

MEMORANDUM

DATE: October 16, 2014

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

FROM: Neil Dennis

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

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

Summary:

We are continuing to push forward with our agenda vigorously. We have had our Second Quarterly Section call on September 8, 2014. Further outreach was conducted throughout the quarter to the individual Vice-Chairs to check in on the progress of their charges.

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 – Out of the fifteen (15) RFPs that the Section sponsored this year the following were chosen to present at the 2015 NALP Annual Education Conference. Full descriptions and authors can be found in the Second Quarterly Call announcement here:

<http://nalp.mymemberfuse.com/groups/profile/announcement/groupid/2178/id/14485>.

1. 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
2. Me Too: Getting to a Place of Inclusion by Finding Commonalities
3. "Yamakas, Hijabs, Burkhas, Scarves, Sheitels and Church Hats –A Religious Diversity Primer"
4. First Generation Professionals: Integration & Inclusion Across the Socioeconomic & Educational Spectrum
5. Hidden in Plain Sight: Supporting Students and Attorneys with Invisible Disabilities
6. Cultural Code Switching: Showcasing Many Facets of Your Authentic Self For a Successful Career

7. Shattering Perceptions of Prosecutors: Exploring the Role of the Prosecutor in the Public Interest and in Communities of Color

Bulletin Articles – No Bulletin article was written this quarter, however almost all have been approved for publication. The final line-up for 2014-2015 is as follows:

Title	Author(s)	Type	Publication Month
The Diversity Professional: Getting Your CSO in the Game Through Creative Programming and Outreach	Aithyni Rucker & Jenia Bacote	Feature Article	October 2014
Relationship Building Skills or Bust	Sheri M. Zachary & Werten Bellamy	Feature Article	December 2014
Does "Cultural Fit" Have a Negative Impact on Diversity & Inclusion?	Aithyni Rucker	Periodic Column	January 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	March 2015
LGBT Initiatives from the Allied Perspective (submitted through the SOGIE group, but could be co-branded)	Lori Lorenzo	Periodic Column	April 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 2015
Am I Diverse? Defining diversity from the law school perspective	Neil Dennis	Periodic Column	July 2015

Diversity & Inclusion Summit Planning Liaison to the Planning Committee – Eliza Musallam and the rest of the Summit Planning team met on September 30th to discuss and evaluate 30 RFPs that were submitted for next June’s program. Decisions have been made, but the agenda has not been released in time to report on it. A full account will be given in the next Board report.

Diversity Leadership: The Retention/Inclusion Imperative 2nd Edition – Lori Lorenzo and her workgroup members currently have a working list of proposed champions in almost all of our regions (they are still searching for Midwest law school and Southeast Employer candidates). The questionnaire that they plan on using to develop the pieces is going through another round of edits/suggestions. They would like to have a draft ready by January 15th, with a final publication done in time for the NALP Annual Education Conference in April. A conference call is scheduled for October 20th to discuss next steps.

Webinars – After consulting with Valerie Jackson, Jami de Lou is continuing 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.” She is aiming to hold the webinar in late fall.

Mentoring – Richild Stewart and Paula Edgar have constructed a survey addressing what members would like this program to entail, and to cultivate information that will ultimately aid in making pairings. They plan on distributing it to Section members in early-November after surveys pertaining to long term strategic planning have been sent out. We are planning to launch the program in time for next year's Education Conference, with a possibility of using the Diversity Reception as a kickoff event, and the Diversity Summit as a follow up event.

Long Range Strategic Planning Task Force – Kia Scipio and her team are making final edits on the survey, which will be distributed to all Section members. It will ask for their input on what NALP should focus on over the next five years with respect to diversity and inclusion.

Environmental Scanning:

Articles of Interest:

“Hacking Tech’s Diversity Problem,” Harvard Business Review, 10/2014. The legal market is not alone with the challenges that we face relating to diversity and unconscious bias. This article addresses the lack of gender diversity in the tech industry as evidenced by Google, Yahoo, LinkedIn, and Facebook’s disclosures of female employment metrics in the summer of 2014. The author identifies “unconscious bias” as one culprit for lower female employment and salaries and posits “bias interrupters” (a method of changing basic business system in a way that stops a pattern of bias without discussing bias at all) as a possible solution.
<http://hbr.org/2014/10/hacking-techs-diversity-problem/ar/1>

“Include White Men in the Conversations about Diversity,” The Legal Intelligencer, 10/13/14. This article identifies the fact that “equity partners in multi-tier firms continue to be disproportionately white men.” As a result, “given their power and authority,” the article posits that it is imperative that white men be included in conversations about diversity and that their

involvement in advancing diversity and inclusion be encouraged. The article also discusses the “business case” rationale for advancing diversity and inclusion and its usefulness for getting leadership buy-in regarding the need for greater action.

<http://www.thelegalintelligencer.com/home/id=1202673119057/Include-White-Men-in-the-Conversations-About-Diversity?mcode=1202615324341&curindex=1&slreturn=20140914123639>

“Study: Workplace diversity can help the bottom line,” MIT News Office, 10/7/14. MIT economist releases study demonstrating that while gender diversity in the workplace may help companies be more productive, it may also reduce satisfaction among employees given their preference for less diverse settings. <http://newsoffice.mit.edu/2014/workplace-diversity-can-help-bottom-line-1007>

“Diversity metrics will influence what firms BMO’s legal department does business with: Fish,” Canadian Lawyer Mag, 10/6/14. Highlights Bank of Montreal’s (BMO) newly implemented practice of asking law firms that they work with to advise whether they collect diversity metrics and to disclose such metrics to BMO. BMO uses these metrics to assess the firms’ diversity performance relative to their peer and makes determinations regarding with whom to continue relationships based upon this assessment. This practice has sparked other banks to follow suit and influenced many of the firms to begin collecting such metrics and increase their diversity efforts. The article also discusses BMO’s recognition of “unconscious bias” within its own organization and resulting in-house diversity and inclusion efforts. <http://www.canadianlawyer.com/5302/Diversity-metrics-will-influence-what-firms-BMOs-legal-department-does-business-with-Fish.html>

“There’s Something Weird about These ‘Elite Lawyers’ Rankings,” Above the Law, 9/30/14. Discusses the lack of diversity represented in The National Law Journal Elite Trial Lawyers for 2014 list. This list includes 50 firms that the National Law Journal selected through a vetting process that reviewed “more than 100 firms, poring over nominations and reporting on performance.” However, the vast majority of lawyers representing the firms that topped the list were white males. <http://abovethelaw.com/2014/09/theres-something-weird-about-these-elite-lawyers-rankings/>

“Law Fails Gender Bias Test,” Lawyers Weekly, 9/25/14. Discusses similar gender diversity issues faced by lawyers in the Australian market. In late September, the Women Lawyers of Western Australia (WLWA) released its 20th Anniversary Review of a Gender Bias Taskforce Report. The review found that 20 years after the initial release of the report, women still face significant inequality in career advancement and appointment to the judiciary, among other issues. As a result, the attrition rate among female lawyers remains significantly higher than that found among their male counterparts. <http://www.lawyersweekly.com.au/news/law-fails-gender-bias-test>

“Talent Advisory Board's Latest Research Indicates that Emotional Intelligence is Vital in Driving Diversity and Innovation in Silicon Valley,” PR Newswire, 9/23/2014. Talent Advisory Board, an independent diversity & inclusion research firm, released its fifth annual research study, [Diverse Silicon Valley Attorneys Drive Innovation Through Emotional Intelligence](#), the

purpose of which is to understand not only pipeline solutions for under-represented minorities but also other innovative talent management strategies to enable diverse attorneys to succeed at senior levels. The study elaborates on the best practices of in-house legal departments at five Silicon Valley tech companies – Hewlett-Packard, Intuit, SolarCity, ZELTIQ, and Zynga. It finds that, across the board, successful women and minorities had high degrees of self-awareness, motivation, empathy, and other elements of emotional intelligence that were essential to helping them better serve their business clients, work with colleagues, and effectively manage other attorneys. <http://www.marketwatch.com/story/talent-advisory-boards-latest-research-indicates-that-emotional-intelligence-is-vital-in-driving-diversity-and-innovation-in-silicon-valley-2014-09-23>

“First-Year Hiring Declines While Diversity Soars,” The Legal Intelligencer, 9/23/14. Discusses a significant percentage increase in diverse hiring by Pennsylvania firms in 2014, despite an overall decline in first year hiring. <http://www.thelegalintelligencer.com/id=1202670465347?>