

Focus on Diversity

For more information on items in this special section, contact Louisiana State Bar Association Director of Member Outreach and Diversity Kelly McNeil Legier, (504)619-0129, (800)421-5722, ext. 129, or email kelly.legier@lsba.org.

3rd “Suit Up” High School Summer Legal Program begins June 10

The Louisiana State Bar Association and the Just the Beginning Foundation is presenting the third “Suit Up for the Future” High School Summer Legal Institute and Internship Program this June. Twenty-nine rising high school juniors and seniors interested in the legal profession have been chosen for this year’s program.

The students will participate in the three-week program from June 10-28 at the Louisiana Bar Center in New Orleans, as well as at participating New Orleans area law firms. The program consists of one week of lectures with law school professors, practicing lawyers and law students, as well as several days of shadowing with judges and attorneys. Students also will have the opportunity to meet attorneys and judges during field trips to New Orleans area courts and other legal venues and during lunchtime lectures and panel discussions. The program will culminate in oral arguments by the student participants to sitting federal and/or state judges.

More volunteers in the New Orleans metropolitan area are needed for student shadowing. If you are interested in volunteering, contact LSBA Member Outreach and Diversity Director Kelly McNeil Legier, (504)619-0129, (800)421-5722, ext. 129, or email kelly.legier@lsba.org.

SAVE THE DATES!

Check the LSBA’s Diversity webpage for more information on the following events:

- ▶ **Disabilities Summit**
New Orleans • Oct. 24, 2013
- ▶ **2014 Diversity Conclave**
New Orleans • March 21, 2014

Superwomen CLE



Panelists Lynn Luker, Lindsay E. Spann, Hon. Karen Wells Roby, Kim Ngan Nguyen, Holly L. Wiseman and Mindy Brickman discuss “Facts vs. Fears: Are We Leaning In or Are We Afraid?” during the May 2 Superwomen: Female Attorneys Can Run the World CLE in New Orleans. The panel discussed the book *Lean In: Women, Work and the Will to Lead* written by Facebook COO Sheryl Sandberg, bringing several insights into how the book relates to female attorneys.

Same-Sex Marriage and Tax Roundtable CLE set for July 18

A CLE program, “I Thee Wed: The Constitutional Implications of *Hollingsworth v. Perry* and *United States v. Windsor*,” is set for 8:30-11:45 a.m. Thursday, July 18, at the Louisiana Bar Center, 601 St. Charles Ave., New Orleans. The CLE is approved for 2.5 credit hours. The CLE is free for LSBA Diversity Statement signatories, Diversity Committee and Subcommittee members and law students; and \$35 for other attendees.

Using data from the 2010 U.S. Census and other sources, this program will explore what is known about same-sex couples and families in Louisiana and in the United States. The roundtable discussion will address the ramifications of the United States Supreme Court’s anticipated rulings in *Hollingsworth*

v. Perry (challenging California’s constitutional amendment prohibiting same-sex marriages) and *United States v. Windsor* (concerning the federal Defense of Marriage Act and entitlement of same-sex married couples to federal benefits). Attendees will have the opportunity in an open-forum format to voice their thoughts and ask questions. Leading the roundtable will be Professor Todd Brower, judicial education director at the Williams Institute at UCLA Law School, the leading national think tank conducting independent research on sexual orientation and gender identity law and public policy. Joining Professor Brower from the Williams Institute will be legal scholars Dr. Gary Gates and Brad Sears.

To register online or for more information, go to: www.lsba.org/cle.



Keeping Our Eyes on the Prize:

Identifying and Addressing Diversity Fatigue Among Diverse Students and Lawyers

By Michelle A. Jackson

Over the years, there have been many additions to the lexicon in the world of diversity. First, diversity efforts focused on “recruitment.” We then moved on to “retention” strategies. We addressed the flow of the “pipeline” and now we have shifted to the world of “inclusion.” Somewhere within this dialogue, the concept of “diversity fatigue” emerged. Diversity fatigue can be defined as “a form of mental exhaustion brought on by the constant attention required to ensure a workforce or other group is racially or ethnically diverse.” (*wordspy.com*). This definition suggests that those of us involved in the cause of diversity are fighting an uphill battle against those becoming increasingly disengaged in and exhausted by the process of creating a diverse workforce.

However, there is still much work to be done to achieve diversity, especially in the legal profession. In its most recent study of major law firms, the National Association for Legal Career Professionals (NALP) revealed statistics that show that minorities now make up only 12.91 percent of lawyers in major firms, with minority women accounting for 6.32 percent of the lawyers. Further, minorities accounted for only 6.71 percent of partners, with minority women making up just over 2 percent of the partners in these firms.

Despite the relative bleakness of these numbers, diverse law students and diverse attorneys are exhibiting signs of “diversity fatigue.” When it comes to the students, law school career services professionals have observed recent trends that indicate the presence of this fatigue. These trends show that diversity fellowship applications are down; student registrations for diversity job fairs are down; attendance

at law firm diversity receptions is down; and participation in diverse student organizations is down.

For the diverse attorney population, there are also some behaviors that might indicate fatigue. Law firm professional development and diversity professionals report that, among many diverse attorneys, they have seen failure to take advantage of firm diversity initiatives; reduction in participation in non-mandatory firm diversity programs; participation down in diverse outside organizations; and lack of participation in diverse affinity groups.

So what’s the deal? Why is it sometimes like pulling teeth to get participation in these programs and initiatives? In surveying diverse students and attorneys to try to ascertain possible causes for the lack of involvement, several themes emerged. For the students, we have seen that they do not think that diversity initiatives apply to them because they do not see themselves as part of the civil rights struggle. Some students consider themselves to be non-conformists and will rail against any institutionally supported programs. Other students are trying to dispel the perception that the bar was lowered so that minorities can jump over it, and some minority candidates feel that if they obtain a position through a diversity program, others will likely regard them with greater skepticism.

Once out in the practice, although some of the reasons applicable to students might still be in play, there are some other factors that concern diverse attorneys. Some find difficulty in navigating two cultures, so they choose to “ignore” their diversity to fit in with the majority culture. Others care about diversity, but time is an issue when the metrics of success revolve around billable hours. Many are not sure how to navigate firm politics when it comes to diversity issues or perceive a lack of firm support. Competitive lawyers do not

want to be seen as weak and needing special treatment, while others point to the affirmative action stigma — feeling that their white colleagues will “look at them funny.”

What can be done to counter these trends? How can we help to ensure participation in diversity programs and events to keep them viable and strong? There are several strategies that might serve to re-engage diverse students and lawyers. The first would be to control the message. Nomenclature is very important. Much like the different reaction evoked when you hear the term “gun control” versus the term “gun safety,” diversity programs can be renamed to include concepts such as “multicultural professional development” or “legal educational opportunities.” In addition, the message needs to be presented in a manner and format that resonates with the target generation to achieve maximum effectiveness.

Additional strategies include fully communicating the benefits of participation in these events. In other words, let them know what’s in it for them. These benefits include leadership in the firm, improved camaraderie, enhanced job connections, client building, and the ability to cultivate mentors. It is vital to have others share their experiences with participation in the programs to further demonstrate these benefits. Finally, make sure that you facilitate open communication about reasons for not participating to avoid possibly exacerbating any institutional issues.

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