

State Bar of Arizona Diversity Task Force

**Committee Report
November 20, 2006**

Committee Name: Best Practices

Members:

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Assigned Tasks or Charges:

Evaluate what other bar associations and other groups are doing in the area of diversity to identify best practices and plans for their implementation by the State Bar of Arizona ("SBA").

Executive Summary:

Creation by the SBA of a high-level staff position devoted to issues of diversity is critical and necessary if the SBA is to fulfill its long-range goals of fostering diversity in the legal profession in Arizona and proactively supporting Arizona law schools in their efforts to promote diversity in the recruitment and retention of women and minority students and members of other diversity groups. Increased communication and coordination between the SBA and specialty bars is also necessary to eliminate duplication, enhance existing programs, and work collectively to promote common goals.

Discussion:

To tackle the monumental task assigned to this Committee, the group divided into three subcommittees: Pipeline, Professional Development, and Bar Leadership.

The Pipeline Subcommittee, chaired by Randy Reed, gathered extensive data concerning existing programs in the state for high school, undergraduate, and law students. A preliminary summary of these programs is attached. It became evident right away that no comprehensive inventory of pipeline-related programs exists and that the creation of one is critical to assessing where we are and where we want to go. To learn about existing programs, the subcommittee met with representatives from the University of Arizona and Arizona State University and compiled a list of pre-law advisers. During these conversations, the university representatives encouraged the SBA to take a more active role coordinating pipeline activities and promoting volunteer opportunities to SBA members, such as mentoring students, speaking at career events, and providing internships for high school, undergrad and law students. The subcommittee also found that there are an extraordinary number of pipeline programs outside the state. Given the limitations of the instant Report's deadline and the Committee members' time, the group barely scratched the surface of identifying out-of-state programs, let alone discerning which are successful and should be emulated by the SBA. However, one program, a summary of which is attached, stood out as a potential model for the future. Accordingly, the Committee intends to continue its evaluation and provide further reports and recommendations in 2007, according to the timetable set forth below.

The Professional Development Subcommittee, chaired by Dev Sethi, focused on diversity-related initiatives for the SBA that would impact the profession from a practitioner's perspective. In addition to recommitting to the Statement of Goals and judicial workshops designed to encourage diverse applicants to the Bench, the group identified mentoring, CLE, and business development as areas in need of further exploration. The group also identified two primary barriers to meeting the goals of creating an effective mentoring program for diverse lawyers, ensuring diverse CLE faculty, and developing the skills and business of diverse lawyers: the lack of a comprehensive demographic database of SBA members and the lack of a dedicated diversity director/coordinator at the SBA. With respect to enhancing business development opportunities for women, minorities, and other diversity groups the subcommittee recommends that the SBA create a program similar to the California Minority Business Counsel Program (an overview of this program is attached).

The Bar Leadership Subcommittee, chaired by Teresita Mercado, reviewed diversity-related programming from other state bar associations and recommend several as set forth below in more detail. The group also identified two areas in need of further evaluation: (1) existing State Bar of Arizona Committees and Sections, and (2) current statewide diversity activities. The subcommittee recognized that before we embrace "best practices" from other states, we should first identify and assess the diversity-related activities already in practice, whether by an SBA Committee, an SBA Section, or a specialty bar. The subcommittee learned that the SBA lacks a comprehensive, statewide list of diversity-related activities and suggested that the Best Practices Committee compile this information. In addition, the subcommittee recommended that the Best Practices Committee contact the three diversity-related SBA Committees (Minorities & Women in the Law, Persons with Disabilities in the Legal Profession, and Sexual Orientation & Gender Identity) to assess the scope, purpose and activities of these Committees and to make recommendations to assist them in achieving their diversity-related goals. For example, up to this point, the vast majority of diversity-related projects and inquiries from the SBA's Board of Governors have been deferred to the Committee on Minorities & Women in

the Law. If the SBA ultimately creates a staff position responsible for overseeing diversity-related issues, the scope of the CMWL in particular may need to be adjusted. The subcommittee strongly recommended that the structure of the Bar, its Committees, and its relationship with specialty bars be assessed in light of any changes wrought by the Diversity Task Force's other recommendations.

In sum, the Committee concluded that its goal of identifying best practices for implementation in Arizona hinges directly on whether the SBA devotes the resources necessary for coordination and oversight of such programs, particularly the installation of a Diversity Director to oversee the Bar's diversity programs and goals and to assure that they are attained.

Recommendations:

SHORT TERM (ASAP):

1. Create, fund, staff and sustain a Diversity Director to oversee the Bar's diversity program, including the following:
 - A. Serve as a single source of information on existing pipeline diversity programs already existing in Arizona and to serve as a resource to schools, students, members of the Bar, and existing organizations in Arizona;
 - B. Inventory and evaluate best practices outside Arizona for use in supplementing existing pipeline and other diversity-related programs;
 - C. Maintain a master calendar of diversity-related events;
 - D. Maintain a master contact list for specialty bars, including a list-serve for posting of diversity-related announcements by the Bar, specialty bars, agencies, and employers;
 - E. Work with specialty bars and SBA Committees, Sections and staff to devise a plan for addressing diversity within CLE faculty; and
 - F. Facilitate development of an SBA Diversity Annual Report similar to the ABA's Goal IX Report Cards that detail the number of women, minorities and members of other diversity groups in the SBA's Committees, Sections, and Leadership.
2. Develop part of the State Bar Website to include a prominent section on diversity, which would include (1) a page on Best Practices for Achieving Diversity in Law firms, posting and linking to the vast array of available resources for employers regarding recruitment and retention of diverse lawyers; (2) a calendar of diversity-related activities sponsored by the SBA or any specialty bar, and (3) links to organizations that promote diversity (including specialty bars).

MID-TERM (Within 12 Months):

3. The Diversity Task Force, through its Best Practices Committee should develop a five-year strategic plan for implementation of the Bar's commitment to diversity, and in so doing, should seek out and involve the Bar's Diversity Director in this effort when he/she is finally retained. This strategic plan should be available to presentation to the SBA's Board of Governors within nine months of the Diversity Director's hiring.

4. Consider creating a Multi-Bar Leadership Council (“MBLC”). Coordinated by the SBA, this group would consist of representatives from various diversity-related associations, organizations, and SBA Committees to address issues ranging from the hiring and retention of diverse lawyers to the identification of qualified judicial candidates from diverse backgrounds. The group would also coordinate various events focusing on diversity issues, including assisting the SBA’s CMWL with its annual Minority Bar Convention.
5. Consider adding an MBLC Representative to the Board of Governors (“BOG”). Selected by the Multi-Bar Leadership Council, this person would sit on the BOG as a voting member, similar to the Young Lawyers Division representative. A rule change petition to the Arizona Supreme Court to create this new position would be drafted no later than August 2007.
6. Consider establishing an annual or biannual Diversity Conference designed to bring together law firm managing partners and hiring partners (especially signatories to the Statement of Goals) with corporate counsel, bar leadership, and specialty bar leaders to address diversity issues, including those highlighted by the SBA’s Statement of Goals. This conference would focus on providing insight on issues faced by associates and in-house counsel as well as practical steps to be taken to increase diversity in the legal profession in Arizona.
7. Considering creating a Standing Committee on Pipeline Issues to work with the SBA Diversity Director to: (1) Continue identification of successful pipeline programs and assessment of feasibility in Arizona; (2) Organize an inaugural Arizona Pre-Law Advisor Meeting or partner with an existing organization of pre-law advisors to provide content on pipeline-building issues and programs; and (3) Create a town hall type of event to bring together attorneys, educators, and community organizations to formulate a plan for permanent pipeline programs at each education level, with particular emphasis on Native American and Hispanic communities.

LONG TERM (Within 24 Months):

8. Organize a recurring Pipeline Institute Program modeled after the King County Bar Association’s Future of Law Institute (Seattle, Washington), which received an ABA Partnership Award in 2004 for its exemplary efforts toward increasing diversity in the profession.
9. Create a program similar to the California Minority Counsel Program to increase opportunities for minority attorneys in the assignment of corporate legal work by implementing a partnership among corporate counsel, majority-owned law firms and minority-owed law firms.

Funding Resources Identified:

Law firm and corporate support would be sought for specific programs.

Suggested Timeline for Implementation of Recommendations:

See above with respect to individual recommendations.

Resources Required:

Retention of Diversity Director and dedication of administrative and technological support.

Attachments:

1. Outline of Existing Arizona Pipeline Programs
2. Overview of King County Bar Association's Future of Law Institute
3. Overview of California Minority Counsel Program