

2008 Diversity Plan

Dinita James

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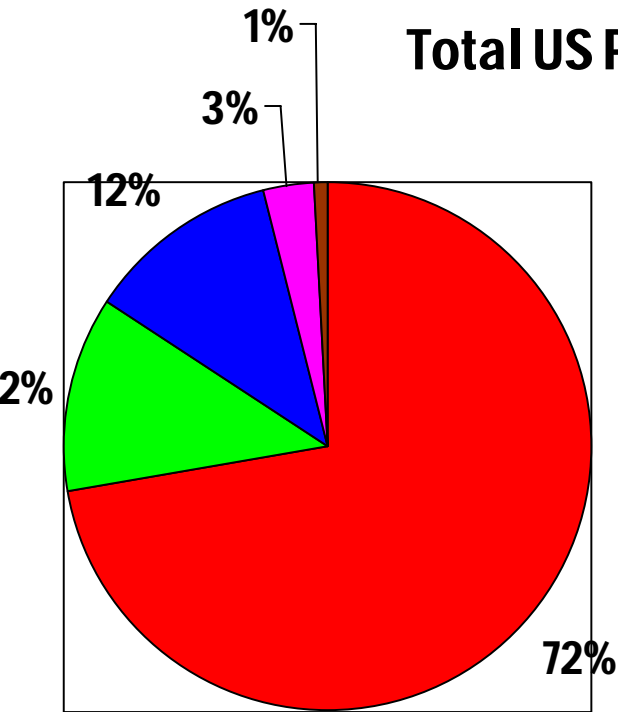
Presentation for Fall 2008 Leadership Meeting

Overview

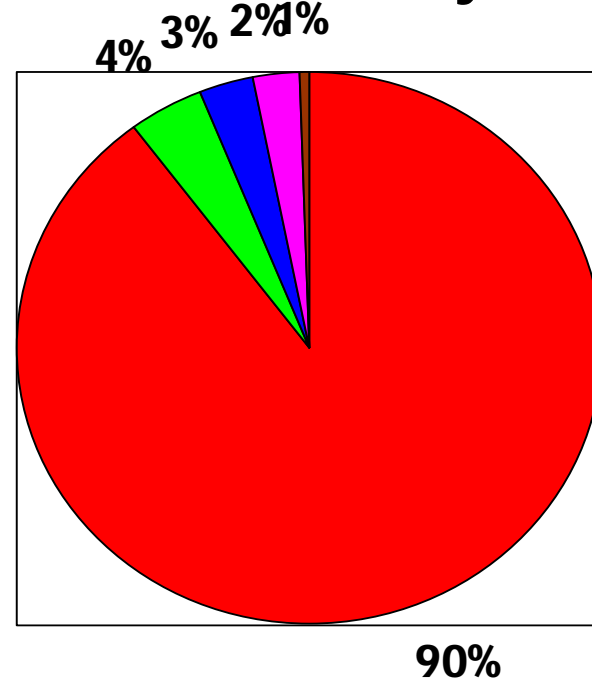
- **Diversity in the Profession**
- **History of Diversity in the ABA**
- **History of Diversity in the Section of Litigation**
- **Implementation of Diversity Plan**

Diversity in the Profession 2000 Census Data

Total US Population



US Lawyers

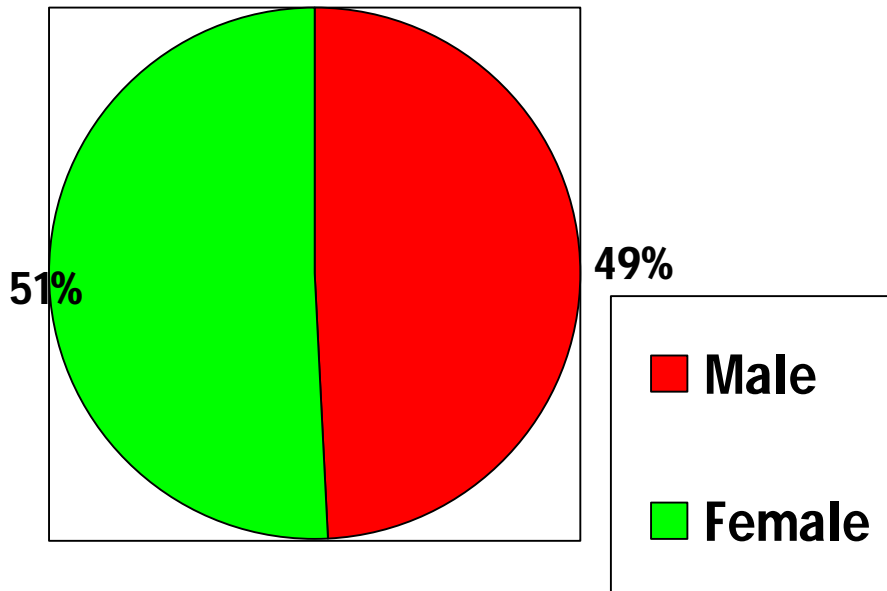


- White
- Black
- Hispanic
- Asian
- Native American

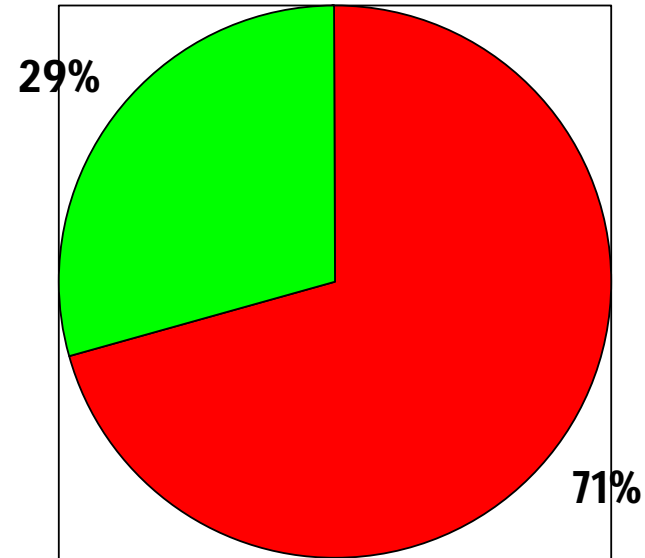
Diversity in the Profession

2000 Census Data

Total US Population

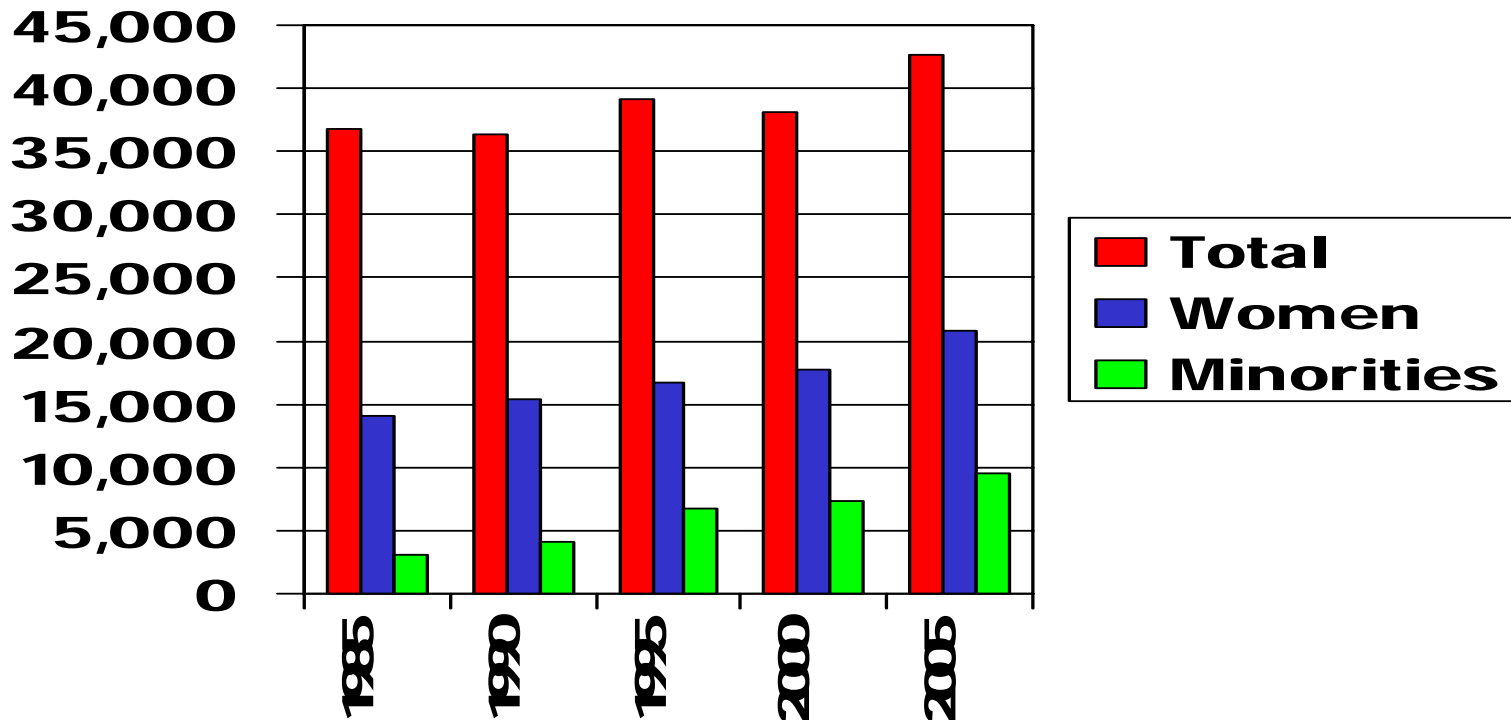


US Lawyers



Diversity in the Profession

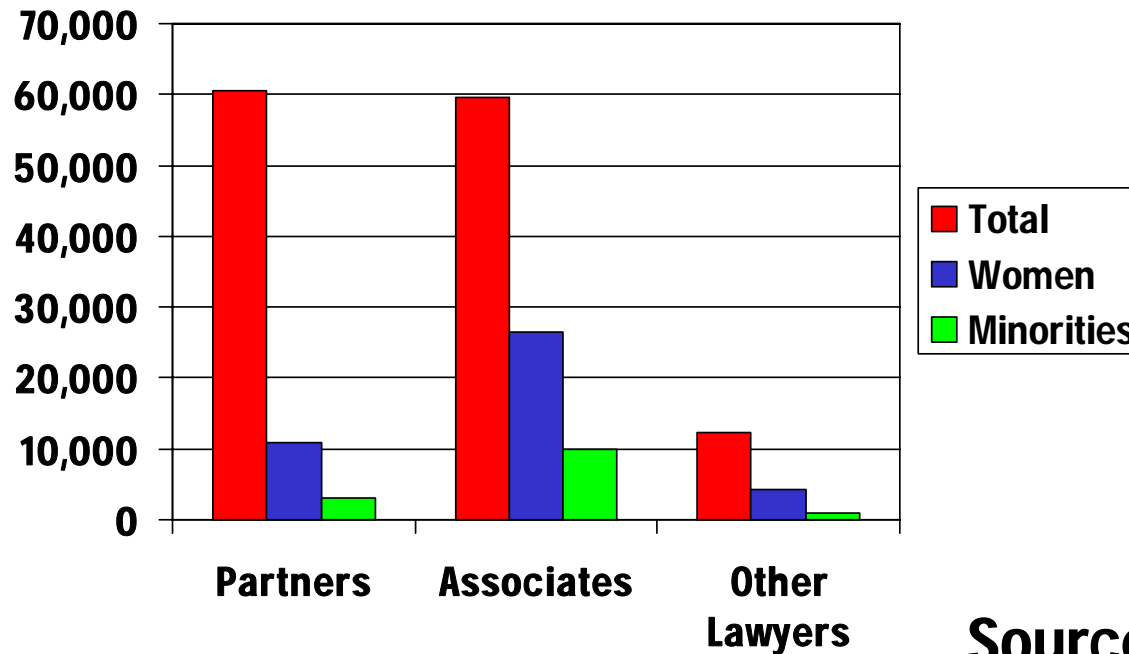
JD Degrees Awarded



Source: ABA Legal Education
Section

Diversity in the Profession

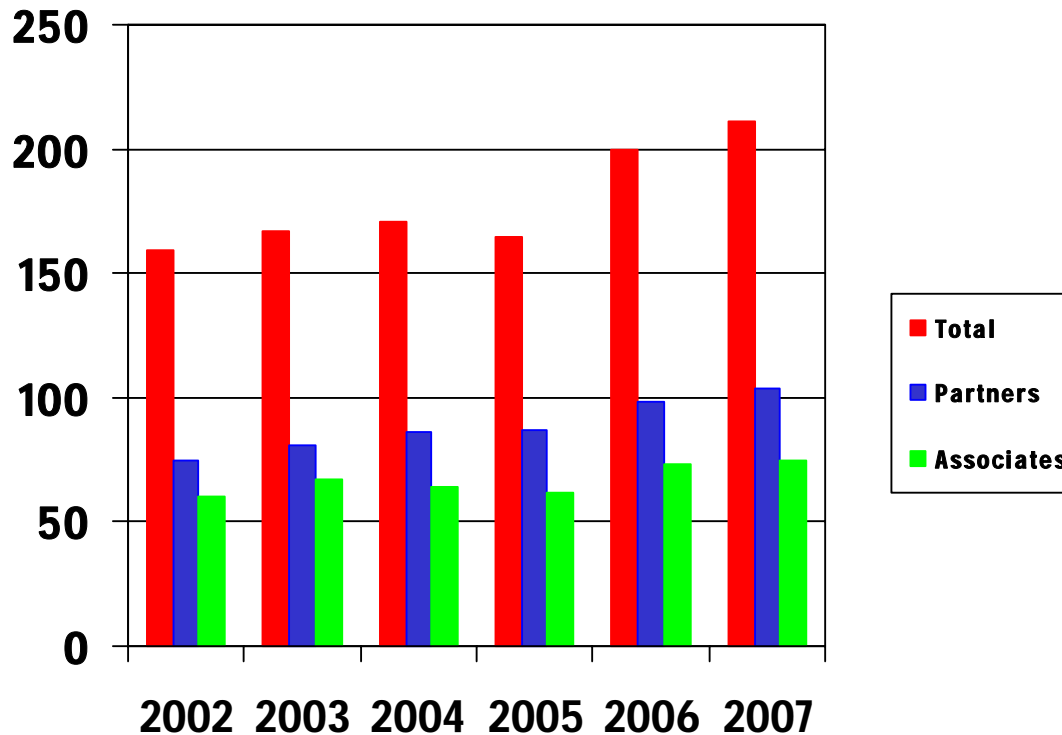
Large Law Firms



Source: 2006 NALP
Directory of Legal
Employers

Diversity in the Profession

Disabled Attorneys

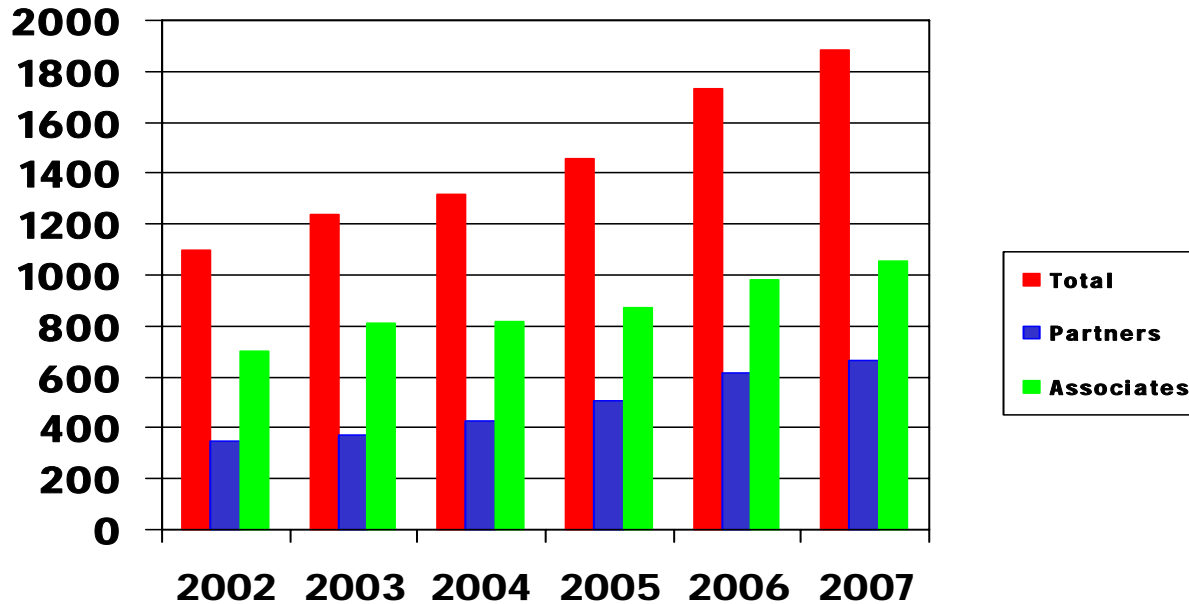


Disabled Attorneys make up 0.17% of all attorneys

Source: NALP Directory of Legal Employers - 2007

Diversity in the Profession

Openly LGBT Attorneys



**Openly LGBT Attorneys make
up 1.52% of all attorneys**

**Source: NALP Directory of Legal
Employers - 2007**

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 III

ELIMINATE BIAS AND ENHANCE DIVERSITY.

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**

Diversity in the ABA

Goal III

- **1986: Adopted as Goal IX; 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 III

- **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**
 - Commission on Sexual Orientation and Gender Identity created to implement
- **August 2008 – Goal IX renumbered to Goal III and restated as part of restatement of mission and all goals and objectives**

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

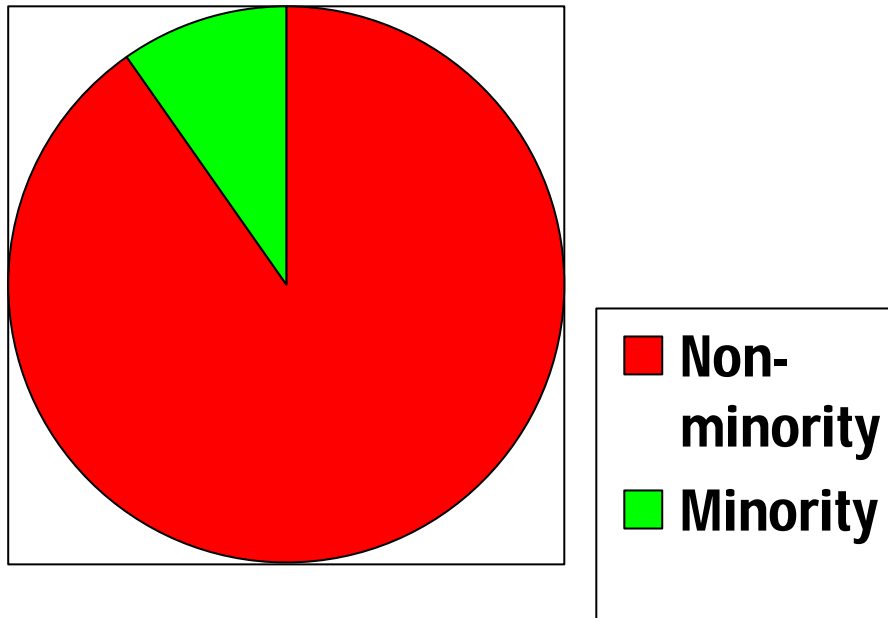
History of Diversity in the Section of Litigation

- **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**
- **August 2008: Council updated Diversity Plan as part of periodic review now built into plan**

History of Diversity in the Section of Litigation

Performance under Diversity Plan

Section Lawyer Members

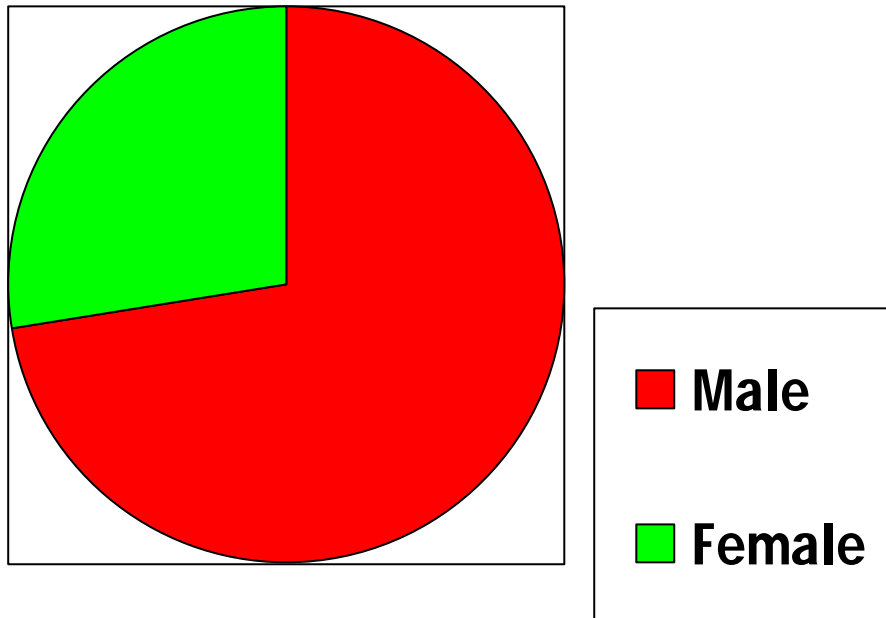


**Huge caveat:
62% of Section
Lawyer members
do not provide
their minority
status**

History of Diversity in the Section of Litigation

Performance under Diversity Plan

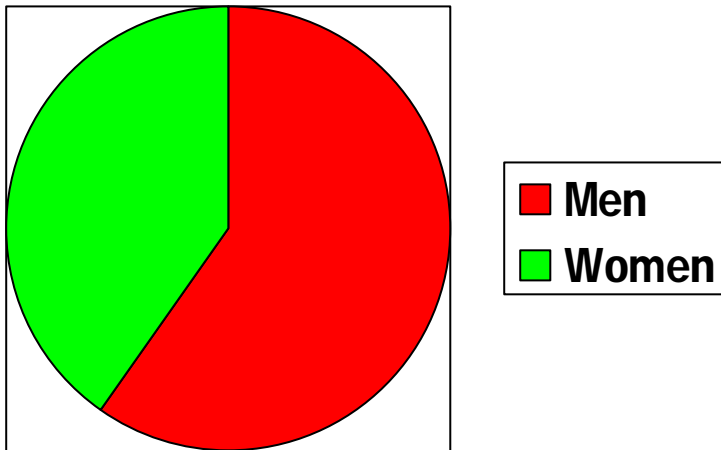
Section Lawyer Members



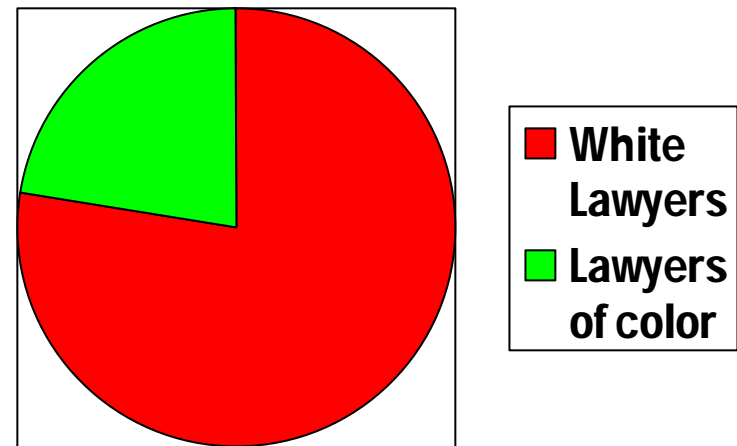
**Gender is known
for almost all
Section Lawyer
Members**

Diversity in the Section of Litigation

All Leadership

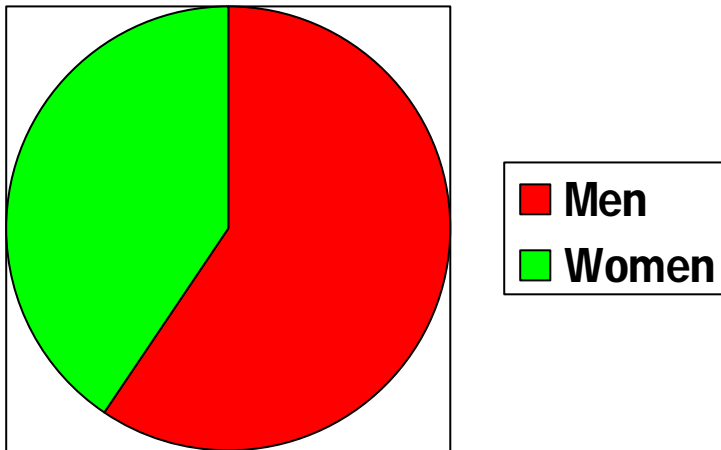


All Leadership

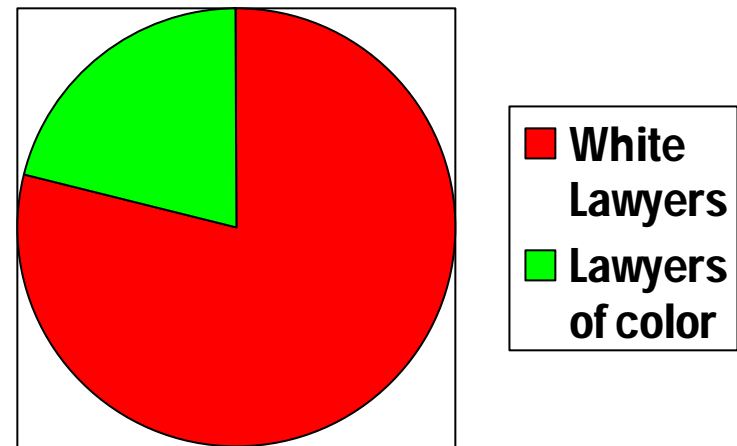


Diversity in the Section of Litigation

Officers and Council

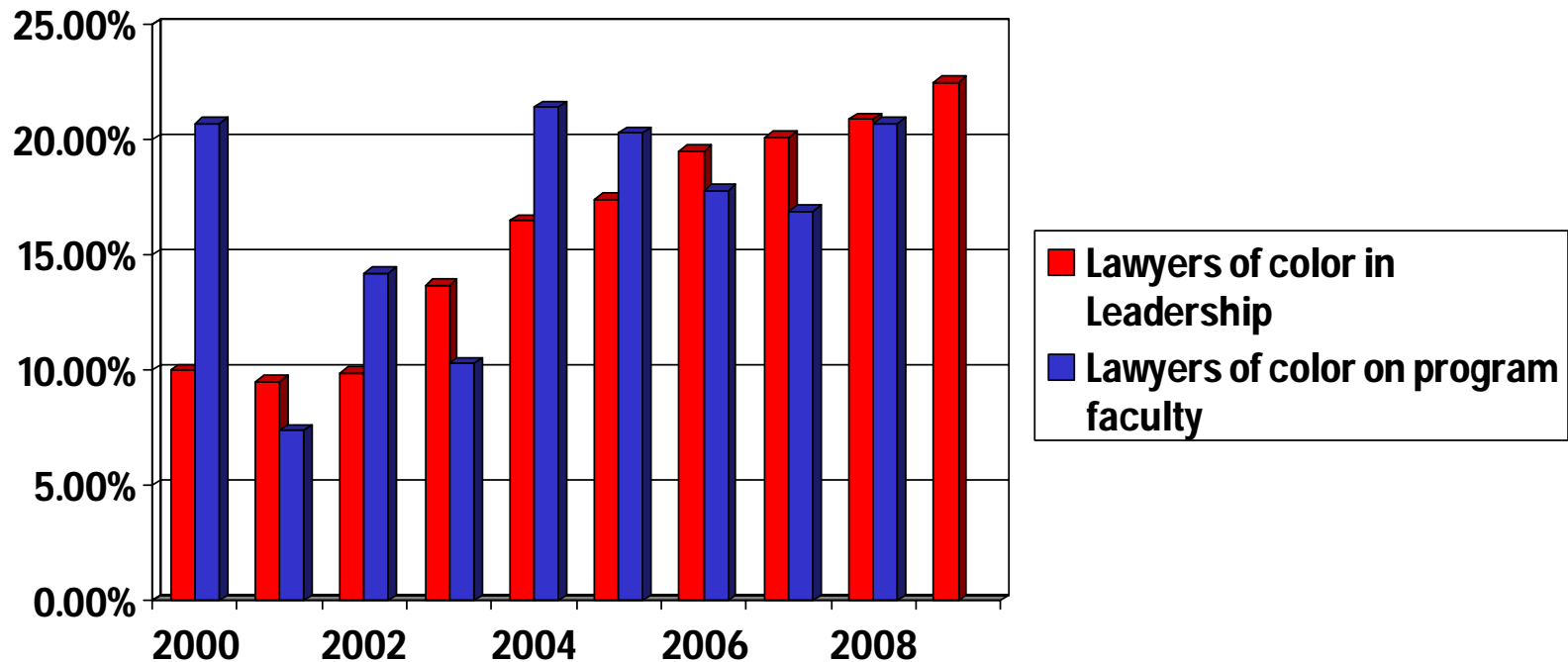


Officers and Council



History of Diversity in the Section of Litigation

Performance under Diversity Plan



Implementation of Diversity Plan

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

Implementation of Diversity Plan

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

Implementation of Diversity Plan

- **Key Features of Diversity Plan**
 - **Every Leader is assigned specific duties under the plan**
 - **Duties of each leader are set forth by position on the Diversity page of the Leadership Reference Library**
 - **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 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**

LGBT Litigator Committee

- **Mission and purpose**
 - To address the issues affecting the LGBT litigator and to address the status of LGBT attorneys within the profession
 - To promote programs that highlight the areas in which litigators represent LGBT people who face public or private discrimination and often have no adequate legal remedies
 - To serve as a place for LGBT attorneys (or attorneys interested in LGBT rights) to voluntarily identify themselves as such and provide a forum to work together on issues of concern to the LGBT litigator
- **Help spread the word about this new committee**

Implementation of Diversity Plan

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

Implementation of 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**

- **Geoffrey Vitt, Chair**
- **Paulette Brown**
- **Brad Brian**
- **Ray Marshall**
- **Jim Reeder**
- **Sharyne Tu, Committees and Diversity
Initiatives Manager**