

MEMORANDUM

DATE: June 18, 2014

TO: Fred Thrasher, NALP Deputy Director
Kisha Nunez, NALP Board Liaison, Diversity & Inclusion Section

FROM: Neil Dennis

RE: **NALP Diversity & Inclusion Section First Quarter Board Report**

Please find below a report of the Diversity and Inclusion Section's ("D&I Section" or "Section") activities during the first quarter of the 2014-2015 NALP Year.

Summary:

There have been a lot of developments since the first D&I Section meeting took place in Seattle during this past Annual Education Conference. During that time together we discussed the Section's initiatives and charges.

The D&I Section held three main calls this quarter:

1. **May 5th** - The D&I's First Quarterly Section call, which provided members with general updates and calls for volunteers from the various Section Vice-Chairs.
2. **May 6th** - First brainstorming session for the Diversity & Inclusion Section's Long Range Strategic Planning Task Force ("LRSP Force").
3. **June 13th** – LRSP Force "breakout" committee follow-up call to develop an approach to surveying and soliciting the entire Section membership on the issues we should focus on for the next five years.

Further outreach was conducted throughout this quarter to the individual Vice-Chairs to check in on the progress of their charges. Many calls were made in particular to the Vice-Chairs of the RFP and Bulletin Groups to finalize the list of proposals for next year's Annual Conference and upcoming publications respectively.

Similar to last year, we have been using NALP Connect to communicate with one another, announce events, host discussions, and highlight group resources as they become available. Details of each work groups' progress is listed below.

Work Group Updates:

- **RFP Group** – Nadjia Bailey, Aithyni Rucker, and Cynthia Duval did a wonderful job leading this group. The Section was able to sponsor, and co-sponsor with other sections, a total of fifteen (15) RFPs for next year's conference. The submissions emphasize a broad spectrum of themes, including how law schools and law firms can work together to achieve diversity and inclusion goals, and exploring/expanding the definition of diversity with respect to non-

traditional groups (e.g., socioeconomic, religious and disabled individuals) and within unchartered settings (e.g., prosecutorial offices).

Below are the RFP submissions that our Section sponsored (in no particular order):

1. Flex Your Power! The New Business Case for Flexibility in the Legal Profession
2. Building Better On-Ramps: Supporting Associates Returning from Leaves of Absence
3. The First 90 Days: A look at how minority associates succeed or fail in the law firm setting and what law schools and firms can do to support/prepare them
4. It's a Different World: Facilitating Cross-Cultural Mentoring and Sponsorship Opportunities
5. Me Too: Getting to a Place of Inclusion by Finding Commonalities
6. "Yamakas, Hijabs, Burkas, Scarves, Sheitels and Church Hats –A Religious Diversity Primer"
7. First Generation Professionals: Integration & Inclusion Across the Socioeconomic & Educational Spectrum
8. Hidden in Plain Sight: Supporting Students and Attorneys with Invisible Disabilities
9. "Gatekeeper, Babysitter or Enforcer: The Role of the Diversity Professional within your organization"
10. Professional development for the D & I professional: What are some next steps in your career? How to become involved in other areas for your own professional development without overstepping your bounds
11. Building a Bridge to Retention : How law schools and legal employers can work together to improve retention rates for diverse attorneys
12. Revitalizing the Pipeline for Diverse Candidates: Identifying and creating opportunities for diverse candidates in alternative legal careers
13. Cultural Code Switching: Showcasing Many Facets of Your Authentic Self For a Successful Career
14. Shattering Perceptions of Prosecutors: Exploring the Role of the Prosecutor in the Public Interest and in Communities of Color
15. Advancing Women's Leadership in Law School and Beyond

- **Bulletin Articles** – In addition to participating in the RFP process, Aithyni Rucker actively solicited Bulletin articles from Section members. Listed below are the proposed articles that the Section has submitted to NALP for publication consideration for 2014-2015:

Title	Author(s)	Type	Publication Month
LGBT Initiatives from the Allied Perspective (submitted through the SOGIE group, but could be co-branded)	Lori Lorenzo	Periodic Column	February or March 2015
The Diversity Fellow: Where the Law School's Responsibility Ends and Where the Law Firm's Starts	Sherry-Ann Smith and Neil Dennis	Periodic Column	May, June, or July 2015
Re-Examining Fisher post the 5th Circuit decision (decision coming in June 2014)	Sherry-Ann Smith	Periodic Column	*Contingent upon the Supreme Court Opinion to be published.
"Am I Diverse? Defining diversity from the law school perspective"	Neil Dennis	Periodic Column	August, July, or June 2015
"The Diversity Professional: Getting Your CSO in the Game Through Creative Programming and Outreach"	Aithyni Rucker & Jenia Bacote	Feature Article	October, November, or December 2014
Does "Cultural Fit" Have a Negative Impact on Diversity & Inclusion?	Amber Donley	Periodic Column	January, February, or March 2015
The Impact of Unconscious Bias on Sponsorship, and in Turn on the Diversity and Inclusion Initiatives in the Legal Profession	Sheri M. Zachary & Veronica Cool	Feature Article	Any time

Relationship Building Skills or Bust	Sheri M. Zachary & Werten Bellamy	Feature Article	Any time
How Can We Embrace Diversity in Our Own Offices? A Constructive Look at Ways to Leverage Differences in CSOs and Recruitment & Professional Development Offices	Robert White	Feature or Periodic	December

- **Diversity & Inclusion Summit Planning Liaison to the Planning Committee** – Eliza Musallam will solicit speaker and topic ideas from the Section to present to the Planning Committee for next year’s Diversity Summit. We will touch base after RFPs have been selected to formulate an outreach plan to Section members.
- **Diversity Leadership: The Retention/Inclusion Imperative 2nd Edition** – Lori Lorenzo and her Section volunteers are currently working towards finalizing a list of twelve (12) candidates that represent a wide array of NALP regions. They are also revisiting and revamping (where necessary) the list of questions that formulate each profile. Final drafts of the new profiles are expected to be submitted in December.
- **Webinars** – Jami de Lou consulted with Valerie Jackson and is working to develop the “2.0 version” of the webinar entitled “Changing Lanes: Working at the Intersection of Recruitment, Diversity and Professional Development in Law Firms.” It is tentatively scheduled for October. Additional webinars may be added if desired by NALP Leadership and if relevant topics are identified.
- **Mentoring** – Richild Stewart and Paula Edgar are developing a survey to send out to the Section in order to better define the goals of the mentorship program. It is expected to be ready for distribution in the next month.
- **Long Range Strategic Planning Task Force** – As mentioned in the summary section above, Kia Scipio held two (2) conference calls with the Task Force volunteers to discuss what information and issues should be addressed by NALP in the long term. The issues compiled by this group will be implemented in a survey to be distributed to all Section members for their approval, disapproval, and/or further suggestions. A draft of this survey is expected to be ready within the next couple of months.

Environmental Scanning:

Articles of Interest:

"The Daddy Juggle: Work, Life, Family and Chaos," Wall Street Journal, 6/13/14. Can working fathers have it all? Some of them are giving it a shot. A new generation of fathers with corporate jobs is joining the debate about balancing work and family, a conversation long driven by working women. <http://online.wsj.com/articles/the-daddy-juggle-work-life-family-and-chaos-1402616356>

"U.S. law firms flock to gay-marriage proponents, shun other side," Reuters, 6/10/14. Discusses a review of more than 100 court filings, which revealed that at least 30 of the country's largest firms are representing challengers to state laws banning same-sex marriage, and that no firms in the Am Law 200 are defending gay marriage prohibitions. As a result, according to the article, some firms are alienating attorneys who would be interested in working for clients defending marriage bans, which has led some lawyers to leave their firms. <http://www.reuters.com/article/2014/06/10/us-usa-court-gaymarriage-insight-idUSKBN0EL10820140610>

"Law School Official Talks Diversity in Law School, Profession," USNews, 6/9/14. Our very own Paula Edgar, chief diversity officer of New York Law School and the first person to fill that role, was asked for her thoughts on [diversity in law school](#) and the legal profession, now and in the future. <http://www.usnews.com/education/blogs/law-admissions-lowdown/2014/06/09/law-school-official-talks-diversity-in-law-school-profession>

"State bars may probe applicants' behavior, but not mental health status, says DOJ," ABA Journal, 6/1/14. Discusses the reaction and effect of the U.S. Department of Justice's position that states may examine applicants' prior behavior, but not their mental health status, when determining whether to admit them as practicing lawyers. Article also highlights the complicated and unresolved question as to whether state bar committees should be able to review the mental health of their prospective lawyers given that many of the highest rates of mental health issues and substance abuse issues are present in the legal profession. http://www.abajournal.com/magazine/article/state_bars_may_probe_applicants_behavior_bu_t_not_mental_health_status/

"Only 3 percent of lawyers in BigLaw are black, and numbers are falling," ABA Journal, 5/30/14. Summarizes reports by the American Lawyer and the New York Times, which highlight findings from [the American Lawyer's Diversity Scorecard](#). According to the article, only 3 percent of lawyers at large law firms are African American and only 1.9% of the partners are African American. The article also highlights that, out of 77 Am Law 100 firms that reported minority numbers for equity partnerships, 31 either had no African American equity partners or just one. [A similar story was reported in the Wall Street Journal](#).

http://www.abajournal.com/news/article/only_3_percent_of_lawyers_in_biglaw_are_black_w_hich_firms_were_most_diverse/

“Why the No. 5 law firm in France is gender-balanced at the top levels,” ABA Journal, 5/29/14. Profiles the French law firm TAJ, which reports having a 50/50 gender balance in equity partnerships, governance committees and all other levels, and the “top down” approach of the firm’s leader, which is being credited as the catalyst behind the firm’s achievement.
http://www.abajournal.com/news/article/why_the_no._5_law_firm_in_france_is_50_50_gender_balanced/

“Law School Admission Council Settles Disability Lawsuit,” Wall Street Journal, 5/20/14. Article discusses the settlement of the lawsuit against the Law School Admissions Council (“LSAC”), which alleged that LSAC routinely denied accommodations requests and had engaged in systemic discrimination in violation of the Americans with Disabilities Act. LSAC agreed to pay \$7.73 million to compensate more than 6,000 affected individuals and to reform its policy of flagging LSAT scores for people who received extended time on the test.
<http://blogs.wsj.com/law/2014/05/20/law-school-admission-council-settles-disability-lawsuit/>

“Who Gets to Graduate?” New York Times, 5/15/2014. Despite the efforts of many colleges and universities to attract and admit students from diverse backgrounds, an analysis of the national statistics on college graduation reveals that whether a student graduates or not seems to depend almost entirely on his or her socio-economic background, according to the article. The author profiles and analyzes the efforts of a professor at the University of Texas at Austin, which seems to be successfully addressing the issue.
<http://www.nytimes.com/2014/05/18/magazine/who-gets-to-graduate.html?ref=education&r=0>