

State Bar of Arizona Diversity Task Force

**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 - Divison 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.