

RESOLUTION 7YL

**AMERICAN BAR ASSOCIATION
YOUNG LAWYERS DIVISION**

WOMEN IN THE PROFESSION COMMITTEE

RECOMMENDATION

RESOLVED, That the American Bar Association urges Congress and state and territorial legislatures to enact laws that direct primary and secondary school systems to commence educational classes for girls and young women on practical and applicable career planning for a career in the law; and

FURTHER RESOLVED, That the American Bar Association works to ensure that the pipeline to opportunities in and exposure to the legal profession are available beginning at the primary and secondary educational level in order to maximize the options for women lawyers.

REPORT

“Building a more diverse profession is not a quick-fix, short-term goal. It is an ongoing campaign, one in which the ABA has been engaged for decades. We are committed to continue it as long as it takes. We are committed to see a bench that reflects our population and a profession in which every lawyer has the opportunity to achieve all of which they are capable.”

Carolyn B. Lamm, President, American Bar Association (2010).

I. INTRODUCTION

This Recommendation encourages the adoption of programs in primary and secondary public school systems, which not only nurture practical skills training, but also provide an introduction to professional career options (e.g., opportunities in the law), for girls and young women. It is hoped that by fostering interest in the legal profession at an early age, these female students will continue through the “pipeline” and become productive members of the bench and bar.

II. BACKGROUND: THE EDUCATIONAL “PIPELINE” TO PURSUING A SUCCESSFUL LAW CAREER

In 2006¹ and 2010,² the American Bar Association (“ABA”) released two comprehensive reports that analyzed ways to promote diversity in the legal profession. Both reports emphasized the need to promote an efficient and effective educational “pipeline” that would allow young students to become interested in the law and a potential legal career. This educational “pipeline” has been defined as the pathway that enables students to pursue successful careers in the law.³ Practitioner-experts and leaders in this field identify four separate, yet interrelated, parts to this pipeline. The four parts of the pipeline are: (1) Kindergarten through 12th Grade (K-12) education; (2) Community College/College/University education; (3) Law School education; and (4) Transition to Practice (defined as the period from law school graduation through the bar exam, and into employment). Ideally, these four separate parts of the pipeline fit together

¹ ABA PRESIDENTIAL ADVISORY COUNCIL ON DIVERSITY IN THE PROFESSION, EMBRACING THE OPPORTUNITIES FOR INCREASING DIVERSITY INTO THE LEGAL PROFESSION: COLLABORATING TO EXPAND THE PIPELINE (2006), available at <http://new.abanet.org/centers/diversity/PublicDocuments/PipelinePostReport.pdf> [hereinafter 2006 REPORT] (identifying challenges, strategies and solutions discussed during Nov. 2005 conference and Apr. 2006 subsequent meetings to strengthen educational “pipeline” and assist students of color pursue successful law careers).

² ABA PRESIDENTIAL INITIATIVE COMMISSION ON DIVERSITY, DIVERSITY IN THE LEGAL PROFESSION: THE NEXT STEPS (Apr. 2010), available at <http://new.abanet.org/centers/diversity/PublicDocuments/Next%20Steps%20Final-Virtual%20Accessible%20042010.pdf> [hereinafter 2010 REPORT] (making recommendations to “increase diversity in the different sectors of the profession, namely law firms and corporations, the judiciary and government, law schools and the academy, and bar associations” that will serve as “a functional roadmap for advancing diversity in the legal profession”).

³ See 2006 REPORT, *supra* note 1, at 6.

seamlessly to create a pathway for young people to “move easily and confidently through the education system and to achieve successful legal careers.”⁴

This Recommendation builds on the conclusions of the 2006 and 2010 reports but is both narrower and broader in scope. For instance, this Recommendation is narrower in scope than the 2010 report because it focuses solely on the first part of the pipeline; namely, programs within K-12 education. This Recommendation, however, is broader in scope than the 2006 report because it focuses on girls and young women, including students of racial and ethnic groups, sexual and gender minorities, and persons with disabilities, which is a key goal on the ABA and the Young Lawyers Division.

III. SUMMARY OF RECOMMENDATION

Women comprise approximately 50% of graduating law students, approximately 30% of all lawyers, and less than 20% of all law-firm partners.⁵ According to the 2006 and 2010 reports, one of the best ways to increase participation in the legal system is to foster a better pipeline for young students. As a result, the K-12 pipeline program proposed by this Recommendation would create, include, or make available a curriculum to all female students in the public school systems, held after the regular public school day has concluded on weekdays, in the United States and its territories that would foster interest in the law and the legal profession.⁶

Consistent with the conclusions of the 2006 and 2010 reports, the K-12 pipeline program envisaged by this Recommendation would:

- (1) Support, fund and expand the development of pipeline programs that help girls and young women imagine and work toward joining the legal profession;
- (2) Partner with, and provide financial and personnel support for, pipeline programs run by bar associations, schools, and other groups for primary and secondary students who are female;
- (3) Recruit older students, lawyers, judges and clients to become involved in pipeline activities, such as becoming mentors, speakers and sponsors;
- (4) Implement diversity education programs that can be used for pipeline outreach efforts by the bench and bar in the various states and territories; and

⁴ *Id.* at 11.

⁵ See ABA YLD Women in the Profession Committee, *available at* <http://www.abanet.org/dch/committee.cfm?com=YL507000> (last visited July 14, 2010) (citing 2005 U.S. Bureau of Labor and 2005 National Association for Law Placement (NALP) statistics stating that women comprise 51% of graduating law students, 29.4% of all lawyers, and 17.1% of all law-firm partners); *see also* 2010 REPORT, *supra* note 2, at 41 (citing similar statistics). The ABA YLD Women in the Profession Committee (WIPC), the sponsor of this recommendation, is dedicated to “securing the full and equal participation of women in the ABA, the legal profession, and the justice system.”

⁶ Although this recommendation deals specifically with the education of girls and young women, the ABA YLD WIPC fully supports the creation of parallel programs for boys and young men in grades K-12. It is the position of the ABA YLD WIPC that all students would benefit from increasing the educational pipeline.

- (5) Create a long-term mentoring program that links an attorney to every child who says she wants to become a lawyer or judge.⁷

IV. CONCLUSION.

This Recommendation is a good first-step in piquing the interest of girls and young women in the legal profession. But as President Lamm correctly noted, enhancing diversity in the legal profession is be a “quick-fix,” but rather is an “ongoing campaign.”⁸ If the time, effort, and resources necessary are dedicated to improving the K-12 educational pipeline, we will prevail in this campaign and reap the benefits of a new generation of women lawyers who will enhance not only the bench and bar, but society as a whole.

Respectfully submitted,

Hanishi Thanawalla Ali, Chair
Courtenay R. Dunn, Vice-Chair
ABA YLD Women in the Profession Committee
August 2010

⁷ For example, the National Association of Women Lawyers (NAWL) developed a very successful mentoring program that matches approximately 100 senior-level mentors with 100 junior-level mentees each year. *See* 2010 REPORT, *supra* note 2, at 36. The ABA YLD WIPC alone has over 600 members. *See* ABA YLD Women in the Profession Committee, available at <http://www.abanet.org/dch/committee.cfm?com=YL507000> (last visited July 14, 2010) (listing 639 ABA YLD WIPC members). These ABA YLD WIPC members could serve as mentors to, and role models for, girls and young women in grades K-12, much like the 100 NAWL members serve as mentors to junior-level attorneys.

⁸ 2010 REPORT, *supra* note 2, at 3 (reprinting letter from Carolyn B. Lamm, President, American Bar Association).

ABA YLD RECOMMENDATION
GENERAL INFORMATION FORM

Submitting Entity: ABA YLD Women in the Profession Committee.

Submitted By: Hanishi Thanawalla Ali, Chair
 Courtenay R. Dunn, Vice-Chair
 ABA YLD Women in the Profession Committee.

1. Summary of Recommendation.

The K-12 educational pipeline program proposed by this Recommendation would create, include, or make available an after-school day curriculum to all female students in the public school systems in the United States and its territories that would foster interest in the law and the legal profession.

2. Date of Approval by Submitting Entity.

Approved July 14, 2010 by ABA YLD WIPC.

3. Has this or a similar recommendation been submitted to the ABA YLD Assembly or ABA previously?

Yes. See Answer 4 below.

4. Are there any ABA YLD or ABA policies that are relevant to this recommendation and, if so, would they be affected by its adoption?

Yes. This recommendation is consistent with the recommendations and policies set forth in: (1) ABA Presidential Advisory Council on Diversity in the Profession, Embracing the Opportunities for Increasing Diversity into the Legal Profession: Collaborating To Expand the Pipeline (2006); and (2) ABA Presidential Initiative Commission on Diversity, Diversity in the Legal Profession: The Next Steps (Apr. 2010).

5. Does this recommendation require immediate action at the next ABA YLD Assembly? If so, why?

Yes. Every day that passes represents another day that the girls and young women of the United States do not have adequate exposure to the legal profession and the opportunities that result from the opportunities accompanying practicing law as an attorney.

6. Status of Legislation (if applicable).

None.

7. Cost to the ABA YLD or ABA.
None.
8. Disclosure of Conflicts of Interest (if applicable).
None.
9. Referrals.
None.
10. Contact Person (prior to the presentation of the report to the ABA YLD Assembly).

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EXECUTIVE SUMMARY

This Recommendation will enable the ABA to continue its long-held tradition of encouraging and supporting the growth and development of diversity, both with children, women, and in the profession for the future. Specifically, the K-12 educational pipeline program proposed by this Recommendation would create, include, or make available a curriculum to all female students in the public school systems in the United States and its territories that would foster interest in the law and the legal profession. This Recommendation addresses the issue of how to enhance the educational pipeline and create female-student interest in the law and the legal profession. By supporting, funding and expanding the development of educational pipeline programs in grades K-12, which help female students imagine and work toward joining the legal profession, this Recommendation will help to create the next generation of women lawyers.