Diversity and Inclusion Tool Kit

A Resource for Law Firms, Corporations, and State and Local Defense Organizations

By The DRI Diversity Committee
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DRI is the leading organization of defense attorneys and in-house counsel. Membership in DRI provides access to resources and tools for attorneys who strive to provide high-quality, balanced, and excellent service to their clients and corporations. DRI hosts nearly 30 substantive committees whose focus is to develop ongoing and critical dialogue about various areas of legal practice. DRI provides access to resources and tools to grow your practice—members can search a database of more than 65,000 experts, attend renowned CLE seminars, conferences and webcasts, network with more than 22,000 like-minded defense practitioners, and more. DRI has served the defense bar for more than 50 years and focuses on five main goals:

**Education:** To teach, educate, and improve the skills of the defense law practitioner;

**Justice:** To strive for improvement in the civil justice system;

**Balance:** To be a counterpoint to the plaintiff’s bar and seek balance in the justice system, in the minds of potential jurors, and on all fields where disputes are resolved;

**Economics:** To assist members in dealing with the economic realities of the defense law practice, including the competitive legal marketplace; and

**Professionalism and Service:** To urge members to practice ethically and responsibly, keeping in mind the lawyer’s responsibilities that go beyond the interest of the client to the good of American society as a whole.
DRI Mission, Diversity Statements

DRI is the international membership organization of all lawyers involved in the defense of civil litigation. DRI is committed to: enhancing the skills, effectiveness, and professionalism of defense lawyers; anticipating and addressing issues germane to defense lawyers and the civil justice system; promoting appreciation of the role of the defense lawyer; and improving the civil justice system and preserving the civil jury.

DRI is the international membership organization of all lawyers involved in the defense of civil litigation. As such, DRI wishes to express its strong commitment to the goal of diversity in its membership. Our member attorneys conduct business throughout the United States and around the world, and DRI values highly the perspectives and varied experiences that are found only in a diverse membership. The promotion and retention of a diverse membership is essential to the success of our organization as a whole as well as our respective professional pursuits. Diversity brings to our organization a broader and richer environment, which produces creative thinking and solutions. As such, DRI embraces and encourages diversity in all aspects of its activities. DRI is committed to creating and maintaining a culture that supports and promotes diversity, which includes sexual orientation, in its organization.

Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.
America is a great country founded on principles of justice, equality, and inclusion. As a nation, we continue to work toward and strive for full participation and equality of all citizens, upon whose shoulders the responsibility for upholding these principles rests. America is a multicultural society dedicated to inclusive participation in our democracy, and our laws and social policies have evolved over time to reflect this strong commitment. The DRI Diversity Committee strives to build upon the diversity of our citizenship to establish a more inclusive legal profession. We have published this first Diversity Tool Kit to provide guidance and support to state and local defense organizations (SLDOs); law firms; and legal organizations, their members, and their member firms that need assistance in developing their own diversity committees, programs, and publications and retaining diverse leaders in their organizations and practice. We have learned that while the business case for diversity was and is still an admirable argument, it is not the overarching argument that has driven organizations to achieve the diversity and inclusion originally envisioned.

What we have found is that achieving real and sustained diversity and inclusion programs, initiatives, and committees within organizations is a complex challenge—one that requires a more focused approach. As a result, DRI deemed it necessary to create a tool kit to help its members implement diversity and inclusion committees, programs, and publications and to help DRI members navigate the difficult challenges encountered during the quest for meaningful diversity and inclusion. This tool kit is designed with the goal of helping our members foster a culture of inclusion that addresses the complex challenges facing organizations. It aims to provide the tools and resources necessary to establish, modify or maintain diversity efforts, shift the national paradigm to include leadership models found in diverse communities, embrace collective approaches to define a new and more inclusive institutional diversity standard, and to develop knowledge and capacity for greater diversity and inclusion success across all levels.
It is our sincere hope that DRI members utilize this tool kit to help attain significant and meaningful diversity and inclusion programs, publications, leadership, strategic plans, and initiatives. It is our belief that those who use and implement the strategies in this tool kit will gain a competitive edge in the highly competitive multicultural legal environment.

Pamela W. Carter  
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By its very nature, the purpose of any committee is to empower its members with the knowledge that their opinions matter and add value to the overall mission of its organization. Any diversity committee should recognize the value of diversity in persons and perspectives and aim to include those experiences and perspectives in the way its organization carries out its mission. While recognizing that your organization may need a space for women, the disabled, LGBT, and diverse attorneys, there should be an intentional part on any organization to foster relationships among all members of its organization so members can learn that while some differences exist, there are often more commonalities than we may realize.

The purpose of this tool kit is to provide you with a guide on how to commence and maintain a successful diversity committee. It is simply a guide on best practices that have led to the creation of a successful diversity committee from which you can adopt ideas that will blend into your organization’s mission. Recognizing that not every organization is the same, we urge you to take the time to determine which practices will fit your organization best. Start small, but with targeted goals and your committee will naturally grow. As with any organization, the key to a successful committee lies within its leadership. Identify leaders who are dynamic and passionate about your organization. A leader who is able to motivate others will attract similarly minded leaders.

We hope that this tool kit will help you to develop the framework for your diversity committee. More importantly, we hope that one day a diversity committee will not be necessary because your organization will be so naturally inclusive.

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For information on the SLDOs and their leaders, visit the DRI Online SLDO Directory at http://dri.org/About/SLDO.

For information on the DRI Diversity Committee Steering Committee, visit http://dri.org/Committee/Leadership?code=0440.
What Are Diversity and Inclusion?

Diversity

Generally, diversity is any dimension that can be used to differentiate groups and people from one another. Diversity embodies race, ethnicity, gender, age, sexual orientation, cognitive style, organizational function, familial status, education, national origin, disability, and religion. Quite simply, diversity is more than this. We all bring with us different perceptions, diverse perspectives, work experiences, lifestyles, and cultures. Diversity will continue to increase significantly over the coming years and successful organizations appreciate the open communication, adaptability, and change necessary.

Inclusion

Inclusion is a state of being valued, respected, and supported. It's about focusing on the needs of every individual and ensuring the right conditions are in place for each person to achieve his or her full potential. Inclusion should be reflected in an organization's culture, practices and relationships that are in place to support a diverse team.

In simple terms, diversity is the mix. Inclusion is getting the mix to work well together. Organizations need both diversity and inclusion to achieve their goals. Diversity without inclusion leads to conflict. Inclusion without diversity may create harmony, but because everyone is alike, the organization likely will not reach its full creative or innovative potential. Focusing on both diversity and inclusion will help your organization attain a business advantage. Too often organizations decide to develop a diversity program and start by creating a diversity statement and identifying goals without considering their business strategies.

In *Implementing Diversity* (McGraw-Hill Trade 1995), Marilyn Loden, founder of Loden Associates, which has specialized in diversity training since the 1970s, divides diversity into primary and secondary dimensions.

Loden defines the primary dimension as:
- Age;
- Ethnicity;
- Gender;
- Mental/Physical Abilities and Characteristics;
- Race; and
- Sexual Orientation.

Loden defines the secondary dimension as:
- Communication styles;
- Education;
- Family status;
- Military experience;
- Organizational level;
- Religion;
- First language;
- Income;
- Work style; and
- Work experience.


As discussed, diversity embodies race, ethnicity, gender, age, sexual orientation, cognitive style, organizational function, familial status, and education, among others. Other organizations may use different expressions with varying levels of inclusiveness to define diversity. Here are sample definitions taken from the websites of the companies noted below:

**Barnes & Thornburg LLP:**
Barnes & Thornburg recognizes that a commitment to diversity requires action. “Diversity” encompasses a wide range of experiences and characteristics, including gender, race, age, national origin, sexual orientation, religion, political affiliation, marital status, veteran's status, and disability. At Barnes & Thornburg, we are committed to creating an inclusive, respectful, and open culture made up of talented individuals of diverse backgrounds. We strive to sustain a work environment in which each individual's perspective, background, skills, and abilities are valued. Source: [www.btlaw.com/diversity_in_action](http://www.btlaw.com/diversity_in_action).

**Ricoh Americas Corp.:**
Ricoh's Supplier Diversity Program is recognized both internally and externally as a strategic imperative and
competitive advantage, reflecting our corporate citizenship and actively contributing to our company’s and customer’s overall success. Our Supplier Diversity Program promotes the use and encourages partnerships with minority-owned, small, small-disadvantaged, woman-owned, veteran-owned, service-disabled-veteran-owned and HUBZone small businesses. As a result of these mutually beneficial relationships, Ricoh will be able to exceed its customers’ expectations, add value to its products, meet its business goals and provide economic benefits throughout the U.S. Through our Corporate Diversity and Social Responsibility council we ensure that our leadership and purchasing community understand the importance of engaging diverse suppliers. We are committed to building relationships with this business by inclusion of the diverse suppliers in the Ricoh USA Supply Chain Process.


**RBC:**

In broad terms, diversity is any dimension that can be used to differentiate groups and people from one another. It means respect for and appreciation of differences in ethnicity, gender, age, national origin, disability, sexual orientation, education, and religion. But it’s more than this. We all bring with us perspectives, work experiences, life styles and cultures. As a source and driver of innovation, diversity is a “big idea” in business and in society. At RBC, we know the power of diversity is unleashed when we respect and value differences.

Source: www.rbc.com/diversity/what-is-diversity.html.

An organization’s journey to become inclusive begins with a critical but simple inquiry: what action is my organization taking to foster an inclusive culture where uniqueness of beliefs, backgrounds, talents, capabilities, and ways of living are welcomed and leveraged for learning and informing better business decisions?
What Value Does Diversity and Inclusion in Leadership Bring Your Organization?

It’s a simple calculation, really. More and more Americans come from different racial and ethnic backgrounds. But diversity is not simply different racial and ethnic backgrounds; instead, diversity also embodies gender, age, sexual orientation, cognitive style, organizational function, familial status, and education as well. Every day, more Americans of varying races and ethnicities set out to buy homes and other property, pursue higher education, and enter the workforce. The legal market—like any other market—will attract much needed services. The only question is, who will provide these services to the ever-changing population?

The U.S. Census Bureau projects the changes in population of the United States by race and Hispanic origin to grow increasingly in the next 35 years as shown in Chart 1 below.

Chart 1
From the U.S. Census Bureau illustrate future
It is paramount to discussing diversity and inclusion in your organization to take note and understand the shift in population. Additionally, it is equally important to assess the increasing variation in race and ethnicity in school-age population in the next 35 years.

Every community cultivates its own network of trusted professionals. As with all professionals, their knowledge and connections support the advancement and competitiveness of their business. Diverse programs, communication, publications, and leadership ensure that these communities will benefit from your organization and ensure that your organization will remain viable and excel into the next generation. Implementing a diversity committee will help your organization gain deeper market access, greater member confidence, greater community confidence, and the jolt of creativity sparked by the inclusion of new perspectives. Your community outreach activities should complement diversity by demonstrating that your organization can play a positive role in shaping communities. When your organization demonstrates that it cares about the communities you are helping to build, the people you serve will take notice.

Finally, your organization’s faithful reflection of its community and member base will affirm its status as “The Voice” for diversity and inclusion in the legal profession. We recommend that your organization build and embrace diversity as inclusion to realize the innate benefits and impact on your organization and society as a whole. This involves focusing on raising awareness, building a deeper cultural understanding and encouraging reflection. It means developing a vision of inclusion as an important step to define changing direction and upward mobility. It also means impacting the development of inclusion as an important step in implementing change by fostering the development, reinforcement, and recognition of inclusive programs, communications, publications, leadership, and overall behavior.

Many companies post their policies regarding diversity on their organizational websites. Before a law firm or legal organization attempts to create a definition of diversity, it is useful to conduct a review of the diversity policies of its customers, clients and sister organizations. This review helps the organization gain a
better understanding of diversity and inclusion views before formulating its own diversity committee, policy, programs, or initiative.

Since October 2004, more than 100 corporate legal officers have signed “A Call to Action: Diversity in the Legal Profession” affirming their commitment to diversity in the legal profession and vowing to limit their relationships with law firms who demonstrate a continual lack of interest or effort in diversifying their workforce. In March 2008, the Call to Action Summit was held for law firm managing partners and corporate general counsel to focus on taking action on diversity within the legal profession, a clear signal that demands for diversity will continue to increase and corporate counsel organizations are pushing the legal industry and legal organizations to comply.

**Why Should Diversity and Inclusion Matter?**

There are four “layers” of diversity: 1) personality; 2) internal dimensions (e.g., gender, country of origin, race, physical ability); 3) external dimensions (e.g., religion, parental status, recreational habits, geographical location); and 4) organizational dimensions (e.g., management occupation, department, specialty). This paradigm brings our attention to less visible aspects of diversity, as each layer of diversity is relevant to how we approach our organizations and the legal practice.

In fact, diversity encompasses all of the potential differences that affect how we interpret and behave—differences that are commonly encountered in the legal and business community.

This section focuses primarily on the internal and external dimensions of diversity within legal organizations.

**Why Should Organizations Emphasize Diversity and Inclusion?**

Diversity and inclusion matter because by embracing differences, we can produce a more effective and successful organization. For this reason, organizations should prioritize
creating a diversity program. Diversity programs contribute to both the internal growth of the organization and the external growth of its members as outlined below.

**Diversity’s Contribution to the Internal Growth of Organizations**

1. The general population continues to become more diverse, as do the populations of professional organizations. According to the U.S. Census Bureau, by 2050, the Hispanic and Asian populations will both triple and the black population will almost double. This increased diversity of the United States will also be reflected in the membership of professional organizations. Thus, professional organizations should be able to respond to the different needs and wants of its increasingly heterogeneous clients and membership.

2. Diversity gives organizations new ideas and innovative solutions. Each member brings different life experiences to the table. These varying life experiences give organizations different paths to an organization’s prosperity.

3. Diversity helps organizations remain viable by attaining and retaining the best talent. Generally, individuals associate with people who share characteristics. Having a diverse organizational leadership and membership will attract talent to your organization from all parts of the community, including parts that may not otherwise be interested in joining your organization.

4. Diversity also helps organizations market and protect their brands. Today’s markets are changing rapidly, and to prosper, your organization should continue to develop new skills for handling transactions that involve minority members and communities. This is especially important because organizations generally have a great deal of difficulty maintaining diverse boards, even though the talent pipeline from those groups is growing.

An organization’s diversity program can also help its members grow.
1. Diversity programs provide educational opportunities to membership about the value of a more diverse environment. Having a diverse organization provides inherent value to a law firm or company. Similar to how diversity contributes to innovation in professional organizations, diversity in the workplace provides lawyers with innovate ways to practice and better serve clients.

2. Having a more diverse organization makes good business sense. Diversity attracts business opportunities from clients and markets to which your members may not be exposed otherwise. Membership and leadership that reflect the demographics of emerging markets in the community are positioned to sell to those markets.

How Can Organizations Implement a Diversity Program?

Diversity’s Contribution to the External Growth of Organization Members

Organizations seeking to maximize diversity should adopt a perspective of integration, learning, and valuing differences, versus the legalistic approach concerned with discrimination and fairness. This means embedding the organizational perspective toward diversity in management systems, structure, leadership and overall organizational value. The notion of inclusion calls attention to the relevance of organizational culture and leadership for ensuring the right environment for nurturing and leveraging multiple cultural perspectives.

1. Organization leadership must ensure their organization’s mission, goals, policies, and practices communicate a commitment to diversity. That may mean crafting the organization’s mission or creating a separate diversity policy making diversity a top priority.

2. The organization can commit to a diverse leadership by electing a diverse board of directors and management team, and hiring a diverse staff to help run the organization. Many organizations implement diversity
programs to address gaps in representation or inclusion for specific demographic groups, including women, groups of different sexual orientation, racially and ethnically diverse individuals, and people with disabilities.

3. Tapping a cross-section of thought leaders who represent the full breadth of functional expertise, organizational role or level, educational background, communication or management style, and geographic location can also help an organization clarify the meaning of diversity and inclusion and its importance to the organization’s overall culture and business strategy. For example, the organization can create board positions specifically for young lawyers to ensure age diversity, and aim to have lawyers represent various geographic parts of the state to ensure geographic diversity.

4. Organizations can hire diverse executive directors to lead their organizations, or executive directors who have experience prioritizing organizational diversity.

5. Many organizations also educate members about diversity by making diversity programs part of its annual meetings, webinars or other seminars. Organizations need to serve their members; however, if its members learn to prioritize diversity, its members will demand the same of their organizations.

6. Organizations should regularly ask its members—specifically those members from under-represented groups in the legal profession—to evaluate the effectiveness and appropriateness of the organization’s efforts. By doing so, organizations can efficiently use resources to continue promoting diversity.
Prioritizing diversity helps organizations prosper internally; it helps them effectively serve their members. As DRI’s Diversity Committee continues its mission to diversify the defense bar, it is committed to assisting state and local organizations create and develop their diversity programs.

Implementing a Diversity Plan

Diversity plans vary from organization to organization and should reflect the unique characteristics of the people and organizations they serve. Simply stated, there is no "one size fits all." Rather, organizations should implement diversity plans without expecting a specific outcome.

Implementing a successful diversity plan in your organization requires engaging leadership. Stakeholders should be ready to build consensus, evaluate current organizational culture and expectations, and adjust to the desired changes. While there is no simple set of steps that can be followed to implement a diversity plan in every organization, here are ten key steps an organization may consider when creating a diversity committee and/or implementing a diversity plan. We have provided a flowchart and checklist to further assist in implementing a diversity plan.

Ten Key Steps to Creating a Diversity Committee

1. **Create a goal.** What is the overall mission of the committee? Who should your committee report to? Do you want to diversify the leadership within your organization? Do you want to increase leadership opportunities, recruitment, and retention of diverse people? Do you want to increase participation in diverse cultural events, seminars, or publications? Do you want to educate your members about diversity? Do you want to address policies on prejudicial behavior in your jurisdiction? We recommend you focus on one or two small goals at first. The results of diversity initiatives will
likely be incremental. Identify intermediate steps and develop annual action plans with clear objectives.

2. **Set governance protocols.** Determine the structure and target size of your committee. How many members are necessary? Would a single committee suffice, or should you assemble an executive committee and subcommittees? How long should membership terms last? See [http://theiilp.com/](http://theiilp.com/).

3. **Identify the right leaders.** Decide what stakeholders need to be represented on your committee. Do you have the right mix of individuals who are passionate about the mission? Does the committee include leaders who have credibility and influence in the organization and community to effect change?

4. **Rally the troops.** Determine how to select committee members. Will you use an election or nomination process? Get buy-in and recommendations from senior leaders and organization members to approach about participation based on workload and other commitments. Make sure the selection process is equitable.

5. **Marshall the evidence.** Survey membership demographics and attitudes regarding diversity. Analyze data to identify diversity and inclusion opportunity areas. What data do you need to request and share with committee members? Consider evaluating admissions data, leaders, members and staff metrics, climate studies, and surveys.

6. **Review and reflect.** Set three to five goals for the year with calendar deadlines and accountability measures. Outline each goal you want to achieve, the responsible parties and how they will be held accountable, the metrics you will use to measure success, and timing to accomplish each objective.

7. **Start a tradition.** Create a regular annual schedule or calendar of events. If you have a successful event or project, publicize your success and schedule it again next year with new members to build a regular program of activities.
8. **Build a legacy.** Leverage the committee to create strategies and tactics. Are these customized for each goal? Distinguish between short-term and long-term measures of success.

9. **Keep score.** Design a scoreboard. What metrics will you measure and assess to evaluate progress? How frequently? Generate an annual report. Track progress and share results with your organization leaders and members.

10. **Stay engaged.** Communicate frequently and celebrate successes. Keep members engaged and motivated.

### Make Connections with Outside Resources

Avoid reinventing the wheel. When starting a diversity committee, you should obtain information and resources from other associations and other organizations that have undertaken diversity initiatives. Seek advice from diversity consultants (either from the organization itself or from one of the consultants featured within the DRI’s Diversity Committee). DRI’s Diversity Committee has a wealth of resources and lists of cultural/ethnic/gender/orientation/religion based organizations.

Use technology, social media, and various other outlets when promoting diversity and recruiting diversity stakeholders. For example, the Iowa City Area Association of REALTORS held a financing seminar in English and Spanish to explain the terminology, process, and documents involved in buying a home. A local public access cable television station filmed the seminar. The Association bought videotapes for a small fee and provided them at no charge to libraries, brokerage firms, and others in the community. The Association has also provided mentorship training, developed multicultural forms, and worked with the city’s Professional and Technical Diversity Network. In recognition of its accomplishments, the Association received the Iowa City Human Rights Commission's Community/Business Award in 2004.
Become an Advocate for Diversity in Your Organization

Advancing diversity initiatives often has certain challenges. One challenge is recognizing fair value to minority representation and advancement in majority organizations. There is no simple way to ensure that minority stakeholders are fully engaged and represented. But the organization should gradually establish a structure where diversity initiatives receive appropriate value.

In some cases, diversity issues cause apprehension or fear. When implementing a diversity plan, you should consider your culture, your membership makeup, and people’s feelings and remain focused on consensus building. Diversity can evoke deep emotion; perhaps not every topic or issue is appropriate for broad discussion in the early stages. But the organization should strive to provide some spaces where concerned members can candidly discuss important concerns.

To implement a Diversity Committee and reflect it in leadership, associations should have talking points for presentations to their membership, articles suitable for publication in their association newsletters, and a recommended set of steps for implementing a diversity program. Below are sample talking points:

- Two-thirds of new households in the United States are minorities.
- Minorities represent 30 percent of the U.S. population and their buying power is growing steadily.
- Several states are already “majority minority.”
- Diverse leadership is a must if we are to continue providing the highest quality services to all our members and communities.
- Our organization’s faithful reflection of all of our members and customer base affirms our status in the legal profession.
- Membership associations have already made great strides.
- More than 25 percent of our new members since 1999 have been minorities.
We have successfully partnered with national minority organizations, such as the National Hispanic Bar Association, the Minority Corporate Counsel Association, NAPBLA, Asian Bar Association, and others.

Even among progressive organizations, there may be a certain amount of inertia or even resistance when it comes to trying to promote diversity. Set reasonable but significant goals. Pace yourself. Don’t give up.

Collaborative Partnership: Build an Alliance with Diverse Organizations to Find Diverse Talent

Collaboration among diverse organizations and their local diverse leadership has proven effective and rewarding in coming together with the common goals of diversity and inclusion. For example, in 2015 the New York Law Journal selected the Defense Association of New York’s 2014–2015 Diversity Initiative as one of the recipients of the 2015 Diversity and Inclusion Award. The Association’s program takes 25 diverse attorneys through 10 months of training in leadership, career development, and rainmaking with direct instruction, small group work, and mentoring.

Here are some links to other successful collaborations:

- [http://diversity.philadelphiabar.org/](http://diversity.philadelphiabar.org/)
- [http://www.nycbar.org/diversity/overview](http://www.nycbar.org/diversity/overview)
- [http://www.minnhba.org/communityevents/1534185](http://www.minnhba.org/communityevents/1534185)
- [http://www.grbar.org/?98](http://www.grbar.org/?98)

Become a leader by partnering with diverse organizations and invest in formal initiatives to empower and engender an inclusive culture. Diversity and inclusion are not things that any one individual—or firm or organization—achieves alone. It is important to build collaborative partnerships with clients, professional associations, and community organizations. Through these partnerships, you can actively support a
commitment to diversity and inclusion across the United States. Some professional associations and community organizations with which to build collaborative partnerships include:

- Leadership Council on Legal Diversity
- Twin Cities Diversity in Practice
- Center for Legal Inclusiveness
- National Association of Women Lawyers
- Minority Corporate Counsel Association
- National LGBT Bar Association
- National Hispanic Bar Association
- National Asian Pacific American Bar Association
- Corporate Counsel Women of Color
- Diversity & Flexibility Alliance
- National Association of Minority & Women Owned Law Firms
- National Bar Association

Collaboration should also include partnering with diverse law student organizations, including OUTlaw, Lambda Law Alliance, and OUTstanding, a non-profit network for LGBT executives. Participate in recruiting at diversity job fairs, including Lavender Law, Southeastern, Sunbelt, and Vault/MCCA. Consider supporting activities that introduce minority high school and law students to the legal profession and your organization.

Need some inspiring ideas to get started? Consider the following examples of collaborative partnerships:

- Retreats for diverse lawyers and women partners in cooperation with a local firm or bar association.
- Participate in and sponsorship of diversity-related conferences and events by minority bar associations and organizations, including the Human Rights Campaign National Dinner, Lambda Legal Annual Lawrence Celebration, Lavender Law Conference, and the LGBT Bar Out & Proud Corporate Counsel Receptions.
- Institute diversity training for all leadership and staff including unconscious bias training and specialized interviewer training.

- Create diversity programming to recognize diversity awareness months such as Pride Month.

- Participation in the Ohio Supreme Court’s Law and Leadership Institute, which provides minority high school students with yearlong instruction followed by internships. The judicial system is a great way to find interested talent by federal and district court judges.

- Support activities that introduce minority high school students to the legal profession, such as the Gate City Bar Association’s Justice Robert Benham Law Camp in Atlanta, Saint Martin de Porres High School Corporate Work Study Program in Cleveland, and the Summer Work Experience in Law program in Cincinnati.

- Support activities with the Asian and Pacific Islander American Scholarship Fund.

- Sponsor minority clerkship programs, lunches, or bar preparation courses of the bar associations in Atlanta, Cincinnati, Cleveland, Columbus, and Dayton, including offering clerkships and hiring full-time associates through the program.

- Help to build and support the Joint Minority Bar Judicial Internship Program in New York, which annually provides second-year law students from a number of law schools internships with state and federal judges in the New York state area.

- Create a Diversity Externship Program in your law firm or organization which would allow diverse second- or third-year law students to receive academic credit from their respective law schools while obtaining significant practical experience working on pro bono matters.

See more at http://www.nalpdirectory.com/.
Create a Standing Committee to Implement Your Organization’s Diversity Program

The success of any diversity program depends on the sincere engagement of its stakeholders. A standing committee demonstrates your organization’s intent to make diversity initiatives an integral part of its mission. The committee should have authority to recommend policies and programs to the organization’s board of directors. While the committee itself should be diverse—and should include leaders who belong to the demographic majority—it should not be the only group in the organization where minorities serve.

Encourage Broader Minority Participation in Your Organization’s Leadership

If the goal is to promote diversity in the organization as a whole, then diversity members should participate in the various facets of organizational leadership. The diversity committee should strive to identify and nominate committee members who can effectively serve in leadership positions. The committee should identify the groups, subcommittees, committees, and board seats that comprise the organization and then implement a comprehensive plan to boost minority representation in those areas.

Develop External Relationships with Diverse Leadership and Organizations

Organizations thrive on the positive profile developed in the community at large. Diversity committees should sponsor networking programs to promote opportunities for minority members through external relations and partnerships. For example, a diversity committee may consider inviting a local city council member, judge, or state representative to speak on issues concerning the diversity community. Alternatively, a diversity committee could consider touring a local minority business to address the business concerns in that community.
Best Practices Diversity Committee Flowchart

Phase 1: Start-up
1. Conduct assessment (draft your goals/mission statement for the year)
2. Enlist support
3. Assemble coordination team (what is your strategic plan (short term/long term))
4. Train team members
5. Diversity committee project and marketing plan
6. Prototype selection and test

Phase 2: Implementation
7. Conduct information sessions
8. Select and match participants
9. Train participants
10. Involve your leadership
11. Select a task force to manage the diversity program

Phase 3: Monitor and Evaluate
12. Monitor diversity committee 12-month progress
13. Evaluate program and make adjustments
(Optional: Hold ceremony diversity awards: firm, members local corporations)

Phase 4: Evaluation and Expansion
14. Draft a plan to bring diversity to your publications
15. Include diverse speakers in your programming on substantive issues
16. Add a diversity panel to your programming
17. Expand your program—consult with a diversity professional to determine your year-end goals
18. Do you now have diverse leadership?
19. Continue improvement and oversight
Checklist for Establishing a Diversity Committee

A. Leadership commitment
   - How committed are your organization’s leaders to a structured diversity program?
   - How does your organization define diversity?

B. Diversity objectives
   - How will a diversity program further the organization’s business strategy or benefit your members?
   - What are your diversity committee objectives?
   - Are your objectives practical, realistic, and measurable?
   - Who will the program serve?

C. Program parameters
   - How long will the diversity committee relationships last?
   - What types of issues and concerns are within the scope of the committee objectives?
   - How much time should the leadership and committee volunteers spend on diversity activities?
   - What should diversity activities include?
   - How much money should your organization spend on diversity activities?

D. Procedures and criteria for creating a diversity committee
   - What is the time commitment required for committee members?
   - What criteria will be used to select leaders and members?
   - Will organization leaders select committee members?

E. Diversity committee management
   - Who will be your program coordinator?
   - What duties will the program coordinator perform?

F. Diversity training
   - What will you include in your diversity committee training curriculum?
   - Who will provide the training?
   - When will you provide the training?
G. Ongoing support
- What kind of support will the diversity program coordinator give to participants?
- How will the program be monitored?
- How will the success or failure of the diversity program be measured?
- Partner with a local minority organization or minority law firm or law school.

H. Evaluation
- How and when will the program be evaluated?
- Who will do the evaluation?
- How will individual experiences be evaluated?

I. Incentives
- How will you reward people who engage in diversity activities?

J. Leaders and members of the Diversity Committee
- Who are the potential leaders in your diversity program?
- What attributes will you look for in potential leaders?
- Who can be members? Partners? Non-lawyer personnel?
- How will leaders be recruited?
- How will members be recruited?

K. Associates
- Which lawyers will be leaders in your program?
- Will participation be open to all or limited to selected organization members?
- If the program will be limited, what will selection criteria be?
- Will your program include part-time attorneys?

L. Written guidelines
- Do your written guidelines and bylaws cover all essential elements of the diversity program?
M. Pilot project

- Which individuals, groups, and offices will be included?
- How long will the diversity committee project last?
- What procedure is in place to monitor and make adjustments?
- How will it be evaluated?
- Will you focus on the following initial tasks:
  - Diversity speakers for panels?
  - Diverse writers for publications?
  - Diversity in your leadership?

N. Marketing the diversity program

- What will you use to market the program?
- Do your materials inform and promote?
- Are your marketing materials designed to attract lawyers and clients to your diversity efforts?
- Will you partner with local law firms on diversity projects?
- Will you partner with local corporations on diversity projects?
- How will you launch your program?
- How will you educate your lawyers and staff about the diversity committee program?

O. Integrating professional development activities

- Is your diversity committee program coordinated with other professional development activities?
- Will the diversity committee program coordinator organize any other aspects of professional development?
- Will your organization play a role in coordinating any other professional development diversity activities?
Getting People in the Pool: Diversity Recruitment That Works

Assessment

Learn how and why your organization should recruit diverse leaders, members, and staff. To tap into and retain a diverse pool of top talent, you should:

- Understand demographic changes in the community.
- Ensure that majority groups aren’t marginalized in the process.
- Educate staff and leadership that “diversity” is not synonymous with “minority” and simultaneously try to increase access and opportunities for minorities.
- Build long-term relationships with minority organizations.
- Make sure not to just “graft” minorities onto the organization without making appropriate internal culture changes that will enable them to thrive.
- Ensure retention by developing a diversity-friendly culture.
- Network for strategic alliances to enable long-term diversity recruitment.
- Measure the effectiveness of your efforts.

Recruitment

To maximize the effectiveness of diversity at all levels of an organization, diversity must first exist. Key strategies to recruit diverse individuals into your organization include:

- Establish networks with minority law schools.
- Offer corporate internships, summer externships, and scholarships.
- Co-sponsor job fairs with local law firms or law schools in minority communities.
- Develop partnerships with minority student professional organizations.
- Develop partnerships with minority organizations, such as the National Bar Association.
Take Steps Now

Start and support your organization’s diversity committee by implementing the following initiatives:

- Identify and build connections with national corporations not only for access to minority lawyers and leaders, but for access to individuals members who might be viable candidates for positions within your organization.

Some minority groups to consider partnering with include national organizations such as the National Association for the Advancement of Colored People (NAACP), the Urban League, minority honor societies such as Delta Mu Delta and Beta Kappa Chi, organizations of professionally licensed individuals such as accountants or engineers, trade associations in areas of specialization related to the positions to be filled, and minority fraternities and sororities.

- Target recruitment advertising to minority publications, such as The Advocate and Hispanic Times.
- Use your internal employee resource groups. Ask minority employees to provide insight on effective places and ways to recruit diverse leaders.

This strategy depends on how your existing leaders and staff members view the organization’s commitment to diversity. According to a new study by the Center for Women Policy Studies and Coopers & Lybrand, out of more than 1,500 women at Fortune 1000 companies, only 30 percent of women of color would recommend their firm to a friend based on management’s commitment to diversity.

- Develop training to ensure that diverse members aren’t discounted and eliminated in the interviewing process because they are different.
- Understand the “cultural norms” of diverse leadership members and candidates.
- Partner with your marketing committee to ensure that all marketing (social media and advertisements) features a diverse mix of individuals.
Minority Organizations

- American Association of Hispanic Certified Public Accountants, 100 N. Main Street, PMB 406, San Antonio, TX 78205; 203-255-7003; www.aahcpa.org/index.htm. A membership group of Hispanic certified public accountants that helps its members in their careers by providing scholarships, employment assistance, and a newsletter.

- American Indian Sciences and Engineering Society, P.O. Box 9828, Albuquerque, NM 87119-9828; 505-765-1052; www.aises.org.

- Hispanic Association of Colleges and Universities, 8415 Data Point Drive, Suite 400, San Antonio, TX 78229; 210-692-3805. Developed to increase opportunities for Hispanic students in education; www.hacu.net.


- National Association for the Advancement of Colored People, 4805 Mount Hope Drive, Baltimore, MD 21215; 410-358-8900; www.naACP.org. One of the oldest and largest organizations serving African Americans.

- National Association of Black Accountants, Inc., 7249-A Hanover Parkway, Greenbelt, MD 20770; 301-474-NABA;
www.nabainc.org. This organization’s goals include, but are not limited to, helping minority students enter the accounting profession and representing the interests of minority accounting professionals.

- National Association for Equal Opportunity in Higher Education, 209 3rd Street SE, Washington, DC 20003; (202) 552-3300; www.nafeonation.org. Organized to help ensure full use of the resources offered by the predominantly black colleges. This organization is adding a job bank to its web site.

- National Bar Association 1225 11th St., NW, Washington, DC 20001; 202-842-3900; https://www.nationalbar.org. Founded in 1925, the oldest and largest national association of African American attorneys, representing over 17,000 lawyers, judges, educators, and law students.

- National Coalition of Hispanic Health and Human Services Organizations, 1501 16th St., NW, #1053, Washington, DC 20036; 202-387-5000; www.cehn.org/national_coalition_hispanic_health_and_human_services_organizations. A nationwide membership network of agencies, organizations and professionals involved in service delivery, research and training opportunities for Hispanic communities in the areas of health, mental health, human and youth services and advocacy.


- National Economics Association, c/o Dr. Alfred Edwards, University of Michigan Business School, 701 Tappan Street, Ann Arbor, MI 48109; 734-763-0121; www.neaecon.org. Concerned with encouraging blacks to enter the economics profession. Conducts research on the economic problems of the black community, publishes a quarterly, biennial directory, and a job placement bulletin.

- National Hispanic Bar Association, 1700 K St. NW, Washington, DC 10005; 202-293-1507; www.hnba.com. A voluntary bar association working with the District of Columbia Bar Association to assure minority lawyers are accorded full rights and opportunities.
- National Institute for Resources in Science & Engineering, 4302 Star Lane, Rockville, MD 20852; 301-770-1437. A nonprofit organization that gives technical assistance and information on Opportunities for Hispanics and Native Americans in the fields of science and engineering.
- National Minority Faculty Identification Program, Southwestern University, P.O. Box 770, Georgetown, TX 78627; 512-863-1208; www.southwestern.edu/natfacid. Minority candidates for college and university teaching positions are invited to register with this service, which shares information on available college teachers with prospective employers. Colleges and universities wishing copies of the list must pay for the service.
- Society of Hispanic Professional Engineers, 5400 E. Olympic Blvd, Suite 210, Los Angeles, CA 90022; 323-725-3920; www.shpe.org/. Formed in 1974 by a group of Hispanic engineers in the southern California area. It has student chapters in a number of campuses and 20 professional chapters located all over the country. It offers some scholarships, maintains a job referral file, and publishes a bimonthly newsletter.

**Websites**

- Diversity Services—www.diversity-services.com
- Black Voices—www.blackvoices.com
Diversity Talking Points

What Do Leaders Need to Know About Diversity in Order to Be Effective?

You “get it.” You’re personally committed to diversity and inclusion, and you’re motivated to get others on your side. However, beyond saying “it’s the right thing to do,” you don’t have a clue as to how to convince others to understand the importance of diversity and inclusion. If this is you, don’t be discouraged—you’re not alone. We’re here to help. Below are some talking points to equip you for battle.

Talent Retention

Each year more than two million people voluntarily leave their employers as a result of perceived unfairness (unfair policies and practices, negative comments/jokes, perceived invisibility, etc.). This trend cost U.S. corporations $64 billion annually: this amount is almost as much as the revenues of Goldman Sachs, Google, Amazon.com, and Starbucks combined.

POINT: Creating an inclusive environment reduces turnover and saves money.

Demographic Change

■ The non-Hispanic, white population will increase more slowly than other racial and ethnic groups. By 2050 whites will make up 47 percent of the nation, down from 68 percent in 2005.

■ By 2023, half of all U.S. children will be people of color (non-white).

■ By 2025, the immigrant (or foreign-born) share of the population will surpass the peak during the last great wave of immigration a century ago.

■ The Latino population, already the nation’s largest racial minority group, will triple in size and will account for most of the nation’s population growth from 2005 through 2050. Hispanics will make up 29 percent of the U.S. population in 2050, compared with 14 percent in 2005.

■ In 2050, nearly one in five Americans (19 percent) will be immigrants, compared with one in eight (12 percent) in 2005.

**POINT:** Demographics have changed and will continue to change. Adapt, learn to connect across cultures, or get left behind.

### Globalization


■ Currently, North America and Europe are expected collectively to produce only three percent of the world’s entering labor force.

■ 75 percent of new workers will come from Asia.

■ As stated, by 2025, the foreign-born population will surpass the peak during the last great wave of immigration a century ago.

**POINT:** Even if you don’t plan to go global, globalization is coming to you!
 Labor/Talent Shortage: Within Next 10 years

- 32 million jobs will be vacated (primarily from Baby Boomer retirements) and 20 million new jobs will be created. Cultural intelligence will become an imperative.


POINT: The battle for talent will be immense. Organizations must create environments that are divers and inclusive if they plan to be viable.

Now that you are equipped with some ammunition, go and fight the battle for diversity and inclusion. When people hear your sound logic and reason they will jump on board and you will have taken another step on your path to becoming a diversity leader. [http://www.basicdiversity.com/articles-in-detail-16.html](http://www.basicdiversity.com/articles-in-detail-16.html).

Continuing the Battle: Diversity and Inclusion Is the Future

- Diversity can and should be a critical component of the innovation that leaders are driving in their organization, and it can and should be a competitive advantage. [http://www.diversitybestpractices.com/news-articles/diversity-design-fred-keeton-cdo-caesars-entertainment](http://www.diversitybestpractices.com/news-articles/diversity-design-fred-keeton-cdo-caesars-entertainment).

- Research shows that diverse groups outperform homogeneous ones. Your organization is in the business of serving members, customers, and clients. For your organization, innovation means solutions that we bring to our clients and members. And if we have people who come from different perspectives at the table, the solutions that we bring to our clients and members, the way we interact, and the relationships we build are going to distinguish us. [http://insight.kellogg.northwestern.edu/article/better_decisions_through_diversity](http://insight.kellogg.northwestern.edu/article/better_decisions_through_diversity).

- Demographic trends indicate that women and minorities are the fastest-growing segments of the U.S. workforce, and that’s true globally as well. A focus on diversity and
building an organization that’s culturally inclusive is going to allow you to attract and retain that top talent. http://www.diversitybestpractices.com/person/fred-keeton.

- The ability to connect across a myriad of areas, backgrounds, and viewpoints is critical to an organization’s survival. It’s difficult to be a true leader in today’s world without a minimum level of cultural dexterity. Ultimately, organizations need to make sure they are creating a culture where every individual is valued for their unique contributions and that they are able to achieve their highest potential. http://www.sagepub.com/upm-data/4965_Connerley_I_Proof_3_Chapter_5.pdf.
Excerpts taken from the Catalyst 2013 publication (footnotes omitted):

A diversity committee is a group of individuals, including senior leaders or executives that act on behalf of the organization to jump-start and manage Diversity and Inclusion (“D&I”) initiatives and progress. While diversity councils do have the power to shape and modify organizational culture, they—of course—do not immediately solve all problems related to diversity and inclusion.

To succeed, all councils, regardless of their size, require a formula or recipe with the following prime ingredients:

- Support from senior leadership.
- The ability to link the organization’s diversity strategy with the overall business strategy, and emphasize the importance of diversity in and to the organization.
- Diverse representation.
- Metrics to measure progress.
- Consistent communication of goals and efforts.
- A long-term strategy.

Common Terms to Know

*Note: Different cultures use different terms, and which terms are preferable varies among cultures and communities.*

- **Advisory Board**: Unlike the members of a board of directors, an advisory board’s members have no fiduciary responsibility to the company or its stakeholders and serve in more of a mentorship capacity.
- **Council Charter**: A council charter outlines the diversity council’s vision, mission, objectives, leadership assignments, membership criteria and responsibilities, and operational procedures.
- **Diversity Council**: A diversity council serves as an advisory board to an organization, and is made up of employees and/or external experts who “lead, advocate for,
coordinate, inform, and/or monitor the Strategic Diversity Management process.”

- Executive Diversity Council: Membership for this type of diversity council consists of leaders representing all business functions of the enterprise and is usually led by the chairman or CEO and chief diversity officer. This team is responsible for developing a company’s overall integrated diversity strategy.

- Employee Resource Groups: ERGs are voluntary employee-led groups that can have a few members or a few thousand. Diversity councils and employee resource groups often collaborate when the group’s leadership works as a council to oversee ground-level network activities.

- Local Diversity Council: Usually led by a general manager who reports to the executive diversity council, local councils focus specifically on locally or regionally implemented programs and participate as sub-teams to ensure visibility in program implementation.
The authors of *Diversity Tool Kit* hope that DRI members, either beginning or continuing their journey, find the material and resources referenced herein to be useful. We share the same goal: to make diversity and inclusion a rewarding business strategy for organizational success—it is a process whose benefits and value will be realized over time.

**Authors**

In addition to the resources cited herein, the below-listed authors are available to assist DRI member organizations with elements of the journey.

- Pamela W. Carter
- Rosevelie Márquez Morales
- Rosary Hernandez
- Thomas R. Schultz
- Patricia Beety
- Marie Trimble Holvick
- Brett Ross

**Recommended Speakers/Consultants**

In recent years, the issue of diversity has garnered significant attention through numerous articles and a variety of presentations and seminars. There are many diversity consultants, listed below, available to assist with making the case for diversity to your organization.

**DRI Diversity Committee Member**

**Recommended Speakers**

- Pamela W. Carter
- Douglas Burrell
- Franz Hardy
- Rosary Hernandez
- Toyja Kelley
- Melissa Lin
- Melanie Lockett
- Rosevelie Marquez Morales
- Mary Peyton
- William Sherman
- Taren Stanton
- Ricardo Woods
Recommended Speakers: Diversity Consultants, In-House Counsel

Please contact DRI Staff for recommended speakers.

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Legal Organizations as Resources

This list is in no way all inclusive. It is an attempt to provide you with resource organizations that are available to you:

- ABA Commission on Racial and Ethnic Diversity: [www.abanet.org](http://www.abanet.org)
- American Corporate Counsel Association: [www.acc.com/aboutacc/history/outreach.cfm](http://www.acc.com/aboutacc/history/outreach.cfm)
- Asian Bar Association: [www.abaw.org](http://www.abaw.org)
- Association for Legal Career Professionals (NALP): [www.nalp.org](http://www.nalp.org)
- Association of Black Women Attorneys: [www.abwa.org](http://www.abwa.org)
- Center for Legal Inclusiveness: [www.centerforlegalinclusiveness.org](http://www.centerforlegalinclusiveness.org)
- Disability Rights Bar Association: [www.disabilityrights-law.org/](http://www.disabilityrights-law.org/)
- Diversity Inc.: [www.diversityinc.com](http://www.diversityinc.com)
- Dominican Bar Association: [www.dominicanbarassociation.org/](http://www.dominicanbarassociation.org/)
- Garden State Bar Association: [www.gardenstatebar.org](http://www.gardenstatebar.org)
- Equal Justice Society: [www.equaljusticesociety.org](http://www.equaljusticesociety.org)
- Hispanic National Bar Association: [www hnba.org](http://www.hnba.org)
- Institute for Corporate Diversity: [www.diversityonline.org](http://www.diversityonline.org)
- Institute for Inclusion In The Legal Profession: http://theiilp.com/
- Lawyers for One America: www.lfoa.org/diversity
- Minority Corporate Counsel Association: www.mcca.com
- Muslim Bar Association of New York: www.muslimbar.org
- National Association of Women Lawyers (NAWL): www.nawl.org
- National Bar Association: www.nationalbar.org
- National Bar Association Commercial Law Section: www.nbacls.com
- National Native American Bar Association: www.nativeamericanbar.org
- National LGBT Bar Association: www.lgbtbar.org
- Puerto Rican Bar Association: www.prba.net
References

Books


*The Business Case for Diversity: Reality or Wishful Thinking?*, Institute for Inclusion in the Legal Profession, 2011.


*Miles to Go 2000: Progress of Minorities in the Legal Profession*, Elizabeth Chambliss, American Bar Association Commission on Racial and Ethnic Diversity in the Profession, 2005 (Third Ed.).


Articles/Journal Issues


The DRI Diversity and Inclusion Manual.


Diversity: We Must Define This Issue Before We Can Solve It, John K. Murphy and Beth L. Murphy, Fire Engineering, March 2, 2010.


The Importance of Attracting and Retaining Gay Attorneys, Laura Rusche, BCG Attorney Search, Article ID: 60599.


**Websites**


**Journals**

[www.interculturalpress.com](http://www.interculturalpress.com)

[www.diversityjournal.com](http://www.diversityjournal.com)

[www.diversityonline.com](http://www.diversityonline.com)

[www.hrpress-diversity.com](http://www.hrpress-diversity.com)

[www.diversityinc.com](http://www.diversityinc.com)

[www.dri.org](http://www.dri.org) (For The Defense)

[http://theiilp.com/CaseforDiversity](http://theiilp.com/CaseforDiversity)

Sponsors

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