2007 Diversity Plan

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Presentation for Fall 2007 Leadership Meeting
Overview

- Diversity in the Profession
- History of Diversity in the ABA
- History of Diversity in the Section of Litigation
- Implementation of 2007 Diversity Plan
Diversity in the Profession

2000 Census Data

Total US Population
- 72% White
- 12% Black
- 3% Hispanic
- 2% Asian
- 1% Native American

US Lawyers
- 90% White
- 3% Black
- 3% Hispanic
- 2% Asian
- 4% Native American

SECTION of LITIGATION
AMERICAN BAR ASSOCIATION
Diversity in the Profession

2000 Census Data

Total US Population

Male: 49%
Female: 51%

US Lawyers

Male: 71%
Female: 29%
Diversity in the Profession

JD Degrees Awarded

Source: ABA Legal Education Section

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Source: ABA Legal Education Section
Diversity in the Profession

Large Law Firms

Source: 2006 NALP Directory of Legal Employers

Source: 2006 NALP Directory of Legal Employers

- Total
- Women
- Minorities
Diversity in the Profession

Disabled Attorneys

Disabled Attorneys make up 0.1% of all attorneys

Source: NALP Directory of Legal Employers
Openly LGBT Attorneys make up 1.4% of all attorneys.

Source: NALP Directory of Legal Employers.
History of Diversity in the ABA

- ABA founded as whites-only bar association on August 21, 1878 in Saratoga Springs, NY
  - ABA mistakenly admitted three African American members in 1912
    - Memberships later rescinded when “mistake” was discovered
- National Bar Association founded in 1925 in Des Moines, Iowa
- First African Americans knowingly admitted to membership in 1950
Diversity in the ABA

Goal IX

“To promote the full and equal participation in the legal profession by women, minorities, persons with disabilities, and persons of differing sexual orientations and gender identities”
Diversity in the ABA

Goal IX

• 1986: Adopted; encompassed minority lawyers only
  • Commission on Opportunities for Minorities in Profession created at same time
    • Now Commission on Racial and Ethnic Diversity
    • Dennis Archer was first Chair

• 1987: Amended to include women lawyers
  • Commission on Women in the Profession created at same time
    • Hillary Clinton was first Chair of Commission
Diversity in the ABA

Goal IX

- February 1999: Amended to include disabled lawyers
  - Commission on Mental and Physical Disability Law predated amendment
- February 2007: Amended to include lawyers of differing sexual orientations and gender identities
  - New Commission being created to implement
History of Diversity in the Section of Litigation

- **1994: Strategic Plan**
  - Established core tenet: “The legal profession will be open and hospitable to all.”
  - Adopted explicit goal: “Diversify Section membership and leadership and promote diversity in the legal profession.”

- **2001: First Diversity Implementation Plan**
  - Strategic focus on lawyers of color
History of Diversity in the Section of Litigation

Performance under 2001 Diversity Plan

- Lawyers of color in Leadership
- Lawyers of color on program faculty
History of Diversity in the Section of Litigation

- 2005: Diversity Committee became a standing committee of the Council
- 2005-07: Extensive study by Diversity Committee
  - Effectiveness of 2001 Plan
  - Analysis of plans and initiatives undertaken by other ABA entities to identify best practices
  - Whether to expand focus to all Goal IX characteristics
- August 2007: Council adopted revised Diversity Plan
Diversity in the Section of Litigation

Note that good data on Section as a whole is not available because it is based solely on self-identification and most members choose not to self-identify.
Diversity in the Section of Litigation

Officers and Council

- Men
- Women

Officers and Council

- White Lawyers
- Lawyers of color
Implementation of 2007 Diversity Plan

- Key Features of 2007 Diversity Plan
  - Five accountability grids
  - One for all Goal IX characteristics
  - One for each of the four Goal IX characteristics
    - Lawyers of Color
    - Women Lawyers
    - Disabled Lawyers
    - Lawyers of differing sexual orientations and gender identities (LGBT Lawyers)
Implementation of 2007 Diversity Plan

• Key Features of 2007 Diversity Plan
  • Tasks divided into six broad categories
    • Leadership commitment
    • Accountability
    • Communications and Training
    • Programs and Publications
    • Membership
    • Outreach
Implementation of 2007 Diversity Plan

- Key Features of 2007 Diversity Plan
  - Every Leader is assigned specific duties under the plan
    - Each Leader was sent an email on September 25 with his or her individual duties
    - Contact Sharyne Tu if you did not receive your list of duties
  - Each task has a specific time for completion and methods for monitoring
  - Monitoring duties up the chain of command to ensure full participation
Key Features of 2007 Diversity Plan

- Continuous Improvement
  - Internal mechanisms for review and refinement of diversity efforts
  - Periodic analysis of diversity efforts of other ABA entities
- Requirement of diversity
  - In annual plans and progress reports
  - In appointment process
  - In program faculty and editorial boards
  - In co-sponsored events
- Applied with Rule of Reason
Implementation of 2007 Diversity Plan

- Explore Innovative Ideas
  - Joint memberships with diverse bar associations
  - Leadership Mentoring Program
  - Audio Books on CD for CLE written materials
  - Simultaneous signing of CLE programs
  - LGBT Working Group
LGBT Working Group

- Mission
  - To investigate and make recommendations regarding the integration lawyers of differing sexual orientations and gender identities into the Section
  - To explore and create programming regarding LGBT legal issues
  - To report to Diversity Committee recommendations for changes and additions to Diversity Plan
- Any Leader welcome to participate in Working Group
Implementation of 2007 Diversity Plan

- Outreach to Diverse Bar Groups
  - National leaders of diverse bar groups
  - Local leaders in host cities of Section events
  - Within ABA itself
    - Commission on Racial and Ethnic Diversity
    - Presidential Advisory Council on Diversity in the Profession
    - Center for Racial and Ethnic Diversity
    - Commission on Women in the Profession
    - Commission on Mental and Physical Disability Law
Implementation of 2007 Diversity Plan

- Continue Support for Section Entities That Promote Diversity
  - Minority Trial Lawyer Committee
  - Woman Advocate Committee
  - Judicial Intern Opportunity Program
  - Young Lawyers Leadership Program
- Feature Diversity-Related Content in Section Programs and Publications
Implementation of 2007 Diversity Plan

- **Use Technology to Promote Diversity**
  - Diversity Web Page
  - “Click here to get more information about diversity”
  - Online “community meeting space” for lawyers with disabilities
  - Explore making all Section web sites accessible and user-friendly for disabled lawyers
  - Link to LGBT Working Group
Implementation of 2007 Diversity Plan

- Ensure Section Events Are Accessible
  - ADA Compliance as baseline
  - Seek user-friendly accommodations for meetings, social events
    - Seated areas at social events
    - Distances between events
    - Accessible restroom facilities close to meeting and event rooms
  - Staff monitors accessibility for ABA Annual Meeting, Section Annual Conference, Leadership Meetings, and CLE Seminars
  - Leaders must monitor accessibility for Regional CLE Meetings and Events
Diversity Committee

Contact us with your questions and concerns

• Dinita James, Chair
• Paulette Brown
• Jim Reeder
• Geoffrey Vitt
• Sharyne Tu, Committees and Diversity Initiatives Manager