

Winter 2012
Vol. 36, No. 2

BarLeader

From the American Bar Association

for the leaders of bar associations 

COMING TOGETHER



New institute presents a different model for diversity and inclusion

Increasing diversity and inclusion in the legal profession has been described as a long-distance race, not a marathon—and certainly not a sprint. The Institute for Inclusion in the Legal Profession, a relatively new organization in Chicago, has picked up the baton as it aims to create “Real Change, Now.”

“The legal profession has devoted a lot of energy and resources to diversity, and it seems, in recent years, that progress has stopped,” explains Chief Executive Officer Sandra S. Yamate. “We thought it was time to try a different model, a different approach to move beyond 20th century approaches to this issue.”

Yamate says the mission of the IILP, which was founded in 2010, is to “fill gaps and expand the ‘choir.’” She adds, “Despite all the wonderful diversity projects and programs that exist around the country, there are still some huge gaps that, if they’re not addressed, will prevent these other efforts from being as effective as they could and should be.”

Expanding the choir, Yamate says, means moving beyond engaging the people who are traditionally interested in this issue—that is, women, minorities, LGBT lawyers, and lawyers with disabilities. “What we are trying to do is bring in lots of other people who maybe haven’t always seen diversity and inclusion as something that’s relevant to their daily practices,” she says. “We’re trying to help them understand that this impacts them as well. They have a role to play and a responsibility, and we want to make it easier for them to do so.”

Support from a metro bar

IILP is not a bar organization or program, but Yamate says it receives significant support from one particular bar. “If not for the Chicago Bar Association, we would not exist,” she notes. “I

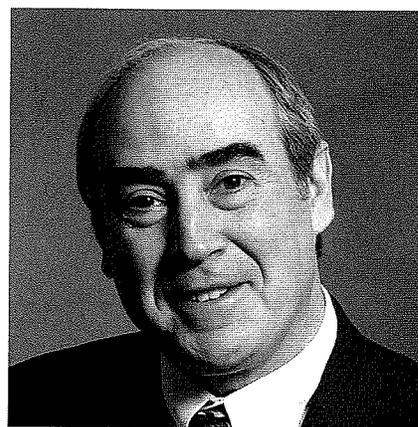
am proud to be a member. They understand how important it is to develop a strategy to include and engage diverse lawyers in their work.”

When she was first thinking about creating an institute for inclusion, Yamate met for coffee with CBA Executive Director Terrence M. Murphy. “I was very excited about it, and I told her I thought the CBA would be very happy to help incubate and launch the institute,” he recalls. “It represented a new, fresh, different approach.”

Bar associations of all types and sizes have been stepping up their own diversity efforts in recent years, such as by hiring diversity directors, preparing reports, and initiating important conversations. But Murphy says there’s an important role for nationwide groups, such as IILP, that have strong connections with the organized bar but are also independent from it. “Our profession lags behind other professions when it comes to diversity and inclusion,” Murphy believes. “In my personal opinion, we have not done enough to really make a difference in the work that national, state, and local bar associations do to involve, recruit, and retain lawyers of color.”

Data and discussion

As part of its mission, IILP publishes annual reports regarding the status of traditionally underrepresented groups within the profession. Its latest report, *IILP Review 2011: The State of Diversity and Inclusion in the Legal Profession*, was released this past August and features 13 essays written by lawyers, legal scholars, law professors, and a management consultant. The topics addressed include the underrepresentation of Latina lawyers in the profession, barriers encountered by law students with disabilities, challenges facing Asian Pacific American lawyers, intergenerational diversity in the African American community,



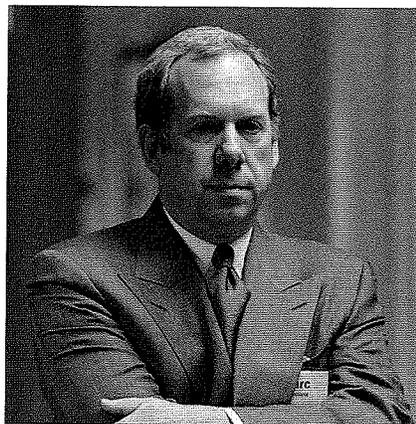
Terrence M. Murphy: “Our profession lags behind other professions when it comes to diversity and inclusion.”



Sandra S. Yamate: “What we are trying to do is bring in people who maybe haven’t always seen diversity and inclusion as something that’s relevant to their daily practices.”

and why more LGBT lawyers do not reveal their sexual orientation at the law firms where they work.

The report resulted from numerous calls and other inquiries to IILP seeking information about diversity and inclusion, Yamate says. “We wanted to create something that made it easier for people to become educated about the different facets of diversity, have in one easy reference source the most current data and statistics that are available, as well as give them the opportunity



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to learn about 'diversity within diversity' in a way that provides a little more substance and critical thought than what you would find in a typical news-letter article."

Marc S. Firestone, chair of IILP and executive vice president of corporate and legal affairs and general counsel at Kraft Foods, says the institute focuses on gathering hard data and evidence to help the profession know where it stands in terms of diversity, and also on discussing the different underlying factors that are at play. Toward that end, he adds, this past fall, the institute held symposia in Seattle, San Francisco, Washington, D.C., Chicago, and Houston.

"It's more than sensitivity training, more than what law firms need to do, [though] that's all a part of it," he explains. "We're talking about these issues from a sociological and economic perspective."

One key, he says, is to consider the data regarding individual groups that are under the diversity umbrella,

rather than always looking at diversity as a whole. One could look at the aggregated data, Firestone notes, and get excited about an increase in the total percentage of people of color in law firms. "However, that could mask tremendous problems," he explains. "For example, there are about a million lawyers in the country, but there are only 14,000 Latina lawyers."

Firestone says there's currently a lack of data for certain groups, such as lawyers with disabilities. "That is an area that hasn't gotten all the attention it deserves," he believes. "Another group is American Indians. There are 565 federal judges in this country. The total number of American Indian judges—zero."

'A sense of renewal and energy'

The topic of diversity is one that bar associations and other law-related groups have been working on for quite a while now—long enough that many are feeling the "diversity fatigue" that arises from working on an issue and seeing the needle move only slightly. An open discussion, one that looks at factors that might have gone unexplored in the past, can reinvigorate that core group, Yamate says, noting that about a third of the symposia attendees have been lawyers in their 40s, 50s, or 60s.

"What is really gratifying to see is that by the end of our programming, I see these lawyers getting excited again," she notes, "feeling a sense of renewal and energy that I haven't seen from them in a number of years."

Each program lasts about three hours and takes different approaches to long-standing questions. For example, instead of discussing pipeline programs, an IILP program would examine why pipeline problems exist,

using a review article, such as "Acting White," as a starting point. Written by Stuart Buck, a Harvard Law School graduate and distinguished doctoral fellow in the Department of Education Reform at the University of Arkansas, the article is based on research that led to his book, *Acting White: The Ironic Legacy of Desegregation* and explains the African-American/white achievement gap. This explanation helps provide a framework for those seeking to tackle the pipeline challenge.

In March 2010, the CBA and IILP hosted a two-day program, "Professionalism in Practice: Toward a More Inclusive Legal Profession."

Murphy remembers, "It was so different from any other program we had ever offered at the CBA. There were discussion groups with law students, lawyers, and judges. They talked about race, gender, and sexual orientation.

"Some of the judges from our state courts who joined in the candid conversations said none of these issues were discussed when they were in law school—bias, professionalism, communication, etc."

After a closing address from Firestone, Murphy recalls, many attendees said, "Gosh, we never thought about it this way."

Yamate hopes the IILP publications and programs will equip bar leaders to address diversity and inclusion more effectively within their organizations and says she is eager to partner with them. (To learn more and to download the most recent reports, visit www.theiillp.com.)

"We hope to provide tools that can help bar leaders make more informed decisions and be more strategic in how they use limited resources," Yamate says.

—By Kimberly Vann

Kimberly Vann is associate director of education and communications at the Illinois Nurses Association. Previously, she was communications coordinator for the ABA Division for Bar Services.

CORRECTION

In the fall 2011 issue, *Bar Leader* gave an incorrect title for Linda Albert. She is coordinator of the Wisconsin Lawyers Assistance Program (WisLAP). We regret this error. BL