

September 15, 2010

ARIZONA STATE BAR BOARD OF GOVERNORS

Re: Committee on Minorities and Women in the Law Status Report: State Bar of Arizona's Commitment to Inclusion Goals Program

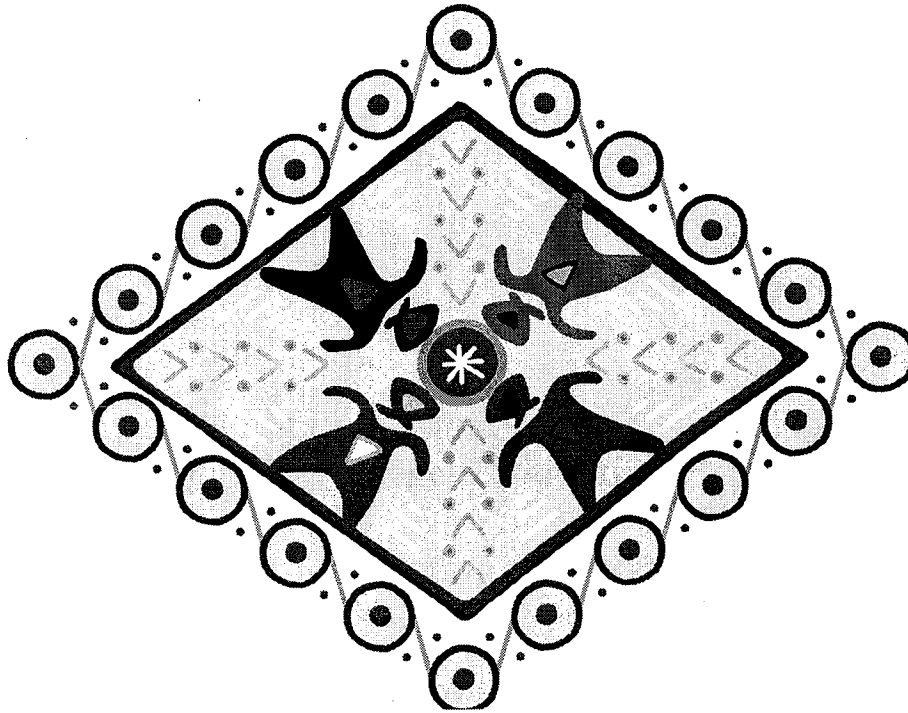
In May 2010, the Committee on Minorities and Women in the Law ("CMWL") prepared the attached report to: (i) update the Board of Governors on the status of the Commitment to Inclusion Goals Program; and (ii) make certain recommendations to the Board of Governors in order to help the State Bar reach its articulated 2010 strategic priorities as they relate to diversity.

Among other things, the CMWL recommended that the State Bar, at the direction of the Board of Governors, take the following actions:

- Encourage legal employers to become, or continue to be, signatories to the Commitment to Inclusion Goals Program by providing information about the program to legal employers through direct correspondence and through publication in the Arizona Attorney and E-legal.
- Direct the State Bar's Diversity Department to facilitate the Commitment to Inclusion Goals Program including the continued collection, maintenance, analysis and reporting of survey data. Diversity and inclusion surveys should be distributed every three years (rather than annually), data should be compiled and maintained in appropriate databases and in a consistent fashion, and resulting data reports should be submitted to the State Bar and to each signatory on a timely basis.
- Utilize the Commitment to Inclusion Goals Program to identify and advance policies and programs that support "diversification in all areas to ensure the legal profession reflects the community it serves."

While the CMWL fully supports the implementation of these recommendations, we recognize that the State Bar Diversity Department and Board of Governors may not yet be in a position to take the aforementioned actions. As a result, the CMWL and State Bar staff, including John Phelps and Godwin Otu, have agreed to work together during this 2010 and 2011 bar year to revisit and reevaluate the future of the Commitment to Inclusion Goals Program. The CMWL is optimistic that a collaborative and constructive 2010 and 2011 bar year will strengthen the process for incorporating the Commitment to Inclusion Goals Program into the overall diversity strategy of the State Bar.

**State Bar of Arizona's
Commitment to Inclusion Goals Program
for
Hiring, Promoting, and Retaining
Diverse Lawyers**



**Committee on
Minorities and Women in the Law**

May 21, 2010

**Committee on
Minorities and Women in the Law
("CMWL")**

**Roxann Gallagher, Chair
2009 - 2010**

Commitment to Inclusion Goals Program Subcommittee	CMWL Members
Jenae Naumann, Chair (CMWL)	Randy Aoyama
Kristine Fox (AWLA)	Alison Bachus
Roxann Gallagher (CMWL)	Andre Carman
Gregory Gautam (CMWL)	Taren Ellis
Jenny Jansch (AWLA)	Rodney Galarza
Dawn Valdivia (CMWL)	Mary Dolores Guerra
Nancy White (AWLA)	Vanessa Hickman
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	Melissa Ho
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EXECUTIVE SUMMARY

The State Bar of Arizona recently released a draft of its strategic priorities for 2010 which the State Bar intends to implement over a five-year period. Included within the plan are proposed actions to be taken by the State Bar for the purpose of enhancing “diversity and inclusion within, and improvement of, the legal profession and the provision of legal services.” Proposed actions include the facilitation and support of “diversification in all areas to ensure the legal profession reflects the community it serves.”

Since its inception, the State Bar’s Committee on Minorities and Women in the Law (the “**CMWL**”) and its members have been instrumental in identifying and implementing programs and policies on behalf of the State Bar that support diversity and inclusion. Many of CMWL’s, and in turn, the State Bar’s initiatives in this area have been driven by survey data of Arizona legal employers collected by, or at the direction of, the CMWL. Summaries of certain data related to the surveys and to programs implemented in response to the survey data are included in this report.

Survey data gathered in 2009 suggests that while progress has been made with respect to the hiring, promotion and retention of women and diverse attorneys over the past 16 years, significant efforts must still be undertaken by the State Bar in order “to ensure the legal profession reflects the community it serves.” Accordingly, the CMWL is providing this report and making certain recommendations to the Board of Governors (the “**BOG**”) in order to help the State Bar reach its articulated 2010 strategic priorities.

As set forth more completely herein, the CMWL recommends that the State Bar, at the direction of the BOG, take the following actions:

- Encourage legal employers to become, or continue to be, signatories to the Commitment to Inclusion Goals Program by providing information about the program to legal employers through direct correspondence and through publication in the Arizona Attorney and E-legal.
- Direct the State Bar’s Diversity Department to facilitate the Commitment to Inclusion Goals Program including the continued collection, maintenance, analysis and reporting of survey data. Diversity and inclusion surveys should be distributed every three years (rather than annually), data should be compiled and maintained in appropriate databases and in a consistent fashion, and resulting data reports should be submitted to the State Bar and to each signatory on a timely basis.
- Publish information and articles related to the Commitment to Inclusion Goals Program, including the list of signatories to the Commitment to Inclusion Goals Program, in the Arizona Attorney and E-legal.
- Establish an award to be presented at the annual State Bar convention recognizing a legal employer that has demonstrated significant achievements with respect to diversity and inclusion.
- Utilize the Commitment to Inclusion Goals Program to identify and advance policies and programs that support “diversification in all areas to ensure the legal profession reflects the community it serves.”

CMWL's Best Practices for Legal Employers

In 1992, the BOG adopted the CMWL's Statement of Goals for Increasing Minority and Woman Representation and Retention (the "**Statement of Goals**") which provided the following best practices to law offices with respect to the hiring, promotion, and retention of women and minority lawyers:

Hiring

1. Hold on-campus interviews at law schools with significant numbers of minority and women law students.
2. Expand hiring criteria for all lawyers beyond traditional law school indices to include criteria, such as diversity, demonstrated leadership or other special skills that reflect greater societal and client concerns, trends, and other factors.
3. Identify and actively recruit minority, women, and other under-represented groups of students through outreach to placement administrators, faculty members, former summer associates and minority and woman law student organizations at law schools, and by hosting job forums, receptions, skills training, scholarships and other activities for such law students.
4. Increase the pool of minority and women lateral applicants by seeking referrals from law school placement administrators and faculty, and by enlisting the support of professional recruiters, bar associations, and minority and women partners of private law firms.
5. Involve partners, senior corporate counsel, and supervisors in such recruiting efforts.
6. Communicate to all lawyers the law office's commitment to these goals.

Retention and Promotion

1. Exercise diligence and sensitivity to provide opportunities for women, minorities, and other under-represented groups of lawyers that are equivalent to those provided to non-minority male lawyers in the assignment of work on a consistent basis of the type necessary to develop skills and acquire experience for success and advancement.
2. Enhance programs aimed at increasing retention rates for all attorneys by focusing on the allocation of interesting and challenging work, training and guidance, relationships with partners, senior corporate counsel and supervisors, client contacts, feedback, and pro bono commitment.
3. Exercise diligence and sensitivity to further ensure that the work environment is hospitable for women, minority, and under-represented groups of lawyers by providing them with:

- a) opportunities to perform significant work assignments for important clients;
 - b) training, mentoring, guidance, feedback and opportunities to grow and succeed;
 - c) invitations to and inclusion in work-related social activities with other lawyers and clients.
4. Adopt programs for all new lawyers to enhance their understanding of business concepts and client relations and to develop their confidence in dealing with such matters.
 5. Adopting policies that prohibit law firm sponsored functions at private clubs that discriminate on the basis of race, creed, religion, or sex.
 6. Ensure equal opportunities for minority, women, and under-represented groups of lawyers to achieve partnership:
 - a) by developing criteria for promotion;
 - b) by guiding the development of such lawyers;
 - c) by assigning responsibility for important client matters to senior lawyers of the above categories.

Original Statement of Goals Program

In 1993, the CMWL surveyed certain legal employers and determined that (i) women accounted for 20.4% of all lawyers and accounted for 12% of the partners in the responding private law firms, and (ii) minorities accounted for 3.72% of all lawyers and accounted for 2.6% of the partners in the responding private law firms. At that time, the Arizona population consisted of 50% women and 30% minorities. This disparity caused the CMWL to report that “if the ideal is a state bar membership that mirrors the public it represents . . . we have a long way to go to reach that ideal when it comes to minority and women attorney participation.”

In response, the State Bar instituted a Statement of Goals Program, whereby various legal employers, by becoming signatories to the program, agreed to use their best efforts to implement some or all of the above best practices and agreed to report certain demographic information with respect to women and minority lawyers. See Exhibit A for a list of 1993 signatories. Further, the Statement of Goals Program set a goal for each signatory law firm to achieve a composition of at least 35% women and 15% minority lawyers by 1998.

Results of the Original Statement of Goals Program

Data from the 33 original signatories, located in Phoenix, Tucson, and Flagstaff, was collected and studied from 1993 to 2003.¹ CMWL submitted its report on the Statement of Goals to the Board of Governors in April 2006. See the full report at http://www.myazbar.org/SecComm/Committees/CMWL/Archives/SOG_060419.pdf.

Over the ten-year period from 1993-2003, only seven of the 33 law firms² had achieved the goal of at least 35% women and only one law firm³ had achieved the goal of at least 15% minorities. Instead, the average percentage of women lawyers increased from 22% to 26% and the average percentage of minority lawyers increased from 3% to 6%. Although the Statement of Goals Program did not establish goals with respect to partnership, partnership for women lawyers rose from 13% to 16% and from 2% to 3% for minority lawyers. These partnership percentages were consistent with national averages.

Additionally, data regarding the 24 signatory law firms located in Phoenix revealed certain trends with respect to minority lawyers, which are set forth on Exhibit B hereto.

To address the slow progress made by the signatories in reaching the goal percentages set by Statement of Goals Program, the CMWL's April 2006 report also presented eight recommendations to the BOG, including the establishment of a diversity task force, the hiring of a full-time diversity director for the State Bar, and the formation of a bar leadership institute. A full list of the recommendations, some of which have not yet been implemented, is set forth on Exhibit C hereto.

Commitment to Inclusion Goals Program

The Diversity Task Force, established by the BOG in response to the CWML's guidance, reviewed the Statement of Goals and recommended, among other things, that the CMWL modernize and expand the language. See Exhibit D. Accordingly, the CMWL renamed the Statement of Goals the "Commitment to Inclusion Goals" in order to reflect the program's emphasis on inclusion of diverse lawyers beyond gender and race.

In January 2009, the State Bar's Diversity Department sent letters, in a form substantially similar to that set forth on Exhibit E hereto, to certain legal employers, set forth on Exhibit F hereto, encouraging them to become signatories to the Commitment to Inclusion Goals Program. Signatories were requested to annually (i) complete a short survey, drafted by the CMWL,⁴ and (ii) provide the State Bar with certain diversity statistics, as well as to commit to use the best practices set forth by the State Bar to increase the hiring, retention and promotion of women and diverse attorneys. Though a project of the CMWL, the Arizona Women Lawyers Associations,

¹ Statistics from firms with less than ten lawyers, though collected, was not included for reporting purposes because it did not create a sample large enough to draw meaningful conclusions.

² Hufford Horstman Mongini Parnell & McCarthy (50%) (Flagstaff); Curtis Goodwin Sullivan Udall & Schwab (45%); Sacks Tierney P.A. (44.5%); Lewis & Roca (Tucson office only) (40%); Browning Oberg Woods & Wilson (38.9%); Jaburg & Wilk (37.5%) and Bryan Cave (36%).

³ Quarles & Brady (17.9%)

⁴ The CMWL intends to evaluate whether the survey questions and requested statistics should be modified in order to lessen the reporting effort and to ensure that only usable data is reported.

Arizona Black Bar Association, Los Abogados Hispanic Bar Association and Native American Bar Association have all endorsed the Commitment to Inclusion Goals Program.

The 14 Commitment to Inclusion Goals Program signatories, nine of which were signatories to the original Statement of Goals Program, include: Ballard Spahr LLP, Bowman and Brooke LLP, Bryan Cave LLP, Fennemore Craig PC, Gallagher & Kennedy PA, Gust Rosenfeld PLC, Kutak Rock LLP, Lewis and Roca LLP, Osborn Maledon PA, Perkins Coie Brown & Bain PA, Quarles & Brady LLP, Ryley Carlock & Applewhite PA, Snell & Wilmer L.L.P. and Waterfall Economidis Caldwell Hanshaw & Villamana PC.

The signatories provided the following substantive information to the Diversity Department:

- The number of women, minorities, lesbian, gay, bisexual or transgendered (“LGBT”) lawyers, and lawyers with disabilities.
- The number of women, minority, LGBT, or lawyers with disabilities in firm leadership positions such as practice groups or chairs of major committees.
- The types of diversity programs or benefits offered by the firm.
- Specific efforts undertaken by the firm to provide flexible and/or reduced workloads to allow for part-time schedules.
- Whether part-time or reduced billable hour attorneys would be eligible for partnership.
- Specific programs created to retain and/or promote women and/or minority lawyers and input on challenges the law firm faced with lawyer retention.
- Identification of mentoring programs within the law firm for women and minority lawyers.
- Identification of leadership skills programs within the law firm for women and minority lawyers.

Additionally, the signatories provided statistical information on equity and non-equity partners, associates, contract, “of counsel,” part-time, and senior lawyers (60+). The statistics were submitted as of February 1, 2009, to coincide with National Association of Law Placement’s (“NALP”) submission date.

Results of the 2009 Commitment to Inclusion Goals Program

Because of reduced number of signatories to the 2009 Commitment to Inclusion Goals Program, it made little statistical sense to directly compare all of the 2009 signatory data to the 1993 and 2003 signatory data. However, some common data can be compared for a subgroup of signatories. Accordingly, survey data is reported below pursuant to two methods of analysis. First, data related to the fourteen 2009 Commitment to Inclusion Goals Program signatories is reported. Next, data related to a smaller group of signatories for which comparable data was reported in 2003 and in 2009 is set forth.

Results Related to All 2009 Commitment to Inclusion Goals Program Signatories

The average percentages of women and minority participation in the 2009 Commitment to Inclusion Goal Program signatories is set forth below:

2009 Commitment to Inclusion Goals Signatories (14 Firms)

Type of Lawyer	Average Percentages
Women	32.5%
Minorities	11.6%
Women Partners	22%
Minority Partners	7.6%

Of these 2009 Commitment to Inclusion Goals Program signatories, five signatories had over 35% women,⁵ and four signatories had over 15% minorities.⁶ Twelve of the signatories had percentages of women partners (including both equity and non-equity partners) in the double digits, ranging from 15.4% to 42.8%. For comparison, one national study found that in 2008, women constituted 27% of non-equity partners and 16% of equity partners.⁷ Only two of the signatories had minority partnership percentages (including both equity and non-equity partners) in the double digits, 18.8% and 20.8% respectively. For the other 12 signatories, minority partnership percentages ranged from a low of 2.6% to a high of 8.7%. Nationally, NALP reports that 5.92% of all law firm partners are minorities.

⁵ Ballard Spahr LLP (57.1% women); Bowman and Brooke LLP (43.8% women); Kutak Rock LLP (37.5% women); Quarles & Brady LLP (40% women), and Ryley Carlock & Applewhite PA (39.4% women).

⁶ Ballard Spahr LLP (17.8% minorities); Kutak Rock LLP (22.5% minorities); Quarles & Brady LLP (20% minorities), and Ryley Carlock & Applewhite PA (19.5% minorities).

⁷ Report of the Third Annual National Survey on Retention and Promotion of Women in Law Firms, The National Association of Women Lawyers® and The NAWL Foundation® at five (November 2008).

Results Related to Signatories Reporting Comparable Data in 2003 and 2009

The chart below illustrates statistical changes from 2003 to 2009 for signatories for which comparable data was reported in 2003 and in 2009.

Average Percentages of Signatory Law Firms With Comparable Data For Both Years	2003	2009
Women ⁸	27.3%	30.6%
Minorities ⁹	5.5%	9.8%
Women Partners ⁹	14.9%	18.4%
Minority Partners ⁹	2.9%	5.1%

While the percentages for all categories increased, the goal of 35% women set by the original Statement of Goals Program in 1993 was still not achieved. Similarly, the goal of 15% minorities set by the original Statement of Goals Program was attained by only a few firms even though the average percentage of minority lawyers nearly doubled among the 2009 signatories.

Signatory Best Practices

A review of the substantive responses to the nine-question survey showed that several of the signatories instituted many best practices suggested by the Commitment to Inclusion Goals Program, including the following:

Hiring

1. Recruiting at diversity career fairs including Rocky Mountain Diversity Legal Career Fair, IMPACT Career Fair, Lavender Law Job Fair, Muslim Law Career Fair, Harvard Black Law Students' Association Job Fair, LGBT Career Fair, VAULT/MCCA Diversity Job Fair, ABA/CLEO Job Fair, the Sunbelt Minority Job Fair, NBSA Annual Southern California Sub-Regional Job Fair-UCLA Job Fair, Legal Minority Law Fair (sponsored by DuPont).
2. Participating in the Diversity Legal Writing Program at the Sandra Day O'Connor College of Law at Arizona State University ("ASU") which provides diverse law students with the opportunity to obtain law firm experience by

⁸ Statistics from Ballard Spahr LLP were not included because there was no data from 2003. However, statistics from the other 13 signatories were utilized.

⁹ Statistics from Ballard Spahr LLP, Bowman and Brooke LLP, Fennemore Craig P.C., and Kutak Rock were not included because there was no data from 2003.

working 12-20 hours a week at a sponsoring law firm on substantive legal matters under the direction of the firm's attorneys.

3. Sponsoring the ABA Judicial Internship Opportunity Program (JIOP) which provides scholarships to diverse students and allows them to spend six weeks during the summer clerking for Arizona judges and working and socializing with local attorneys.
4. Recruiting at ethnically diverse law schools including Howard University, Thurgood Marshall School of Law, Texas Southern, University of Texas, and the University of New Mexico.
5. Sponsoring and participating in The Council on Legal Education Opportunity Summer Institutes.

Retention and Promotion

1. Facilitating mentor programs between partners and associates.
2. Providing internal, and participating in external, leadership programs including the State Bar Leadership Institute and the ASU Hispanic National Bar Association Pipeline Program.
3. Developing programs to integrate the lawyer's individual goals with the firm's practice and/or career advancement plans.
4. Implementing programs to specifically support and enhance the professional development of the firm's diverse junior partners and senior associates.
5. Monitoring work assignments and hours billed to key client matters to ensure that diverse attorneys have equal access to and inclusion in top client matters.
6. Encouraging lawyers to participate in diversity-related bar and professional associations and activities.
7. Creating internal affinity groups for minorities, women, parents, and LBGT attorneys.
8. Supporting and/or partnering with organizations or events such as the Minority Corporate Counsel Association (MCCA), NAPABA, Corporate Counsel Women of Color (CCWC), ABA's Women in Law Leadership Academy, Stakeholders 100, Project for Attorney Retention, and NAWL.
9. Providing reduced hours policies and/or allowing part-time lawyers to be eligible for partnership. While several signatories had this policy in place, only about half of the signatories had lawyers who made partner while working reduced hours.
10. Providing paid parental leave (gender neutral) of up to 12 weeks.

11. Providing or subsidizing back-up dependant care and/or allowing pretax deductions for dependant care.
12. Providing on-site lactation rooms.
13. Providing concierge services.
14. Providing domestic partner health benefits.
15. Instituting sabbatical programs. One firm allows three months paid leave every six years.

Additionally, a few signatories instituted programs worthy of particular attention. One signatory, as part of its partner compensation process, elicited a self-evaluation of efforts to foster a diverse and inclusive workplace, including information regarding work allocation, mentoring, leadership, and inclusion of women and diverse attorneys in internal, external, and client activities. Another signatory required all partners, as part of their self-evaluation, to provide information concerning their personal efforts to promote diversity both within the firm and in the community. Both signatories required the assessments as a method of reinforcing the importance of diversity and inclusion. One national firm held a retreat for its diverse attorneys to get to know one another and to discuss issues pertinent to their professional growth and individual business plans. Notably, one signatory stated that since the inception of its mentor program, its attrition rate was cut in half.

Recommendations Regarding the Future of the Commitment to Inclusion Goals Program

The Commitment to Inclusion Goals Program is integral in assisting the State Bar to achieve its articulated 2010 goals. However, without a dedicated and consistent effort by the State Bar, acting through its Diversity Department, the Commitment to Inclusion Goals Program cannot be successful. It takes some time and effort, as well as consistency and planning, to solicit, compile, analyze and report the data in a meaningful fashion. The CMWL, which is comprised solely of volunteer lawyers, has traditionally facilitated the process of soliciting signatories and has compiled, analyzed and reported the program data to the BOG. However, at this time the CMWL believes that the Diversity Department can more effectively and efficiently carry out the Commitment to Inclusion Goals Program. Accordingly, the CMWL respectfully recommends that the State Bar, at the direction of the BOG, continue the Commitment to Inclusion Goals Program through the following actions:

- Encouraging legal employers to become, or continue to be, signatories to the Commitment to Inclusion Goals Program by providing information about the program to legal employers through direct correspondence and through publication in the Arizona Attorney and E-legal.
- Directing the State Bar's Diversity Department to facilitate the Commitment to Inclusion Goals Program including the continued collection, maintenance, analysis and reporting of survey data. Diversity and inclusion surveys should be distributed every three years (rather than annually), data should be compiled and maintained in appropriate databases and in a consistent fashion, and resulting data reports should be submitted to the State Bar and to each signatory on a timely basis.

- Publishing information and articles related to the Commitment to Inclusion Goals Program, including the list of signatories to the Commitment to Inclusion Goals Program, in the Arizona Attorney and E-legal.
- Establishing an award to be presented at the annual State Bar convention recognizing a legal employer that has demonstrated significant achievements with respect to diversity and inclusion.
- Utilizing the Commitment to Inclusion Goals Program to identify and advance policies and programs that support “diversification in all areas to ensure the legal profession reflects the community it serves.”

EXHIBIT A

**COMMITTEE ON MINORITIES AND WOMEN IN THE LAW
STATEMENT OF GOALS SIGNATORIES (1993)**

BAR ASSOCIATIONS

Maricopa Bar Association

CORPORATIONS

Arizona Public Service Company
Wells Fargo Bank

GOVERNMENT/PUBLIC AGENCIES

Arizona Attorney General's Office
Community Legal Services
DNA People's Legal Service
Federal Public Defender, District of Arizona
Maricopa County Attorney's Office
Maricopa County Public Defender's Office
Mohave County Public Defender's Office
Phoenix City Attorney's Office
Pima County Public Defender
Pima County Public Fiduciary
Southern Arizona Legal Aid, Inc.

LAW FIRMS

Aspey Watkins & Diesel PLLC
Broening Oberg Woods Wilson & Cass PC
Bryan Cave LLP
Byrne Beaugureau Shaw Zukowski
& Hancock PC
Carson Messinger Elliott Laughlin
& Ragan PLLC
Chandler Tullar Udall & Redhair
Dillingham Cross PLC
Doherty & Alex
Dominguez & Associates PC
Duffield Miller Young Adamson
& Alfred PC
Dushoff & McCall PC
Gallagher & Kennedy PA
Gaona & Haynes PC
Gust Rosenfeld
Holloway Odegard & Sweeney PC
Hudson & Laeno PC
Hufford Horstman McCullough
& Mongini PC
Jaburg & Wilk PC
Jacoby & Meyers Law Offices
Jennings Strouss & Salmon PLC
Jones, Skelton & Hochuli
Lewis and Roca LLP
Long Lundmark & Poppe PA
Mariscal Weeks McIntyre & Friedlander PA
Jennings Haug & Cunningham

Martinez & Curtis PC
Maynard Murray Cronin & O'Sullivan PLC
McCabe O'Donnell PA
Mesch Clark & Rothschild PC
Meyer Hendricks Bivens & Moyes PA
Murphy Lutey Schmitt and Beck PLLC
Newmark Irvine PA
O'Connor Cavanagh Anderson Westover
Killingsworth & Beshears
Ortega & Associates PC
Osborn Maledon PA
Polese Pietzsch Williams & Nolan PA
Quarles & Brady
Ridenour Swenson Cleere & Evans PC
Robbins & Green PA
Ryley Carlock & Applewhite PA
Sacks Tierney PA
Gary Michael Smith
Snell & Wilmer L.L.P.
Squire Sanders & Dempsey LLP (Phoenix)
Streich Lang PA
Thayer & Thayer PC
Wachtel Biehn & Malm
Waterfall Economidis Caldwell Hanshaw
& Villamana PC
Westover Shadle Byrd & Meerchaum PLC
Wilenchik & Bartness PC
Yen & Pilch
Ronald A. Lebowitz PC

EXHIBIT B

PHOENIX LAW FIRM SIGNATORY ETHNICITY INFORMATION¹
(24 Law Firms)

<u>Type of Minority Lawyer</u>	<u>Number in 1993</u>	<u>Number in 2003</u>
	40 of 1096 (3.6%)	76 of 1224 (6.2%)
Hispanic/Latino	17 (1.6%)	28 (2.3%)
Partners	9 (1 woman)	10 (2 women)
Associates	8 (2 women)	18 (at least 7 women)

Note: Partnership was flat, but number of associates was on the rise.

Asian/Pacific Islander	10 (0.9%)	24 (2%)
Partners	3 (1 woman)	3 (2 women)
Associates	7 (at least 3 women)	21 (at least 8 women)

Note: Partnership was flat, but number of associates had tripled.

Black/African American	10 (0.9%)	14 (1.1%)
Partners	2 (0 women)	7 (1 woman)
Associates	8 (at least 3 women)	7 (at least 1 woman)

Note: Partnership was on the rise, but the number of associates decreased.

Native American	2 (0.2%)	8 (0.7%)
Partners	0	3 (0 women)
Associates	2 (1 woman)	5 (4 women)

¹ In 1993, there was one minority lawyer whose ethnicity was unknown, and in 2003, there were two minority lawyers with unknown ethnicities.

EXHIBIT C

EXHIBIT C

RECOMMENDATIONS TO THE BOARD OF GOVERNORS

The CMWL offers the following recommendations to the Board of Governors as a means by which the Board can lead the Bar's efforts to achieve the aspirations of the Statement of Goals.

1. The Board should reaffirm its commitment to the Statement of Goals Program.
2. The Board should implement a policy and appropriate measures to increase diversity in Committees, Commissions, Task Forces, and Section, and in the leadership of these bodies.
3. The State Bar should track, maintain and report demographic information of its committees, leadership, and membership in support of the diversity policy above and the Statement of Goals.
4. The Board should encourage all legal employers to become Signatories to the Statement of Goals and pledge to monitor and improve racial, ethnic and gender diversity in the hiring, retention and promotion of attorneys.
5. The Board should promote "best practices" by supporting and funding programs aimed at increasing racial, ethnic, and gender diversity in the legal profession in Arizona including, but not limited to:
 - a. Creating a website that links users to articles, checklists, other resources on increasing diversity (e.g., see ABA website);
 - b. Continuing to support, as appropriate, diversity programs such as the NBA Commercial Law Section Diversity Pipeline Development Program and other programs designed to promote diversity in the legal profession;
 - c. Forming an Arizona Leadership Institute similar to that of the Washington State Bar in order to recruit, train and retain Arizona attorneys who have been admitted to practice 3-10 years for leadership positions in the Arizona legal community (e.g., see http://www.wsba.org/lawyers/leadership_institute.htm); and
 - d. Encouraging legal employers to attend seminars on best practices to support the State Bar's diversity initiative.

- e. Considering the dedication of a full-time staff member to the State Bar's diversity initiatives (e.g. Diversity Advocate position at the Washington State Bar website, <http://www.wsba.org/joslyndonlin.htm>)
6. The State Bar President should appoint a Diversity Task Force to evaluate and implement the suggestions in Recommendation # 5 (b) (c) above.
7. The Board should direct the CLE department to incorporate cultural competency into the legal education courses and continue to seek a diversity of speakers on every panel. Cultural competency is the skill set that one possesses to competently represent clients from all cultures, backgrounds, values, mores, beliefs and the like. In other words, a lawyer should be able to fully and accurately present a client's side of the story so that no one dominant set of cultural values is used to judge all people.
8. The Board should solicit liaison reports from each of the minority and women bar associations to be presented at its monthly Board meetings so as to gain further understanding of any issues.

EXHIBIT D



**STATE BAR
OF ARIZONA**

**STATE BAR OF ARIZONA
DIVERSITY TASK FORCE**

**TASK FORCE STUDY AND
RECOMMENDATIONS TO
PROMOTE DIVERSITY IN THE
LEGAL PROFESSION IN
ARIZONA**

DECEMBER 15, 2006

State Bar of Arizona Diversity Task Force

11

Committee Report November 20, 2006

Committee Name: Statement of Goals Committee

Members:

Claudia D. Work (Chair) – Mariscal, Weeks, McIntyre & Friedlander, P.A.
Hon. Ann Scott Timmer (Recording Secretary)
Amelia Craig Cramer - Pima County Attorneys Office
Hon. Maurice Portley - Arizona Court of Appeals - Division One
Susan Hable Purtill - Grasso Law Firm PC
Patricia Lee Refo - Snell & Wilmer LLP
Jon M. Sands - Federal Public Defender
Merle J. Turchik - Ryan Turchik PC
Anna C. Young - Boyle Pecharich Cline & Whittington

Assigned Tasks or Charges:

Review SBA Statement of Goals implemented in 1993, benchmark against similar pronouncements and recommend changes in keeping with present day circumstances.

Executive Summary:

The Statement of Goals is dated by its terms and should be reviewed and revised in line with the Bar's recommitment to diversity in order to assure that its aspirations and targets are consistent with the present-day and anticipated future composition of the Arizona Bar. The Statement of Goals Committee of the State Bar Diversity Task Force should be directed to continue its evaluation of the Statement of Goals, including coordination with other bar associations, and particularly minority and other bar groups in Arizona that have an interest or stake in the Statement of Goals, such that by the end of the first Quarter of 2007 (e.g., March 30, 2007), a draft revision is available for review and consideration of the State Bar Board of Governors.

Discussion:

In 1993, the Committee on Minorities and Women in the Law ("CMWL") formulated a Statement of Goals ("1993 Statement") to address the low hiring and retention figures for racial minorities and women within Arizona law firms, corporate legal departments and government and public agency law departments. Signatories to the 1993 Statement committed to efforts to increase hiring and retention of racial minorities and women over a five-year period terminating in 1998. Few, if any, signatories met the stated goals. On April 21, 2006, the CMWL recommended to the Board of Governors that the State Bar

recommit to the 1993 Statement and adopt diversity initiatives submitted to the Board. Subsequently, the Board of Governors established the Diversity Task Force to address key considerations presented in the CMWL's Report. The Diversity Task Force established this Committee to review the 1993 Statement, benchmark it against similar pronouncements and recommend changes in keeping with present day circumstances.

The Statement of Goals Committee has met five times over the past two months. The Committee has worked on identifying portions of the 1993 Statement that need updating to incorporate the charge of the Diversity Task Force and to specifically expand the diversity goals of the 1993 Statement to encompass sexual orientation, gender identity and disability. The Committee has also reviewed the diversity statements of various State Bars in other states including Chicago, New York, and Minnesota.

The decision has been made to retain as much of the 1993 Statement as possible, redrafting only those portions necessary to accomplish the Task Force's mission and conform to the State Bar's commitment to diversity. Much time has been spent on ensuring that the final product is viewed as inclusive of new categories of diversity without diluting the existing minority categories listed in the 1993 Statement. Discussions were had regarding the diversity pool against which to measure the effectiveness of diversity initiatives within the Arizona legal community. In recognition of the realities of the geographical and cultural idiosyncrasies of the Arizona legal community, it was decided to link the diversity standard to the pool of lawyer applicants on a local level rather than the national pool.

Efforts are underway to revise portions of the 1993 Statement to bring it up to date with present and planned diversity initiatives.

Recommendations:

Drafting is ongoing. Current recommendations include:

1. Where appropriate, adding diversity language to the 1993 Statement to reflect the addition of present day communities that should be incorporated within the 1993 Statement's aspirations, with the bottom line goal of promoting a truly diverse Bar.
2. Clarifying that although the goals should apply to the entire legal community, recognition is given that small legal entities (15 lawyers or fewer) may not have the ability to meet stated goals, but should nevertheless seek out opportunities to promote diversity in the Bar as they present themselves.
3. Defining the standard by which diversity in the legal community should be determined and measured. To that end, the legal community should reflect the diversity of "entry level classes" graduating, or expected to graduate, from the "feeder" law schools.

4. Modifying the stated goal percentages for women and "minority" hiring and retention to a percentage linked to each individual legal entity's benchmark numbers until the Statement's aspirations are attained. For example "x% increase yearly of 2007 diversity levels."
5. The current Statement of Goals covered a specific time frame from 1993 to 1998. This "sunset" provision should be removed such that the Statement of Goals does not expire by its terms and continues indefinitely.

Funding Resources Identified:

N/A

Suggested Timeline for Implementation of Recommendations:

The Statement of Goals Committee is presently undertaking a revision of the 1993 Statement, taking into consideration the recommendations stated in this Report. Because of the need to solicit input from important bar groups with a stake in the revision of this important policy statement, the Committee expects that a draft representing the input from various stakeholder groups can be made available to the Board of Governors no later than March 30, 2007 for its consideration and ultimate adoption.

Resources Required:

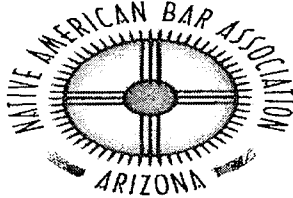
Dissemination of communication pieces in Bar publications that solicit input to the Statement of Goals Committee of the Diversity Task Force.

Ultimately, advertisement and dissemination of updated Statement of Goals by State Bar once the Board of Governors adopts a revised Statement.

EXHIBIT E



COMMITTEE ON MINORITIES & WOMEN IN THE LAW



LOS ABOGADOS
Hispanic Bar Association

ARIZONA
ASSOCIATION

Arizona Asian American Bar Association . Arizona Black Bar Association

January 26, 2009

Dear _____:

Your law office was a Signatory to the 1993 State Bar of Arizona's "Statement of Goals for Increasing Minority and Woman Representation and Retention." These goals included guidelines designed to assist law offices in hiring, retaining, and promoting women and minority attorneys.

In April of 2006, the State Bar's Board of Governors reaffirmed its commitment to diversity, which is defined as "the inclusion of all, especially the under-represented groups". Valuing our differences in thought, background and perspective will help create a culture that embraces the best people from the widest range of talent.

As a continuation of your previous commitment, the State Bar and other local bar associations would like your law office to become part of the "Commitment to Inclusion Goals" Program. Details on the program are attached. By participating in this program your law office is agreeing to use its best efforts to provide diverse populations with opportunities for full and equal participation in the legal profession.

Please complete the attached "Commitment to Inclusion Goals Program Law Office Survey," and return it by February 27, 2009 to the State Bar's Diversity Department. Your law office's name will then be added as a Signatory to the Commitment to Inclusion Goals Program and published in the Arizona Attorney. Your law office will also receive a certificate acknowledging its participation in the program.

The Diversity Department is committed to being a resource to your law office in this area. For assistance or answers to your questions, please contact us at (602) 340-7393. We appreciate your past support and look forward to your law office's continued advancement of such inclusion efforts.

Sincerely,

Attachments:

- Committee on Minorities and Women in the Law Statement of Goals Signatories (1993)
- Commitment to Inclusion Goals Program (2008)
- Commitment to Inclusion Goals Program Law Office Survey (2009)

State Bar of Arizona

Commitment to Inclusion Goals Program

To provide for full participation of all groups of people in the legal profession and to increase the numbers of minority and women lawyers, the "Commitment to Inclusion Goals" Program asks law offices to become a Signatory and commit to the following inclusion guidelines in each of three areas: **Hiring, Retention, and Promotion.**

Signatories to the Commitment to Inclusion Goals program will be publicly acknowledged in the Arizona Attorney and will receive a certificate acknowledging their participation in the program. Signatories will also be asked to annually provide information on their progress in each of these areas.

Hiring

Law offices commit to use their best efforts to increase the number of minority, woman, and under-represented groups of lawyers hired by taking all or some of the following steps:

- holding on-campus interviews at law schools with significant numbers of minority and women law students
- expanding hiring criteria for all lawyers (minority and non-minority, males and females) beyond traditional law school indices to include criteria, such as diversity, demonstrated leadership or other special skills that reflect greater societal and client concerns and trends, and other factors
- identifying and actively recruiting minority, women, and other under-represented groups of students through outreach to placement administrators, faculty members, former summer associates and minority and woman law student organizations at law schools, and by hosting job forums, receptions, skills training, scholarships and other activities for such law students
- increasing the pool of minority and women lateral applicants by seeking referrals from law school placement administrators and faculty, and by enlisting the support of professional recruiters, bar associations, and minority and women partners of private law firms
- involving partners, senior corporate counsel, and supervisors in such recruiting efforts
- communicating to all lawyers the law office's commitment to these goals

Retention and Promotion

Law offices commit to use their best efforts to increase retention and promotion rates for minority, woman, and under-represented groups of lawyers by doing the following:

- exercising diligence and sensitivity to provide opportunities for women, minority, and other under-represented groups of lawyers that are equivalent to those provided to non-minority male lawyers in the assignment of work on a consistent basis of the type necessary to develop skills and acquire experience for success and advancement
- enhancing programs aimed at increasing retention rates for all attorneys by focusing on the allocation of interesting and challenging work, training and guidance, relationships with partners, senior corporate counsel, and supervisors, client contacts, feedback, and pro bono commitment
- exercising diligence and sensitivity to further ensure that the work environment is hospitable for women, minority, and under-represented groups of lawyers by providing them with:
 - a) opportunities to perform significant work assignments for important clients
 - b) training, mentoring, guidance, feedback and opportunities to grow and succeed
 - c) invitations to and inclusion in work-related social activities with other lawyers and clients
- adopting programs for all new lawyers to enhance their understanding of business concepts and client relations, and to develop their confidence in dealing with such matters
- adopting policies that prohibit law firm sponsored functions at private clubs that discriminate on the basis of race, creed, religion, or sex
- ensuring equal opportunities for minority, women, and under-represented groups of lawyers to achieve partnership:
 - a) by developing criteria for promotion
 - b) by guiding the development of such lawyers
 - c) by assigning responsibility for important client matters to senior lawyers of the above categories

**COMMITMENT TO INCLUSION GOALS PROGRAM
LAW OFFICE SURVEY**

Name of law office: _____

Total number of lawyers in your Arizona offices: _____ Total number of lawyers: _____

Name of person providing information: _____

Telephone number: _____

E-mail address: _____

If your firm has a person specifically responsible for diversity or other inclusion efforts, please provide the name and phone number of the individual below.

Name: _____

E-mail address: _____

Telephone number: _____

Confidentiality Note: Any lawyer names provided on the survey below will be kept confidential.

Directions: Please complete the following annual survey to provide data on lawyers in your law office's **Arizona** locations ONLY, as of **February 1, 2009**. Mail, messenger or fax to (602) 416-7589 your completed survey to the State Bar of Arizona, Attn: Diversity Director, 4201 N. 24th St., Suite 200, Phoenix AZ 85016 by the close of business on **February 27, 2009**. On a separate page, please answer the following questions:

1. Please list the number of **women** in firm leadership positions, including heads of practice groups and members or chairs of **major** committees, such as the executive, finance, compensation, policy committee, etc. *Please specify ethnicity (if applicable) and names as in Jane R. Smith, partner, chair of management committee.*

2. Please list the number of **minorities** in firm leadership positions, including heads of practice groups and members or chairs of **major** committees, such as the executive, finance, compensation, policy committee, etc. *Please specify ethnicity and gender, as in Reginald D. Jones, shareholder, African American, chair of policy committee.*

3. Please list the number of any **lesbian, gay, bisexual or transgendered persons, or persons with disabilities** in firm leadership positions, including heads of practice groups and members or chairs of **major** committees, such as the executive, finance, policy committee, etc.

4. **Diversity Programs/Benefits:** Please describe any programs that your firm has developed to recruit and hire specific groups, such as minorities, lesbian, gay, bisexual or transgendered persons, or persons with disabilities during the past year. Please indicate if any specific types of benefits are provided (e.g. domestic partner benefits, special accommodations, etc.).

5. **Work Policies:** Please describe any specific efforts made to provide flexible and/or reduced workloads to allow for part-time schedules. Please describe any family leave and/or family assistance policies (i.e. elder care, emergency day care, sick child care, "ease back to work after maternity leave", maternity and/or paternity leave, sabbaticals (paid or unpaid), etc.) that are available to your lawyers.

6. **Are part-time or reduced billable hour attorneys eligible for partnership?** If yes, how many of these attorneys have made partner while being on a part-time or reduced billable hour status?

7. **Retention Efforts:** Please describe any programs that have been specifically created to retain and/or promote woman and/or minority lawyers. What has been the biggest challenge in this area? Does the law office conduct exit interviews to determine why minority, women, and other types of lawyers leave?

8. **Mentoring Programs:** Please describe any formal or informal mentoring programs for women and minorities.

9. **Leadership Programs:** Please describe any programs that are targeted to developing leadership skills in women and minority lawyers.

10. Please fill in the chart on the next page for your law office by providing the numbers of lawyers in each category. If a lawyer falls into more than one category, please explain under "Comments."

11. **Comments.**

Name of Law Office: _____

	White	Asian	African-American	Hispanic	Native American	Multi-Ethnic	LBGT ¹	Person w/ Disability	TOTAL
Male Capital (Equity) Partners									
Male Income Partners									
Female Capital (Equity) Partners									
Female Income Partners									
Male Associates									
Female Associates									
Male Staff (Contract) Attorneys									
Female Staff (Contract) Attorneys									
Male "Of Counsel"									
Female "Of Counsel"									
Part-Time Equity Partners									
Part-Time Income Partners									
Part-Time Associates									
Part-Time "Other Lawyers"									
Senior (60+)									
Other (Please Specify)									
TOTAL									

¹ LBGT refers to lesbian, gay, bisexual, or transgendered persons

EXHIBIT F

SIGNATORIES LIST

1. Aspey Watkins & Diesel Attorneys at Law, P.L.L.C.
2. Broening, Oberg, Woods & Wilson, P.C.
3. Beaugureau, Hancock, Stoll & Schwartz, P.C.
4. Carson Messinger Elliott Laughlin & Ragan, P.L.L.C.
5. ***Chandler Tullar Udall & Redhair***
6. ***Doherty & Alex***
7. ***Dominguez & Associates, P.C.***
8. Duffield Adamson Helenbolt & Fletcher, P.C.
9. ***Dushoff & McCall, P.C.***
10. Gaona Law Firm
11. Hufford, Horstman, Mongini, Parnell & Tucker, P.C.
12. Jaburg & Wilk, P.C.
13. ***Long, Lundmark & Poppe, P.A.***
14. Jennings, Haug & Cunningham, L.L.P.
15. Martinez & Curtis, P.C.
16. Maynard Cronin Erickson Curran & Sparks, P.L.C.
17. McCabe O'Donnell, a Professional Association
18. Mesch, Clark & Rothschild, P.C.
19. Meyer, Hendricks & Bivens, P.A.
20. Murphy, Lutey, Schmitt & Beck, P.L.L.C.
21. The Cavanaugh Law Firm, P.A.
22. Polese, Pietzsch, Williams & Nolan, a Professional Association
23. Robbins & Green, P.A.
24. ***The Law Offices of Wachtel, Biehn & Mahn***
25. Waterfall, Economidis, Caldwell, Hanshaw & Villamana, P.C.

26. Wilenchik & Bartness, P.C.
27. Yen, Pilch and Komadina, P.C.
28. Ronald A. Lebowitz
29. Jones, Skelton & Hochuli, P.L.C.
30. Greenberg Traurig LLP
31. Squire, Sanders & Dempsey L.L.P.
32. Bryan Cave LLP
33. Mariscal, Weeks, McIntyre & Friedlander, P.A.
34. Steptoe & Johnson, L.L.P.
35. The Cavanagh Law Firm, P.A.
36. Burch & Cracchiolo, P.A.
37. Stinson and Associates Incorporated
38. Gammage & Burnham, a^l Professional Limited Liability Company
39. Tiffany & Bosco, P.A.
40. Sacks Tierney P.A.

Received Responses:

41. Osborn Maledon, P.A.
42. Bowman and Brook LLP
43. Kutak Rock LLP
44. The Quarles Law Firm, PLLC
45. Snell & Wilmer L.L.P.
46. Lewis and Roca LLP
47. Fennemore Craig, P.C.
48. Ryley, Carlock & Applewhite, a Professional Corporation
49. Gust Rosenfeld P.L.C.
50. Gallagher & Kennedy, a Professional Association
51. Perkins Coie Brown & Bain P.A.

52. Ballard Spahr LLP
53. Jennings Strouss & Salmon, P.L.C.