

# MEMORANDUM

June 21, 2019

**To:** Neil Dennis, NALP Board Liaison  
Claire Nash, NALP Member Services Coordinator

**From:** Lezlie A. Griffin, NALP Diversity & Inclusion Section Chair

**Re:** NALP Diversity & Inclusion Section Board Report, June 2019

The NALP Diversity & Inclusion Section continues to be a strong community within the NALP space. The Section has 547 members currently. Summaries of the reports for the current Vice Chairs for our Work Groups are below.

## Vice Chair Reports:

- **Annual Education Conference/Bulletin Article/Webinar Planning**
  - *Justine Lewis, Summra Shariff, Yakiry Adal*
  - 17 annual education conference proposals were submitted on behalf of the D&I section. 228 total proposals were submitted to NALP overall.
  - Five bulletin proposals were also recently submitted on behalf of the D&I section. A list of the conference and bulletin proposals is included at the end of this report.
  - The work group has now transitioned to exploring webinar topics.
  
- **Diversity Best Practices Guide**
  - *Sherri Thomas, Alicia Currin-Moore, Niya Fonville*
  - A conference call for the entire subcommittee will be held on July 2, 2019. The Vice-Chairs have met to discuss the year's plans. A major overhaul of the Best Practices Guide was conducted during the previous year. Our goal for the current year is to build upon that work as follows:
    - Create a document index, which will help if the Guide is ever printed as a hardcopy (as opposed to being electronic).
    - Aesthetic modifications—specifically regarding formatting consistency, decluttering text/ideas, etc.
    - Include additional practical tips and concrete program examples to supplement those that exist (within the blue boxes). These programs can be geared toward the various identities that reflect the diversity of law students and legal professionals.
    - Verify links throughout the Guide, including the resource list, to confirm that the purported document or entity can be found at the listed URL.
    - Change any corresponding page numbers on the Table of Contents to reflect modifications within the Guide.
    - Although these are the opportunities for growth that we have identified, we will add to this list, as we receive additional feedback from the work group's volunteers.

- **Mentoring**
  - *David Cho, Jernee Bramble*
  - We've reviewed the documents that were distributed to the participants, including the document to gather interest from our members, and we've reviewed the timeline of when last year's program started.
  - We have created a Survey Monkey survey to get responses from those who are interested in participating in this year's mentorship matches.
  - We plan to release the survey along with communications to our members shortly after the July 4 weekend, consistent with last year's schedule, to kick-off the program.
- **LGBTQ**
  - *José Bahamonde-Gonzalez, Nicole Netkin-Collins*
  - Successfully submitted RFP titled: "Inclusion means everyone! Promoting an LGBTQ-Inclusive Environment in Law Schools and Legal Workplaces."
  - Coordinated panelists, career counseling, and job search strategies for LGBTQ law students panel at Lavender Law.
  - Volunteered to serve as career counselors at Lavender Law. Will also help recruit additional volunteers.
  - New business: plan joint meeting with ABA, LSAC, and AALS SOGI committees.
- **First Generation College Graduates**
  - *Diane Fears, Crystal McMillan*
  - We've reached out to Sarah Rohne of the JD Advisor Section and learned that Heather Spielmaker will be one of the vice chairs for the JD Advisors First Gen Work Group this year. We plan to confer with Heather and her group, as well as others within NALP with a similar focus, to brainstorm and develop project ideas and opportunities to collaborate.
- **Legislative Monitoring**
  - *Sheila Simhan, Fayola Alibey*
  - Status of Legislations and Lawsuits Potentially Impacting Diverse Law Students:
  - DACA Status: The U.S. House of Representatives passed a bill that would allow DACA recipients to apply for permanent legal status. The bill is unlikely to see a vote in the Senate, which is still controlled by Republicans. But the bill's passage provides a window into how Democrats hope to make significant reforms if they manage to take back the White House and keep their House majority.
  - Status of Harvard's Admission Case: We are awaiting the decision of a federal judge on whether Harvard University intentionally discriminates against Asian American applicants. The same plaintiff in that case has recently filed a lawsuit against the University of Texas - Austin and the University of North Carolina at Chapel Hill alleging similar discrimination.
  - Status of Transgender Military Ban: In April, the Trump administration's ban on transgender people in the military took effect, mandating that all service members "must adhere to the standards associated with their biological sex." The ban does not affect those already serving and the Pentagon can, on a case-by-case basis, issue

waivers. Advocates say the ban will still impact current transgender people serving in the military, increasing the potential for discrimination and harassment.

- New York City Added Hair/Hairstyle to Protected Class: In Feb. 2019 New York's Commission on Human Rights instituted a law that bans discrimination by employers, schools and other public places based on hairstyle. The commission even went so far as to specifically call out what types of hairstyles are included in this law, "this includes the right to maintain natural hair, treated or untreated hairstyles such as locs, cornrows, twists, braids, Bantu knots, fades, Afros, and/or the right to keep hair in an uncut or untrimmed state." This level of specificity was necessary because these are the common types of hairstyles that many employers, including the U.S. government, have deemed unacceptable in the past. Note this law applies to New York City, not state.
- California Senate Passed the Crown Act: In Apr. 2019 the California State senate passed the Crown Act SB-188 (Create a Respectful and Open Workplace for Natural Hair), to ban discrimination against employees based off their hairstyle. It was sent to the Appropriations Committee in the House on June 4, 2019.
- Google Discrimination Case: Google's motion to dismiss a class action lawsuit alleging that Google discriminates because of actual or perceived conservative political activities and affiliations and their status as actual or perceived Asian or Caucasian male job applicants has been denied. The lawsuit can now move onto the discovery stage where plaintiffs can access documents to try and support their allegations. The lawsuit was originally brought by James Damore, who wrote a controversial diversity memo that led to him being terminated by Google. Please see the complaint here [https://www.dhillonlaw.com/wp-content/uploads/2018/04/20180418-Damore-et-al.-v.-Google-FAC\\_Endorsed.pdf](https://www.dhillonlaw.com/wp-content/uploads/2018/04/20180418-Damore-et-al.-v.-Google-FAC_Endorsed.pdf)

- **Strategic Planning**

- *Alison Ashe-Card, Benjamin Cheng, Michele Bendekovic*
- The Strategic Planning Work Group is in the process of collecting input from work group members on the items that were listed in the charge that we received from NALP. The group is scheduled to meet on Thursday, June 27th at 2PM (Eastern). The group will host a section wide strategic planning conference call on July 24 at 3PM (Eastern).

### **Environmental Scanning**

- During our June 12 quarterly call we discussed the upcoming Lavender Law conference, and whether schools are still financially supporting students that attend this conference as they did in the past when AALS included it as a suggested ameliorative step. The LGBTQ vice chairs are reaching out to AALS to see if they are interested in reissuing a statement on the matter in light of the transgender military ban that the Trump administration has implemented. If so, we'll post the AALS language on NALPConnect.
- We also discussed diversity and inclusion initiatives that members have implemented for incoming underrepresented 1L law students such as diversity orientation days, panel discussions, and networking receptions.

- Lastly, we discussed the need for a comprehensive list of diversity job fairs. Members are circulating their own lists, and we are planning to develop a comprehensive list as a resource for the section.

**Section Calls**

Our first section call was held Wednesday, June 12. On the call Gary Greener spoke about the upcoming Lavender Law conference, Vice Chairs gave work group reports, and we discussed several topics that I’ve listed above in the environmental scanning summary.

Upcoming section calls:

Calls start at 3:00 PM (eastern time):

- 1) July 24, 2019 (Strategic Planning)
- 2) October 9, 2019
- 3) January 22, 2020
- 4) April 1, 2020

**Seventeen RFPs Submitted on Behalf of Section**

Title of Program	Program Description	Speakers
<b>Getting comfortable with our discomfort when we talk about race</b>	As law school administrators, we often lack the training to navigate difficult discourses about race, yet we counsel students who will join the legal profession where race plays a large but often unspoken role. This program will address specific ways we can create best practices to model for our students on being race-conscious, how we can get more comfortable having challenging discussions about race, and how to bring race-consciousness into our advising and work with students. Whether we are focused on issues playing out on the national stage, such as white privilege and police violence, or we are addressing incidents involving our own students, we must learn how to move our students and ourselves through discomfort and into a place of greater awareness and growth.	Swati Parikh, Leah Terranova, Kori Carew, Devi Patel

<p><b>The Pink Collared Elephant in the Room – Gender Disparity In Our Profession</b></p>	<p>Legal recruiting and professional development are female dominated industries. What does this mean for career advancement, professional credibility, and recognition when the law is still male dominated? Given this interesting paradox, there are insights to learn and improvements to be made. We will have a frank discussion about this under-acknowledged dynamic and the stereotypes and inequities that occur. We will examine the implications of gender disparity upon administrators’ careers and ways to combat any negative impact and leverage the positive to benefit everyone.</p>	<p>Tamesha Keel, Amy Kimmel, Michael Nguyen</p>
<p><b>Real Talk About Diversity and Inclusion - Addressing Bias and Micro-behaviors in the Moment</b></p>	<p>Diversity in the legal profession hasn’t really increased in the past 10 years, despite awareness of the numbers and efforts to improve them. Instead of focusing on diversity as the solution, let’s lead with inclusion to drive diverse results. What can you do – in the moment – to promote inclusion and address bias and micro-behaviors? How could we be more inclusive in our everyday interactions? Join us for this candid discussion; we don’t expect to solve the diversity problem in 60 minutes, but we will share strategies, tools and actions you can take today.</p>	<p>Amy Kimmel, Michael Nguyen, Tamesha Keel</p>
<p><b>Inclusion means everyone! Promoting an LGBTQ-Inclusive Environment in Law Schools and Legal Workplaces.</b></p>	<p>Professionals in law career services, legal recruiting, diversity &amp; inclusion, and professional development play a critical role in maintaining an inclusive environment for LGBTQ law students and lawyers. Panelists will discuss the many ways in which career services professionals can contribute to fostering an LGBTQ inclusive environment at the law school, as well as the ways in which professional development and/or diversity &amp; inclusion professionals can promote an LGBTQ inclusive environment in the workplace. An active Q&amp;A session is planned.</p>	<p>José Bahamonde-González, Nicole Netkin-Collins, Kia Scipio, Karl Riehl</p>

<p><b>A Courageous Conversation about Race</b></p>	<p>Race is the stick shift of conversations about difference; it is generally the most difficult conversation to have and, once you do, it's often easier to tackle other aspects of identity. It is also critical to have conversations around topics like race in order to foster environments that are equitable and inclusive. In this program, presenters will share their personal stories about how race has impacted their lives, discuss the issue of race from both a U.S. and global perspective, and offer strategies for starting the conversation in the workplace, including overcoming the uncomfortable-ness around conversations about race.</p>	<p>Jaya Saxena, Jacqueline Cranford</p>
<p><b>Are you tired? Programming &amp; Diversity Fatigue: Stalled Progress Is Part of the Journey</b></p>	<p>The negative impacts of diversity fatigue are real and need to be dealt with proactively and consciously if law firms and law schools are to continue the work to create and maintain sustainable diversity. Diversity fatigue can derail the culture within law schools and firms impacting engagement and inclusion. Diverse law students and attorneys often assume responsibility for diversity efforts. Creating a diverse and inclusive legal field shouldn't fall on the shoulders of a few. This session will explore strategies to reengage audiences, how to leverage diverse law student and attorney time to promote D&amp;I efforts, and how to show recognition and give credit to D&amp;I superstars.</p>	<p>Crystal McMillian, Amber Haggins</p>
<p><b>Awards, Surveys &amp; RFPs, OH MY!! Collaborating with Other Law Firm Administrative Departments to Get It All Done</b></p>	<p>Does it seem like all D&amp;I awards applications, industry surveys, and business development RFPs are due at the same time along with all of the awards, recognition events and ceremonies? How do you juggle it all and still manage to be a strategic partner with your employer and look good to your clients? In this session, we'll talk about utilizing various administrative resources, maximizing responses for use in multiple applications, and the delicate art of navigating firm/office politics and delegating tasks to be sure all of</p>	<p>Kia Scipio, Yakiry Adal, Michele Bendekovic</p>

	the applications get done and that the best representatives go to the events.	
<b>Disrupting (Implicit?) Bias on the Go</b>	A student reports to a Career Advisor that during their 1L Summer Diversity Fellowship, a partner made inappropriate and biased comments to them. Scenarios like this are not uncommon. What is our role, as law school and law firm professionals, in disrupting the bias that we see and hear about from our students and associates? What is our role in addressing the bias with law firm administrations? In an interactive session, we will identify where we see bias in a variety of workplace situations (e.g., interviews, networking events, summer associate programs, etc.) and discuss frameworks for navigating these situations.	Fairuz Abdullah, Kori Carew, Molly Stafford
<b>Diversity &amp; Inclusion: Canadian &amp; US Approach to Belonging</b>	Achieving greater diversity and inclusion (D&I) in the legal profession remains a top priority for most law schools and legal employers in Canada and the United States. D&I, however, is not monolithic, and focus on underrepresented groups varies across jurisdictions. Therefore, practices, policies, and accountability benchmarks may also differ. Panelists representing law school and law firms share their D&I expertise; identify opportunities for greater collaboration and cross pollination; and address the unique challenges for both jurisdictions.	Carlos Davila-Caballero, Neil Dennis, Sacha de Klerk
<b>Diversity Fellowships: Why They Work and How to Utilize Them</b>	There has been increasing focus on improving diversity in the legal profession for more than a decade, and yet the law remains one of the least diverse of any profession. The panelists will present information from the perspective of employers, law schools, and bar associations and will look at different kinds of JD Diversity Fellowships, specifically assessing their individual effectiveness (including through taking a “where are they now”	Leah Adams, Nikki Harris, Tamara Stephen, Michelle Le Biavant

	<p>approach), and how to get buy-in from local bar associations, employers, schools, and other collaborators for creation and/or participation in Diversity Fellowships.</p>	
<p><b>From Last to First: Empowering the First Generation from College to Practice</b></p>	<p>First Place. First Love. First Aid. First Amendment. In countless uses “First” connotes importance, accomplishment, success. Yet in education and the legal industry, we consistently approach first generation students and professionals from a position of disadvantage and marginalization. A panel of college, law school, and firm representatives will discuss how we can reframe the conversation to empower the “First” to navigate new academic or professional spaces, whether their initial exposure is at the collegiate, law school, or employer level. How do we leverage the prior accomplishments of the “First” to highlight their importance and maximize their success?</p>	<p>Ashley Scott, Gihan Fernando, Kia Scipio</p>
<p><b>Level Up: Know How to Support Your Law Students and Lawyers with Disabilities</b></p>	<p>The case for recruiting and supporting students and lawyers with disabilities is largely established. But there's still a knowledge gap about how to best support them. This practical program gets into the nuts and bolts of accommodations, on the school and the firm side. Attendees will learn steps they can take to support law students and lawyers with disabilities and to demonstrate a commitment to disability inclusion.</p>	<p>Annabrooke Temple, Amy Weiss, Amy Allbright</p>
<p><b>Making the case for Neurodiverse talent</b></p>	<p>Law students are increasingly identifying as neurodiverse, and law schools are providing a record number of resources to support those students. Yet few law firms have embraced neurodiversity, and most current work environments are structured as one-size fits all. Neurodiversity refers to variations in the human brain regarding sociability, learning, attention, mood, and other mental functions. “Neurodiverse” individuals are wired</p>	<p>Rachael Bosch, Nirvana Dove, AJ Link</p>

	<p>differently from “neurotypical” individuals. Students and attorneys who are neurodiverse are often overtly or inadvertently excluded from D&amp;I efforts, though studies have shown that companies can benefit from having a “Neurodiversity” strategy as well as a neurodiverse talent pool. This session will provide participants with the knowledge about neurodiversity that they need in order to make the case for inclusion. Whether you are a law school career advisor or a member of your firm’s recruiting and development team, you will walk away with a fresh set of tools and best practices for supporting and including neurodiverse attorneys.</p>	
<p><b>Programming &amp; Diversity Fatigue: Stalled Progress Is Part of the Journey</b></p>	<p>When programming fatigue sets in it can derail the culture within law schools and firms leaving people disengaged from the goal. Diverse law students and attorneys can feel like they are always “on” and the face of diversity. The expectation that you could be tapped at any time can be exhausting and lead to diversity fatigue. Creating a diverse legal field shouldn’t fall on the shoulders of a few. This session will explore ways to reengage programming audiences, strategies to leverage diverse student and attorney time, the importance of allyships, &amp; how to show recognition &amp; give credit to D&amp;I superstars.</p>	<p>Sarah Borgendale, Summra Mohammadee Shariff, Claire Zeise, Kia Scipio</p> <p>Sarah Borgendale, Summra Mohammadee Shariff, Claire Zeise, Kia Scipio, Crystal McMillan and Amber Haggins.</p>
<p><b>The Aftermath: Preliminary Impact of the New NALP Principles on Diverse Students</b></p>	<p>This panel will discuss the impact of the new NALP principles, specifically the impact on students from underrepresented communities to secure summer and/or permanent employment. While discussing preliminary benefits and challenges of the new principles, we’ll also discuss how to overcome persisting and/or new challenges to ensure diverse law students can successfully secure positions. Panelists will provide insights from their own experiences over the past year, as well as feedback from</p>	<p>Lezlie Griffin, Alison Ashe-Card, Carlos Dávila-Caballero</p>

	<p>law school and law firm colleagues collected in advance from NALP members (and students). Attendees will be encouraged to share their own stories, as well as quantitative and qualitative data from their respective organizations. This will be a candid conversation about market response and impact of the new Principles. A critical objective of the program is to empower NALP members on how to best prepare diverse students to remain competitive in the new recruiting landscape and ensure that legal employers can continue to successfully recruit more diverse lawyers to their organizations.</p>	
<p><b>The Purpose of Privilege: Allies in the Workplace</b></p>	<p>What is an ally and how can you cultivate a culture of allyship in your organization? How can you create an environment where underrepresented individuals have advocates that understand the imbalance in the workplace and help to correct it? In this session, we will discuss how to develop an organizational awareness for allyship as well as how to engage and leverage allies at work. We will also look at how to involve leadership in shifting the culture at work to one where there is a safe space for attorneys to grow and contribute fully.</p>	<p>Michelle Wimes, Peggy Nagae, Stephen Bough, Rebecca Baumgartner</p>
<p><b>Supporting and Placing Indigenous Students</b></p>	<p>The number of Indigenous attorneys and Indigenous students enrolled in law schools has been on the rise over the past few decades, but the structures and techniques for supporting Indigenous law students transitioning into their legal careers has not been openly discussed or developed. The responsibilities and hurdles Indigenous students carry to law school, from reservations and urban areas, only multiply as they proceed to law school graduation, and career services professionals need to know how to identify these issues and address them.</p>	<p>Sherri Thomas, Bonnie Stepleton, Kathleen Makela</p>

**Five Bulletin Article Proposals Submitted on Behalf of Section**

<b>Proposed Issue Month</b>	<b>Tentative Topic</b>	<b>Author(s)</b>
October or November	Trans Inclusion/updates regarding legislation and pending court cases i.e. military	Carlos Davila-Caballero
November or December	Newer to D&I (how to learn, navigating acronyms, best practices for newer professionals) ( <i>collaboration with newer professionals section</i> )	Justine Lewis Summra Shariff
January or February	How can students assess and evaluate employer D&I programs and how to counsel students through that process	Carmia Caesar Kourtney James
February or March	DACA recipients- how to support and advise students that may have concerns about immigration status throughout law school/job search ( <i>collaboration with international section</i> )	Clara Solomon Sheila Simhan
March or April	Firm best practices regarding Affinity Groups - networking, sponsorships, and interactions	Courtney Dredde Carter