

MEMORANDUM

TO: Sylvia James, NALP Vice-President for Diversity, Equity & Inclusion

FROM: Jennifer Gibert Mencarini
LaNitra S. Webb
NALP 2024-25 Diversity, Equity & Inclusion Section Co-Chairs

DATE: March 21, 2025

RE: DEI Section Quarterly Board Report #4

The Diversity, Equity, and Inclusion (DEI) Section had an active fourth quarter. The Section currently has 709 members, nine more than at the time of the last Board report.

The Section's fourth quarterly meeting was held on March 20, 2025, and was attended by 58 members online. Our Section Wellbeing Champion, Melanie Rowen, led the group in Mel Robbins' "Let Them" technique, intended to create more control and emotional peace such that we might have better relationships with the people in our lives.

Due to the current administration's increasing anti-DEI policies and procedures, this is a challenging moment for NALP members in the DEI space, so we focused on providing content that meets their most pressing needs. We therefore invited Justin N. Outling of Brooks Pierce McClendon & Humphreys. Justin is a business litigation partner in the firm's Greensboro office and leads its DEI initiatives. Justin led a discussion around the 1.21.2025 Executive Order entitled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," and the Department of Education's subsequent "Dear Colleague" letter of February 14. The letter contains "clarifications" regarding how the DOE views legal requirements under Title VI of the Civil Rights Act of 1964, the Equal Protection Clause of the U.S. Constitution, and other relevant authorities. We asked Justin to focus on the section of the order that could have far-reaching implications for any educational institution that receives federal funding. In addition, Justin discussed potential trickle-down effects on federal contractors and private organizations such as law firms, and arguments that DEI programs are lawful under federal civil rights law and USSCT precedent.

Following the Board's recommendation to focus on more education during Section meetings we have not noticed increased engagement and have considered ways to create space for dialogue. Due to changes in DEI practice resulting from the new presidential administration's policies and procedures, however, open dialogue may not be an appropriate next step, at least in larger Section meetings. They may be more effective at the work group and affinity group levels. The Board's input on this potential shift is appreciated.

ENVIRONMENTAL SCANNING

We have received several suggestions from Section members that they would like to see implemented moving forward:

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- Identify a platform or other technology solution to allow Section meetings to be sent as calendar invitations rather than announcements. Due to the large number of invitees, it's not feasible for the Section chairs to manage the membership list and invitations using their work email platforms.
- Identify a platform or other technology solution to allow document collaboration across Section leaders and members. Because many law firm folks are barred from using the Google Suite on their work laptops, document sharing and collaborative editing remains highly challenging.

WORK GROUP UPDATES:

Annual Education Conference/*Bulletin+* Article and Webinar Planning

Vice Chairs: **Bijal Shah**, Senior Manager of Diversity, Equity & Inclusion at Skadden Arps; **Ray English**, Senior Director of Diversity, Equity & Inclusion, Snell & Wilmer

Ray will be proposing a potential *Bulletin+* article on cultural humility; however, there is nothing additional to report at this time.

Disability & Neurodiversity Inclusion

Vice Chair: **Robin Thorner**, Assistant Dean, Office of Career Strategy, St. Mary's University School of Law and **Mary Beth Nielsen**, Director, Judicial Internships, Externships & Post-Graduate Clerkships, Southern Methodist University Dedman School of Law

After the success of the first Bookmarked webinar in November, the Disability and Neurodivergence Work Group will host **Bookmarked, Part 2: Narratives of Disability and Neurodiversity** on March 25. Work group members will meet to discuss three new books: *Unmasking Autism* by Devon Price, *The Best Minds* by Jonathan Rosen, and *How to Keep House While Drowning* by K.C. Davis, LPC.

The work group continues its plans to develop a resource containing interviews with attorneys and legal recruiting administrators who are disabled or neurodivergent to gain a better perspective on how they work best and how they have worked with their employers. The group is currently interviewing volunteers and will be consolidating the advice and creating the resource for NALP members in the coming year.

Finally, the work group wrote an incredible *Bulletin+* article for the April issue featuring one of our own members, Beka Anardi, and her experience as a recruiting professional with a physical disability.

HBCU Pipeline Project

Vice Chair: **Lauren Jackson**, Assistant Dean of Career Services, Howard University School of Law

We have not received a response from Lauren in response to any of our outreach for the past three Section reports, so there is no update from this work group currently. We believe Lauren was on extended leave from Howard Law. We recommend that the new Section chairs identify a new vice chair for this work group.

LGBTQ+

Vice Chair: **Chris Bostrom**, Associate Recruiting Coordinator, Hogan Lovells

We have not received a response from Chris in response to any of our outreach for the past three Section reports. Accordingly, there is no current update from this work group. We recommend that the new Section chairs identify a new vice chair for this work group.

Gender Non-Binary Inclusion

Vice Chair: **Deshawn Cook**, Diversity & Inclusion Coordinator, Williams & Connolly

The work group provided support to the LGBTQIA+ Affinity Group's meeting on February 27, 2025 via Zoom. There were 14 people in attendance. Deshawn reports that there was fruitful conversation and that attendees provided support/resources for one another. We do not have a next meeting date set yet, but we will do a meetup at AEC on Wednesday, April 9 between the Regional Receptions and the Member Celebrations. They plan to meet at a location near the Hall of Fame so we can all get to the member celebration easily.

Diversity Best Practices Guide

Vice Chairs: **Alison Ashe-Card**, Associate Dean for Diversity, Equity Inclusion at Duke Law and **Nicole Netkin-Collins**, Director for Government & Public Interest Office, University of Colorado Law School

The Diversity Best Practices Guide is essentially complete and ready for publication. Nicole reports that the suggested edits were sent to Fred Thrasher on March 18. Considering the issues presented by the current administration around DEI, we recognize that the Board may want to consider the legal review/risk assessment prior to publication or distribution.

Well-Being Champion

Champion: **Melanie Rowen**, Legal Talent Manager, Latham & Watkins

At the fourth quarterly meeting of the year, Melanie informed the section of Mel Robbins' "Let Them" technique when dealing with frustrating or complicated environments in our work and/or professional lives. The technique of "let them" reminds us we do not have control over other's behavior, so let them do what they are going to do. "Let me" invites individuals to focus on what is in their control, grounded in our individual values, beliefs, and actions centering ourselves within our own power.