

American Bar Association Young Lawyers Division
The Young Lawyer

Outreach to Lawyers and Law Students with Disabilities Essential to Profession

By William J. Phelan, IV

The legal profession's commitment to diversity is second to none. It is the inherent nature of the profession to promote justice and equality. Yet, nearly twenty years since the federal Americans with Disabilities Act was enacted, diversity in the legal profession is lagging for law students and lawyers with disabilities.

While the U.S. Census Bureau reports that 19 percent of Americans have disabilities, the number is reported to be 6.7 percent for lawyers (ABA 2008 Census) or 2.9 percent for those in the legal profession (U.S. Department of Labor, Bureau of Labor Statistics). These percentages of lawyers with disabilities are most likely underestimated for a variety of reasons. First, there is a sizable population of lawyers with nonapparent disabilities ("hidden disabilities") that are often omitted in counts. Second, some lawyers are reluctant to admit that they have a disability due to privacy concerns and fear of being stigmatized. Third, when diversity statistics are gathered, disability status is typically not included. It is essential to have an accurate count of lawyers and law students with disabilities for the legal profession to provide better outreach to these individuals.

Data collection is a large, national undertaking that is largely out of most lawyers' control. However, at a more local and personal level, attorneys can take measures to ensure that the culture and climate of our profession is inviting for those with disabilities. An excellent way to start is by encouraging your employer to sign the ABA's new "Disability Diversity in the Legal Profession: A Pledge for Change," a one-page pledge that any legal employer may sign. If you are a solo practitioner, consider signing the form. The pledge affirms the signatory's commitment to diversity, specifically disability diversity, and acknowledges that diversity is in the best interest of the profession, those the profession serves, and the organization making the commitment. If you would like your employer to make this commitment or to learn more, visit www.abanet.org/disability/pledge.

The legal profession is unique in that it is a pipeline for many of our country's leaders. For example, many of America's elected officials are attorneys, with twenty-five of the forty-four U.S. presidents and fifty-six of the current 100 U.S. senators holding a law degree. If the nation's leadership is to reflect the diversity of those whom it serves, then it is imperative that the legal profession include lawyers with disabilities.

Additionally, if the profession does not properly represent those with disabilities, then it is harder for all Americans with disabilities to believe that the justice system has their interests in mind.

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