

Diversity, Equity & Inclusion Calls to Action

Government Sector Employers

Employers and attorneys are encouraged to advance diversity, equity, and inclusion (DEI) in their workplaces, and in the profession, by taking the steps outlined below. These measures were developed from a review of best practices in inclusion and diversity, along with feedback from DEI leaders and stakeholders in various sectors.



The State Bar
of California





Promote Transparency and Accountability

- **Collect and analyze demographic data on recruitment, hiring, promotion, and attrition. Provide staff who review demographic data with a meaningful opportunity to recommend policy changes to your leadership team.**
 - Compare data with other similar organizations. See e.g., [2021 NALP Report on Diversity in U.S. Law Firms](#).
 - Use the data to tailor specific interventions based on your organization's size and geographic locations to support diversity, equity, and inclusion (DEI) in recruitment, hiring, and promotion.
 - Analyze and share disaggregated data on turnover and retention rates.
- **Update demographics measures.**
 - At minimum, use State Bar demographics categories and study disaggregated data to avoid broad generalizations and enable more accurate analysis and policymaking.
 - Collect demographic data for all staff and board of directors, if applicable.
- **Cultivate a workplace that encourages voluntary self-identification by all staff.**
- **Create a strategic DEI plan for your organization with timelines for specific objectives, metrics, and benchmarks. Include initiatives to support retention and advancement, plans to regularly report and discuss progress, ways for attorneys and staff to provide feedback, and adequate staff resources to support these efforts.**
 - Set equity and inclusion goals for specific programs and teams within the organization based on communities served.
 - For smaller organizations, collaborate with local and affinity bar associations, law school resources, and other similar-sized offices for support, ideas, and accountability regarding DEI practices.
 - Support retention and promotion from within; don't rely solely on external lateral hires to meet DEI goals.
- **Establish regular forums for all staff to discuss and review progress made, as well as to share how to contribute further to DEI goals.**
- **Ensure staff at all levels have access to new and expanded resources to prioritize and implement your organization's DEI plan.**
 - Confirm that all leadership share the same commitment to DEI principles and objectives.
 - Establish (or support) senior-level DEI professional roles (e.g., chief diversity officer, director of DEI) that contribute to the organization's strategic initiatives and decision-making. These roles should collaborate with staff and spearhead efforts, not rely solely on existing staff with other primary responsibilities.
 - Compensate employee resource group (ERG) leaders or other DEI leaders who advance DEI efforts outside of their stated job responsibilities.



- **Make available to all staff a broad range of professional development opportunities—including Minimum Continuing Legal Education training related to implicit bias, communications strategies, self-care, leadership training, mentoring, and other support—to develop a pipeline to leadership in your organization.**

- **Evaluate and modify, as needed, your orientation and onboarding process with an eye toward inclusion.**

- **Develop a statement that highlights your organization’s commitment to DEI and share it on your website and in recruiting materials.**

- **Communicate your demonstrated commitment to DEI both internally and externally in the workplace:**
 - Communicate out to the entire organization about current and upcoming DEI initiatives. Everyone should be able to articulate the plans, process, and activities and be included, even if their job function isn’t directly affected.
 - Update your organization’s website to be more inclusive, such as adding photos, names, and pronouns on the staff webpage.
 - Inform staff about the importance of learning and using individuals’ preferred pronouns. (See e.g., “[Inclusive Language](#)” at [Pronouns Matter](#).)

- **Create mechanisms to solicit and collect feedback, including stay and exit interviews and regular staff surveys. Give staff reviewing this data a meaningful opportunity to recommend policy changes to leadership.**
 - Focus stay and exit interviews on organizational culture, experience of inclusion, and sense of belonging, as well as areas for improvement, such as distribution of assignments, opportunities for sponsorship, and clearer pathways for advancement.
 - Collect data and insights on staff engagement expectations and reasons why staff may leave their jobs.
 - Use a DEI lens in reviewing interview responses and develop strategies to improve retention of diverse staff.
 - Survey staff regularly and ask them what they value about their work. What is meaningful? Which parts of the job make good use of their skills and abilities? Cultivate and expand those job functions.
 - Form a committee to solve problems identified in stay or exit interviews and staff surveys. Committees should develop accountability metrics to assess progress.

- **Review your salary and compensation tables regularly to ensure they are equitable internally and reflect the relevant labor market.**
 - Maintain transparency around salaries and discretionary bonuses to avoid masking compensation disparities.
 - Standardize criteria and compensation tied to merit increases.
 - Hire a DEI consultant to review and identify any potential compensation inequities if appropriate.

- **For California state agencies: Review your [Departmental Demographic Report](#) from the California Department of Human Resources (CalHR), if one is available. Use this data to compare your agency’s diversity to California’s civilian labor force and the populations you serve. (These resources don’t capture all relevant demographics, so please also refer to the relevant State Bar data.)**



Build an Inclusive Workplace Culture

- **Take affirmative steps to develop and maintain an inclusive and equitable culture. Improve the workplace experience for all, regardless of gender identity, race/ethnicity, sexual orientation, disability status, or veteran status.**
 - Develop formal policies and procedures for equitable work allocation that reflect your organization's retention and advancement goals. Monitor work allocation to ensure equal opportunities with important clients and cases.
 - Include DEI best practices in supervisors' performance objectives. Educate supervisors on equity-based management skills.
 - Develop DEI-informed practices for supervision and performance evaluations (e.g., 360-degree evaluations).
 - Create an environment that values work-life balance and supports staff well-being, including time for personal responsibilities.
 - Encourage pro bono work and allow it to count toward work time, or offer other incentives to increase and support volunteer activities. Track pro bono hours separately from DEI time.
 - Provide stipends or other incentives to increase and support DEI and pro bono work and other organizational activities.

- **Incorporate DEI work into performance evaluations and metrics that impact advancement and compensation decisions. For example, allow DEI work to count toward billable hours.**
 - Provide professional development time to volunteer to advance DEI in the legal profession, such as mentoring underrepresented law students, speaking on panels about diversity in the law, and giving DEI trainings.
 - Encourage attorneys at your organization to participate in American Bar Association (ABA) [Resolution 102](#) by devoting at least 20 hours each year to advance and promote DEI in the legal profession.

- **Develop policies and initiatives that promote staff's sense of belonging.**
 - Offer structured, intentional space to discuss DEI and assess supervision, evaluation, and advancement practices.
 - Develop and support ERGs, such as providing financial resources, allocating time for staff involvement, and encouraging leadership to participate as champions, sponsors, and advisers.
 - Encourage all staff to learn about and discuss DEI issues.
 - Become familiar with terms related to race, ethnicity, sexuality, gender, and other identities.
 - Require all staff to undergo annual training on implicit bias.
 - Provide avenues for confidential feedback and suggested improvements.

- **Assess and improve how your organization's priorities advance the interests of stakeholder communities, rather than only those communities from which your staff comes or that traditionally have the most influence with your agency.**
 - Consider the cases your organization accepts or files. Do you provide equitable, accessible, and sensitive (e.g., trauma-informed) services? Do case outcomes trend differently for different communities? How actively does your organization provide services to different communities?
- **Assess how different segments of the public communicate with your agency (e.g., emails, calls, and comments at public meetings) to identify perspectives that might be over- or under-represented. Reach out to those communities whose voices are most absent.**
- **Review how other agencies achieve success in DEI initiatives and adapt successful initiatives to meet the DEI goals of your office.**



Diversify Recruitment Strategies and Pipelines

- **Ensure that new entry-level hires reflect the diversity of new State Bar licensees.**
- **Review updated demographic data for new licensees and other available DEI-focused reports annually to ensure your organization is keeping pace.**
- **Identify and address any hiring traditions—recruiting strategies, hiring criteria, and processes—that may contribute to a lack of diversity in your organization. These traditions may include focusing on law school rankings or judicial clerkships.**
- **Provide recruiters and interviewers with implicit bias training to equip them to manage their biases and change behavior. Staff involved in hiring should strive to reduce the likelihood that bias will impact their decisions.**
- **Ensure that hiring committees include people from different backgrounds and experiences, as well as from various practice areas and positions.**
- **Develop clear criteria and objective methods to assess applicants, including competency-based interview questions.**
 - Structure interview panels and draft interview questions tied to specific job requirements and responsibilities. Maintain consistent panels and questions from candidate to candidate. Use an aggregate scoring tool to lower the chance that one person's biases can influence others.
 - Consider candidates holistically, looking at both legal and non-legal experiences, lived experiences, and commitment to serving low-income and underserved communities, as appropriate.

- **Ensure that recruiting materials are inclusive and welcoming of diverse communities.**
 - Include salary ranges in job postings. A lack of transparency about salaries may obscure pay disparities among staff.
 - Indicate on job postings your organization's commitment to include DEI and racial justice principles in your hiring process.
 - Inform potential clients or staff that training and legal practice will be from a racial justice lens, if applicable.
 - Share the organization's demographic data with prospective candidates.

- **Build relationships with law schools and affinity groups to broaden the applicant pool.**
 - Post opportunities on public-facing websites and other appropriate publications, including those of affinity bar associations and law schools.
 - Participate in diversity job fairs (e.g., [Bay Area Diversity Career Fair](#)).

- **Discuss with your HR department whether and how to ensure inclusive and equitable recruitment practices, in compliance with Proposition 209 (for California employers), so that your agency can reflect its jurisdiction's civilian labor force.**

- **Pay interns and externs to lower the income barrier to accepting a position in your agency. Help pursue fellowships for interns, externs, and postgraduate staff members.**



Retain, Advance, and Empower Staff

- **Broaden benefit options based on learnings from remote- and hybrid-work models. Consider additional benefits that encourage wellness and self-care.**

- **Reinforce the importance of an approach to work that enhances well-being.**
 - Options may include parental leave to non-birthing parents, benefits to temporary employees, on-site and remote ergonomic workspace assessments, and pre-tax health, childcare, and commuting benefits.

- **Ensure that organizational support resources and benefits are known and available to all staff.**

- **Identify and remedy supervision and promotion practices that may contribute to any diversity imbalances in your organization's leadership positions.**

- **Develop a plan with clear milestones and timeframes to support opportunities for advancement.**



- Track staff training and professional development opportunities to ensure they're offered equitably, as appropriate, to staff at all levels.

- Assess your organization's performance evaluation process to identify and reduce implicit bias. Retrain staff on the improved process.

- Consider mandating paid time to "unplug" to prevent employee burnout, during which staff won't check emails, voicemails, or conduct any business. At least one large [law firm](#) instituted this measure, which also conferred physical and mental health benefits.

- Consider reducing caseloads or adjusting the hourly work week to increase flexibility.

- Encourage staff to explore whether they qualify for the federal [Public Service Loan Forgiveness Program](#), which provides debt relief. The program forgives the remaining balance on direct student loans for public service workers after 10 years' worth of payments (120 qualifying monthly payments). They may also qualify for a waiver that credits them for past periods of repayment.



Resources

Promote Transparency and Accountability

- Find more demographic data on law firms in the [NALP Report on Diversity](#) and the [2021 ABA Model Diversity Survey](#).
- For California state agencies: Review your [Departmental Demographic Report](#) from the California Department of Human Resources (CalHR), if one is available. Use this data to compare your agency's diversity to California's civilian labor force and the populations you serve.
 - If a CalHR report isn't available, ask your HR department to collect staff demographic data:
 - Identify obstacles to equal employment opportunity and measure the success of efforts to recruit and retain a diverse staff. (See e.g., CalHR [Employee Demographic Data Collection](#).)
 - (From the [CA Government Code section 7400\(b\)](#)) Compare minority groups' representation at your agency with that of the civilian labor force in your agency's jurisdiction.
 - For federal agencies, seek a demographics report from the [U.S. Office of Personnel Management's](#) data resource, [Enterprise Human Resources Integration-Statistical Data Mart](#). Compare that data to California's civilian labor force data in the [U.S. Bureau of Labor Statistics](#).

Build an Inclusive Workplace Culture

- Use the Legal Aid Association of California's [Inclusion, Diversity, Equity, Accountability in Legal Aid \(IDEAL\) Toolkit](#) to affect necessary DEI changes.
- Use respectful and inclusive language in all internal and external communications. (See e.g., the U.S. General Services Administration's [18F Inclusive Language Guide](#) and Microsoft's [Bias-Free Communication Guide](#).)
- Make the following resources available to help staff craft internal and external communications:
 - [Asian American Journalists Association: Guidances and Resources](#).
 - [National Association of Black Journalists Style Guide](#).
 - [National Association of Hispanic Journalists: Cultural Competence Handbook](#).
 - [National Center on Disability and Journalism Style Guide](#).
- Become familiar with terminology related to race, ethnicity, sexuality, gender, and other identities. Include the [Diversity Style Guide](#) and the [GLAAD Media Reference Guide](#) in your organization's staff resources.
- Inform staff about the importance of learning and using individuals' preferred pronouns. (See e.g., ["Inclusive Language"](#) at [Pronouns Matter](#).)

- Propose a voluntary DEI challenge, such as anti-racism, for your team. Consider an [anti-racism action plan](#) or the [ABA-Wide 21-Day Racial Equity Habit-Building Challenge](#).
- Create through your own conduct an inclusive environment, where everyone feels that they belong and their contributions are appreciated.
 - Learn how to identify and oppose the [microaggressions](#), microinequities, and microinvalidations that can arise in day-to-day interactions with colleagues and the public.
 - Speak out against [stereotype threats](#), [implicit biases](#), and other similar phenomena.
- Participate in ABA [Resolution 102](#) by encouraging attorneys to devote at least 20 hours each year to advance and promote DEI in the legal profession.
- Authorize paid time to “unplug” to prevent burnout, during which staff won’t check emails, voicemails, or conduct any business. At least one large [law firm](#) took this a step further. It provided an extra week of unplug time, which also conferred physical and mental health benefits.
- Review and adopt how other agencies achieved success in DEI initiatives. See e.g., Megan Smith and Laura Weidman Powers, [“Raising the Floor: Sharing What Works in Workplace Diversity, Equity, and Inclusion.”](#)
- See sample federal diversity statements for information and guidance:
 - U.S. Department of Education Office of Inspector General [Diversity and Inclusion Strategic Plan FY 2019–2022](#)
 - U.S. [Government-Wide Diversity and Inclusion Strategic Plan](#)
 - U.S. Office of Personnel Management [Guidance for Agency-Specific Diversity; Inclusion Strategic Plans](#)
 - U.S. Department of Education Office of Inspector General [Diversity and Inclusion Strategic Plan FY 2019–2022](#)
 - GSA.gov Technology Transformation Services Office [Diversity, Equity, Inclusion, and Accessibility at TTS](#)
- See sample state diversity statements:
 - California Department of Fish and Wildlife’s [Justice, Equity, Diversity, and Inclusion Action Plan](#)
 - CalPERS [Commitment to Diversity & Inclusion Report \(2019–20\)](#)
- Address barriers to DEI in the workplace, including those created or worsened by the COVID-19 pandemic. (Read e.g., McKinsey & Company, [“Tips for New Government Leaders: Unlocking Diversity and Inclusion.”](#))

Diversify Recruitment Strategies and Pipelines

- Review the updated demographic data for new licensees annually from the [State Bar’s Diversity Report Card](#).
- Refer to a list of affinity bar associations (e.g., the [California Lawyers Association’s list](#)) and diversity committees of bar associations for outreach opportunities.

- In California, state [civil service pay scales](#) often guide state rates of pay. Likewise, the [General Schedule and Federal Wage System](#) often guide federal rates of pay.

- *[State and Local]* Learn about California's public policies that support diversity in the public workforce. (See e.g., [California Government Code section 7400](#) et seq.)

- *[Federal]* Look to the U.S. [Government-Wide Diversity and Inclusion Strategic Plan](#) and U.S. Office of Personnel Management [Guidance for Agency-Specific Diversity and Inclusion Strategic Plans](#) for guidance.

- *[State and Local]* Review CalHR's [Total Compensation Surveys](#) to compare your staff's pay and benefits to those for similar positions in local, state, federal, and private employment. Consult the State Controller's ["Government Compensation in California"](#) page and GovSalaries ["California Employers"](#) page to find salaries and other information for California agencies.

- Understand how pay inequities arise in government. (See e.g., CalHR's [2020 report](#) on the gender pay gap.)

Retain, Advance, and Empower Staff

- See the ABA publication, ["Practicing Law in the Pandemic and Moving Forward."](#)

- Encourage staff to explore whether they qualify for the federal [Public Service Loan Forgiveness Program](#), which provides debt relief. The program forgives the remaining balance on direct student loans for public service workers after 10 years' worth of payments (120 qualifying monthly payments). They may also qualify for a [waiver](#) that credits them for past periods of repayment.

- Review the National Association for Law Placement [Public Interest Salaries](#).