, three positions on the Commit-

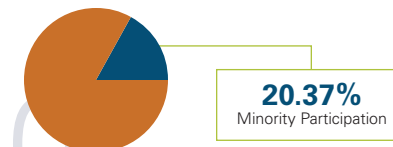
tee/Forum Division Chairs and three positions on the Nominating Committee. African American members hold nine positions, and Hispanic and Native American members hold two seats, respectively. Asian Pacific members continue to have no representation in Section leadership. Nor are there any minorities serving in Primary Leadership or as Officers.

The Section reports that it spent \$1,000 on diversity programming. It continues to take the lead in promoting the cause of diversity in legal education through the law school accreditation process and Section-sponsored initiatives. Since the early seventies, the Section has been guided by the Standards for Approval of Law Schools, which contain several provisions promoting diversity. Enforcement of these

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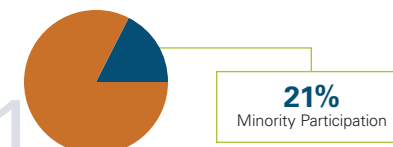


# 2009-2010



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>	

# 2010-2011



2010-2011		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	3	3	
Council or Forum Governing Committee	4	0	1	1	6	11	17	
Committee Chairs or Forum Division Chairs	2	0	1	0	3	26	29	
Additional Committee Leadership	0	0	0	0	0	0	0	
Other Leadership	0	0	0	0	0	3	3	
Nominating Committee	2	0	0	1	3	4	7	
Programming Faculty	n/a	n/a	n/a	n/a	0	n/a	0	
Publication Authors	n/a	n/a	n/a	n/a	0	n/a	0	
House of Delegates	1	0	0	0	1	1	2	
<b>Total</b>	<b>9</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>13</b>	<b>48</b>	<b>61</b>	

## *Legal Education and Admissions to the Bar*

CONTINUED FROM PAGE 33

standards is a priority for the Section despite criticism from some that it is “too aggressive” in supporting diversity among faculty, students and staff in legal education. The Section credits adherence to the standards as a significant factor in the increase in minority participation in legal education from less than 5% in 1971 to 22% of total enrollment in fall 2009.

The Section collaborated with the Diversity Center on identifying presenters for the Dean’s Workshop on the impact of the economic downturn on diversity in the legal market. It also contributed to the 2010 ABA Showcase III publication and participated in the summer American Bar Foundation Bar Fellows Program on diversity in legal education. Finally, the Section worked toward enhancing diversity among its site team chairs and within its site team and committee appointment process.

In order to be a credible authority on the importance of diversity, the Section of Legal Education and Admissions to the Bar has to set a good example. Although the increase in minority growth in the Section was small this year, it was progress nonetheless. We would like to see the Section take steps to extend its minority growth trend for the next Goal III reporting year.

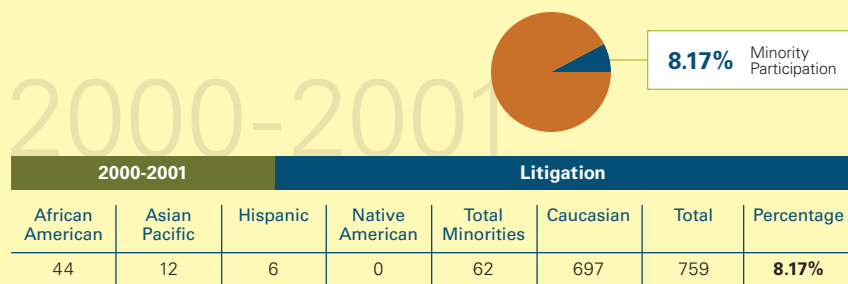
## Litigation

The Section of Litigation maintained its overall minority participation despite the loss of 23 minority leadership positions. Minorities now hold 286 leadership positions, down from 309 in 2009-10, but still higher than the 209 recorded in 2008-09. The number of available leadership seats decreased from 1,386 to 1,242 this year, a loss of 144 positions. The percentage of minorities in leadership positions actually increased this year from 22.29% to 23.02%; however, this is primarily due to the reduction in available slots.

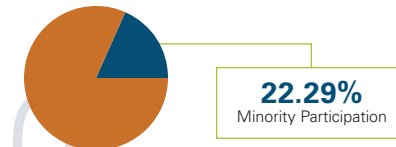
Once again, members of every reported minority sub-group are represented in high echelon leadership positions, including Primary Leadership (three positions), Council/Forum Governing Committee (five positions), Committee/Forum Division Chairs (92 positions), Nominat-

ing Committee (one position) and House of Delegates (two positions). Diverse members also have a strong presence in the Programming Faculty (139 positions) and Publication Authors (44 positions) categories. Minorities sustained the majority of their lost seats (28) in the Programming Faculty area but appear to have offset some of those losses with the addition of seats in the Committee/Forum Division Chairs and Publication Authors categories. The Section increased the number of positions available in the Committee/Forum Division Chairs category by 39 seats. The Section also added 278 positions in the Publication Authors category. Minority members appear to have benefited by the addition of these seats. However, the Section reduced the number of positions available in

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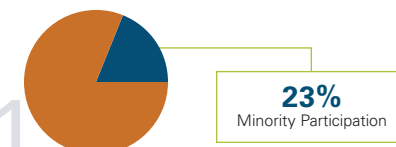


## 2009-2010



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>

## 2010-2011



2010-2011		Litigation					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	1	0	0	3	9	12
Council or Forum Governing Committee	4	1	0	0	5	17	22
Committee Chairs or Forum Division Chairs	52	21	15	4	92	267	359
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	77	31	29	2	139	220	359
Publication Authors	20	9	14	1	44	438	482
House of Delegates	2	0	0	0	2	2	4
<b>Total</b>	<b>158</b>	<b>63</b>	<b>58</b>	<b>7</b>	<b>286</b>	<b>956</b>	<b>1,242</b>

## Litigation

CONTINUED FROM PAGE 35

the Programming Faculty category by a whopping 278 seats. There appears to be a correlation between minority losses in this area and the overall reduction of seats. African American members hold 158 leadership positions despite losing 43 seats; Asian American members gained 18 seats bringing their total to sixty-three. Hispanic members lost one position leaving them with 58 seats, and Native American members added three seats bringing their number to seven.

The Section reports a budget of \$211,655 (3.5% of its total budget) for diversity programming. This is a reduction from last year's funding levels of \$373,369. However, it's not necessarily about how much you spend but, rather, how you use it. The Litigation Section uses it wisely. The Section states that its "commitment to diversity is neither optional, nor anecdotal; a culture of diversity is woven into the fabric of our policies and practice." This is clearly evidenced by the multi-faceted nature of its programming and outreach. The Section's long-standing commitment began with the adoption of its inaugural diversity plan in 2001 and continues with ongoing re-evaluation and revision of the plan. The current diversity plan focuses on four attorney populations, including lawyers of color. It is distributed to every leader and is included in the annual Section Leadership Directory and the

online Leadership Reference Library. The plan has a built-in accountability measure that requires all Section leaders and staff to take responsibility for implementation. The Section employs a full-time Committees and Diversity Initiatives Director to oversee implementation of the Diversity Plan. The Section recently established a new Section of Litigation Diversity Committee to focus only on inclusion issues within the profession. This committee will work closely with the Council's Diversity Committee.

The Section has a solid track record of recruiting and promoting diverse members into leadership roles. The Section's immediate past chair was a woman of color. Two immediate past chairs, women of color, sit on the Section's Executive Committee. Two of the four delegates to the House of Delegates are also women of color. Six of the eight members of the Section's new Diversity Committee are minorities. The five-member Advisory Committee on Nominations, which recommends a slate for top leadership positions, includes a person of color.

The Minority Trial Lawyer Committee actively sponsors a variety of diversity-related programming, including a well-receive CLE program entitled "A Power Shift: Client Development in the Age of Obama" at the ABA Annual Meeting in San Francisco. The Committee also continues to publish the *Minority Trial Lawyer*.

The Committee was recently recognized for its successful membership drive, which drew 55 new members. The committee has experienced increases in membership every month since the start of the 2009 bar year.

The Section continues is long-standing support of the Judicial Intern Opportunity Program, which offers summer internships to diverse law students interested in doing legal research and writing for federal and state trial judges. The summer 2010 program placed 170 students with 135 judges. This is decrease from the number of placements made in the previous year. The Section recognizes this and is focused on identifying sites for expansion of the program. The program currently operates in nine cities, with plans for the addition of another city next year. The Section also continues to support the ABA Legal Opportunity Scholarship program, which awards renewable \$5,000 scholarships to diverse first-year law students. To date, the Section has contributed \$400,000 to the scholarship fund. Finally, the Section presented Diversity Leadership Awards during its Annual Conference in New York City.

Again, we commend the Section for continuing to weave diversity into every program, policy and practice. The Section's diversity plan is flexible and fluid, which enables it to be adapted to changing circumstances. The Section operates with a top-down expectation of diversity and inclusion and successfully communicates this expectation to

its leaders, staff and affiliates. The Section's challenge will be to take the next step from its current level of diversity participation, which it has maintained this year and the previous two years, to a breakthrough level of one-third minority leadership participation. If the Section will make that goal a priority, we believe they can reach it over the next two years, especially as the economy improves.

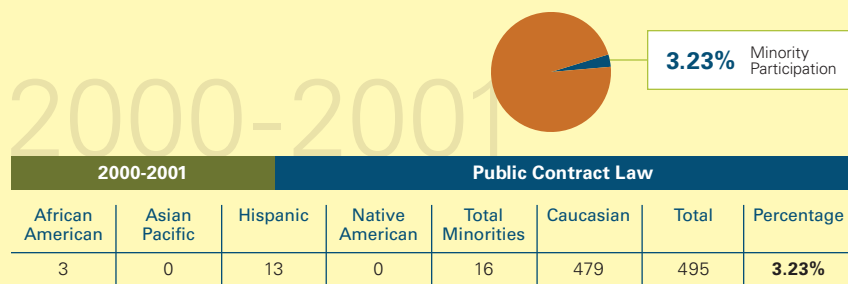
## Public Contract Law

It's almost déjà vu all over again in the Section of Public Contract Law. For the third year in a row, minority members in leadership failed to make any significant headway into leadership. In 2008-09 and 2009-10, the number of minorities in leadership remained at 12. This year the number is 13. The percentage of minorities in leadership increased from 2.98% to 3.7%. However, as was the case last year, this percentage increase is due to a reduction in the number of leadership seats available overall, from 403 to 344 (59 positions).

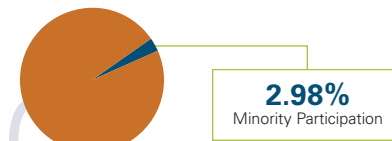
Minorities are represented in only three leadership areas this year compared to five in 2009-10 and four in 2008-09. Diverse members had one position on the Council/Forum Governing Committee last year; however, the number of posi-

tions in this category decreased by one, and the minority position suffered. The Section cut all available positions in the Publication Authors category, which resulted in minorities losing five seats. Diverse members increased their presence in the Other Leadership (four positions) and Programming Faculty (seven positions) categories. The Section made more slots available in these two categories, and diverse members appear to have benefited. The majority of diverse members hold positions in the Programming Faculty category. The Section decreased the number of seats available in the Committee/Forum Division Chairs category; however, minority positions were not impacted and remained at 2009-10 levels (two positions).

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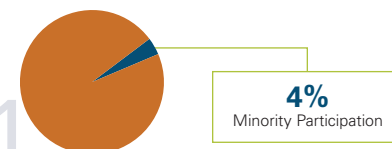


## 2009-2010



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>

## 2010-2011



2010-2011 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	0	0	0	0	18	18
Committee Chairs or Forum Division Chairs	2	0	0	0	2	100	102
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	3	1	0	0	4	73	77
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	3	3	1	0	7	135	142
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>1</b>	<b>0</b>	<b>13</b>	<b>331</b>	<b>344</b>



## *Public Contract Law*

CONTINUED FROM PAGE 37

Last year, Asian American members held the majority of the leadership seats. This year African American members hold the bulk of the leadership seats. Hispanic members have a very small presence with only one member, and Native Americans are not represented at all.

The Section reports that it spent \$10,000 in support of diversity scholarships. Two of the three recent recipients were women of color. The Section admits that it has made greater strides in elevating women to positions of leadership than it has in promoting racial and ethnic minorities into such positions. We respect the Section's honesty with regard to its lagging racial and ethnic minority numbers. However, it is not enough to admit there's a problem and then make no effort to correct the problem. We would like to see the Section make reasonable efforts to address this inequity. The first step would be to develop a diversity plan outlining very specific goals, procedures and timelines for achieving those goals. This approach has been taken successfully by several Sections; there are a number of diversity plans the Public Contract Law Section can consult. We also suggest that the Section look to the Commission on Racial and Ethnic Diversity for guidance.

The Section also states that it adheres to a broader definition of diversity than that espoused by the

ABA. It "considers its programs, committees, publications and leadership positions to be diverse if they represent a balance of views from individuals from private practice, industry, government (including the military and judiciary) and academia." We appreciate the Section's adoption of a broader attitude about diversity; but in order to maintain the integrity of Goal III reporting standards and in fairness to the other reporting entities, it is essential that the Section record and compile diversity statistics in accordance with the parameters set forth in the data collection survey. The Section's progress in achieving diversity will be judged based on these guidelines.

## Public Utility, Communications and Transportation Law

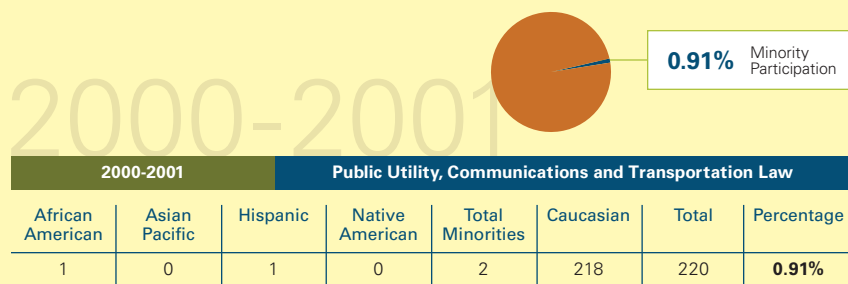
Last year we predicted that if the Section did not expand its programming, it could expect to see further decreases in minority leadership participation. Our prediction was accurate. The number of diverse members in leadership dropped from nine in 2009-10 to three this year. This number has been on a steady decline for at least the past three years. This downward spiral has had a negative impact on both diverse and non-diverse members.

The proportionate number of diverse members in leadership is 3.37%, up from 3.25%; however, this is due primarily to a reduction of available positions from 277 to 188 section-wide. The Section permits former Section leaders to assume vice chair status and to serve on a committee of their choice after serving their leadership terms.

This means that more senior (essentially retired) non-functioning and non-diverse members have been historically included in the Section's numerical data. Due to its unusual structure, the Section believes that when compared to other entities, it has been viewed as less diverse than it actually is. The reduction of available positions may be the Section's attempt to remedy the situation.

On a positive note, minorities continue to hold positions in the Council/Forum Governing Committee and Committee/Forum Division Chairs categories. Unfortunately, this is where the good news ends. The greatest reduction in leadership positions occurred in the Additional Leadership category. Minorities lost all six of the positions that they held in this area as a result of the Section-

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2010-2011 Public Utility, Communications and Transportation 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	11	12
Committee Chairs or Forum Division Chairs	1	0	1	0	2	27	29
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	24	24
Publication Authors	0	0	0	0	0	22	22
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>86</b>	<b>89</b>

## *Public Utility, Communications and Transportation Law*

CONTINUED FROM PAGE 39

wide reduction. African American and Hispanic members are the only two minority sub-groups that continue to be represented in the Section.

The Section reports that it allocated \$2,000 to diversity this year. These funds were used to purchase a table at the Spirit of Excellence Awards and a tribute ad at the Margaret Brent luncheon, which is in fact not strictly a racial and ethnic diversity activity. Both the use of these funds and their small amount indicate that racial and ethnic diversity is not a priority for this Section. In last year's report, the Section stated that it made a conscious effort to include minorities on its Long-Range Planning Committee. This appeared to be the only diversity-related initiative that the Section was engaged in at the time. This year the Section makes no mention of this or any other activity. It is our hope that the Section will be more serious about its diversity work and will take advantage of the myriad resources available to it. We wish this Section to understand the benefits of being more diverse and to succeed in increasing its racial and ethnic diversity.

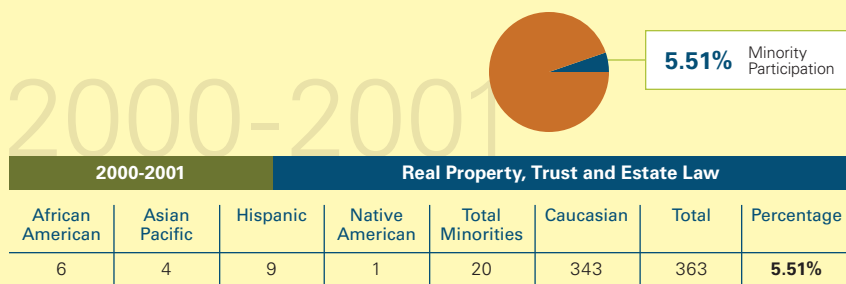
## Real Property, Trust and Estate Law

The Section of Real Property, Trust and Estate Law has good news to share. The number of diverse members engaged in leadership positions doubled from 25 to 50. The number of leadership slots available in the Section overall decreased by 45 moving from 602 to 557. The percentage of minorities in the leadership increased from 4.15% to 8.97%, due, in part, to the reduction of available positions.

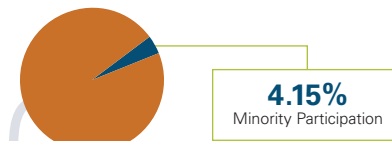
Diverse members hold positions in seven of the nine leadership areas including four positions in Primary Leadership, four positions on the Council/Forum Governing Committee, five positions in the Committee/Forum Division Chairs category, eight positions in Other Leadership, 18 positions in Programming Faculty, 10 positions in the Publication Authors category and one position in

the House of Delegates. The Section increased the leadership opportunities available in the Primary Leadership and Publication Authors categories, which benefited minority member growth. The reductions in available leadership slots in the Council/Forum Governing Committee, Committee/Forum Division Chairs, Other Leadership and Programming Faculty categories did not negatively impact minority member growth. Minorities gained leadership positions in these categories despite these reductions. The only category where diverse members were negatively impacted by slot reductions is Additional Committee Leadership. All of the leadership positions that had been available in this category in the previous year were cut, resulting in the loss of one minority-held

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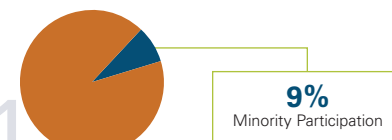


## 2009-2010



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>

## 2010-2011



2010-2011 Real Property, Trust and Estate Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	1	2	0	4	31	35
Council or Forum Governing Committee	1	2	1	0	4	30	34
Committee Chairs or Forum Division Chairs	3	1	1	0	5	79	84
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	7	0	1	0	8	102	110
Nominating Committee	0	0	0	0	0	5	5
Programming Faculty	10	6	2	0	18	140	158
Publication Authors	5	5	0	0	10	118	128
House of Delegates	0	1	0	0	1	2	3
<b>Total</b>	<b>27</b>	<b>16</b>	<b>7</b>	<b>0</b>	<b>50</b>	<b>507</b>	<b>557</b>

## *Real Property, Trust and Estate Law*

CONTINUED FROM PAGE 41

position. African American, Asian American and Hispanic members all have a leadership presence. Native American members continue to be unrepresented in Section leadership.

The Section reports that it dedicated \$80,225 (.042% of its budget) to support diversity. Since 2007, the Section has annually donated \$45,000 to the Heirs' Property and Land Loss Prevention Workshop Project sponsored by the Lawyer's Committee for Civil Rights Under the Law. This project continues the work of the Section's Property Preservation Task Force, which was created to address issues related to the loss of common property throughout the United States, particularly in the Southeastern section of the country, where such loss disproportionately affects African Americans families. The project has been instrumental in developing effective strategies to resolve the problem including the submission of a proposal to NCCUSL for a Uniform Partition Act.

The Section includes a Minority Speaker Database on its website. The database has become a model for the ABA and other association entities, which are now developing their own databases. The Section has revised its Diversity Plan to include an implementation grid that clearly identifies specific tasks, responsibilities and expectations. The Section believes that the revised plan will make it easier for

every level of membership and staff to understand their role in enhancing diversity. The Section continues to offer free registration to first time minority bar members at its Spring Meeting. The Section continues to appoint a liaison to the Commission of Racial and Ethnic Diversity in the Profession. Additionally, the Section continues to offer 6-14 week CLE programs on real property, trusts and estates to minority bar members via its Community Outreach Program (COP). The Section believes that the COP program has enabled it to form lasting and mutually beneficial relationships with local and regional attorneys of color.

The Section of Real Property, Trust and Estate Law has developed innovative programming that is making a difference in advancing diversity within the Section, the Association and the nation. The Minority Speaker Database is an example of how one small idea can have a broad impact on an organization. Likewise, the Section's work with the Heir's Property and Land Loss Prevention Workshop Project illustrates how one group can make a positive difference in righting societal inequities. We applaud the Section for its work.

## Science and Technology Law

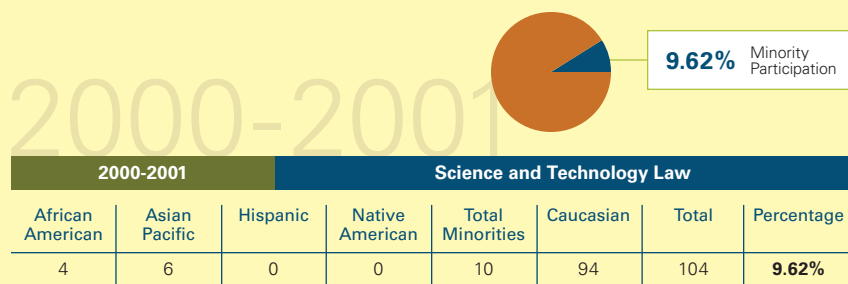
Again the news is mixed for the Section of Science and Technology relative to numeric and percentage growth of minorities in leadership. The number of diverse members in Section leadership increased only slightly from 45 to 47 positions. Yet, the number of leadership opportunities available in the Section increased by 164 positions. The increase in available positions significantly outpaced the increase in minority involvement. As a result, the proportionate number of minorities in leadership fell from 19.74% to 11.98% this year.

Diverse members gained positions in four leadership categories including Other Leadership (one position), Nominating Committee (one position), Programming Faculty (11 positions) and Publication Authors (four positions). However, these gains are

offset by the loss of 17 positions in three categories: Council/Forum Governing Committee, Committee/Forum Division Chairs and Additional Leadership. All minority sub-groups are represented in Section leadership. We are particularly pleased to note the steady increase in Native American member involvement.

The Section reports that it spent \$5,250 (.015%) of its budget on diversity. The Section combined its Committee on Opportunities for Women and Minorities with its Membership Committee to form a new Membership and Diversity Committee (MAD). The new committee recently launched a website and updated the Section's Diversity Plan. The Diversity Plan's three long-range goals are to increase and maintain diversity in Section

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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>



2010-2011 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	0	1	2	0	3	9	12
Committee Chairs or Forum Division Chairs	0	1	3	1	5	42	47
Additional Committee Leadership	0	1	2	0	3	25	28
Other Leadership	1	5	8	1	15	93	108
Nominating Committee	0	1	0	1	2	3	5
Programming Faculty	6	3	1	3	13	119	132
Publication Authors	2	1	1	0	4	46	50
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>9</b>	<b>14</b>	<b>18</b>	<b>6</b>	<b>47</b>	<b>345</b>	<b>392</b>

## Science and Technology Law

CONTINUED FROM PAGE 43

leadership, increase diversity in Section membership and raise awareness about the value of diversity. To this end, the Section educates its leaders and committee members on how to recruit lawyers of color, communicate the benefits of Section membership, foster an atmosphere of inclusion, seek active participation and provide opportunities for diverse lawyers to participate in leadership.

The Section hosted a free program at Rutgers School of Law-Newark entitled, "Job Search Strategies for a Challenging Economy: Panel and Reception." The Section invited local ABA student members and Rutgers law students, including students of color, to attend. Fifty students participated. The Section regularly partners with minority bars to sponsor programs. It recently co-sponsored the Electronic Discovery and Digital Evidence Practitioners' Workshop with several groups including Cook County Bar Association. Ten percent of the program attendees were members of these two minority associations. Additionally, the Section continues to co-sponsor roundtable programs with local minority bar associations. The Section sought co-sponsorships with local San Francisco minority bar associations in conjunction with the ABA Annual Meeting in San Francisco. The Section recently presented two Committee Leadership Meetings, both of which focused on the

topic of diversity. The Section's past chair, Ray Ocampo, received a Spirit of Excellence award during the 2010 Midyear Meeting for his leadership in advancing the cause of diversity. Finally, the Section hosted its first ABA Annual Meeting Luncheon to recognize outstanding diversity outreach in the Section.

The Section is engaged in solid diversity efforts that we hope will produce increased minority growth in the year to come. Their challenge will be to translate their effective outreach programs into active minority participation in leadership. We suggest that the new Membership and Diversity Committee make this a focus this year.

## State and Local Government Law

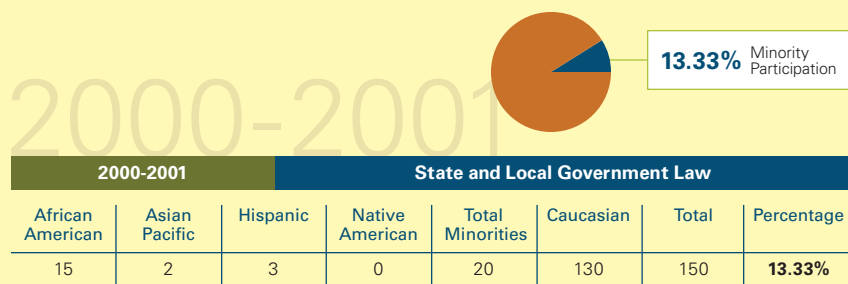
The Section of State and Local Government is finally seeing some forward movement in its quest to increase minority leadership participation. For two consecutive years, the number of diverse members in Section leadership remained stagnant at 22 positions. This year the number of diverse members in leadership rose to 27 positions. The percentage of diverse members in leadership also increased, moving from 12.36% to 14.06%. These increases came in a year when the Section added 14 new leadership positions overall. Clearly minority members were able to capitalize on the growth in leadership opportunities.

Minorities hold positions in six of the nine leadership categories including two positions in Primary Leadership, four positions on the Council/Forum Governing Committee, six

positions in the Committee/Forum Division Chairs category, one position on the Nominating Committee, 12 positions in Programming Faculty and two positions in the Publication Authors category. Minority members made gains in the Committee/Forum Division Chairs, Programming Faculty and Publication Authors categories. The Section cut all of the positions available in the Additional Leadership and Other Leadership categories; diverse members lost a total of two positions as a consequence.

Most of the newly added leadership positions are in the Publication Authors and Committee/Forum Division Chairs categories. Diverse members made commensurate gains in both of these areas. Minorities also made gains in the Programming Faculty category despite the loss of

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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>



2010-2011 State and Local Government Law							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	1	0	0	2	10	12
Council or Forum Governing Committee	2	2	0	0	4	23	27
Committee Chairs or Forum Division Chairs	3	3	0	0	6	15	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	4	5
Programming Faculty	6	2	4	0	12	41	53
Publication Authors	0	2	0	0	2	70	72
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>13</b>	<b>10</b>	<b>4</b>	<b>0</b>	<b>27</b>	<b>165</b>	<b>192</b>



## State and Local Government Law

CONTINUED FROM PAGE 45

available positions. Asian American members took on five new positions; Hispanic members added one additional position. African American members lost one position but still hold the most leadership seats (13 positions).

The Section reports that it has not allocated a specific amount for diversity. However, it has budgeted \$500 to support the Diversity Expo for National Bars of Color. It is also allocating funding for upcoming receptions and CLE programming, including a Midyear program entitled “Hot Topics in Diversity Law.” The Section has invited local bar associations of color to participate as panelists in this CLE program. Following the Midyear Meeting the Section’s publication, the *Urban Lawyer Journal*, will publish a feature article highlighting the hot topics in diversity law. The Section plans to invite diverse students and practitioners to submit articles for publication in the journal.

We are pleased that the Section was able to overcome the stagnation that it had previously been experiencing in minority growth. However, we are concerned that the Section does not specifically designate funding for diversity programming. In order for the Section to make real progress, it must place a value on diversity. Including it as a permanent line item in its budget would be an excellent

first step toward treating diversity as an asset and a valued goal.

# Taxation

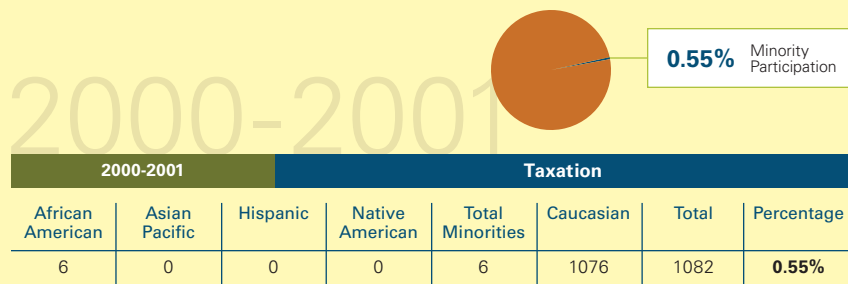
The Section of Taxation has a lot to be happy about with regard to minority growth within its leadership ranks. The Section successfully halted the downturn in the numerical minority growth that it experienced last year. The number of diverse members in leadership roles is 190, up from 134 in 2009-10 and 156 in 2008-09. The percentage of diverse members in leadership in 2009-10 actually increased, due primarily to a reduction in available leadership positions overall. This year, the percentage of minorities in leadership increased once again, from 5.27% to 6.61%. However, this year's growth is not affected by a reduction in available leadership slots. In fact, the Section added 331 leadership positions overall this year. Minority members enjoyed numeric and percentage increases

commensurate with the addition of these new slots.

The heaviest concentration of minority positions is in the Programming Faculty category. Diverse members hold 177 positions in this leadership area, an increase of 56 positions. The Section added 337 new positions to this category alone. Minorities also made gains in the Council/Forum Governing Committee with two additional seats, Committee/Forum Division Chairs category with one additional seat and the Nominating Committee with two additional seats. The Section dropped 73 positions from the Publication Authors category. Diverse members lost five positions in the leadership area, but still maintain eight positions in that category.

Last year we expressed hope that

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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>



2010-2011 Taxation							
	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	1	1	0	2	14	16
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	0	0	0	0	0	0	0
Nominating Committee	1	1	0	0	2	0	2
Programming Faculty	39	34	93	11	177	2,391	2,568
Publication Authors	3	5	0	0	8	271	279
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>43</b>	<b>41</b>	<b>95</b>	<b>11</b>	<b>190</b>	<b>2,684</b>	<b>2,874</b>

## Taxation

CONTINUED FROM PAGE 47

the Section's initiatives would result in increased numbers across all sub-groups, but particularly among Native American members. We are pleased to note that every minority sub-group is represented in Section leadership, and three of the four reported minority sub-groups did indeed increase their leadership presence. Hispanic members made the greatest leap forward by adding 52 new positions bringing their total to ninety-five. African American members gained five new positions bringing their number to forty-three; and Native American members added eight new positions giving them 11 positions in total. Asian Pacific members lost 9 positions but still enjoy a sizeable 41 positions.

The Section devoted \$60,000 (17% of its budget) to support diversity programming during the past bar year. Other than the increase in funding, the Section is engaged in the same diversity-related initiatives as last year. It continues to offer annual law student career programs that provide career information on tax law. It continues to sponsor 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 continues to underwrite the Legal Opportunity Scholarship, which 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 at recruiting potential members from these two populations. The Section does not have to compete with other ABA entities for new members. Nor does it have to compete with minority bar associations for members, as these bars typically have low tax section membership. As a result, the Section believes that it has the luxury of time to feed and nurture its pipeline, which will eventually lead to the development of a racially and ethnically diverse talent base for the Section. This puts the Taxation Section in an excellent position to create a vital niche for itself as the primary educational and professional resource for minority tax practitioners. We do not know if the Tax Section has adopted a formal Diversity Plan. If not, we suggest the Section consider doing so, as the Plan can be an effective tool to focus diversity efforts and assign measurable steps and outcomes. Given the resources it spends on diversity, we would like the Section to make 10% minority participation a goal.

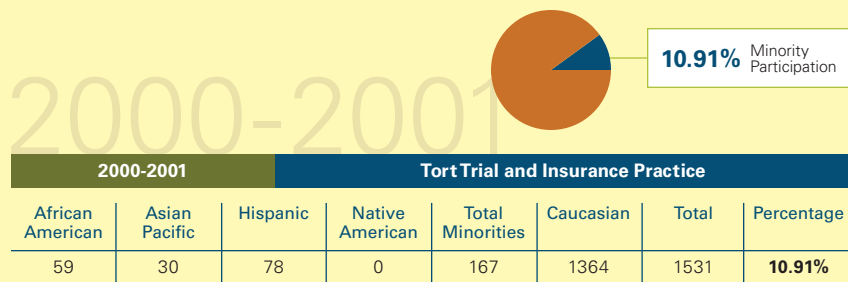
## Tort Trial and Insurance Practice

Numbers and percentages are up for the Tort Trial and Insurance Practice Section this year. The number of minorities in leadership is 185, up from 170 in 2009-10. Unlike last year, the Section's minority percentages are also up. The proportionate number of minorities in Section leadership is 12.62%, up from 10.19% in 2009-10 and 12.34% in 2008-09. However, the Section reduced the number of available leadership positions by 203, which is most likely responsible for the spike in percentage growth. The Section cut 48 positions in the Committee/Forum Division Chairs category, leaving 13 positions in that category. Non-diverse members held all 48 of these positions. Minority members were not affected by the reduction and hold the remaining 13 positions. The Section also cut 24 positions from the Nominating

Committee, leaving one position in the category. Again, non-diverse members held all 24 of these positions, and a minority member holds the remaining position in that leadership area. Additionally, diverse members gained 17 new positions in the Programming Faculty category. However, minorities lost two positions in the Publication Authors category. The majority of diverse

Members of all minority sub-groups are represented in leadership. African American members gained 20 additional positions, Hispanic members gained eight positions and Asian Pacific members maintained the 31 positions that they had the previous year. Unfortunately, Native American members lost eight positions leaving them with two positions. The majority of diverse

continued on page 50



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
Total	79	31	50	10	170	1,498	1,668



2010-2011	Tort Trial and Insurance Practice						
	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	1	0	0	2	22	24
Committee Chairs or Forum Division Chairs	4	2	7	0	13	0	13
Additional Committee Leadership	54	17	28	1	100	652	752
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	1	0	0	1	0	1
Programming Faculty	37	8	18	1	64	518	582
Publication Authors	3	2	0	0	5	88	93
House of Delegates	0	0	0	0	0	0	0
Total	99	31	53	2	185	1,280	1,465

## *Tort Trial and Insurance Practice*

CONTINUED FROM PAGE 49

members are concentrated in the Additional Committee Leadership category with 100 positions, followed by the Programming Faculty category with 64 positions.

The Section reports that is spent \$183,892 (5% of its budget) on diversity programming. It produced a diversity training video that emphasizes the competitive advantage of embracing and maintaining a diverse work force. Although the impact of the video is not yet known, the Section is hopeful that the video will become a leading training tool for the legal profession. The Section continues to support the TIPS Leadership Academy, a year-long leadership training program targeting diverse groups. In addition, it sponsored the Coalition of Color Dinner and presented the Liberty Achievement Award to the Sandra McCandless for her 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 Coalition of Color Dinner will increase its visibility among lawyers and judges of color.

The Section continues to promote diversity in highly visible ways. We, too, are hopeful about the impact of the diversity video and look forward to receiving a report on its effectiveness in the next Goal III reporting period. In the meanwhile, TIPS

should focus on taking specific steps to increase minority participation in leadership.

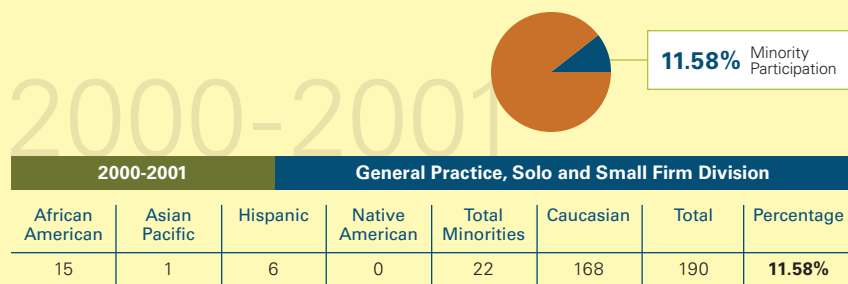
## General Practice, Solo and Small Firm Division

The General Practice, Solo and Small Firm Division continues to ride the tide of minority leadership growth. The number and percentage of minorities in Division leadership remain on the upswing. Minority leadership participation is now in the triple digits. The actual number of diverse members in leadership increased from 99 to 119, the highest level recorded by the Division since Goal III reporting began in 2000-01. The percentage of minorities in leadership increased impressively from 17.87% to 22.7% this year. However, the Division did experience a reduction in the number of leadership positions available Division-wide, which may be responsible for some of the percentage growth.

Minorities are represented in all areas of leadership. The General Practice, Solo and Small Firm Division is

one of the few ABA entities to achieve minority leadership participation in every category. The highest concentration of minority-held positions is in the Other Leadership, Programming Faculty, Publication Authors and Committee/Forum Division Chairs categories. Diverse members garnered additional positions in six of the nine leadership areas including Primary Leadership, Council/Forum Governing Committee, Committee/Forum Division Chairs, Additional Committee Leadership, Other Leadership and Programming Faculty. Minorities maintained at 2009-10 levels in two areas: Nominating Committee and House of Delegates. Diverse members experienced a reduction of 17 positions in the Publication Authors category but still hold 21 positions in this leadership area.

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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>



2010-2011 General Practice, Solo and Small Firm 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	4	2	1	0	7	14	21
Committee Chairs or Forum Division Chairs	6	5	2	3	16	45	61
Additional Committee Leadership	0	0	1	0	1	3	4
Other Leadership	21	5	7	3	36	19	55
Nominating Committee	1	0	0	0	1	4	5
Programming Faculty	18	8	8	0	34	87	121
Publication Authors	5	5	11	0	21	228	249
House of Delegates	0	0	0	1	1	2	3
<b>Total</b>	<b>56</b>	<b>26</b>	<b>30</b>	<b>7</b>	<b>119</b>	<b>405</b>	<b>524</b>

## *General Practice, Solo and Small Firm Division*

CONTINUED FROM PAGE 51

Members from each minority sub-group have a presence in leadership. None of the minority sub-groups lost positions. In fact, African American, Asian Pacific and Hispanic members gained additional positions this year. Native American members maintained their 2009-10 levels (seven positions).

The Division reports that it spent \$5,600 on diversity initiatives. The division continues to support the Diversity Fellowship Program, which it established over 10 years ago to promote leadership development opportunities for practitioners of diverse backgrounds. Four diverse lawyers are identified as fellows and after the completion of their first year, they are appointed to regularly funded positions within the Division the following bar year. The growth in the number of minorities in Division leadership is encouraging. It is our hope that the Division will be able to sustain this growth and continue to diversify its leadership well into the future.

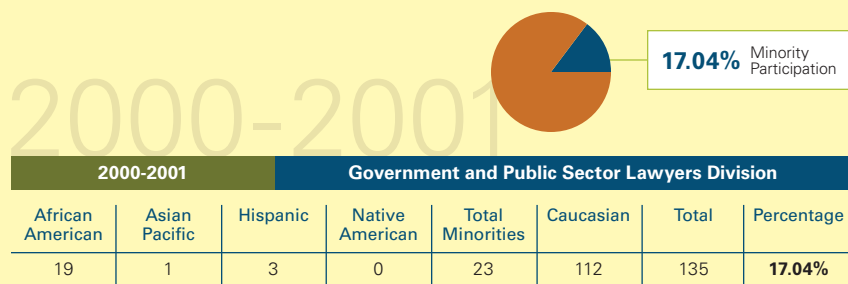
## Government and Public Sector Lawyers Division

Good news abounds for the Government and Public Sector Lawyers Division this year. The number and percentage of minorities in division leadership increased, ending a three-year decline in minority leadership participation. The number of leadership positions available in the Division also increased. There are currently 19 diverse members in leadership, up from 12 in 2009-10. The percentage of diverse members in leadership jumped from 23.08% in 2009-10 to 25.33%. The Division added 23 new leadership positions bringing the total number of available leadership positions to seventy-five.

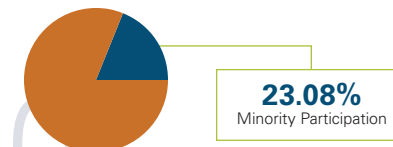
Minorities are represented in five of the nine leadership categories including high level positions such as Primary Leadership, Council/Forum Governing Committee and Committee/Forum Division Chairs.

In 2009-10, there were six Primary Leadership positions in the Division. Minorities held one of those six positions. There is only one Primary Leadership position in the Division this year, and a diverse member holds that position. Minorities maintained the five positions they had on the Council/Forum Governing Committee and added four positions in the Committee/Forum Division Chairs category bringing their number in this leadership area to six. Minorities added one new position in the Programming Faculty category. Last year there were no leadership opportunities available in the Publication Authors category. However, the Division added 16 new positions in this area this year. Minorities capitalized with the addition of two new positions.

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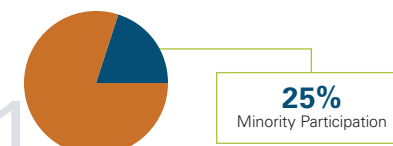


2009-2010



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>

2010-2011



2010-2011 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	0	1
Council or Forum Governing Committee	2	3	0	0	5	18	23
Committee Chairs or Forum Division Chairs	4	2	0	0	6	14	20
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	1	1	0	5	8	13
Publication Authors	2	0	0	0	2	14	16
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>12</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>19</b>	<b>56</b>	<b>75</b>



## *Government and Public Sector Lawyers Division*

CONTINUED FROM PAGE 53

There are 12 African American members and six Asian Pacific members in leadership. Hispanic members have had no presence in leadership for at least two years. There is now one Hispanic member in leadership this year. Native American members continue to have no presence in leadership.

The Division reports that it spent \$2,000 (2% of its budget) on diversity efforts. It states that it devoted its limited resources to ensuring diverse CLE panels and diverse images in its publications. Nineteen percent of the Division's council members are of color. The Division continues to sponsor the Pathways to Success for Women and Minorities in the Public Sector program, which features a panel of successful diverse practitioners sharing their professional experiences. The Division posts its Diversity Plan on its website with links to other diversity-oriented ABA entities.

Last year we suggested that the Division develop strategies to move minority participation in a more positive direction. The Division does not appear to have altered its diversity programming in any significant way, but opportunities for minorities have expanded. We are encouraged by this growth.

## Judicial Division

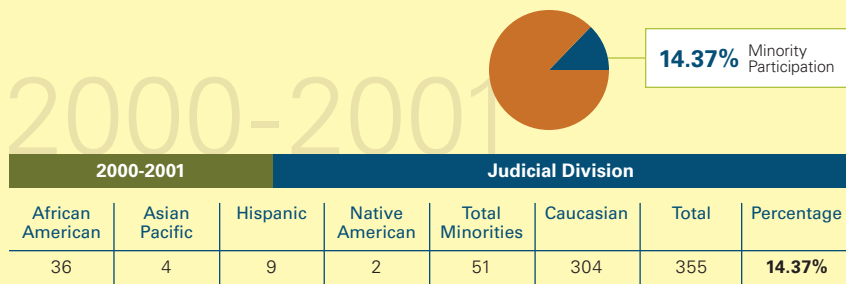
The Judicial Division appears to be on a roll. The Division experienced another year of minority leadership growth. Minorities serving in Division leadership now number 31, up from 22 in 2009-10. The percentage of diverse members in leadership is 28.78%, up from 17.74%. The Division did experience a reduction in the number of leadership positions available Division-wide, which may be responsible for some of the percentage growth.

Diverse members increased their presence in the Primary Leadership, Committee/Forum Division Chairs and Publication Authors categories, and maintained their positions on the Nominating Committee. Minorities lost two seats on the Council/Forum Governing Committee and two positions in the Programming Faculty category. The greatest share

of minority-held positions is in the Publication Authors area. Not surprisingly, this is also the area in which minorities acquired the most new positions. Members of every minority sub-group hold positions of authority in the Division. African American members hold the most positions with eighteen. Native American members hold the second highest number of positions with eight. Asian Pacific and Hispanic members hold two and three positions, respectively.

The Judicial Division has been actively committed to diversity for many years. The Division allocated \$28,000 (2% of its budget) on diversity-related activities. This is a significant decrease from last year's funding level of \$101,921. However, the Division continues to support the

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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>



2010-2011		Judicial Division					
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	1	0	0	2	1	3
Council or Forum Governing Committee	1	0	0	0	1	11	12
Committee Chairs or Forum Division Chairs	2	0	1	5	8	0	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	5	6
Programming Faculty	1	0	0	0	1	8	9
Publication Authors	13	1	2	2	18	51	69
House of Delegates	0	0	0	0	0	1	1
<b>Total</b>	<b>18</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>31</b>	<b>77</b>	<b>108</b>

## Judicial Division

CONTINUED FROM PAGE 55

Judicial Clerkship program, which exposes members of diverse groups to the judicial clerkship experience. The number of judges participating in the program continues to grow. Several of the program's judges have offered full-time clerkships to minority participants. Through its various conferences, the Division sponsored the "Obtaining & Retaining a Diverse Judiciary" project, which focused on increasing diversity in the judiciary. The Division also sponsors a program entitled "Perceptions of Justice," a public, town hall event that provides an opportunity for open dialogue about the public's view of the judiciary and the court system. The Division invites local lawyers, judges and politicians to participate in the open format program. Program attendance has increased over the last year, and other ABA entities have requested that the Division present the program in conjunction with their meetings. "Perceptions of Justice" will be presented at the 2011 Midyear Meeting in Atlanta. Additionally, when possible, the Division's Standing Committee on Minorities conducts outreach at local schools during the Midyear and Annual Meetings. The Division's incoming leadership is involved with the NAPABA and the NBA, which will facilitate collaboration with the minority bars.

Although its budget for diversity-related activities has been scaled

back, the Division remains committed to its core values of promoting inclusion in the judiciary and educating the public about the judicial system. The Division's support of the Judicial Clerkship program, the Obtaining & Retaining a Diverse Judiciary project and the "Perceptions of Justice" program are proof of that ongoing commitment.

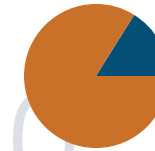
The Division comprises individual Conferences related to specific judicial practice areas. We understand that the pool of minorities is greater in some Conferences than in others and that some Conferences have made greater headway than others in the diversity leadership process. Likewise, we are also 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

The Appellate Judges Conference added two additional minority members to its leadership ranks, bringing the total number of minorities to six. However, the percentage of minorities in leadership dropped slightly from 19.05% to 18.75%. There are eleven more leadership positions available in the conference this year than there were last year. The increase in minority judges

did not keep pace with the increase in available leadership opportunities. Minority judges in this conference currently serve in the Primary Leadership (two positions), Council/Forum Governing Committee (one position) and Committee/Forum Division Chairs (three positions) categories. There are five African American judges and one Hispanic judge in leadership.

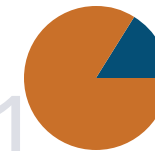
2009-2010



**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>

2010-2011



**19%**  
Minority Participation

2010-2011	Appellate Judges Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	3	5
Council or Forum Governing Committee	1	0	0	0	1	7	8
Committee Chairs or Forum Division Chairs	3	0	0	0	3	15	18
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	1	1
<b>Total</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>26</b>	<b>32</b>

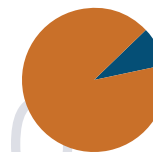
## Judicial Division—Appellate Judges Conference

### COUNCIL OF APPELLATE LAWYERS (CAL)

The Council of Appellate Lawyers continues to see leadership growth among its member lawyers. The number of minority lawyers in leadership is five, up from two. The percentage of diverse members in leadership is 22.72%. There are 22 leadership positions available this year, one more than last year.

Minority members hold positions in Primary Leadership (four positions) and on the Council/Forum Governing Committee (one position). The majority of the positions held by diverse members are in Primary Leadership. There are four African American judges and one Hispanic judge in leadership.

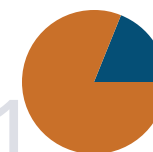
# 2009-2010



**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>

# 2010-2011



**23%**  
Minority Participation

2010-2011	Council of Appellate Lawyers						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	4	0	0	0	4	4	8
Council or Forum Governing Committee	0	0	1	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	1	1
<b>Total</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>17</b>	<b>22</b>

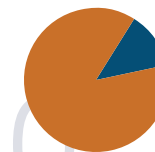
## Judicial Division—Appellate Judges Conference

### COUNCIL OF APPELLATE STAFF ATTORNEYS (CASA)

And then there was one...part two. The Council of Appellate Staff Attorneys has had only one minority member in leadership for the last two years. There are 11 leadership positions available this year, four more than last year. The availability of these additional positions has

resulted in a percentage decrease in minority involvement from 14.29% to 9.09%. The Council's sole minority member, an African American, currently serves in Primary Leadership. We hope CASA will make efforts to add at least one more minority in leadership.

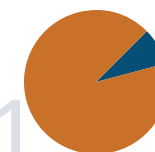
# 2009-2010



**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>

# 2010-2011



**9%**  
Minority Participation

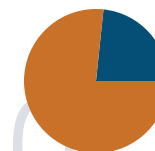
2010-2011	Council of Appellate Staff Attorneys						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	0	0	1	3	4
Council or Forum Governing Committee	0	0	0	0	0	6	6
Committee Chairs or Forum Division Chairs	0	0	0	0	0	0	0
Additional 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	1	1
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>10</b>	<b>11</b>

## Judicial Division—Lawyers Conference

We are happy to report that the Lawyers Conference is no longer treading water with regard to minority leadership participation. The number of diverse members in leadership remained at nine for two consecutive years until this year. The number of diverse members serving in leadership is now 11. The percentage of diverse members in leadership is 40.74%, up from 30.00%. However, the number of available leadership opportunities

fell this year, from 30 to 27. This accounts for some of the minority percentage growth. Minority members in this conference currently serve in the Primary Leadership (two positions), Council/Forum Governing Committee (five positions) and Committee/Forum Division Chairs (four positions) categories. There are seven African American members, three Hispanic members and one Native American member in leadership.

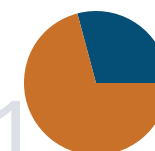
# 2009-2010



**30.00%**  
Minority Participation

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>

# 2010-2011



**41%**  
Minority Participation

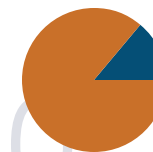
2010-2011	Lawyers Conference						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	1	0	1	0	2	3	5
Council or Forum Governing Committee	4	0	0	1	5	6	11
Committee Chairs or Forum Division Chairs	2	0	2	0	4	6	10
Additional Committee Leadership	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	1	1
<b>Total</b>	<b>7</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>11</b>	<b>16</b>	<b>27</b>

## Judicial Division–National Conference of Administrative Law Judges

Down and down they go...The Conference of Administrative Law Judges continued to lose diverse members from leadership this year. The number of minorities in leadership coming out of this conference was 19 in 2008-09 and eight in 2009-10. There are currently only three minority judges in leadership. The number of available leadership opportunities fell from 50 to 44

this year. As a result, the percentage of minorities in leadership also decreased, from 16.00% to 6.81%. All three of the minority judges are African American and serve in the Committee/Forum Division Chairs area. We recommend that this group work with other more diverse groups within the Judicial Division to craft concrete plans to increase minority participation.

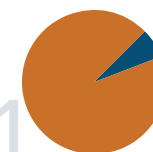
# 2009-2010



**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>

# 2010-2011



**7%**  
Minority Participation

2010-2011	Administrative Law Judges						
	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	0	0	0	0	0	8	8
Committee Chairs or Forum Division Chairs	3	0	0	0	3	27	30
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	1	1
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>41</b>	<b>44</b>

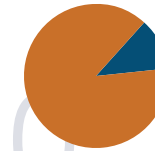


## Judicial Division—National Conference of Federal Trial Judges

There was a little bit of movement forward in minority leadership participation in the Conference of Federal Trial Judges this year. The number of minority judges in leadership increased to four after having been stagnant at three for the last two years. The percentage of minority judges in leadership is 16.00%, an increase from 13.04%. The number of available leadership opportunities

grew from 23 to 25 this year as well. Minority members in this conference currently serve in the Primary Leadership (one position), Council/Forum Governing Committee (two positions) and Committee/Forum Division Chairs (one position) categories. There are two African American members and two Hispanic members in leadership.

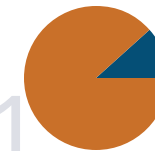
# 2009-2010



**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>

# 2010-2011



**16%**  
Minority Participation

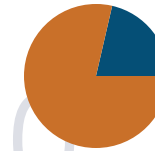
2010-2011	Federal Trial Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	0	0	1	0	1	4	5
Council or Forum Governing Committee	2	0	0	0	2	9	11
Committee Chairs or Forum Division Chairs	0	0	1	0	1	7	8
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	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	1	1
<b>Total</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>21</b>	<b>25</b>

## Judicial Division—National Conference of Specialized Court Judges

The conference of Specialized Court Judges continues to gain ground with regard to minority leadership participation. This year there are 13 minority specialized court judges in leadership, up from 11 in 2009-10. The percentage of minorities in leadership is 31.70%, up from 26.83%. Minorities made these gains in a year when there was no change in the number of leadership positions available overall. Minority members in this conference currently serve

in the Primary Leadership (four positions), Council/Forum Governing Committee (three positions) and Committee/Forum Division Chairs (six positions) categories. All minority sub-groups are represented in leadership. Seven African American members, one Asian Pacific member, three Hispanic members and two Native American members represent the conference in leadership. We are encouraged by this progress.

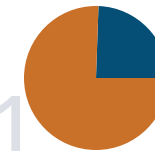
# 2009-2010



**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>

# 2010-2011



**32%**  
Minority Participation

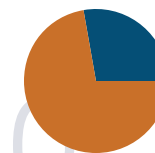
2010-2011	Specialized Court Judges						
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	2	0	1	1	4	1	5
Council or Forum Governing Committee	1	0	1	1	3	11	14
Committee Chairs or Forum Division Chairs	4	1	1	0	6	15	21
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	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	1	1
<b>Total</b>	<b>7</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>13</b>	<b>28</b>	<b>41</b>

## Judicial Division—National Conference of State Trial Judges

The Conference of State Trial Judges experienced yet another small setback with regard to the number and percentage of diverse judges in leadership. The number of minority judges in leadership is 14, down from 16. The percentage of minority judges in leadership is 38.89%, on par with last year, but this is a result of the number of available leadership opportunities declining

from 42 to 36 this year. Minority members in this conference currently serve in the Primary Leadership (two positions), Council/Forum Governing Committee (four positions), Committee/Forum Division Chairs (seven positions) and House of Delegates (one position) categories. Ten African American members and four Asian Pacific members currently serve in leadership.

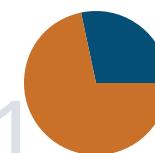
# 2009-2010



**38.10%**  
Minority Participation

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>

# 2010-2011



**39%**  
Minority Participation

2010-2011	State Trial Judges						
	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	3	1	0	0	4	8	12
Committee Chairs or Forum Division Chairs	5	2	0	0	7	11	18
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	1	0	0	0	1	0	1
<b>Total</b>	<b>10</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>14</b>	<b>22</b>	<b>36</b>

## Law Student Division

“Onward!” should, once again, be the rallying cry for the Law Student Division relative to the continued growth of its minority leadership numbers. The minority leaders in the Division now number 49, up from 45. The percentage of minorities in leadership positions grew from 26.79% to 28.65%. The number of leadership positions available overall in the Division rose from 168 to 171.

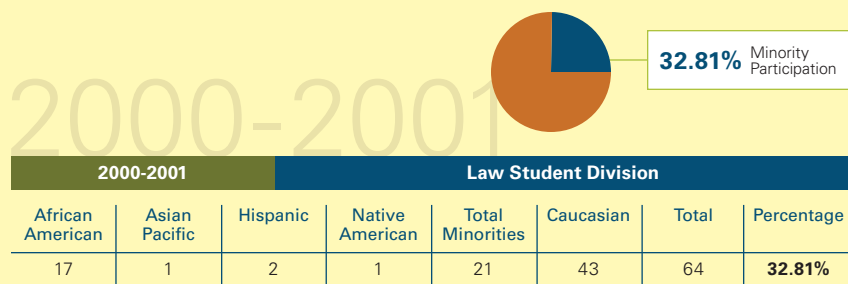
Diverse members are represented in six of the nine leadership categories including Primary Leadership (three positions), Council/Forum Governing Committee (10 positions), Additional Committee Leadership (three positions), Other Leadership (27 positions), Publication Authors (five positions) and House of Delegates (one position). The bulk of the minority-held leadership positions are in the Other Leadership and

Council/Forum Governing Committee areas. Minorities gained additional positions in Additional Committee Leadership and Other Leadership. Diverse members lost positions in the Primary Leadership and Publication Authors categories but still have a presence in these two areas. Minorities lost two positions in the Committee/Forum Division Chairs category, which leaves them with no representation in this leadership area.

Representatives from all minority sub-groups continue to be represented in leadership. Twenty-four African American members, 15 Asian Pacific members, eight Hispanic members and two Native American members hold positions of leadership.

The Division reports that it dedicated \$50,000 to diversity-related

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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>



2010-2011 Law Student Division							
	African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total
Primary Leadership/Officers	3	0	0	0	3	5	8
Council or Forum Governing Committee	5	3	1	1	10	14	24
Committee Chairs or Forum Division Chairs	0	0	0	0	0	5	5
Additional Committee Leadership	1	0	2	0	3	7	10
Other Leadership	12	10	4	1	27	42	69
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	0	0	0	0	0	0	0
Publication Authors	2	2	1	0	5	47	52
House of Delegates	1	0	0	0	1	2	3
<b>Total</b>	<b>24</b>	<b>15</b>	<b>8</b>	<b>2</b>	<b>49</b>	<b>122</b>	<b>171</b>

## Law Student Division

CONTINUED FROM PAGE 65

initiatives. The Division credits its Law Student Leadership Program as a major source of its diverse leadership representation. Academically-eligible law students of all backgrounds from all 199 ABA-approved law schools are able to nominate themselves for election or appointment to leadership positions on the local, regional and national level. The Division continues to sponsor a grant program that provides seed money and programming support to law student organizations developing public service projects. The Division allocates \$16,000–\$20,000 in grant funding annually. Programs that were supported through the grant in 2009-10 included a Focus on Africa program, a Diversity Education Campaign, a Diversity Conference and a Diversity Graduation program. The Division's Board of Governors Standing Committee on Diversity provides oversight of the Division's diversity efforts and its Long-Range Diversity Plan. The Division sponsors a variety of other diversity-related initiatives, including: 1) the Volunteer Income Tax Assistance (VITA) Program, which offers free income tax preparation assistance to the elderly, non-English speaking and low income taxpayers; 2) affiliated bar outreach through which the Division builds relationships with affiliated law student organizations including those representing diverse groups; 3) scholarships to minority law students and co-sponsorships

of educational programs such as the Pipeline Diversity Roundtable; and 4) annual meeting programming that includes leadership training sessions and a career fair. The Division sponsors 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 that exemplifies a commitment to issues of inclusiveness, and the Judy M. Weightman Memorial Public Interest Award, which recognizes law students and law schools that have made outstanding contributions to under-represented groups or public interest causes. Additionally, it continues to sponsor Diversity Day (designated by the Division as March 2), on which law schools nationwide are encouraged to celebrate diversity through programming, events and activities; The Division also maintains a diversity page on its website.

We once again commend the Law Student Division for its outstanding work in the development of diverse student leadership and its commitment to inclusion. The law students currently active in the Division's programming are the future of our profession.

## Senior Lawyers Division

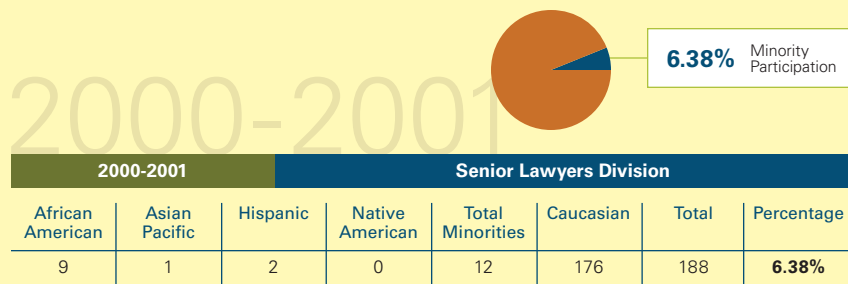
The Senior Lawyers Division continues to move in the right direction relative to minority leadership participation. The number of diverse members active in Division leadership increased from four to six. The percentage of diverse members in leadership moved from 4.40% to 4.83%. Although this still falls short of the Division's peak minority participations levels in 2000-01, it does represent small but steady growth for diverse senior lawyers, who only had one position in leadership in 2008-09. Moreover, this growth came in a year when the number of positions available in the Division grew overall.

The six minority-held positions are concentrated in the Council/Forum Governing Committee (two positions), Committee/Forum Division Chairs (two positions) and Additional

Committee Leadership (two positions) categories. Minority members had no presence in any of these leadership areas last year. There are no longer opportunities for leadership in the Other Leadership category. As a result, minority members lost one position. Diverse members lost positions in the Programming Faculty and Publication Authors categories as well, which leaves them with no presence in these leadership areas. African American members continue to be the only minority sub-group represented in Division leadership.

The Section reports that it spent \$1,500 (15% of its membership budget) on its diversity efforts. It sent recruitment mailings, via e-mail and regular mail, to age-eligible ABA members who identified themselves as being members of a minority

continued on page 68



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>



2010-2011 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	2	0	0	0	2	18	20
Committee Chairs or Forum Division Chairs	2	0	0	0	2	31	33
Additional Committee Leadership	2	0	0	0	2	26	28
Other Leadership	0	0	0	0	0	0	0
Nominating Committee	0	0	0	0	0	5	5
Programming Faculty	0	0	0	0	0	6	6
Publication Authors	0	0	0	0	0	22	22
House of Delegates	0	0	0	0	0	2	2
<b>Total</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>118</b>	<b>124</b>

## *Senior Lawyers Division*

CONTINUED FROM PAGE 67

group. The Division reports that a few diverse members joined the Division as a result of this outreach. The Division states that it will continue to send these types of solicitations to qualified, diverse ABA members. However, the Division also states that its membership budget is limited and must be used to recruit from the larger pool of ABA members who are either age-eligible to join or who have an interest in elder law, regardless of race or ethnicity. The Division believes that it will gain additional minority members through these general recruitment efforts as well.

It appears that the Division has had some limited success with its recruitment mailings; however, we renew our suggestion that it broaden its approach and identify additional cost-effective strategies to attract more senior lawyers of color. Direct mailings tend to have limited success; grass roots activities that Division members can undertake at little or no cost may be a better option.

## Young Lawyers Division

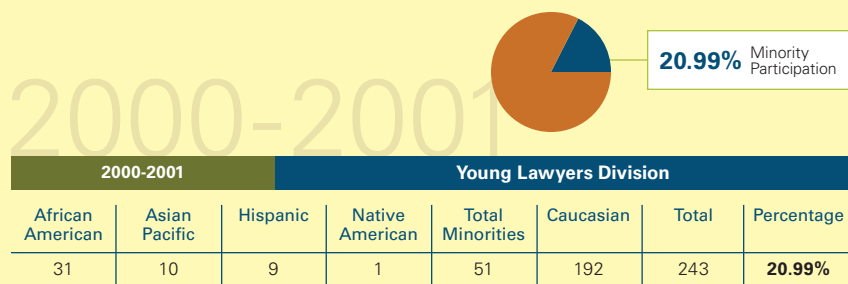
The Young Lawyers Division took a step backward relative to their minority leadership participation levels this year. The number of minorities holding leadership positions in the Division this year is 112, down from 121 in 2009-10. The percentage of minorities in leadership decreased from 25.58% to 23.82%. The Division offered fewer leadership opportunities this year, which may have had some impact on minority leadership levels. Native American members were the only minority sub-group to expand their presence in leadership. They added five new positions, giving them a total of six positions. African American, Asian Pacific and Hispanic members continue to have a presence in Division leadership; however they all suffered the loss of positions this year.

Diverse members hold positions in

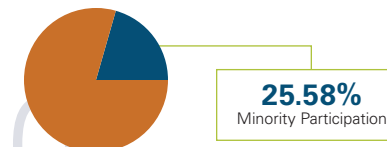
seven of the nine categories of leadership including upper level offices. Publication Authors, Programming Faculty and the Council/Forum Governing Committee claim the greatest share of minority leadership in the Division. The Additional Leadership category no longer offers opportunities for involvement, which resulted in a loss of 23 minority leadership positions. However, it appears that some of this loss may have been absorbed by the Programming Faculty area, which added 23 new minority leadership positions.

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 \$27,250 (1.47% of its budget) it has earmarked for diversity

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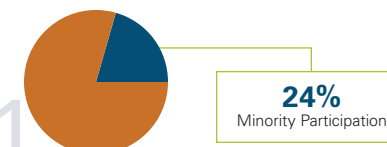


## 2009-2010



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>

## 2010-2011



2010-2011 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	10	3	3	1	17	47	64
Committee Chairs or Forum Division Chairs	2	2	3	0	7	30	37
Additional Committee Leadership	0	0	0	0	0	0	0
Other Leadership	5	0	3	0	8	61	69
Nominating Committee	0	0	0	0	0	0	0
Programming Faculty	28	0	6	5	39	54	93
Publication Authors	16	14	8	0	38	160	198
House of Delegates	1	0	0	0	1	3	4
<b>Total</b>	<b>63</b>	<b>20</b>	<b>23</b>	<b>6</b>	<b>112</b>	<b>358</b>	<b>470</b>



## Young Lawyers Division

CONTINUED FROM PAGE 69

programming enables the Division to promote inclusion through its publications, programming and conferences. The Division states that its goal for every bar year is to identify diverse attorneys to serve as officers, directors, coordinators, board members and other team members and to interact with other ABA entities and liaisons. The Division's Diversity Plan includes strategies to ensure diverse representation throughout the leadership ranks. The Division's Cabinet includes a Diversity Director who co-develops and implements its diversity efforts. The Diversity Director is also responsible for acclimating diverse practitioners and integrating participants in the Division's Diversity Scholars program into leadership and substantive programming. The Diversity Director appoints Diversity Scholars (GP/Solo, minority and government attorneys) to Division teams and boards to bring diversity to these bodies, and to ensure a diverse perspective is represented in discussions about Division resolutions, publications, public service, membership and aid to victims of natural and man-made disasters.

The Division sponsors a diversity team and has developed a diversity website that highlights Division programs and initiatives. The Diversity Plan and Goal III Report are both available through the website. The website also features links to ABA

diversity-related and Goal III entities, diversity toolkits and resources, diversity programming and the Division's roadmap. The Division continues to support the 101/201 Practice Series, which is designed to educate new and seasoned members on a variety of substantive legal areas through short 101/201 style articles.

The Division presented the following diversity-related CLE programs: "What is the Right to Vote? The Voting Rights Act, Then and Now," "They Had a Dream, Too: How Young People Shaped Civil Rights Law," "The Changing Face of Discrimination: From Where We've Been to Where We're Going in Civil Rights Law" and "Voting Rights in the U.S. Territories."

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. Because of the crucial role this Division plays, we urge them to continue to make diversity a top priority and to ensure that diverse participation continues to increase.

## Affordable Housing and Community Development Law

It is unfortunate that once again, the number of diverse members in Affordable Housing Forum leadership has declined, dropping from 13 to 11 leadership positions. This marks the third consecutive year of declining minority leadership. The percentage of minorities in leadership increased from 10.83% to 19.29%. However, the primary reason for the increase is the overall reduction of available leadership positions. The Forum dropped a total of 63 positions. The majority of the cuts occurred in the Programming Faculty category, which lost almost half of the 110 positions that it had last year.

All of the minority-held positions are in the area of Programming Faculty. In the past, minorities have had slightly broader presence in the Forum's leadership ranks. Last year, in addition to holding Programming

Faculty positions, minorities held three positions on the Council/Forum Governing Committee. The Forum cut all of the positions in the latter category this year resulting in a loss of the three positions. Two years ago, in addition to holding Programming Faculty and Council/Forum Governing Committee positions, minorities held two positions on the Nominating Committee. However, they lost the two positions the next year, and now positions are no longer available in this category.

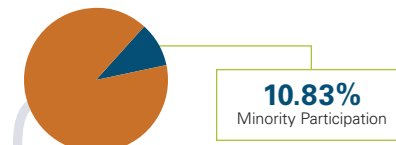
African American, Asian Pacific and Hispanic members all have a presence in Forum leadership. Last year we expressed concern about the lack of Asian Pacific, Hispanic and Native American members in Forum leadership. We are pleased to see that Asian Pacific and Hispanic

continued on page 72



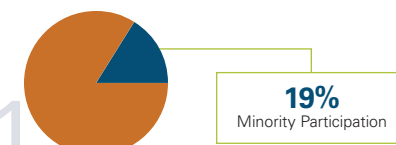
2000-2001 Affordable Housing and Community Development Law							
African American	Asian Pacific	Hispanic	Native American	Total Minorities	Caucasian	Total	Percentage
8	0	4	0	12	227	239	5.02%

## 2009-2010



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
<b>Total</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>107</b>	<b>120</b>

## 2010-2011



2010-2011 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	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	7	2	2	0	11	46	57
Publication Authors	0	0	0	0	0	0	0
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>7</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>11</b>	<b>46</b>	<b>57</b>

## *Affordable Housing and Community Development Law*

CONTINUED FROM PAGE 71

members have regained their footing in the Forum. Unfortunately, Native American members continue to be unrepresented in the upper levels of the Forum.

Last year the Forum stated that it had developed a listserv of practitioners of color in the field of affordable housing and economic development. The Forum believed that the listserv would enhance its visibility among minorities, which would eventually attract more diverse members. There is no mention of the listserv in the Forum's current Goal III reporting data. We would be interested in knowing the outcome of this initiative. Further, the Forum reports that it is working on the development a diversity plan for the upcoming fiscal year. The Forum will appoint a liaison who will coordinate diversity efforts and implement the plan. We look forward to receiving an update on the status of the diversity plan in the Forum's reporting for next year and welcome this Forum's leadership to work with the Commission on Racial and Ethnic Diversity in the Profession to improve and strengthen its diversity efforts.

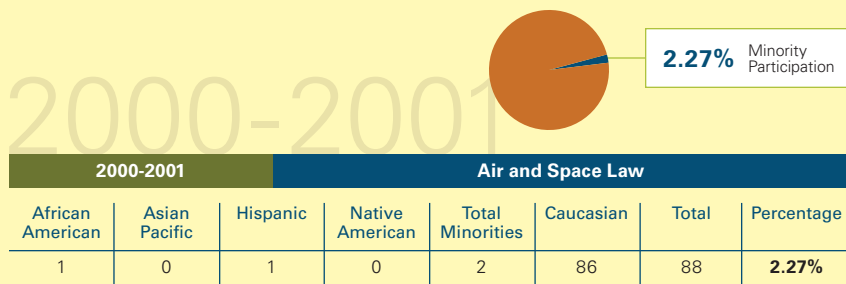
## Air and Space Law

The number of minorities in leadership positions in the Forum of Air and Space Law dropped again this year. This represents the third consecutive year of decline for minority members. Minorities have lost two leadership positions per year since the 2008-09 reporting year. There is currently just one diverse member in Forum leadership—an African American on the Programming Faculty. The percentage of minorities in leadership increased from 5.26% to 6.66% this year. However, this percentage increase is due to the reduction in the number of positions available in the Forum overall. We are disappointed by this decline.

Last year there were three diverse members in leadership, again, all in the Programming Faculty area. However, in 2008-09 there were five

minorities in leadership with positions on the Council/Forum Governing Committee, Other Leadership and Programming Faculty.

Last year we stated that we would like to see the Forum broaden its outreach to minority members. The Forum reports that it is in the process of developing a diversity plan for the upcoming fiscal year. The Forum will appoint a liaison who will coordinate diversity efforts and implement the plan. We look forward to receiving an update on the status of the diversity plan in the Forum's reporting for next year. We welcome this Forum's leadership to work with the Commission on Racial and Ethnic Diversity in the Profession to improve and strengthen its diversity efforts.



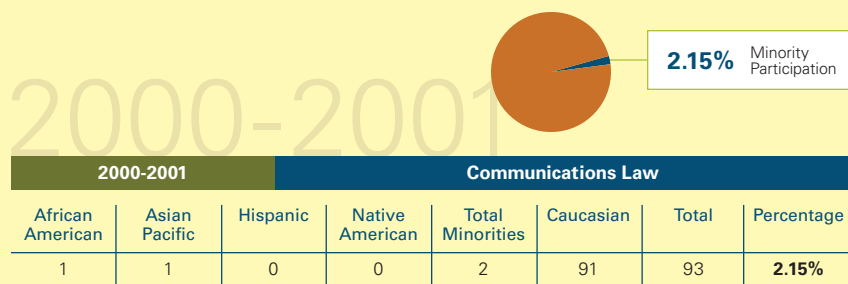
## Communications Law

Minority leadership growth in the Forum on Communications Law has rebounded this year. The actual number of minorities in leadership is 19, up from 13 in 2009-10 and 15 in 2008-09. The percentage of minorities in leadership also grew, moving from 8.18% to 9.04%. However, the current percentage is still lower than the 10.56% achieved in 2008-09. The current numeric and percentage minority growth comes in a year when the Forum added 51 additional leadership positions. Both diverse and non-diverse members benefited from the addition of these new positions.

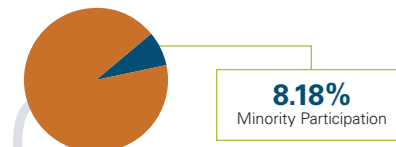
Diverse members hold positions in six of the nine leadership categories including the Council/Forum Governing Committee, Committee/Forum Division Chairs, Other Leadership, Nominating Committee,

Programming Faculty and Publication Authors categories. Minorities have the greatest presence in the Committee/Forum Division Chairs and Programming Faculty areas. Diverse members lost two positions in Additional Committee Leadership leaving them with no presence in this leadership category. The Forum added two positions to Primary Leadership, but minorities did not reap any benefit from the increase in leadership opportunities. They continue to have no presence in this high-level position. African American, Asian Pacific and Hispanic members all hold positions in leadership. Last year we expressed concern about the drop in Hispanic leaders from six positions to no positions. We are pleased to see that Hispanic members have recouped

continued on page 75

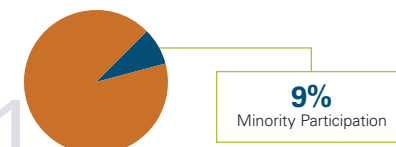


## 2009-2010



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>

## 2010-2011



2010-2011 Communications 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	2	0	0	0	2	9	11
Committee Chairs or Forum Division Chairs	2	1	1	0	4	13	17
Additional Committee Leadership	0	0	0	0	0	4	4
Other Leadership	1	0	0	0	1	3	4
Nominating Committee	1	0	1	0	2	1	3
Programming Faculty	6	0	2	0	8	112	120
Publication Authors	0	1	1	0	2	46	48
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>12</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>19</b>	<b>191</b>	<b>210</b>

## *Communications Law*

CONTINUED FROM PAGE 74

five of the six positions this year. Native American members continue to be unrepresented.

The Forum reports that it spent \$20,000 (5% of its budget) on diversity. Two women of color sit on the Forum's Governing Committee; another woman of color has been the program chair of the Forum's Privacy and Data Security CLE Symposium. The Forum chair has appointed a liaison to the ABA Commission on Racial and Ethnic Diversity in the Profession. The Forum sponsored its second annual First Amendment and Media Law Diversity Moot Court Competition designed to expose minority law students to the Forum and the media bar. The Forum is hopeful that the sizeable number of women of color active in Forum leadership will attract more minority women to the media bar. It believes that the Diversity Moot Court competition will provide opportunities to engage the interest of diverse law students as well.

We encourage the Forum to continue to build on its current programming. The strong minority female presence that already exists can be a platform from which the Forum can broaden its appeal to other diverse groups.

## Construction Industry

The Forum on the Construction Industry increased the number of leadership positions available Forum-wide from 194 to 250 (an increase of 56 positions). The number and percentage of minorities active at the leadership level both increased this year. It appears that diverse members benefited from the addition of these positions.

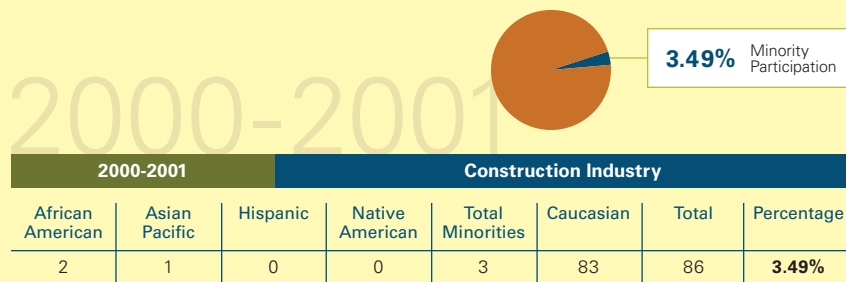
Minorities hold positions in the Primary Leadership, Committee/Forum Division Chairs, Nominating Committee, Programming Faculty and Publication Authors categories for a total of 8% minority participation. The bulk of minority-held positions are in the Programming Faculty and Publication Authors areas. The Forum lost positions from certain leadership areas including Committee/Forum Division Chairs (17 positions), Programming

Faculty (47 positions) and Nominating Committee (one position). Despite these reductions, minority members held on to their positions. Diverse members lost two positions on the Council/Forum Governing Committee, leaving them with no presence in this category. However, diverse members gained two positions in Primary Leadership, an area in which they previously had no representation.

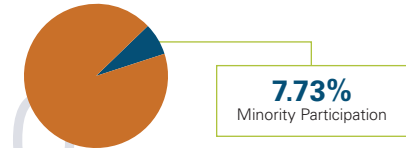
African American (10 positions), Asian Pacific (six positions) and Hispanic (four positions) members all continue to have a presence in Forum leadership. However, Native American members continue to have no representation.

The Forum spent approximately \$100,000 on fellowships for diverse groups, donations and contributions,

continued on page 77

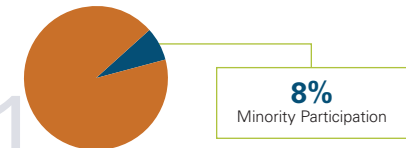


## 2009-2010



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>

## 2010-2011



2010-2011 Construction Industry							
	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	0	0	0	0	0	12	12
Committee Chairs or Forum Division Chairs	1	0	0	0	1	0	1
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	5	6
Programming Faculty	5	3	2	0	10	83	93
Publication Authors	2	2	2	0	6	123	129
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>20</b>	<b>230</b>	<b>250</b>

## *Construction Industry*

CONTINUED FROM PAGE 76

registration fee waivers for minority attendees and substantive programming. The Forum has developed a strategic plan to increase diversity across all Forum sectors including membership, programs, publications and leadership. The Forum awarded scholarships to five diverse lawyers to attend the 2010 Fall Program in Miami free of charge. The Forum's Governing Committee has approved the award of similar scholarships for up to six diverse practitioners at its upcoming 2011 Midyear Meeting. The Forum's Women and Minority Fellowship Program provides diverse lawyers with opportunities to become involved in Forum activities. Fellowship recipients receive a waiver of all program fees and dues and reimbursement of reasonable travel and accommodation expenses to attend the Forum's Annual Meeting.

The Forum believes that through its fellowship and scholarship programs, it is heightening awareness of both the Forum and the ABA among new practitioners who might not otherwise be aware of these resources. We agree.



## Entertainment and Sports Industries

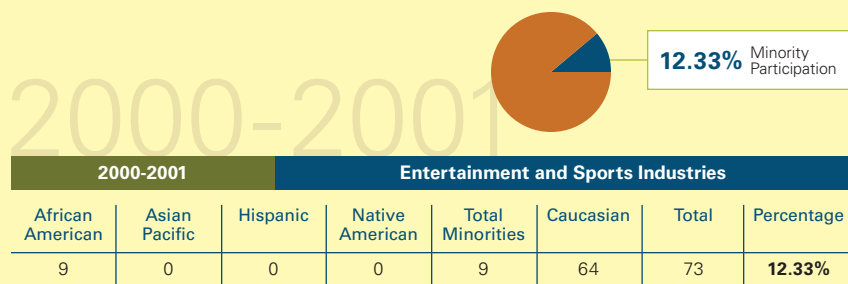
The Forum on Entertainment and Sports Industries suffered yet another decline in minority participation this year. Minority involvement in Forum leadership decreased from 11 positions to just nine positions (non-diverse member involvement grew from 150 positions to 205 positions). The percentage decline of minorities in leadership, from 6.83% to 4.20%, is unsettling. Most troubling is the fact that minority growth decreased in a year when the number of available positions increased by 53 to a total of 214 positions.

In 2008-09, diverse members held 17 leadership positions including one in Primary Leadership. Diverse members now hold just one position on the Council/Forum Governing Committee after losing one position. Diverse members hold two positions in the Committee/Forum Division

Chairs category and one position on the Nominating Committee. The bulk of the minority presence in the Forum is in Programming Faculty, where diverse members continue to hold five positions. One minority member held a position as a Publication Author in 2008-09 and 2009-10; however, minorities no longer hold a position in this leadership category. African American members hold six positions, Asian Pacific members hold two positions and Hispanic members hold one position. Native American members continue to be unrepresented.

The Forum reports that it allocated approximately \$10,000 (3% of its budget) in support of diversity. Diverse members are currently active on the Forum's Governing Committee and as committee chairs

continued on page 79



## 2009-2010

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>

6.83%  
Minority Participation

## 2010-2011

2010-2011 Entertainment and Sports Industries							
	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	0	1	0	1	5	6
Committee Chairs or Forum Division Chairs	0	0	0	0	2	9	11
Additional Committee Leadership	0	0	0	0	0	1	1
Other Leadership	0	0	0	0	0	7	7
Nominating Committee	0	0	0	0	1	3	4
Programming Faculty	0	0	0	0	5	146	151
Publication Authors	0	0	0	0	0	26	26
House of Delegates	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>9</b>	<b>205</b>	<b>214</b>

4%  
Minority Participation

## *Entertainment and Sports Industries*

CONTINUED FROM PAGE 78

and vice-chairs. The Forum anticipates that these diverse members will eventually move into upper-level Forum leadership positions. The Forum states that it is aware that it needs to find ways to attract more minority speakers to its programs and meetings and to encourage minority members to become more active in Forum activities. To this end, the Forum created several division vice chair positions to enhance participation opportunities. The Forum offers scholarships to law students and young lawyers, many of whom are minorities.

The Forum is hopeful that the policies that it puts in place this year will improve minority participation. The Forum must do more than hope. It must become more proactive in recruiting and grooming minorities to take on leadership roles if it wants to stem the tide of declining minority leadership growth. A solid diversity plan with definite goals and implementation steps can help this process and provide benchmarks for success.

## Franchising

Minority leadership participation is growing in the Forum on Franchising. The number of diverse members in Forum leadership increased from six to eight. The percentage of diverse members in leadership also grew, increasing from 6.98% to 8.60%. Additionally, there are 93 leadership positions available in the Forum this year, compared with 86 last year.

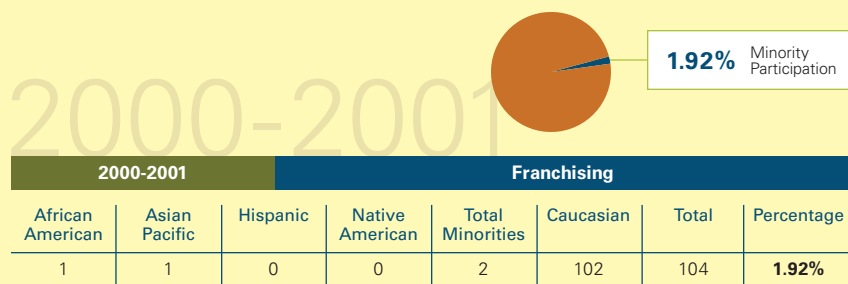
Diverse members hold positions in two leadership categories: the Nominating Committee (one position) and Programming Faculty (seven positions). Diverse members have been active in these two leadership areas for several years. Last year minorities were represented in the Publication Authors category as well (one position); however, minorities no longer have a presence in this area.

In 2009-10, Hispanic practitioners

had no presence in Forum leadership. This year they hold four positions. African American members hold two positions, down from three in 2009-10. Asian Pacific members also hold two positions, down from three in the previous year. Native American members continue to have no presence in Forum leadership.

The Forum reports that it spent \$1,000 on its diversity efforts. The Forum has a new diversity officer who has begun the process of developing diversity-related programming. There are several proposed initiatives currently in the planning stages including the conversion of the existing Diversity Committee into a more formal Diversity Caucus that will provide structure and focus to the Forum's diversity efforts. Other proposed initiatives include the

continued on page 81



2009-2010 Franchising		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	3	3
Other Leadership		0	0	0	0	0	0	0
Nominating Committee		1	0	0	0	1	3	4
Programming Faculty		1	3	0	0	4	74	78
Publication Authors		1	0	0	0	1	0	1
House of Delegates		0	0	0	0	0	0	0
<b>Total</b>		<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>80</b>	<b>86</b>



2010-2011 Franchising		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	9	9
Committee Chairs or Forum Division Chairs		0	0	0	0	0	2	2
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	3	4
Programming Faculty		2	2	3	0	7	67	74
Publication Authors		0	0	0	0	0	4	4
House of Delegates		0	0	0	0	0	0	0
<b>Total</b>		<b>2</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>8</b>	<b>85</b>	<b>93</b>

## *Franchising*

CONTINUED FROM PAGE 80

development of a mentoring program for diverse lawyers, the publication of diversity-related articles in the Forum's publications, and the sponsorship of an "open call" for diverse practitioners. Additionally, the Forum recently sponsored a luncheon meeting to discuss diversity-related issues. The Forum reports that it has 80 diverse members overall and that 12 of the 74 speakers at its 2010 forum were from diverse backgrounds. Two diverse editors and five diverse authors work on the Franchising Law Journal. There is one diverse member on the Steering Committee and one diverse division leader.

The Forum is in a transition phase with regard to its diversity activities and initiatives. The Forum's commitment to building a more diverse leadership structure is clear. There are a number of proposed ideas currently on the drawing board that we hope will enable the Forum to expand leadership opportunities to more of its diverse members.

# sections

- Individual Rights and Responsibilities . . . . . 24.00%
- Litigation . . . . . 23.00%
- Legal Education and Admissions to the Bar . . . . . 21.00%
- Administrative Law and Regulatory Practice . . . . . 20.00%
- Criminal Justice . . . . . 18.00%
- Labor and Employment Law . . . . . 16.00%
- Dispute Resolution . . . . . 15.00%
- State and Local Government Law . . . . . 14.00%
- Health Law . . . . . 14.00%
- Intellectual Property Law . . . . . 13.00%
- International Law . . . . . 13.00%
- Tort Trial and Insurance Practice . . . . . 13.00%
- Science and Technology Law . . . . . 12.00%
- Antitrust Law . . . . . 11.00%
- Business Law . . . . . 11.00%
- Law Practice Management . . . . . 9.00%
- Real Property, Trust and Estate Law . . . . . 9.00%
- Environment, Energy, and Resources . . . . . 7.00%
- Taxation . . . . . 7.00%
- Family Law . . . . . 5.00%
- Public Contract Law . . . . . 4.00%
- Public Utility, Communications and Transportation Law . . . . . 3.00%

# divisions

- Judicial Division . . . . . 29.00%
- Law Student Division . . . . . 29.00%
- Government and Public Sector Lawyers Division . . . . . 25.00%
- Young Lawyers Division . . . . . 24.00%
- General Practice, Solo and Small Firm Division . . . . . 23.00%
- Senior Lawyers Division . . . . . 5.00%

# forums

- Affordable Housing and Community Development Law . . . . . 19.00%
- Communications Law . . . . . 9.00%
- Franchising . . . . . 9.00%
- Construction Industry . . . . . 8.00%
- Air and Space Law . . . . . 7.00%
- Entertainment and Sports Law . . . . . 4.00%

*The above are based on the percentage of minority participation in ABA Section, Division and Forum leadership in 2010-2011.*

## 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 Antitrust

- **What They Did.** The Section's minority leadership participation more than doubled from 35 to 74 this year. The percentage of minorities in leadership also doubled from 5.46% to 11.04%. These are the highest levels of minority leadership participation reported by the Section since it began recording these data in 2000-01. The Section added 29 new leadership positions; minority leadership growth outpaced the growth in new slots.
- **How They Did It.** The Section allotted \$41,181 toward diversity efforts this year. The Section states that "diversity is a core value." Its "Why Antitrust?"

seminars expose law students, particularly those of color, to the benefits of a career in antitrust. The Section recently presented the program at Duke University Law School. The Section also developed a similar program on privacy law. The "101 Privacy and Information Security Law Series for Law Students" was recently presented at various law schools in Oregon and Georgetown University in Washington, D.C.

The Section added young lawyer representatives to its substantive, administrative and publication committees. These representatives, a number of whom are minority, will be able to engage in substantive committee work, assist with outreach to other young lawyers and position themselves for future leadership positions. Additionally, the Section will be co-sponsoring a session on anti-trust and consumer protection issues at the 2011 National Bar Association Annual Convention. The Section is currently working with the ABA on a pilot project to attract more government lawyers by addressing concerns and misperceptions about the cost and value of Section membership that have previously been barriers to diversity. The Section continues to sponsor the Joint

Exhibit Project with national minority bar associations. Further, it requires that all program panels reflect racial and/or ethnic diversity. The Section's Antitrust Junior Scholars recently presented a free symposium in New York that showcased a diverse mix of young scholars. The well-attended program attracted a sizeable number of local minority law students.

### Section of Dispute Resolution

- **What They Did.** The Section once again made modest growth relative to the percentage of minorities in leadership, increasing from 14.48% in 2009-10 to 15.30% in 2010-11. The actual number of minorities in leadership grew impressively from 73 in both 2008-09 and 2009-10 to 90 in 2010-11. The Section had previously experienced a two-year stagnation in minority growth, but was able to overcome the issues that were stifling the leadership growth of its diverse members.
- **How They Did It.** The Section allocated \$9,800 in support of its diversity efforts. Central to these efforts is the establishment of the Scorecard on Diversity Task Force. The task force, which comprises representatives from the largest ADR providers in the country, is dedicated to increasing diversity among mediator

and arbitrator rosters. During the 2010-11 bar year, the task force will conduct focus groups with corporate users of ADR services and law firms to identify ways to increase the number of cases assigned to diverse ADR professionals. In the upcoming year, the task force will focus on several initiatives: 1) developing a user survey and challenge; 2) surveying ADR provider practices on diversity; 3) creating a diversity website; and 4) developing a diversity plan. As it did last year, the Section awarded scholarships to traditionally underserved groups and minority bars to attend its 2010 Spring Conference, which featured a strong diversity track of programming. Approximately 1,000 attendees participated in the Conference. Additionally, the Section continues to require that all of its CLE programming proposals include a detailed statement about the diversity of the proposed presenters to ensure minority representation among its faculty. The Section continues to support ABA and non-ABA sponsored programs and events focused on diversity. In 2010, the Section participated in the national minority bar exhibit program to attract minorities to the Section and took active steps to recruit and involve minorities in Section projects and activities.

## *Section of Individual Rights and Responsibilities*

- **What They Did.** The goal of the Section of Individual Rights and Responsibilities has always been to enhance ethnic and racial diversity in the legal profession and society as a whole. The Section continues to make positive strides toward achieving that goal, as evidenced by its minority leadership participation levels. The number of diverse members in Section leadership this year is 38, up from 27 in 2009-10. The percentage of diverse members in leadership is 23.9%, an increase from 21.95% in 2009-10.
- **How They Did It.** A good share of the Section's budget is allocated to inclusion programming. This year it devoted \$25,000 to its diversity efforts. The Section continues to recruit diverse members through the implementation of its Diversity Plan, particularly at the committee membership and Section leadership levels. It actively participates in a variety of minority bar association annual conventions including HNBA, NBA and NAPABA. The Section established the Thurgood Marshall Award in 1992 to recognize legal professionals who have made long-term contributions to the advancement of civil rights, civil liberties and human rights in the United States. Ten of the 19 award recipients have been persons of color. The Section

states that diversity is always a consideration when its Nominating Committee selects new officers and Council members. In 2009-10, the Section's Executive Committee included five minorities. Eight minorities were members of its Council.

The Section continues its work in support of the Native Hawaiian Government Reorganization Act to promote Native American self-determination and self-governance. Likewise, the Section also continues its efforts in support of the Tribal Law and Order Act, which provides funding for tribal courts. Finally, the Section held a Lobby Day to urge Congressional support for the Civil Rights Tax Relief Act of 2009, which seeks to end unfair taxation of recoveries in employment discrimination and civil rights cases.

## *Section of Intellectual Property Law*

- **What They Did.** For several years, the Intellectual Property Law Section has successfully promoted a steady stream of diverse members into leadership positions. This year the total number of minorities in Section leadership grew from 34 to an impressive 87, a 45% increase. The percentage of minorities in leadership is 13.10%, a significant increase from 6.81% in 2009-10. The Section increased

the number of available leadership seats by 165. Minority leadership growth appears to have been helped by the addition of these new slots.

- **How They Did It.** The Section allocated \$36,000 to diversity programming this year. It continues to support 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 continues to support the Sidney B. Williams Jr. Award, which provides scholarships to minority scholars and arranges internships and mentorships to underrepresented law students interested in intellectual property law. The Section continues to collaborate with the Antitrust and Litigation sections in support of the Judicial Intern Opportunity Program, which places minority students in judicial clerkships throughout the nation. Additionally, the Section's Committee on Minorities hosted a cocktail reception for diverse groups during its Spring Conference.

## *Section of Law Practice Management*

- **What They Did.** This year the Law Practice Management Section

(LPM) realized both numerical and percentage increases in minority leadership involvement. In a year when the Section offered seven fewer leadership positions, the actual number of minorities in leadership increased from 23 to 29, and the percentage of minorities in leadership jumped from 6.82% to 8.78%.

- **How They Did It.** The Section allocated \$18,000 to support diversity. The Section presented "What Law School Didn't Teach You: Self-Advocacy for Survival and Sustainability," as part of former ABA President Carolyn Lamm's 2009-10 distance learning program, which addressed diversity from other perspectives including race and ethnicity. The program was presented as a live webcast and was developed to assist practitioners in identifying and tapping into their unique talents, beyond knowing how to practice law. The Section also sponsored two MELawyring interactive workshops at the Spring Meeting. The purpose of the workshops was to offer empowerment strategies to those from diverse backgrounds. Due to its popularity, the Section will present the workshop again at its Fall Section Meeting in Washington D.C. Through its Diversity Committee, the Section is exploring the possibility of establishing an ABA Diversity Certified Program. This program would offer certification

or certificates of approval to law firms that comply with certain diversity standards. The Diversity Committee has also proposed the development of a Diversity Leadership Program that would recruit two diverse members per year to serve in leadership positions. The Section would underwrite the costs of these members. This proposal will be presented at the Fall Section Meeting. Additionally, the 2009-10 LPM chair appointed several Young Lawyer Division members to funded positions in furtherance of ethnic diversity. The Section hosted a Leadership Forum to give attendees an opportunity to question LPM leaders about the operation of the Section. Finally, LPM produces several webinars that have increased the availability of the Section's content to legal practitioners.

### Section of Taxation

- **What They Did.** The Section successfully halted the downturn in the numerical minority growth that it experienced last year. The number of diverse members in leadership roles is 190, up from 134 in 2009-10 and 156 in 2008-09. The percentage of diverse members in leadership increased from 5.27% to 6.61%. The Section added 331 leadership positions overall this year. Minority members enjoyed numeric and percentage increases commensurate with the addition of these new slots. Every minority sub-group is represented in Section leadership.

surate with the addition of these new slots. Every minority sub-group is represented in Section leadership.

- **How They Did It.** The Section devoted \$60,000 (17% of its budget) to support diversity programming during the past bar year. Other than the increase in funding, the Section engaged in the same diversity-related initiatives as last year. It continues to offer annual law student career programs that provide career information on tax law. It continues to sponsor 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 continues to underwrite the Legal Opportunity Scholarship, which enables a diverse student to attend law school. The Section's Diversity Committee presents diversity-related CLE at the Section's three annual meetings. The Section sponsors a joint networking for young lawyers and lawyers of color in conjunction with its annual meetings. The Section co-sponsors the Tax Bridge to Practice Program with the National Bar Association and the Community Outreach Program with the Real Property, Trust and Estate Law Section. It also offers educational training programs on substantive issues.

The Section's John S. Nolan Fellows program nominates six young lawyers each year who show promise as future leaders of the Section. Almost half of the fellows participating in the program since 2000 have been from diverse groups. The Section's Young Lawyers Forum and ALI-ABA collaborate on a project in which young lawyers, many of whom are diverse, partner with senior members of the Section to write articles that are published in ALI-ABA's *Practical Tax Lawyer*. The Section continues its outreach to minority bar associations. Additionally, the chair of the National Bar Association Tax Section is the current Vice-Chair of the Section's Diversity Committee.

### General Practice Solo and Small Firm Division

- **What They Did.** The number and percentage of minorities in Division leadership remain on the upswing. Minority leadership participation is now in the triple digits. The actual number of diverse members in leadership increased from 99 to 119, the highest level recorded by the Division since Goal III reporting began in 2000-01. The percentage of minorities in leadership increased impressively from 17.87% to 22.7% this year. Minorities are represented in *all* areas of leadership. The General

Practice, Solo and Small Firm Division is one of the few ABA entities to achieve minority leadership participation in every leadership category. Members from each minority sub-group have a presence in leadership. None of the minority sub-groups lost positions this year.

- **How They Did It.** The Division spent \$5,600 on diversity initiatives. The division continues to support the Diversity Fellowship Program, which it established over 10 years ago to promote leadership development opportunities for practitioners of diverse backgrounds. Four diverse lawyers are identified as fellows and after the completion of their first fellowship year, they are appointed to regularly funded leadership positions within the Division the following bar year.

### Law Student Division

- **What They Did.** The minority leaders in the Division now number 49, up from 45. The percentage of minorities in leadership positions grew from 26.79% to 28.65%. The number of leadership positions available overall in the Division rose from 168 to 171. Diverse members are represented in six of the nine leadership categories. Representatives from all minority sub-groups continue to be represented in leadership.



- **How They Did It.** The Division reports that it dedicated \$50,000 to diversity-related initiatives. A portion of this funding was used to underwrite grants to law student organizations, the presentation of a Diversity Award, affiliated bar outreach, scholarships and sponsorships. The Division credits its Law Student Leadership Program as a major source of its diverse leadership representation. Academically-eligible law students of all backgrounds from all 199 ABA-approved law schools are able to nominate themselves for election or appointment to leadership positions on the local, regional and national level. The Division continues to sponsor a grant program that provides seed money and programming support to law student organizations developing public service projects. The Division allocates \$16,000–\$20,000 in grant funding annually. Programs that were supported through the grant in 2009–10 included a Focus on Africa program, a Diversity Education Campaign, a Diversity Conference and a Diversity Graduation program. The Division’s Board of Governors Standing Committee on Diversity provides oversight of the Division’s diversity efforts and its Long-Range Diversity Plan. The Division supports a variety of other diversity-related initiatives, including: 1) the Volunteer Income Tax Assistance

(VITA) Program, which offers free income tax preparation assistance to the elderly, non-English speaking and low income taxpayers; 2) affiliated bar outreach through which the Division builds relationships with affiliated law student organizations including those representing diverse groups; 3) scholarships to minority law students and co-sponsorships of educational programs such as the Pipeline Diversity Roundtable; and 4) annual meeting programming that includes leadership training sessions and a career fair. The Division sponsors 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 that exemplifies a commitment to issues of inclusiveness, and the Judy M. Weightman Memorial Public Interest Award, which recognizes law students and law schools that have made outstanding contributions to underrepresented groups or public interest causes. Additionally, it continues to sponsor Diversity Day (designated by the Division as March 2), on which law schools nationwide are encouraged to celebrate diversity through programming, events and activities; The Division also maintains a diversity page on its website.

### *Forum on the Construction Industry*

- **What They Did.** The Forum on the Construction Industry increased the number of leadership positions available Forum-wide from 194 to 250 (an increase of 56 positions). The number of minorities active at the leadership level increased this year. The number of minorities in leadership grew from 15 to 20. The Forum hopes that its strategic plan to increase diversity will result in continued increases in minorities in leadership positions in the next few years.
- **How They Did It.** The Forum spent approximately \$100,000 on fellowships for diverse groups, donations and contributions, registration fee waivers for minority attendees and substantive programming. The Forum has developed a strategic plan to increase diversity across all Forum sectors including membership, programs, publications and leadership. The Forum awarded scholarships to five diverse lawyers to attend the 2010 Fall Program in Miami free of charge. The Forum’s Governing Committee has approved the award of similar scholarships for up to six diverse practitioners at its upcoming 2011 Midyear Meeting. The Forum’s Women and Minority Fellowship Program provides diverse lawyers with opportunities to become

involved in Forum activities. Fellowship recipients receive a waiver of all program fees and dues and reimbursement of reasonable travel and accommodation expenses to attend the Forum’s Annual Meeting.

## 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.

### *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
- Committee of Minority Partners
- Committee 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
- The History Project
- The Committee on Diversity in the JAG Corps

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 Diversity 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** (Commission) created to continue work of the Task Force.
- 1988** Commission established the **Minority Project Demonstration Program** to encourage corporations to retain lawyers of color for legal services; later becomes the **Minority Counsel Program** (MCP)
- 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.
- 1995** Commission establishes the **Spirit of Excellence Award** to recognize individuals who have contributed to the advancement of racial and ethnic diversity in the profession.
- 1996** Commission begins publishing the **Goal IX (now Goal III) Report** assessing diversity within the Association.
- 1998** Commission published the groundbreaking report ***Miles to Go 1998: Progress of Minorities in the Legal Profession***.
- 2000** Commission, in collaboration with the ABA Commission on Women in the Profession, publishes ***Dear Sisters, Dear Daughters: Words of Wisdom from Multicultural Women Attorneys Who’ve Been There & Done That***.
- 2000** Commission published an update to the groundbreaking 1998 report: ***Miles to Go 2000: Progress of Minorities in the Legal 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.

**2004** Commission published an update to the groundbreaking 1998 report: ***Miles to Go 2004: Progress of Minorities in the Legal Profession***.

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

**2009** ABA Commission on Women in the Profession, in collaboration with the Commission, publishes an updated ***Dear Sisters, Dear Daughters: Strategies for Success from Multicultural Women Attorneys***.

### 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.

## 2010-2011 Commission on Racial and Ethnic Diversity in the Profession

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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 identify 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.

### *Chair*

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Fred W. Alvarez

### *Members*

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Robert M. Carlosn  
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C. Elisia Frazier  
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