

## MEMORANDUM

DATE: March 19, 2014

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

FROM: Lori L. Lorenzo

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

Please find below a report of the Diversity and Inclusion Section's activities during the fourth quarter of the 2013-2014 NALP Year.

### **Summary:**

The Diversity & Inclusion Section worked hard in the 2013-2014 year. The Section held its quarterly call on Tuesday, March 18, to discuss the work described below and upcoming initiatives. On our most recent call we discussed initiatives that the group would like the section to consider, they include:

- Updates to the law firm and law school diversity related job descriptions
- The Section has started to consider ways to develop "mentoring circles" within the Section. Led by Paula Edgar, the section would like to continue to working towards the implementation of a mentoring program among its members.

### **Work Group Updates:**

- **RFP Group** – Eliza Musallam, Neil Dennis and Cynthia Duval. No new work is being done by this work group, but the Section is excited about the following programs schedule for the 2014 Annual Conference in Seattle:
  - Cultural Issues in Advising International Students
  - Women's Issues: How the Mayer, Sandberg, Slaughter Debate Affects Diverse Women
  - Going Above and Beyond with Inclusion & Retention: Taking it to the Next Level
  - What About Me? Exploring and Expanding Diversity Opportunities for Law Students After the 1L Year
  - The Coach Approach to Addressing and Advancing the Myriad Developmental Needs of Your Workforce
  - Trans Matters: Working with Transgender and Gender Non-Conforming Students and Attorneys
  - Practice Strategies for Diverse Lateral Attorney Recruiting and Business Development

- Achieving Diversity Post Fisher
  - Why Won't You Shake My Hand Again? A Close Look at Religiosity from 1L to First Year Associates
  - Taking Matters Into Their Own Hands: How Two Diversity Programs are Taking on the Challenge of Diversifying the Judicial Clerkship Pool (joint with the Judicial Clerkships Section)
  - Collaboration Among the Bench, Bar, and Business to Increase Minority and Women Leadership: The Washington Initiative for Diversity
- **Bulletin Articles** – Cynthia Duvall leads this initiative. Listed below are the bulletin articles that the Section published in the fourth quarter.

Title	Author	Publication Month
Tips & Strategies for Counseling Students with Disabilities	Amber Williams	January
Women of Color Attorneys – Leaning In or Leaning Out	Linda Murray-Blair	February
Vanishing Black Males	Alan Haynes	March
Sparkle and Shine	Lori Lorenzo	April

- **Diversity Best Practices Updates** – Alison Ashe-Card has volunteered to write a NALP Bulletin article highlighting the new updates to the Guide.
  1. Disability – Brad Sprayberry has drafted suggested edits for including best practices related to disabilities in the existing Best Practices Guide and Tips for Career Services Offices Guide. These have been submitted to NALP.
  2. Religion – Neil Dennis and his team have finalized suggestions for additions to the Diversity Best Practices Guide, including a list of resources and these have been submitted to NALP. These edits are exclusively applicable to legal employers. Neil suggests that the section author an article on religious best practices for law schools. The section will solicit authors for this article on its next quarterly call.
- **Diversity Leadership: The Retention/Inclusion Imperative 2<sup>nd</sup> Edition** – This work group did not complete its charge in the 2013-2014 NALP year. The charge should be renewed with a new vice-chair identified in the 2014-2015 NALP year.
- **Webinars** – The section was not able to launch the webinar this year primarily due to conflicting and unanticipated changes in member schedules. The section would like to pursue a 2.0 version of the “Changing Lanes...” webinar in the 2014-2015 year to revisit the original presenters for a “now and then” discussion on how the changes in the legal landscape over the

last year have impacted their role and responsibilities within their organization. In addition, some firms have been focusing on unconscious biases in the work place and how to identify and counter these biases. This could also be considered for next year's potential webinar line up.

- **Fisher Working Group** – Sherry-Ann Smith and her co-panelists for the "Achieving Diversity Post-Fisher" 2014 Annual Meeting conference session have had several discussions about the format of the panel presentation. Print materials for this session have been submitted to Jay Richards to be included in the on-site and app conference guide.
- **Diversity in Public Service Employment Sector** – Volunteers from both the Public Service Section and the Diversity & Inclusion Section are working on a potential joint project for the Diversity Section and Public Interest Section. Although NALP collects diversity demographic data from law schools and law firms, diversity demographic data is not currently collected from law students entering public service employment. This group is currently working with NALP staff to think about options for self-identification.

### **Environmental Scanning:**

Articles of Interest:

#### **[What traits make lawyers good rainmakers?](#)** 2/25/24

Lawyers who are willing to take risks are more likely to be rainmakers than their more risk-averse counterparts, a study has found. The study by Lawyer Metrics found four traits associated with rainmakers, the American Lawyer reports. The study found that rainmakers are more likely to seek dominance, become consumed by their work, effectively lead teams, and be willing to take risks.

#### **[Large law firms stuck in 'industry groupthink' fail female attorneys, consultant says](#)** 2/20/14

Despite offering increased opportunities and flexible schedules to women attorneys in recent years, major law firms are still lacking in the diversity and innovative thinking that would make a difficult work environment easier for female associates to navigate, an author and consultant says.

#### **[Immaculate perception: Jerry Kang at TEDx San Diego 2013](#)** 1/28/14

Do you discriminate? UCLA law professor Jerry Kang exposes the phenomenon of automatic processing and how it relates to explicit and implicit bias. Decades of research shows that attitudes and stereotypes influence how we see and behave. Despite our best efforts, are we all under the sway of "the rightness of whiteness?" And is there evidence showing that these biases can be reduced -- at least temporarily? Using humor and audience participation, Kang challenges our assumptions while shifting our perceptions of at least one Asian male.

#### **[Department of Justice Extends Marital Rights to Legally Married Same-Gender Couples](#)** 2/19/14

Attorney General Eric Holder issued a policy memo on Monday formally instructing Department of Justice employees to grant the same rights to legally married same-gender couples that the DOJ affords to other married couples. Holder wrote: “It is the Department’s policy, to the extent federal law permits, to recognize lawful same-sex marriages as broadly as possible, and to recognize all marriages valid in the jurisdiction where the marriage was celebrated.”

[D-FW law firms employ few Hispanic lawyers, study finds](#) 2/17/14

Hispanic business leaders have legal needs that are going unmet, a new study says. Legal Watch Dallas 2014 found that Dallas-Fort Worth business law firms employ few Spanish-speaking lawyers or attorneys with strong relationships in the Hispanic community. As a result, Hispanic business leaders are not receiving legal representation in matters involving incorporation, contracts, intellectual property, taxes and regulatory matters. Area firms are also missing out on tens of millions of dollars in revenue, according to the report.

[24 percent of JDs who passed the bar in 2000 aren’t practicing law, survey finds](#) 2/8/14

A third-wave survey of lawyers who passed the bar in 2000 has found a decline in the percentage of lawyers practicing law and major differences in pay based on gender, law school ranking and grades. Twenty-four percent of the surveyed lawyers were not practicing law in 2012, compared to about 9 percent who weren’t practicing law in 2003, according to preliminary survey findings. The results are from the After the JD study, which tracked a national sample of lawyers who passed the bar in 2000 with surveys in three waves—in 2003, 2007 and 2012.

[As Law Schools Struggle, Diversity Offers Opportunities](#) 2/10/14

Law school applications are down more than a third in just three years. First-year enrollments are at their lowest levels in almost 40 years and down 24 percent since the record high just three years ago. But lost in the din of negativity is a milestone that deserves cautious celebration: Law schools, as a whole, are more racially and ethnically diverse than ever.