



THE STATE BAR
OF CALIFORNIA

Council on Access & Fairness

180 Howard Street, San Francisco, California 94105

Telephone (415) 538-2240

TO: Members Board Committee on Stakeholder Relations

FROM: Craig Holden, Chair, Council on Access & Fairness (COAF)
Ann Park, Chair, Diversity Principles Committee (COAF)
Patricia Lee, Special Assistant for Diversity and Bar Relations

DATE: April 8, 2011

RE: State Bar Statement of Diversity Principles

OVERVIEW:

In 2005, the State Bar adopted the attached Statement of Diversity Principles for distribution and implementation among the legal profession and diversity stakeholders. Upon adoption by the State Bar, the Statement was circulated widely to local, minority and diversity bar associations, government law offices, public interest agencies, corporate counsel, law firms, law schools, the State Bar Council of Section Chairs and other State Bar entities. The statement was endorsed by all State Bar Sections and a number of other recipients.

The diversity principles have not been promoted since the initial adoption by the State Bar in 2005. The Council on Access & Fairness (COAF) has undertaken the task of conducting outreach, promoting the principles and obtaining current signatories to the statement. In an effort to provide helpful resources to potential signatories, the COAF created an Addendum to the Diversity Principles (See Attachment 2) to serve as a resource tool. The Addendum includes best practices for diversity programs and initiatives and a comprehensive lists of diversity resources, including organizations, publications, and examples of successful programs to promote diversity, mentoring, and the retention and advancement of diverse attorneys.

Through the remainder of the year the COAF will conduct ongoing outreach and education about the Diversity Principles and will solicit signatories to the Statement. The COAF will also conduct follow up with signatories as to their diversity programs and activities implemented and expanded consistent with the Statement

ATTACHMENT 1
2005 Statement of Diversity Principles

GENERAL STATEMENT OF DIVERSITY PRINCIPLES
(Adopted by the Board of Governors July 23, 2005)

The State Bar of California and all signatories to these principles affirm our commitment to fostering diversity in the legal profession. Diversity is an inclusive concept and encompasses, without limitation, race, color, ethnicity, gender, sexual orientation, gender identity and expression, disability, religion, nationality, age, marital and familial status, as well as practice setting, geographical location, prior experience and length of time in practice.

A commitment to diversity reflects the needs of the legal profession for the best minds to address the increasingly complex needs of diverse customers and communities. Greater diversity allows the legal profession to become more creative, effective and just. Diversity brings more varied perspectives, talents and interests to the practice of law and the administration of justice. Diversity is important to the success of law firms, corporate or government law departments, legal services programs, law schools, public service organizations, bar associations and every other organization that includes attorneys.

To facilitate diversity in the profession, the signatories pledge to encourage diversity by recruiting, mentoring and promoting attorneys to leadership positions within our respective organizations. The Signatories will actively pursue inclusiveness in the recruitment of members.

Toward this end, the signatories shall undertake to implement the following:

1. Recruiting diverse persons to participate in each of our organizations;
2. Mentoring and retaining diverse members in our organizations; and
3. Promoting diverse members by giving them challenging tasks and the opportunity to represent our entities in public appearances, educational programs, and other prominent roles;
4. Developing individuals for leadership positions.

Measuring Success: With the adoption of these principles, the State Bar of California will help to develop aggregate diversity statistics for the membership and will look to law schools and community to encourage the commitment to diversity. Each year the State Bar of California will recognize the organizations (i.e. bar association, law firm, law school) that have engaged in significant efforts to increase diversity.

Law Firm/Entity _____

Printed Name _____

Signature _____

Title _____

Date _____

Email _____

Please return signed statement to:

Patricia Lee, Special Assistant for Diversity & Bar Relations
The State Bar of California, 180 Howard Street, 10th Floor, San Francisco, CA 94105

STATE BAR OF CALIFORNIA

Addendum to Statement of Diversity Principles

On July 23, 2005, the Board of Governors of the State Bar of California approved the General Statement of Diversity Principles. By signing this document, your firm or law department has pledged to encourage diversity by recruiting, mentoring and promoting attorneys to leadership positions within your organization.

Among the Best Practices which have been implemented by law firms and law departments, and which are encouraged to assist your organization in promoting diversity, are the following:

(1) Diversity Enhancing Programs:

- (a) Recruiting Programs.** Programs for expanding diversity recruitment, including minority internships and summer associate programs; special receptions and events for affinity law student organizations; participation in minority job fairs; involvement of members of all affinity groups in hiring; and diversity training for recruiting personnel. Efforts to expand the hiring of minority attorneys through (i) Targeted recruitment; (ii) Hiring minority laterals; and (iii) Use of expanded criteria for hiring.
- (b) Affinity Networks.** Networks of affinity groups that support the attorneys and provide outlets and channels of communication with senior management.
- (c) Mentoring Programs.** Programs to ensure that diverse attorneys are assigned senior attorneys who are helping to assist them and make opportunities available to them, and other programs to promote the success of minority and women hires.
- (d) Work-life Balance Programs.** Viable work/life programs such as maternity/paternity leave, child care support, flexible work hours, telecommuting, as well as benefit plans that offer same-sex partners the same benefits offered to married couples.

(e) Supportive Work Environment. One of the major goals of the firm should be to make the work environment equally hospitable to all attorneys. The firm or organization should ensure that all affinity groups (1) have meaningful mentoring; (2) receive equal opportunities to perform significant work for important clients; (3) receive equal training, guidance, and feedback; and (4) are fully included in work-related social activities with other lawyers and clients.

(f) Diversity Training. Many firms have found that regular diversity awareness training programs, mandatory at all levels, have been helpful in promoting diversity.

(2) Diversity Leadership and Monitoring

(a) Public Commitment. A strong, public, and consistent commitment to diversity from senior management.

(b) Diversity Committee. A committee of attorneys responsible for promoting and monitoring diversity efforts in the firm or organization. A senior partner or executive should be responsible for the committee. The Diversity Committee should be itself diverse. Recommended practices of the Diversity Committee should include the development of a mission statement and formal goals, analysis of the organization's historical practices, identification of current needs, implementation of practices designed to promote diversity, and the establishment of metrics to gauge the organization's success. The work of the Diversity Committee should include administering the Mentoring Program, and monitoring the equitable distribution of work assignments and business development opportunities, and the fairness and reliability of evaluations.

(3) Participation In Diversity Efforts In The Community:

(a) Legal Community Diversity Efforts. Working to promote diversity by participating in the California Minority Counsel Program, the Minority Corporate Counsel Association, and other diversity-focused programs as well as supporting and participating in diversity programs sponsored by local bar organizations, the State Bar (Council for Access and Fairness), and the American Bar Association.

(b) Supporting Pipeline Programs. Supporting and participating in, and encouraging our lawyers to participate in, pipeline programs and mentoring programs to encourage young people of diverse backgrounds to pursue careers in the law. Supporting scholarship, internship, and other opportunities for diverse law students, college students, and high school students.

- (c) Supporting Affinity Groups.** Developing strong working relationships and supporting minority bar organizations and minority law student organizations.

For descriptions of best practices, and comprehensive lists of diversity resources, including organizations, publications, and examples of successful programs to promote diversity, mentoring, and the retention and advancement of diverse attorneys, please see the following publications:

National Association of Legal Professionals (“NALP”), *2009 Diversity Best Practices Guide*, available online at <http://www.nalp.org/uploads/DiversityBPGuide09.pdf>

Association of the Bar of the City of New York, *Resource Guide: Best Practices Standards for the Recruitment, Retention, Development, and Advancement of Racial/Ethnic Minorities* (2008), available online at http://www.nycbar.org/pdf/report/Minorities_Professions.pdf

The State Bar will seek to collect information from your firm or organization on an annual basis regarding your firm or organization’s progress in promoting diversity, and will recognize the Signatories who have made the most progress in promoting and achieving diversity.

Thank you for your commitment to improving diversity in your firm or organization and in the legal profession.