

MEMORANDUM

TO: Lezlie Griffin, NALP Board Liaison
Claire Nash, NALP Member Services Coordinator

FROM: Traci Sharpe, NALP Diversity, Equity & Inclusion Section Co-Chair
Justine Lewis, NALP Diversity, Equity & Inclusion Section Co-Chair

RE: NALP Diversity, Equity & Inclusion Section
3rd Quarterly Board Report

DATE: Thursday, February 3, 2022

The NALP Diversity Equity & Inclusion Section continues to be a strong community within the NALP space. The Section has 632 members.

WORK GROUP REPORTS

Annual Education Conference / Bulletin+ Article / Webinar Planning

- *Co-Vice Chairs: Ray English and Nicole Llorenz*

14 RFP were submitted on behalf of the Diversity, Equity, and Inclusion Section, five Bulletin article proposals were submitted.

- Neurodiversity (Article)
- Pronouns Aren't Preferred (Article)
- Recruiting and Social Justice (Feature)
- Hair Tattoos and Piercing (Feature)
- Anti-Racism (Feature)

Action Items

- Ray will remain as vice-chair and will incorporate what he learned to do more in the role to increase RFP/Webinar/Article topics, speakers, and additional support.

Affinity Groups and Mentoring

- *Co-Vice Chairs: Annabrooke Temple and Melanie Rowen*

I. Diversity Dates Project

The work group discussed significant dates to recognize diversity/multicultural dates. The list below is a draft for review and comment by the Board. The workgroup suggests the Board review the list periodically to ensure it captures important DE&I highlights on a real time basis.

We would like to continue to brainstorm about the best channels for recognizing these dates and we will include those ideas in our final report. We welcome anyone's ideas as we continue to develop this

- in particular, if there are any dates that would or would not make sense to highlight in the new DEI newsletter and/or NALP Connect.

Lunar New Year	January or February
Black History Month Celebration	February
Women’s History Month	March
Holi Celebration	March
Transgender Day of Visibility	March 31
Celebrate Diversity Month	April
MENA Month	April
Ramadan	April - May
Asian American Pacific Islander Heritage Month	May
Mental Health Awareness Month	May
Jewish American Heritage Month	May
Pride LGBTQ+	June
Juneteenth	June 19
Hispanic Heritage Month Celebration	September 15 - October 15
National Disability Employment Awareness Month	October
Spirit Day	October
National Coming Out Day	October 11
National Indigenous Peoples Day	October 11
International Pronouns Day	3rd Wednesday of October
National Native American Heritage Month	November
Transgender Awareness Week + Transgender Day of Remembrance	November 13-19, November 20
International Day of Persons with Disabilities	December 3

II. Affinity Groups

We spoke with a few DEI professionals who are involved with the section to begin brainstorming how the structure of having affinity groups in NALP might work. From those discussions, it became clear that in order to make sure the groups each have a viable population to support them and that they are really serving the needs of NALP members, it would be important to survey the membership in order to build the list of groups that NALP needs. The survey process could also help identify members who would like to serve in a leadership role in these groups. (Additionally, adding a leadership pathway that runs through leading affinity groups could be a way to draw in more/new volunteers for NALP.) We understand that NALP staff have expertise in surveying the membership and believe that the affinity groups project should involve that, but we will continue to brainstorm how affinity groups might function administratively/structurally within NALP. In doing this, we are mindful that there will be a new VP of DEI position starting in the next cycle.

Action Items

- 1) Consult with survey experts at NALP.
- 2) Continue discussions with DEI professionals about affinity group best practices.

LGBTQ+

- *Co-Vice Chairs: Koshaneke Gilbert and Eric Stern*
- Workgroup Leadership: Carmia Caesar, Andrea Hilton, Nicole Netkin-Collins, Grover Cleveland

Official Workgroup Charges & Action Items

Work with NALP's liaison to the National LGBT Bar Association to facilitate NALP's collaboration and participation in the National LGBT Bar Association Annual Career Fair and Conference (Lavender Law).

- Grover Cleveland is NALP's liaison to the National LGBT Bar Association. Grover will be participating on a panel at Lavender Law and will be soliciting volunteers for the conference's counseling project.

Action Item: Recruit volunteers via NALP Connect (message sent on 6/9/21).

Report from Grover:

- Lavender Law was a great success. Volunteer counselors provided individual career guidance in one-on-one virtual meetings with almost 100 law students. And Grover moderated a career panel discussion that Fred Thrasher kicked off with an overview of the job market. Panelists then provided insights from a variety of perspectives on career success for LGBTQ+ students.
- No updates to report.

Work with NALP Director of Communications and Member Engagement to review LGBTQ resources and information on NALP's website and make suggestions for revisions and updates.

- Carmia Caesar and Nicole Netkin-Collins will be the leads on this charge. We will solicit volunteers to support them in this effort. And we will aspire - by the fall - to do a preliminary review with a set of suggested recommendations for revisions and updates.

Action Item: Recruit volunteers via NALP Connect (message sent on 6/9/21).

Report from Carmia and Nicole:

- Update 1/18/22 - A group of volunteers is reviewing the website. Volunteers have chosen which sections of the website they want to review and have started with compiling notes/thoughts/suggested revisions. Will work on the next steps in February.

Consider RFPs for the Annual Education Conference or ideas for the Diversity Summit or other diversity programming.

Action Item: Solicit ideas via NALP Connect (message sent on 6/9/21).

- On June 9, 2021 - we sent out a message to several different NALP Groups via NALP Connect to solicit more volunteers for our different projects - as well as to solicit ideas for RFPs and Bulletin Articles. To date, we have not received any responses.
- No updates to report.

Other Informal Workgroup Initiatives

Always look at intersections - ensure that LGBTQ is a part of all DE&I Section-wide efforts

No updates to report.

Look for ways to commemorate Pride and other key LGBTQ milestones (consistent with DE&I-wide effort)

No updates to report.

Collaborate with the Task Force on Supporting Gender Non-Binary Individuals in the Legal Profession.

Action Item - Nicole Netkin-Collins (Task Force & LGBTQ member) will be sending a separate message via NALP Connect to solicit volunteers to work on specific efforts.

Report from Nicole:

- The Task Force on Supporting Non-Binary Individuals in the Legal Profession came up with a list of article proposals.
- One of them is a (potential) series on the anti-trans legislation that's sweeping the nation (with a focus on anti-trans legislation with regard to healthcare & athletics and the rhetoric surrounding such anti-trans legislation).
- Nicole indicated that she would be happy to submit the article on behalf of the Task Force and on behalf of this Work Group. The lead authors are Melanie Rowen, Rafael Langer-Osuna (attorney-advisor to the Task Force), and Molly Stafford (with support from the rest of the Task Force).
- Another article (that Nicole will be taking the lead on) is a short article entitled, "Pronouns aren't Preferred." Nicole already confirmed that this article will be submitted on behalf of the Task Force and the DE&I Section. This article is scheduled to run in Jan. 2022 - and will be submitted on behalf of Nicole and Courtney Carter.

Legislative Monitoring

- *Co-Vice Chairs: Leanne Fuith and Nickey Woods*

This year, the Legislative Monitoring workgroup will continue its work in monitoring federal and state

legislation as well as other developments in the law regarding issues related to diversity, equity, and inclusion inside and outside of the legal profession.

Our third report features information about ongoing efforts to ban discussions of critical race theory and conversations in schools about LGBTQ topics. Additionally, the new legislative session has introduced an uptick in activity related to transgender policies in sports and other areas and prison reform.

Ron DeSantis Pushes Florida Bill to Protect White People From 'Guilt' About Racist Past

Florida governor Ron DeSantis' attempts to ban critical race theory in Florida moved forward as an education panel approved a bill that would prohibit schools and private businesses from making people feel “guilt” about America’s racist past.

- Florida could shield whites from ‘discomfort’ of racist past (AP, 1/18/22)
- Ron DeSantis Pushes Florida Bill to Protect White People From 'Guilt' About Racist Past (Newsweek, 1/19/22)
- Florida bill to shield people from feeling 'discomfort' over historic actions by their race, nationality or gender approved by Senate committee (CNN, 1/20/22)

LGBTQ ban bill proposed allows parents to sue schools for discussing sexual or gender identities

It’s being dubbed the “Don’t Say Gay Bill” and it bans schools from even talking about LGBTQ topics. The so-called Parental Rights Bill could even forbid a student from showing the class a picture of their gay parents and even talking about their LGBTQ family.

- LGBTQ ban bill proposed allows parents to sue schools for discussing sexual or gender identities (WCJB, 1/24/22)
- Bill could ban conversations on LGBTQ topics in Florida schools (NBC, 1/24/22)
- Florida: Republican panel advances bill to ban LGBTQ+ discussion in schools (The Guardian, 1/24/22)

Transgender Policies Changing Around the Country

The start of the new legislative session in January 2022 has seen a flurry of legislative activity regarding issues impacting the Transgender community including name changes, health care accessibility, and whether transgender athletes can participate in secondary and college level sports.

- NCAA Updates Policy on Transgender Athlete Participation (Sports Illustrated, January 19, 2022)
- Trans state workers can sue NC for health care discrimination. Supreme Court won’t step in. (The Charlotte Observer, January 19, 2022)
- South Dakota Senate Becomes First Chamber To Pass Anti-Trans Legislation In 2022 (Human Rights Campaign, January 19, 2022)
- Indiana lawmakers advance bill banning transgender athletes (Chicago’s WGN9, January 24, 2022)
- Mississippi's new bill is step one to legally erasing trans people (MSNBC, January 21, 2022)

- Pennsylvania lawmakers seek to modernize 'antiquated' system for name-changes (Philly Voice, January 23, 2022)

Updates from the White House on Equity Measures for Asian American, Native Hawaiian, and Pacific Islander LGBTQ+ Communities

- FACT SHEET: Biden-Harris Administration Advances Equity and Opportunity for Asian American, Native Hawaiian, and Pacific Islander Communities Across the Country (The White House, January 20, 2022)
- Did Biden Uphold His Promises to LGBTQ+ Americans in His First Year? (Them, January 20, 2022)

New Leadership and Prison Reform

At the start of his presidency in January 2021 Joe Biden announced reform to our federal prison system. Little progress has been made in the first year, but in 2022 the Federal Bureau of Prisons will be under new leadership and it states around the country are beginning to reevaluate policies and introduce legislation on a number of issues related to incarcerated citizens.

- The Federal Bureau of Prisons is getting a new leader – and another shot at reforms (NBC News, January 13, 2022)
- Keller pushes for prison legislation (Williamsport Sun Gazette, January 26, 2022)
- Thousands of federal inmates to be released under 2018 law (ABC News, January 18, 2022)
- New legislation would allow for military service in lieu of prison time (News4 JAX, December 27, 2021)
- Proposal to ban free prison labor introduced for 2022 Florida legislative session (Spectrum News, January 5, 2022)
- Mississippi Bill Would Block Incarcerated People, Minors from Legally Changing Their Name (NBC News, January 21, 2022)

Action Item:

- The Legislative Monitoring Committee will continue to monitor news in the legal and other related industries during Quarter 4 for advancements, updates, or changes to the law in areas of diversity, equity, and inclusion.

Environmental Scanning

- *Co-Vice Chairs: Shannon Burke and Erika Fadel*

We received responses from members regarding my request for environmental scanning topics. To recap:

- (Re)structuring affinity groups at law firms
- How do law school career counselors make time to review and assist students when they are drafting personal statements for diversity fellowships?
- Recommendations for law schools who want to source candidates for the DEI space – how to recruit, onboard and launch a career counselor position that focuses in the DEI space.

Member Responses:

- Restructuring Affinity Groups
- How do law schools assist students with personal statements for diversity fellowships?
- Effective sourcing of DE&I career counseling professionals

Action Items:

- Ask members what they're experiencing.
- Contact the AEC Co-Chairs to share ideas regarding webinars and articles.
- Ask DE&I law school officers the following questions via NALP Connect:
 1. Are you finding it more difficult to reach diverse Millennial students who don't seem particularly interested in seeking support from diversity professionals? If not, what programs/strategies are you using to engage them?
 2. As a school DEI officer, where do you spend most of your time: admissions/pipeline and other recruiting efforts, student counseling, faculty/staff training and support, career services, and/or academic support? How can NALP best support you in your work?
 3. There continues to be a big push among large law firms to identify diverse talents. Has your law school placed any limitations on the firms' outreach to students (i.e. strongly cautioned them against reaching out for interviews before the end of finals)?

Recruitment Tools Evaluation

- *Co-Vice Chair: Sheryl Roberts (Co-Vice Chair Suzanne Schaeffer left her law firm)*

We met as a group and discussed reaching out to a variety of assessment companies and asking them to provide information that we can then compile into a guide (rather than us starting from scratch and doing our own research). Below are the companies that we are planning to contact, and the DRAFT questions we are considering asking during those initial contacts. We also discussed dividing the companies and participating in demos.

Potential Companies::

- Attorney Assessment
- Cappfinity
- Pymetrics
- Parker Analytics
- Suited
- Thine

DRAFT Questions:

- Overview of the assessment – format, length, what it measures, what metrics/information gets reported to the firm
- Does it provide a report to the student, and if so, what information is contained in their report
- Is the assessment commercially available or custom developed
- What is the business case for this assessment – how does the assessment improve firms' recruiting processes
- How has bias/adverse impact been addressed

- How has the assessment been validated
- Can students request a disability accommodation
- What is the cost of the assessment

Action Items:

We will schedule a meeting in the next few weeks to discuss how we plan to contact the assessment companies and then determine whether we have gathered enough information to prepare a reference guide.

Section and Group Collaborations

- *Co-Vice Chairs: Lauren Jackson and Kim Price*

Committee Communications

- Vice Chairs met virtually on September 20, 2021, to discuss goals for sub-committee and best ways to execute.
- Vice Chairs decided it would be great to begin with contacting NALP committees to ask about collaborating on bulletins for upcoming issues.

Outreach

- E-mailed the Chair of the judicial clerkship committee and connected with their Diversity Sub-Committee chairs.
- Awaiting meeting time to discuss possible collaboration ideas and article themes with the Vice-Chairs of the Diversity, Equity, and Inclusion Work Group, Amy Nixon and Andrea Saavedra.
- Contacted the Chairs of the Well-Being Section (Marta Ricardo) and Task Force on Supporting Gender Non-Binary Individuals in the Legal Profession (Nicole Netkin-Collins)
 - Well-Being Section
 - The partnership conversations have focused on the intersection between well-being and equity/inclusion.
 - Next steps include bringing the topic to an upcoming well-being circle hoping to find NALP Bulletin or programming topics from that discussion. Awaiting Marta’s follow-up.
 - Task Force on Supporting Gender Non-Binary Individuals in the Legal Profession
 - The Task Force is creating a document to assist in making dress codes more inclusive.
 - The thought is to create inclusive “dress code considerations” as a tool for employers and law schools. Melanie Rowen of the Task Force is the primary contact. There is a meeting on October 11 to discuss further.

Action Items:

- Lauren Jackson working with Andrew Parker to solidify submission for article regarding social justice pro bono opportunities included the recruitment strategies of private companies seeking diverse candidates.
- Kim Wolf Price will attend Task Force meeting and work on “dress code considerations” in collaboration with the Task Force work group, bringing questions and issues back to the DEI Section.
- Kim Wolf Price will share the date of the Well-Being Section’s well-being circle on the nexus of DEI/well-being.
- Co-Chairs will follow-up with vice-chairs for status update and next steps

Member Relations

- *Co-Vice Chairs: Kelly Ryan and Crystal Deazle*

The DE&I group welcomed 33 members over the past quarter, although a few were due to job transitions. I still count those as wins because it shows that people value their membership in the DE&I section and want to continue participation. We lost one member due to a job transition out of the DE&I space. We continue to see a wide variety of interest in DE&I generally, as indicated by the various roles and titles both within DE&I specifically and more broadly at firms, schools, and other professional organizations.

Action Items:

- Welcome new members via NALP Connect
- Survey new members to see what discussion topics and/or resources would be helpful
- Inform new members of upcoming webinars and section meetings

Disability Inclusion

- *Co-Vice Chairs: Robin Thorner and Meredith Wiggins*

Our work group conducted informal conversations with NALP members from schools and law firms. Based on this feedback, we determined that, as schools and firms increasingly recognize disability as diversity, what is most needed at this time is a broad collection of resources around relevant areas – including changing conceptions of disability, disability accommodations, disability etiquette, and so on.

Action Item:

- We plan to compile a list of resources that will address many of these areas, grouped by relevance, with appropriate links and/or citations to the original resources.

Knowledge Management and Resource Implementation

- *Co-Vice Chairs: Courtney Carter and Devra Hermosilla*

Provided the KM co-chairs with our ideas on topics relevant to DEI that should be a part of the new KM system / process. The section is following up on the response.

Action Item:

- Co-Chairs will follow-up with vice-chairs for next steps.

SECTION CALL

The section's 3rd Quarterly Meeting was Wednesday, January 26, 2022 via Zoom.

We started the meeting with brief reports from subgroup vice chairs and transitioned into an open forum to discuss any topics. The conversation varied, we discussed language and terms and being intentional instead of broad. We discussed the pros and cons of specific terms and the possible outcomes. We also briefly discussed, as during most calls, self-care.

NEXT SECTION CALL

The 4th Quarterly Call is scheduled for Wednesday, March 9 @ 3:30 pm EST | 2:30 pm CST | 12:30 pm PST.