

The Multnomah Bar Association, Oregon State Bar and
Oregon Women Lawyers are pleased to present a

Convocation on Equality

Special Guest:

HON. DENNIS ARCHER

American Bar Association & Mayor of Detroit, Michigan



THURSDAY, NOVEMBER 15, 2001

PORTLAND HILTON

Convocation Mission Statement

We envision an Oregon State Bar that has eliminated barriers to the practice of law for racial and ethnic minorities. We understand that such barriers may be subtle and difficult to remove. We also understand that removing them will require the sustained, organized effort of many lawyers. The purpose of the Convocation on Equality is to identify the barriers, establish the best means of overcoming them and to organize toward accomplishing that end.

LARGE FIRM RECRUITING AND RETENTION COMMITTEE SUMMARY

GOALS

Efforts to diversify large firms in Oregon have faced many challenges, beginning with recruitment and continuing through efforts to retain racial and ethnic minority lawyers. Even the efforts of those large firms which have incorporated diversity into their business plan and have made good faith efforts to follow through with diversification goals have often produced mixed results. The goal of this Committee was to devise strategies to enhance the equality of opportunity and experience for racial and ethnic minority lawyers within the large firms and foster diversity in the Oregon State Bar.

DESIRED FUTURE

When the recommendations of this Committee are enacted, it is our belief that the following outcomes will result:

- Firms will adopt diversity goals and maintain their commitment to diversity as an ongoing priority.
- The firms' needs will better match the minority attorneys' expectations and improve the retention of minority attorneys.
- Firms will support diversity on many levels, within their firms, in the Bar and the community.
- More minority lawyers will interview, get offers and stay with the large firms.

RECOMMENDED BEST PRACTICES

To achieve this desired future, eleven best practices were identified with ways that individuals and firms can contribute. These include:

- Adopt or reject these proposals within 3 months.
- Approve and publicize a statement of each firm's hiring criteria.
- Participate in discussions about issues of race and diversity training.
- Devote time and resources to bar and community activities which support diversity in the bar and justice system.
- Incorporate diversity goals in the firm's strategic plan.
- Conduct interviews at schools with significant numbers of minority students and recruit minority lawyers from smaller firms and the public sector and participate in the OSB's minority clerkship program.
- Examine hiring criteria and correlation with actual success at the firm and in the profession.
- Use forums such as the MBA Managing Partner roundtable to improve strategies and implement these practices.

LARGE FIRM
RECRUITING AND RETENTION COMMITTEE

1. RECOMMENDED BEST PRACTICE:

INCORPORATE DIVERSITY GOALS INTO EACH FIRM'S STRATEGIC PLAN AND HAVE MANAGEMENT AND PARTNERS PARTICIPATE IN DIVERSITY TRAINING AND DISCUSSIONS OF ISSUES OF RACE. FIRMS SHOULD ADOPT OR REJECT THESE RECOMMENDED BEST PRACTICES WITHIN THREE MONTHS.

Strategies for Implementation	Individual's Role	Firm's Role
<p>1. Appoint a task force to examine (a) importance of diversity to key constituents, such as colleagues and clients; (b) status of firm's diversity efforts; and (c) the status of firm's principal competitors with respect to diversity</p> <p>2. Develop diversity goals to incorporate in the firm's strategic plan, based on the task force report</p> <p>3. Appoint at least one individual with the responsibility to examine the firm's efforts and report to the management committee annually on the firm's successes and failures</p> <p>4. Through existing programs or through the creation of new ones, the managing partner, hiring and management committees and at least 40% of each firm should participate in diversity training or programs with an in-depth discussion of race</p> <p>5. Firms should review the Large Firm Committee's recommended best practices and adopt or reject each recommendation within three months of the Convocation</p>	<p>1. Participate in firm's task force</p> <p>2. Participate in annual reporting on the status of firm's efforts to diversify</p> <p>3. Participate in diversity training and discussions of race</p>	<p>1. The firm's commitment to diversity must come from the top and filter down ¥ from the managing partner and executive committee or management committee</p> <p>2. Appoint the task force to provide the information on which diversity goals will be established</p> <p>3. Reward in firm's compensation system the attorneys who participate in the task force, report on the firm's efforts to diversify and enhance retention or provide mentoring for minority lawyers</p>

CONVOCATION ON EQUALITY

LARGE FIRM RECRUITING AND RETENTION COMMITTEE

I. Context

Oregon offers fewer opportunities for minority lawyers than some of the cities with which we compete for law school graduates. Many if not most large Oregon law firms have academic standards (such as top 10 percent) for entry-level lawyers that eliminate from consideration most of the already small number of minorities in Oregon law schools. This pre-selection bias may result in the elimination from consideration many minority lawyers who can and will become successful lawyers.

II. Recommendations

The following recommendations are offered in the firm belief that an increase in the diversity in both private and public law firms will result in the enhanced delivery of legal services. This committee believes that at this point in our history large law firms can and should commit to two general goals: (1) enhancing equality of opportunity and experience for racial minorities within firms and (2) fostering diversity in the Oregon bar. The first will primarily benefit the firm and its clients. The second will primarily benefit our society and its justice system. This report recommends specific steps firms can take now towards these two goals. We urge each firm to consider and adopt as many of these recommendations as will fit in with the firm's culture and needs and then announce to its attorneys and staff the specific efforts the firm will take to increase its diversity.

Recommendation No. 1

The management committee of each firm should consider these recommendations within three months of the date of this report and should consciously adopt or reject each one.

SMALL AND MID-SIZE FIRM RECRUITING AND RETENTION COMMITTEE SUMMARY

GOALS

Small and mid-size firms employ the majority of lawyers and law school graduates in Oregon and present the best opportunities for diversifying the Oregon Bar. The number of small and mid-size firms and, at times, their lack of administrative and management resources, may make the task more difficult. The goal of this Committee was to devise strategies to galvanize small and mid-size firms to adopt goals to achieve diversity and enhance the quality of professional opportunities available to racial and ethnic minority lawyers.

DESIRED FUTURE

When the recommendations of this Committee are enacted, it is our belief that the following outcomes will result:

- Firms will make a commitment to achieve diversity and it will be an ongoing priority.
- Minority lawyers will have better professional and client development opportunities available to them.
- Improved mentoring of minority lawyers will increase the likelihood of retaining those lawyers.

RECOMMENDED BEST PRACTICES

To achieve this desired future, the following best practices were identified with ways that individuals and firms can contribute. These include:

- Make a commitment to diversity.
- Establish and execute a diversity plan.
- Establish proactive and ascertainable goals for hiring, retention and promotion.
- Work with bar groups to establish goals for minority hiring and advancement.
- Support bar and community activities to assist minority lawyers and their transition into the profession.
- Periodically evaluate diversity programs.

SMALL AND MID-SIZE FIRM
RECRUITING AND RETENTION COMMITTEE

1. RECOMMENDED BEST PRACTICE:

FIRMS MUST MAKE A FORMAL EXPRESSION OF COMMITMENT TO DIVERSITY TO BOTH THE LEGAL AND NONLEGAL COMMUNITIES

Strategies for Implementation	Individual's Role	Firm's Role
<ol style="list-style-type: none"> 1. State the importance of achieving diversity as a firm goal and conduct diversity training with attorneys and staff 2. Incorporate diversity goals in retention and mentoring programs 	<ol style="list-style-type: none"> 1. Participate in diversity training 2. Consider diversity issues in case assignments and participation in activities that will enhance the minority attorney's professional development and stature within the firm 3. Periodically review the manner in which case assignments are made to all lawyers in the firm 	<ol style="list-style-type: none"> 1. The firm's commitment to diversity must come from the top and filter down - from the managing partner and executive committee or management committee 2. Appoint a task force to establish diversity goals and the steps to achieve those goals 3. Reward in firm's compensation system the attorneys who make efforts to increase diversity, enhance retention of minority lawyers or provide meaningful mentoring opportunities

2. RECOMMENDED BEST PRACTICE:

THE FIRM MUST ESTABLISH AND EXECUTE A DIVERSITY PLAN WHICH WILL CREATE A RACIALLY AND ETHNICALLY DIVERSE ENVIRONMENT

Strategies for Implementation	Individual's Role	Firm's Role
<ol style="list-style-type: none"> 1. Develop a diversity plan for the lawyers and support staff 	<ol style="list-style-type: none"> 1. Support and participate in the firm's committees and groups committed to increasing diversity 2. Support the diversity goals of the firm as a whole 	<ol style="list-style-type: none"> 1. Recognize the importance of achieving diversity not only to the firm but to its current and future clients

CONVOCATION ON EQUALITY

SMALL AND MID-SIZE FIRM RECRUITING AND RETENTION COMMITTEE BEST PRACTICES FOR ENHANCING DIVERSITY

1. **FIRMS MUST MAKE A FORMAL EXPRESSION OF COMMITMENT TO DIVERSITY TO BOTH THE LEGAL AND NONLEGAL COMMUNITY**

Strategies for Implementation: It is important for small and mid-size firms to formally declare their commitment to diversity by stressing that achieving a racially and ethnic environment is a firm goal. One way to show that commitment is through a formal statement in any partnership or corporation documents, promotional literature, or recruitment materials. Firms should conduct periodic diversity training among its attorneys and support staff. Further, firms should establish specific goals for hiring racial and ethnic minority lawyers, and develop a comprehensive plan to achieve those goals.

Individual's Role: Individuals, including attorneys and support staff, should participate in diversity training with the understanding that a racially and ethnically diverse workforce benefits the firm as a whole. Partners and senior associates should consider diversity issues in case assignments. Both attorneys and support staff should participate in activities that will enhance the minority attorney's professional development and stature within the firm.

Firm's Role: The firm's commitment to diversity must come from the top and filter down from the managing partner and executive committee or management committee. The firm can appoint a task force to establish diversity goals and the group can establish a plan for meeting those goals. The firm can offer incentives to attorneys who make efforts to increase diversity, enhance retention of minority lawyers or provide meaningful mentoring opportunities.

2. **THE FIRM MUST ESTABLISH AND EXECUTE A DIVERSITY PLAN WHICH WILL CREATE A RACIALLY AND ETHNICALLY DIVERSE ENVIRONMENT**

Strategies for Implementation: Awareness of the need for racially and ethnically diverse attorneys and support staff is a first priority. Any diversity plan should include a plan for diversifying the support staff that racially and ethnically diverse attorneys work with. These attorneys must see the firm's overall recognition and commitment to diversity in the firm as a whole.

Individual's Role: Attorneys should participate in the firm's committees and groups committed to increasing firm diversity. Attorneys should support a racially and ethnically diverse environment in the firm as a whole.

Firm's Role: Firms should recognize the importance of diversity as a way to address potential client

MENTORING COMMITTEE SUMMARY

GOALS

Mentoring is a proven method of enhancing the professional development of lawyers, and cultural competency is essential to this process. The subcommittee's goal was to create strategies for effective mentoring relationships that will empower legal employers of all types to: enhance the professional opportunities available to racial and ethnic minority lawyers and law students; increase the diversity and availability of such opportunities; encourage and instill cultural competency as a core value throughout the workplace; and to create structures that will foster the ongoing commitment to enhancing diverse opportunities and relationships.

DESIRED FUTURE

Legal employers who act upon the Subcommittee's recommendations will enjoy the following outcomes:

- A dynamic mentoring structure or program that features institutional commitment and provides enhanced opportunities for success for attorneys and law students of non-majority ethnic and racial backgrounds, and increased minority recruitment, retention and leadership.
- A cultural competency within the workplace itself such that all attorneys and staff develop the ability to value, thrive and grow in cross cultural relationships, which in turn brings economic benefits to the legal employer, clients and the greater community.

RECOMMENDED BEST PRACTICES

To achieve this desired future, three Best Practices were identified with ways that individuals and legal employers¹ can contribute. They are:

- Establish an institutional commitment to ethnic and racial diversity.
- Establish ways firms can commit to mentoring as a core value and establish firm-wide support for program goals.
- Establish a formal system that: values and expands cultural and racial awareness; promotes the career advancement of every lawyer; contains specific program goals, benchmarks and outcomes and; provides for ongoing training and review.

¹ For the sake of brevity, throughout this document the term "firm" is used to connote all types of legal employers, not just law firms

MENTORING COMMITTEE

1. RECOMMENDED BEST PRACTICE:

ESTABLISH AN INSTITUTIONAL COMMITMENT TO ETHNIC AND RACIAL DIVERSITY

Strategies for Implementation	Individual's Role	Firm's Role
<p>1. Set and enforce a firm policy that requires open, direct communication and prohibits gossiping and backbiting</p> <p>2. Develop usable terms (with definitions that fit your firm culture and comfort)</p> <p>3. Develop room for commitment of time/resources to diversity mentoring in firm's strategic planning</p> <p>4. Incorporate valuing diversity and cultural competency into mission of firm and mentoring relationships as part of the diversity mission</p>	<p>1. Initiate discussion of anything that is unclear; initiate it with person you directly have issue with and not others</p> <p>2. Discuss ethnic/racial issues as they arise; seek to gain understanding of cultural differences</p> <p>3. Learn, develop familiarity with terms</p> <p>4. Create regular time in your calendar for training/education/participation in community events; contribute by personal commitment, financial resources/time to planning, etc.</p> <p>5. Educate mentee about firm's mission; monitor firm's commitment</p>	<p>1. Develop policies that value honest communication/ethical conduct, with special focus on race/ethnicity issues</p> <p>2. Create definitions of terms and educate firm employees about them</p> <p>3. Create line item in budget for educational diversity training, library materials/space, etc.</p> <p>4. Provide a lending library with resources focused on racial, ethnic, cultural diversity that is updated regularly</p> <p>5. Create a work environment where many voices are heard (e.g., all committees, activities, etc. staffed by people of different backgrounds, experiences)</p> <p>6. Implement ongoing cultural competency training at all staff levels and in many different manners; also as part of "regular activities" such as partnership meetings, new associate orientations, staff parties, etc</p>

Mentoring

A RESOURCE MANUAL

**Developed by
The Mentoring Subcommittee**

of

THE CONVOCATION ON EQUALITY

Chair: The Honorable Betty Roberts

Hon. Richard C. Baldwin
Gerry Gaydos
Anastasia Yu Meisner
Peggy A. Nagae
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Recording Reporter Assigned By
The Multnomah Bar Association Committee to Advance Equality and Justice in the
Profession:
Corbett Gordon

Special Recognition To
Kevin L. Coulson
of Corbett Gordon & Associates PC

Fall 2001

NETWORKING COMMITTEE SUMMARY

GOALS

The goal of the Networking Committee is to develop strategies to enhance social and business networking opportunities for minority lawyers.

DESIRED FUTURE

When the recommendations of this committee are enacted, it is our belief that the following outcome will result:

- Minority lawyers will enjoy a sense of community while practicing in Oregon.
- Minority lawyers will have ready access to valuable marketing and networking opportunities.

RECOMMENDED BEST PRACTICES

To achieve this desired future, six best practices were identified with ways that individuals and firms can contribute. These include:

- Create OSB “Diversity Section” responsible for implementing “best practices”.
- Diversity Section, together with state and county bar associations, commit to increasing community profile of minority lawyers and firms.
- Planning for regular social networking activities for minority attorneys.
- Partnering with other local professional associations to enhance networking and bring sense of community.
- Rainmaking seminars for minority attorneys.
- Promotion of participation and attendance at ethnic cultural events.

NETWORKING COMMITTEE

1. RECOMMENDED BEST PRACTICE:

CREATE A “DIVERSITY SECTION” OF THE OREGON STATE BAR OPEN TO ALL ATTORNEYS AND CHARGED WITH RESPONSIBILITY FOR IMPLEMENTING OSB BEST PRACTICES.

Strategies for Implementation	Individual’s Role	Firm’s Role
<hr/> <p>Circulate Petitions at Convocation asking Board of Governors (BOG) to form Diversity Section of the OSB</p>	<hr/> <p>Join Diversity Section</p>	<hr/> <p>Participate in Diversity Section with at least one firm partner</p>

2. RECOMMENDED BEST PRACTICE:

STATE AND COUNTY BAR ASSOCIATIONS AND DIVERSITY SECTIONS COMMIT TO ENHANCING THE COMMUNITY PROFILE OF MINORITY LAWYERS AND LAW FIRMS THROUGH PUBLICATIONS, CLE PRESENTATIONS, LISTSERVES, AND OTHER MEDIA.

Strategies for Implementation	Individual’s Role	Firm’s Role
<hr/> <p>1. Highlight in Bar publications the diversity of Bar, contributions of minority Bar members, and events in the minority community</p> <p>2. Petition BOG and County Bars to commit to actively recruit minorities as CLE speakers and Bar committee members</p>	<hr/> <p>1. Assist in preparation of articles</p> <p>2. Identify and recruit CLE speakers</p>	<hr/> <p>1. Highlight contributions of minority lawyers in the firm marketing materials</p>

3. RECOMMENDED BEST PRACTICE:

LOCAL BAR ASSOCIATIONS AND DIVERSITY SECTIONS SHOULD PLAN REGULAR SOCIAL NETWORKING EVENTS FOR MINORITY ATTORNEYS, INCLUDING MONTHLY LUNCH MEETINGS, GROUP JOGGING, PLAYING SPORTS ACTIVITIES, PICNICS, AND THE LIKE.

Strategies for Implementation	Individual’s Role	Firm’s Role
<hr/> <p>County Bar Associations plan and schedule networking events</p>	<hr/> <p>Assist with planning and attend networking events</p>	<hr/> <p>Sponsor and attend networking events</p>

CONVOCATION ON EQUALITY
NETWORKING COMMITTEE
PROPOSED "BEST PRACTICES"

Goal

The ability to recall the names and faces of those with whom one has networked, specifically to recall the names and faces of minority attorneys and other professionals in the community so as to recognize their abilities and talents for legal, professional, and community needs.

Preamble

- Include statement that the Bar should support its commitment to increasing diversity by ensuring that the Convocation's best practice suggestions receive financial support necessary to implement them.

I. Best Practices for OSB

A. Publications

- Publish articles in state Bar publications regarding diversity and its importance.
- Publish articles in Bar publications highlighting minority Bar members.
- Solicit minority-owned businesses to place ads in the Bar Bulletin.
- Disseminate copies of OSB publications about diversity, including Connections (OSB Affirmative Action Program newsmagazine) to all members of the Bar.
- Make it the responsibility of an OSB public relations officer to send copies of articles about minority attorneys or diversity that appear in Bar publications to non-legal press, i.e., The Oregonian Business Section, Daily Journal of Commerce, other professional journals, and smaller community papers, including minority newspapers such as The Scanner, the Asian Reporter.

OSB Affirmative Action Program

Law Student Employment Programs

The mission of the Affirmative Action Program of the Oregon State Bar is to support the mission of the Oregon State Bar: by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice. The Program serves this mission by striving to increase the diversity of the Oregon bench and bar to reflect the diversity of the people of Oregon, by educating attorneys about the cultural richness and diversity of the clients they serve, and by removing barriers to justice.

First Year Internship Program

The First Year Internship Program (FYIP) offers interested first year ethnic minority law students the unique opportunity to spend their first summer in legal settings as stepping stones into Oregon's legal community. Participating employers agree to offer First Year Interns a comprehensive experience to include traditional clerkship assignments, networking opportunities, exposure to procedural processes, and mentoring. The FYIP is a foundation building program for a long-term professional relationship between the law student and a firm.

Participating employers will receive a catalog of students' submissions to review and will contact students for interviews. The employers fully fund the salaries of their First Year Interns. Along with a cover letter and resumé that has been approved by their Career Services representative, students submit up to ten pages of a first semester legal writing assignment.

Clerkship Stipend Program

Clerkship Stipends provide legal employment opportunities for twenty law students who intend to practice law in Oregon and who will help the AAP achieve its mission. This program is not restricted to ethnic minority participation. The Affirmative Action Committee's (AAC) Clerkship Stipend Subcommittee prioritizes applications according to economic disadvantage and the potential that the clerkships will help to impact the students' practical experience and networking in Oregon's legal community. Each stipend is \$5.00 per hour and each employer must agree to at least match the \$5.00 per hour clerkship stipend. With matching funds, most students earn \$10.00 per hour through this program.

The employer must be in the legal field and the student's supervisor must be an attorney. No employer may employ more than two students for summer clerkships at any one time under this program. Registration with the Affirmative Action Program is required.

Public Honors Fellowship

The AAP collaborates with the Oregon law schools to award 6 Public Honors fellowships to law students who intend to practice law in Oregon and who will help the AAP achieve its mission. This program is not restricted to ethnic minority participation. Each law school nominates 5 students whose career goals lie in public interest or public sector law. The AAC Public Honors Subcommittee prioritizes applications according to economic disadvantage and the potential that the fellowships will help to impact the students' practical experience and networking in Oregon's legal community.

The AAP awards fellowships to the top 2 from each law school and order the remaining applicants as alternates per school. Each student submits a resumé and cover letter to AAP staff who forwards the material to prospective employers. The employer selects the student(s) for an interview. Each fellowship totals \$4,800 for a maximum of three months summer employment. Registration with the Affirmative Action Program is required.



AFFIRMATIVE ACTION PROGRAM Opportunities for Law *in Oregon*

5200 SW Meadows Road ♦ Lake Oswego, OR ♦ 97035 ♦ 503.431.6337

OLIO (Opportunities for Law *in Oregon*) is the Oregon State Bar's Affirmative Action Program's (AAP) comprehensive recruiting and retention strategy to increase diversity in the legal community. OLIO's keystone activity is the Summer Orientation for Oregon's ethnic minority law students entering their first year of study. Approximately 100 law students, lawyers, and judges participate in this four-day/three-night orientation. A packed agenda is designed to help ethnic minority law students acculturate to law studies, law school, the bar exam, the bar, the bench, Oregon's natural wonders, and the notion of practice in areas outside of the state's metropolitan areas.



Angel Lopez, President-elect of the OSB Board of Governors, connects with OLIO students as he shares his personal and professional journeys and encourages the students to practice in Oregon.



Incoming ethnic minority law students bond with each other and the bar before facing the unknowns of law school.

As the only state bar in the nation that assesses an affirmative action fee from its members, the bar "walks its talk" as it conducts activities and invests resources to

increase the number of ethnic minority attorneys as well as other members of underrepresented groups in the bar. A diverse attorney membership (in ethnicity and type of practice) participates in OLIO to demonstrate that commitment.

Sandra S. Yamate, Director of the ABA Commission on Racial and Ethnic Diversity in the Profession, writes: "to say that [OLIO] is impressive is an understatement. Surely it could, and should, be a model for the rest of the



OLIO students learn from practitioner panels representing the private and public sectors throughout Oregon.

country. It is thrilling to see a program that goes beyond the rhetoric of diversity and actually addresses the practical realities facing those who are not part of dominant-culture America, without implying that the participants require remedial instruction."

Diversity Trainers Directory

updated 11-14-01

NOTE: *While the Oregon State Bar has compiled this list as an aid to lawyers, law firms and other legal organizations in putting on diversity programs for Oregon lawyers, the bar has not checked the credentials or verified the quality of any provider on this list. Interested parties are urged to do so before using the services of any diversity training provider.*

The following lists Diversity Trainers in alphabetical order by first significant word in the organization's name. A brief paragraph responding to the question "What would you like prospective clients to know about you/your organization?" follows. Contact information and a checklist of "Training Emphasis" also follow. This directory is under construction at all times. Contact: Stella K. Manabe, Oregon State Bar Affirmative Action Program, 503-431-6337, smanabe@osbar.org.

For the November 15, 2001 Convocation on Equality, some trainers (designated with an asterisk in this directory) provided brochures. Convocation participants received packets containing one of each brochure.

Aspen Renaissance	To be entered.
Jennifer Self, M.S. 132 East Broadway, Suite 801, Eugene, OR 97401. 541-302-3031 indyboy@gateway.net	Training Emphasis:
* Cascade Alternative Resolution Services	Cascade Alternative Resolution Services is a full service ADR firm providing mediation, arbitration, facilitation, training, election oversight and neutral fact-finding. The firm's principals offer more than 40 years combined experience in both law and intercultural communication. Cascade specializes in intercultural dispute resolution, labor/management, public policy facilitation and mediation, negotiation coaching, rapid response conflict resolution, and ADR policy systems design and implementation. Our training programs in diversity, collaborative negotiations and mediation uniformly receive the highest ratings from participants. We have extensive experience throughout the United States, in Indian Country, and in Russia, (including the former Soviet Union), Nicaragua, Guatemala, Cuba, Australia, Canada, Poland, Ecuador, Costa Rico and Mexico.
Suzanne Townsend, J.D. Jon Townsend, M.A. Cascade Alternative Resolution Services	Training Emphasis: ✓ racial/ethnic ✓ gender

Biography of Detroit Mayor

Dennis W. Archer

Dennis Wayne Archer has served as Mayor of Detroit since January 1, 1994. He was elected to his first four-year term in November 1993, and was re-elected with 83 percent of the vote in November 1997. He has earned national and international respect for his success in changing Detroit's image and direction.



Under Mayor Archer's leadership, Detroit's crime rate has declined each year of his administration. He has improved city services with an unprecedented investment in employee training, high technology equipment, and a labor-management partnership that emphasizes continual process improvement. Mayor Archer completed the conversion to a new garbage collection system; introduced a new computer system to greatly reduce administrative paperwork, and has initiated fundamental improvements in Detroit's neighborhoods. These include upgraded street lighting, increased street paving and restoration or removal of abandoned houses.

Detroit has attracted more than \$13 billion in new investment since January 1994. U.S. automakers and their suppliers are constructing new plants in the city, retailers are returning to Detroit neighborhoods, and residential construction and redevelopment are taking place throughout the city. Significant reinvestment in Downtown Detroit is also underway, signaling a true renaissance ahead for a central business district that was once nearly abandoned.

Detroit has consistently balanced its budget since the 1994-95 fiscal year. Each of the three major bond agencies have repeatedly raised Detroit's credit rating, recognizing the city's return to financial stability. Currently, Fitch Investors Service rates Detroit's general obligation bonds at A, Standard & Poor's at A- and Moody's at Baa1. These are Detroit's highest ratings since the mid-1970s.

Mayor Archer is President of the National League of Cities, serves on the Executive Committee of the United States Conference of Mayors and is President of the National Conference of Democratic Mayors. He is on the Board of Directors of the National Conference of Black Mayors and a member of the Board of Governors of the American Bar Association. He is also a member of the Advisory Board of the Brookings Institution Center on Urban and Metropolitan Policy.

Mayor Archer has received a dozen honorary doctorate degrees from colleges and universities. He was named Public Official of the Year in 2000 by *Governing* magazine. He received an Award of Excellence and was named 1998 Newsmaker of the Year by *Engineering News-Record* magazine, a sister publication of *Business Week* magazine. He has been named one of the 25 most dynamic mayors in America by *Newsweek* magazine; one of the 100 Most Influential Black Americans by *Ebony* magazine; and one of the 100 Most Powerful Attorney's in the United States by the *National Law Journal*.

Dennis Archer was born on January 1, 1942 in Detroit. He received a Bachelor of Science Degree in education from Western Michigan University in 1965 and from 1965 to 1970 taught learning disabled students at Duffield and Bunche elementary schools in the Detroit Public Schools. He earned a JD from Detroit College of Law in 1970.

After earning his law degree, he worked as a trial lawyer for several Detroit law firms and served as Associate Professor of the Detroit College of Law and Adjunct Professor of Wayne State University Law School. In 1985, Governor James Blanchard appointed Dennis Archer Associate Justice of the Michigan Supreme Court. He was elected to an eight-year term the following year.

He was president of the Wolverine Bar Association in 1970-80, the National Bar Association in 1983-84 and the State Bar of Michigan in 1984-85. He is a Life Member of the Fellows of the American Bar Association and the National Bar Association; a Fellow of the International Society of Barristers; and a Life Member of the Sixth Circuit Judicial Conference.

The Convocation on Equality

was made possible with the commitment, generosity, and expertise of the following:

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MBA Equality Committee
Samer Rabadi

Dennis Archer is married to the Honorable Trudy DunCombe Archer, Judge of Michigan's 36th District Court. They have two sons, Dennis W. Archer, Jr., and Vincent DunCombe Archer, both of whom are graduates of the University of Michigan.

PO Box 167 West Linn, OR 97068 Phone: 503-650-3843 Fax: 503-650-9453 Email: cars@ix.netcom.com	✓ access to justice ✓ disability
----------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------

Dr. Dapo Sobomehin	To be entered.
Dr. Dapo Sobomehin [dapo@teleport.com]	Training Emphasis:

* Daryl Dixon	Daryl Dixon is the Director of Multicultural Services of George Fox University. Considered a leading authority in the area of diversity as it affects the workplace, Daryl is available for full/half-day training sessions and consulting. Daryl's approach to diversity is unique in that it involves instrumented learning. Workshop attendees move beyond race and gender to get a better understanding and appreciation of a diverse work place where there is recognition, appreciation, value and utilization of the unique talents and contributions of all individuals.
Daryl Dixon George Fox University 12753 SW 68th Ave. Portland, OR 97222 503 554-2318 ddixon@georgefox.edu	Training Emphasis:

Henry's Consulting Services	To be entered.
Calvin O. L. Henry, Ph.D. 7395 NW Hoodview Circle Corvallis, Oregon 97330 (541) 745-5570 (541) 745-3857 (fax) Email: henryc@peak.org	Training Emphasis:

<p>Jose Ortal</p>	<p>Over 9 years of Contract Compliance (Wage and Hour, Minority/Women Owned and Disadvantaged Business Enterprise [M/W/DBE], and construction and non-construction AA/EO) experience. Specific areas of expertise include Davis Bacon and little Davis Bacon monitoring, M/W/DBE goal setting and compliance monitoring, Affirmative Action Plan development, and AA/EO goals and timetables oversight. During the last 5 years the following tools have been added and/or honed: extensive expertise in recruitment, selection, hiring, and retention and broadly defined diversity best practices.</p>
<p>José C. Ortal (541) 822-3941 52494 McKenzie Hwy., Blue River, OR 97413 JOrtal@msn.com</p>	<p>Training Emphasis: ✓ Racial/ethnic ✓ Other: (Contract Compliance and Human Resources best practices)</p>
<p>Martha Evans</p>	<p>To be entered.</p>
<p>Martha Evans 2727 Centennial Blvd Eugene, OR 97401 (541) 682-4734 martha.c.evans@co.lane.or.us</p>	<p>Training Emphasis:</p>
<p>The National Racism Free Zone Institute</p>	<p>To be entered.</p>
<p>Bahati Ansari The National Racism Free Zone Institute Jefferson Middle School 1650 W. 22nd Street Suite 8 Eugene, OR 97405 541-687-3661-3221</p>	<p>Training Emphasis:</p>
<p>* Portland State University/Professional Development Center</p>	<p>The Professional Development Center is a university-based training resource. We offer public seminars and courses as well as customized programs. Diversity training can cover any specific topic depending on the emphasis needed. Our training is interactive, non-confrontational, and designed to inspire and educate rather than threaten or blame. We have extensive experience with mediation, communication, intercultural communication and conflict, sexual harassment, and workplace inclusion.</p>
<p>Francis C. Bates Contract Program Manager</p>	<p>Training Emphasis: ✓ Racial/ethnic</p>

POB 751 Portland, OR 97207-0751 503-725-4635 fax: 503-725-5585 bates@pdx.edu www.pdc.pdx.edu	✓ Gender ✓ Access to Justice ✓ Disability ✓ Intercultural communication, mediation, conflict, perception
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Phyllis S. Lee, Ph.D.	To be entered.
Phyllis S. Lee, Ph.D. Director, Office of Multicultural Affairs Oregon State University 330 Snell Hall Corvallis, Oregon 97331-1634 (541) 737-4381 Fax (541) 737-8232 Phyllis.Lee@orst.edu	Training Emphasis:

* TACS, Tools for Diversity	We are a multi-racial consultant team, in the Portland area for the past 12 years. We have provided effective assessment, training and mediation in diversity/cross-cultural issues for over 250 client groups. Cliff Jones was a paralegal for Multnomah County Legal Aid. Kathleen Herron, JD practiced family law in Portland for 12 years and then mediated family law cases. We work closely with clients to assess your organization's needs/goals.
Cliff Jones TACS 1903 SE Ankeny Portland, OR 97214 503-239-4001 CJ@tacs.org	TRAINING EMPHASIS: ✓ Racial/ethnic ✓ Gender ✓ Sexual Orientation ✓ Class/economic ✓ Disability

Total Diversity Management Consultants	To be entered.
Peggy Nagae 2545 N.E. 48th Avenue Portland, OR 97213 503-528-2745 Tele 503-528-2759 Fax pncb@earthlink.net	Training Emphasis:

* Understanding Racism Foundation	To be entered.
Mary A. Dail, Director Understanding Racism Foundation PO Box 1089 Portland, OR 97207-1089 503-274-1747 understandracism@qwest.net	Training Emphasis:

The 2001 OLIO orientation program took participants to central Oregon. Previous OLIO programs were held in Newport on the Oregon coast. Not only are these sites an opportunity for OLIO students to experience Oregon's wonder and beauty, but the students can also appreciate the opportunities to clerk and possibly practice outside the state's metropolitan areas.



Upper division ethnic minority law students are credible role models for entering law students. The veteran law students share their experiences as first year students and summer clerks.

OLIO relies on grants and donations for the bulk of its funding. OLIO 2001 was a tremendous success because of generous support from the Oregon Law Foundation, Ball Janik LLP, Cosgrave Vergeer & Kester, Oregon Minority Lawyers Association, the Oregon State Bar, The Oregon State Bar New Lawyers Division, and Attorney-at-Law Will Childs. In addition to posters and publications acknowledging the benefactors, the law students received study aids which included inscriptions of the specific sponsoring group.



After full days of substantive work, students turn on their creative and competitive juices in team-building activities like "Iron Chef" and "Law School Survivor."

"I definitely enjoyed my experience. I feel much more confidence in my preparation for classes. I also know that I have a solid base of trustworthy friends from whom to draw knowledge and, to a certain extent, relief. I would recommend the program to anyone interested in these things."



Chief Justice of the Oregon Supreme Court Wallace P. Carson, Jr. speaks with an incoming law student.



Many OLIO students stretch their previously held limits in extracurricular activities that introduce students to Oregon's natural wonders.

"Provided an invaluable preview into law school. Helpful for people who have no experience with law or relationships with former law students. Great to know other students of color are out there. Great to know a support structure is in place. Why wouldn't one want to stay in Oregon?"

<http://oregondiversity.homestead.com/news.html>

- Create a Bar liaison to minority newsletters to enable the Bar to better learn about events in the minority community; those events can then be publicized in the Bar's publications. The Bar liaison should also liaise with the Joint Interim Task Force on Cultural Development.
- Generate and publish list of minority lawyers and/or minority-owned law firms and their practice areas and skills, for possible reference of overflow and conflict legal work, or for referrals to clients specifically requesting minority counsel.
- Create, maintain, and circulate a list of minority professional organizations and contact information (doctors, architects, engineers, etc.). Consider renewing the Bar's membership in the Professional Services Coordinating Council (PSCC) to obtain access to their directories.

B. "Marketing" diversity within the Bar

- Create a Bar committee to periodically review and monitor the Bar's best practices, as well as the progress that firms are making with respect to the best practices. This committee should have as one of its responsibilities the creation of an additional Bar diversity award that is given annually to the firm that has in that year made the most progress in meeting the Bar's diversity goals.
- Create a new "diversity section" of the Bar that is open to all attorneys who are interested in promoting diversity in the Bar; this section can undertake to accomplish many of the best practices for the OSB.
- Have the Board of Governors direct the Law Practice Management and Small Firm/Solo Practitioners sections to implement the best practices suggested for small/medium and large firms.
- Recognize and facilitate mentoring efforts of attorneys in each local Bar association to encourage high school minority students to pursue professional career paths in the law.

C. Assisting minority members of the Bar

- Increase financial support of OSB's Affirmative Action Program that currently provides technical, academic support to existing minority law students and affirmative action networking programs.

- Actively recruit minority attorneys to participate as speakers and contributors to CLEs.
- Actively recruit minority attorneys for appointment to Bar committees—beyond normal measures if necessary—and ensure that they are equipped to contribute and feel comfortable on those committees.
- Hold Bar leadership classes for interested minority lawyers to explain Bar leadership opportunities (HOD, BOG, committees) and provide training for those positions.
- Create an annual forum in which local businesses can learn more about the types of legal services provided by minority lawyers.
- Create a listserv for minority attorneys in order to foster communication and a sense of community.
- Hold seminars on rainmaking for minority attorneys featuring attorney speakers—both majority and minority—who are well respected and/or have a large client base.

D. Training

- Require Bar leaders to attend Justice Peterson's Racism in the Law courses or equivalent training, and encourage them to train as program facilitators.
- Require diversity training—such as Justice Peterson's "Racism in the Law" class—of all members of the Bar. Such training could take the form of creating a diversity CLE requirement.

II. Best Practices for Local/County Bar Associations

A. Publications

- Create a liaison to minority newsletters to enable the Bar to better learn about events in the minority community; those events can then be publicized in the Bar association's publications.
- Publish articles in newsletters/publications regarding diversity and its importance and articles highlighting minority Bar members.
- Highlight the professional talents of minority attorneys in local Bar association publications.

- Promote participation and attendance at cultural events, i.e., Mochisuki, Chinese New Year Celebration, El Dia de Los Madres Festival, Latino Cultural festival, Black History Month, Martin Luther King Day events, salmon festivals.

B. Outreach

- Hold monthly lunch meeting at a restaurant in a minority community. Have the meetings open to anyone who wishes to attend, but specifically invite a targeted small group to attend each meeting (i.e., at least 2 minority lawyers, and lawyers from small and large firms, in-house legal departments, and government). Use this model to plan other social networking events for minority attorneys, including events such as group jogging, playing sports, or barbecues/picnics.
- Actively recruit minority attorneys to participate as speakers and contributors to CLEs.
- Partner with other local professional associations (doctors, architects, engineers, accountants) to develop a mentoring program for middle school and high school students; visit middle schools and high schools to encourage students to become professionals.
- Hold social for minority students from all law schools to which attorneys are invited.

III. Best Practices for Law Firms

A. Firm administration

- Designate an attorney to serve as the firm's diversity officer who will be the liaison between the firm and the Bar. The diversity officer will be responsible for informing the firm about the Bar's best practices and for reporting the firm's progress on diversity issues to the Bar.
- Earmark funds at the start of each fiscal year that will be spent supporting diversity activities (scholarship contributions, social events, etc.).
- Require diversity training, such as Justice Peterson's Racism in the Law class, for staff and attorneys.
- Require that attorneys spend a minimum number of hours on diversity activities and consider giving billable credit for a portion of those hours.

Include participation in diversity activities as an evaluation tool, and reward those attorneys who contribute to those activities.

- Plan smaller minority socials with under four or five people in the group, providing a more intimate comfortable atmosphere.
- Recruit minority attorneys to serve on administrative committees, including hiring, evaluation, and firm management.

B. Recruiting

- Place job advertisements in minority publications; send job announcements to the Oregon Minority Lawyers Association email list.
- Have members of firm hiring committee serve as mentors on the Bar's Affirmative Action Program.
- Instruct headhunters to seek out minority candidates when searching for attorneys to fill lateral positions. Offer bonuses to current employees who refer minority candidates for new positions if that candidate is hired.
- Make contributions to Oregon law school scholarships for minority students, or establish a scholarship for minority students in the firm's name at an Oregon law school.
- Contact law schools at the beginning of each fiscal year to find out what minority student events are planned for the upcoming school year. Co-sponsor events with local law school minority student association.
- Include minority students at Oregon law schools during on-campus interviewing.
- Participate in career colloquia aimed at minority attorneys.
- Several firms, particularly large firms, have a non-lawyer recruiting administrator make the "first cut" when resumes come in the door. Those administrators should be trained to look out for minority candidates who might otherwise be passed over if they do not meet the firm's grade criteria.

C. Outreach

- Invite minority attorneys to in-house CLE or training presentations.

- Invite minority attorneys to law firms to discuss the cultural practices of diverse communities that the minority attorney may know and solicit assistance of minority attorneys in developing strategies to court new clients in diverse community. Partner with minority attorneys/firms to create a referral network.
- Obtain participation of minority attorneys as outside counsel or co-counsel on modest and large litigation. Utilize minority attorneys on contract basis or for overflow projects. Assign work to a minority-owned enterprise or person that can furnish services used by law firms from time to time (e.g., expert witnesses, process serving, messenger service, investigation).
- Purchase tables or otherwise respond to opportunities to attend social functions of minority lawyer groups or programs of other minority associations.

IV. Best Practices for Businesses

- Identify opportunities for minority professionals to network; host networking socials or career colloquia at your business.
- Recognize people within the organization who demonstrate a commitment to diversity.
- Offer additional monetary incentives to employees who bring in or refer minority candidates to interview for new job openings.
- When hiring, do not make a hiring decision unless a minority candidate is in the selection pool.
- Outreach to the minority community.
- Require outside counsel to meet diversity goals; hold outside law firms accountable and require them to report regularly on their progress, including reporting the number of minority attorneys working at the firm.
- Include participation in diversity activities as an evaluation tool, and reward those attorneys who contribute to those activities.

V. Best Practices for Individuals

- When asked to speak at a CLE, inquire about the organizer's efforts to involve minority speakers; suggest the Bar's list of minority CLE speakers

as a resource. Use minority attorneys within your firm to help you present at CLE's where you are speaking.

- Engage in common leisure time and hobbies with minority individuals, i.e., golf, running, hiking, or movie/performance/lecture series.
- Invite minority attorneys/students/persons into one's home to share in family events, and accept invitations to share in family and cultural events.
- Regularly invite minority attorneys/students/persons to professional engagements such as Inns of Court.
- Invite participation of minority attorneys in community non-legal boards (Portland Art Museum, Oregon Ballet, Planning Committees).
- Introduce minority attorneys to your colleagues and peers.
- Engage in social interactions with the minority attorneys/staff within your firm, i.e., regularly lunch or dine.
- Volunteer at a high school, middle school, or grade school to be a professional mentor.

Ideas to keep in mind

- Develop reciprocity with other state Bars regarding admission requirements (will attract minority attorneys who are admitted in other states)
- Form new Bar committee with the purpose of creating a more diverse Oregon (take positions on INS practices, the availability of health and welfare assistance to agriculture workers, etc.).
- Create taskforce with minority lawyers and law firms to identify particular practices in the court system that tend to discriminate against minority litigants (e.g., affidavit requirements for waiver or deferral of court filing fees under ORS 21.605 et seq.).
- Give free advertising in the Bar Bulletin to businesses that have a demonstrated commitment to diversity; include in the advertisement that this is a business recognized by the Bar as being committed to diversity.
- Compile list of lawyers/law firms that will consider taking or associating on a discrimination case of a minority person, on a contingent fee basis.

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4. RECOMMENDED BEST PRACTICE:

LOCAL BAR ASSOCIATION AND DIVERSITY SECTIONS PARTNER WITH OTHER PROFESSIONAL ASSOCIATIONS TO ENHANCE NETWORKING OPPORTUNITIES AND A SENSE OF COMMUNITY FOR MINORITY LAWYERS.

Strategies for Implementation	Individual's Role	Firm's Role
Bar associations plan and sponsor socials around ethnic cultural events and with other professional associations	Attend such events	Direct one firm partner to organize and track firm's participation in such events

5. RECOMMENDED BEST PRACTICE:

SEMINARS ON "RAINMAKING" FOR MINORITY ATTORNEYS

Strategies for Implementation	Individual's Role	Firm's Role
Bar associations to commit at least one such "rainmaking" seminar each year	Help plan and organize such an event	Assign the firm's best rainmaker to participate in such events

6. RECOMMENDED BEST PRACTICE:

BAR ASSOCIATIONS AND FIRMS SHOULD PARTICIPATE AND ATTEND ETHNIC CULTURAL EVENTS, I.E., MOCHISUKI, CHINESE NEW YEAR CELEBRATIONS, EL DIA DE LOS MADRES FESTIVAL, LATINO CULTURAL FESTIVALS, BLACK HISTORY MONTH, MARTIN LUTHER KING DAY EVENTS, SALMON FESTIVALS.

Strategies for Implementation	Individual's Role	Firm's Role
Organize attendance at such events	Participate in such events as representatives of the Bar	Sponsor and organize attendance at such events

Executive Summary

- I. **Philosophy:** Mentoring is helpful for all lawyers. To be effective, it should include cultural competency training to ensure success for everyone involved.

II. Best Mentoring Practices

	Each Lawyer Will	Together Those Involved Will	The Organization Will
Best Practice 1	Seek and value your own and other cultures' experiences.	Seek to understand another's experiences and culture.	Support/commit to inclusive work environment.
Best Practice 2	Learn and commit to effective communication.	Engage in effective communication.	Establish and support an effective communication plan (rather than the "rumor mill").
Best Practice 3	Commit to the mentoring process.	Commit to the mentoring relationship.	Value mentoring as a core value.
Best Practice 4	Develop career awareness/goals.	Engage in career counseling.	Promote career advancement of every lawyer.

Resource Manual

I. Definition of Mentoring¹

Mentoring Is:	Mentoring Is Not:
Dependent on the organization's "buying in" to the goals of the mentoring program.	Remedial in nature or to target any individual or group.
A collegial peer relationship, but mentoring itself has a natural "life".	Cloning or teacher-student power relationship.
Collaborative.	Competitive where mentégué is only learner.
Flexible.	Rigid and hierarchical.
A trust relationship.	A power relationship.
An economic advantage to all.	A drain on time and resources.

¹Some words about nomenclature:

Use the terms that fit your culture and comfort - it's the ideas, not what we call them, that count. We will use: Mentor/Mentégué. You may use: Mentor/Mentee, Mentor/Protégué, Partner Mentor/Associate Mentor or some other identifiers. Some lawyers may prefer to be called coach, counselor, advisor, sponsor, or some other name.

Cultural competency is defined as the skills needed to function effectively within groups and with individuals who possess values, norms, traditions, customs, gender, physical and mental abilities, sexual orientation, etc. that are different from your own. In short, the ability to thrive in cross-cultural situations and relationships.

²Mentoring is a proven method of enhancing the professional development of lawyers. Cultural competency is essential to this process. Diverse values are integrated into this mentoring plan to enhance the opportunities for success for attorneys who are ethnically and racially diverse. A successful plan requires institutional commitment and targeted training for leaders and participants.

II. Benefits

Mentoring benefits the organization:

- ' Return on capital investment³
- ' Builds and transmits firm culture and accumulated wisdom
- ' Promotes workforce diversity
- ' Helps organization adapt to change
- ' Builds loyalty
- ' Develops new leaders
- ' Aids recruitment
- ' Boosts retention⁴
- ' Efficiently passes on knowledge and practice

²As Ida Abbott recognized in *The Lawyers Guide to Mentoring*,

“If we look at the mentoring process as a journey, the protégée walks behind the mentor at the beginning, watching, learning, and following; gradually, as the protégée’s development progresses, the two walk side by side. In some cases, the protégée may actually surpass the mentor in terms of professional achievement and stature. Most mentors take satisfaction in the advancement and success of their proteges. But sometimes mentors become jealous of their protégé’s success and may even compete with them bitterly over clients and recognition.”

³One Oregon firm estimates it loses a capital investment of \$200,000 (salary, recruitment, benefits, training and other time investment) in year one, alone, when it loses an associate to attrition. Attracting and retaining key associates is essential to the **future** of a firm or other law-based organization. One study found 61% of the lawyers who feel well-mentored see themselves staying for the next five years, and lack of mentoring is the most often cited reason by an associate for leaving. The National Association of Law Placement (NALP) Foundation for Research & Education, *Keeping the Keepers: Strategies for Associate Retention in Times of Attrition, A Best Practices National Research Study on Lawyer Careers*, January 1998.

⁴The NALP survey revealed that between 1988-1996, 9.2% of new associates left firms in year one, 26% in years 1-2, and 43% within the first three years. This figure is 3-7% higher for women and increases by 11-13% for ethnic and racial minorities. The trend worsened in the 90’s. *Id.*

- ' Passes on firm's accumulated wisdom
- ' Raises productivity
- ' Helps associates succeed (well-mentored associates strive for excellence and success)

Mentoring benefits the mentor:

- ' Improve mentor's management and communication skills
- ' Enhance mentor's leadership and reputation
- ' Enhance mentor's career and compensation
- ' Expand professional networks
- ' Renew mentor's sense of purpose
- ' Feel personal satisfaction
- ' Counteract professional isolation
- ' Leave a legacy (beyond billable hours)
- ' Fulfill obligations to legal profession
- ' Increase cross-cultural competency

Mentoring benefits the ment  g  :

- ' Helps with associates' success
- ' Nurtures associate/creates feeling of support
- ' Leads to recognition
- ' Leads to job satisfaction
- ' Leads to increased compensation
- ' Leads to promotion
- ' Provides a personal relationship based on mutual regard
- ' Helps focus on long and short term goals
- ' Feeling valued and respected
- ' Enhance client contact
- ' Breaks barriers to achievement
- ' Provides periodic reality checks to release anxiety
- ' Enhances technical development
- ' Overcome professional isolation

Mentoring benefits the legal community:

- ' Produces trained, confident lawyers less likely to leave profession
- ' Better public image
- ' Fewer discipline cases
- ' Reflect diverse community
- ' Increases professionalism among lawyers
- ' Promotes cultural competency
- ' Supports existing diversity efforts
- ' Creates a community more attentive to diverse professionals
- ' Attracts diverse businesses
- ' Increases public confidence in the fairness of the judicial system
- ' Enhances the fair and equitable administration of justice⁵

⁵We acknowledge Chapter 3, "The Benefits of Mentoring," in Ida O. Abbott's *The Lawyer's Guide to Mentoring* (National Association of Law Placement, Inc., 2000).

III. Best Practices † And How to Implement Them.

To be effective, mentoring must focus on three different domains simultaneously. These are personal, interpersonal and organizational levels.

Each Lawyer Will	Together Those Involved Will	The Organization Will
<p align="center">Best Practice 1</p> <p>Know and value your own and other cultures' experiences.</p>	<p>Seek to understand each other's experiences and culture.</p>	<p>Support/commit to inclusive work environment.</p>
<p align="center">Implement Best Practice 1</p> <ul style="list-style-type: none"> ' See and validate the reality of the "other." The platinum rule of diversity: "Do unto others as they want done unto them." ' Learn more about your own cultural, racial, ethnic background - we all have one (whether you are white European-Asian-African-Latino-Native-American, etc.). 	<ul style="list-style-type: none"> ' Participate in cultural competency training. ' Gain an understanding of cultural differences by asking questions and sharing your own perspectives. ' Honor and respect others. ' Discuss ethnic/racial issues as they arise. 	<ul style="list-style-type: none"> ' Educate staff and practice cultural competency. ' Embrace the Ethic of Inclusion: <ul style="list-style-type: none"> - Give credit for training/mentoring. - Have adequate library of resources about cultural competency. - Incorporate valuing diversity and cultural competency into mission of firm. - Do not permit stereotyping, blaming, negativity by anyone regardless of position/power. - Foster collaboration - not competition. ' Implement cultural competency training. ' Create work environment where many voices are appreciated.

Each Lawyer Will	Together Those Involved Will	The Organization Will
<p style="text-align: center;">Best Practice 2</p> <p>Learn and commit to effective communication.</p>	<p>Engage in effective communication.</p>	<p>Establish and support an effective communication system (rather than the "rumor mill").</p>
<p style="text-align: center;">Implement Best Practice 2</p> <ul style="list-style-type: none"> ' Assume good will and a positive intent. ' Be receptive. ' Ask questions. ' Really listen. ' Realize there will be awkward moments and commit to work through them. ' Learn the process of giving and receiving feedback effectively. 	<ul style="list-style-type: none"> ' Talk and listen openly about feelings, glitches, questions, perceptions. ' Participate in regular feedback and evaluation. ' Participate in regular meetings and activities supported by your organization. ' Devote time and attention to the concept of cultural competence within and outside the organization. Give/receive constructive criticism. ' Tackle sensitive issues; stay connected and receptive. 	<ul style="list-style-type: none"> ' Allow and support time for mentoring relationship to develop. ' Set and enforce policy that requires open, direct communication and prohibits gossiping and backbiting. ' Leaders need to "walk their talk." ' Monitor process of mentoring program. ' Consider having firm pay for regular social meetings between mentor/mentégé; e.g., lunches, dinners, after work occasions.

Each Lawyer Will	Together Those Involved Will	The Organization Will
<p align="center">Best Practice 3</p> <p>Commit to mentoring.</p>	<p>Commit to the mentoring relationship.</p>	<p>Value mentoring as a core value.</p>
<p align="center">Implement Best Practice 3</p> <ul style="list-style-type: none"> ' Allow time to meet. ' Set learning objectives/goals. ' Keep promises. ' Own your talents and power. ' Request new match if necessary. ' Be trustworthy. ' Behave ethically. ' Be honest. ' Learn from “mistakes”/embrace them as opportunities. ' Foster and repair self-esteem. ' Work hard. ' Be receptive. ' Communicate readiness/expectations. ' Recognize the natural life of the mentoring relationship. ' As mentégé progresses/changes direction, mentor should help find new/additional mentors, and/or mentégé can take the lead. 	<ul style="list-style-type: none"> ' Discuss mentoring process. ' Set and work toward agreed upon learning goals/objectives. ' Presume worthiness of mentor/mentégé. ' Establish trustworthiness. ' Celebrate/enjoy growth and success. ' Talk about importance of maintaining principles and ethics. ' Discuss organizational philosophy. ' If necessary, adjust and/or change match. ' Discuss the firm’s work requirements and expectations. ' Express appreciation and pride in mentoring relationship. ' Reflect together on lessons learned. ' Engage in formal periodic review. ' Discuss when it is time for mentégé to move on. ' Mentégé leads/mentor guides. ' Define success of mentoring relationship. 	<ul style="list-style-type: none"> ' Create a compensation system that recognizes and values mentoring. ' Recruit enthusiastic and motivated mentors. ' Recognize that trust will develop where a system allows each individual to admit error in the spirit of learning and growth. ' Foster finding positive solutions B not blaming/shaming. ' Model this from the top down. ' Match carefully; train everyone, including the matcher. ' Monitor matches - change if necessary. ' Create a system to evaluate mentoring program. ' Encourage opportunities for self-promotion (e.g., brag sheet at evaluation). ' Develop policies that value hard work, honest communication and ethical conduct. ' Leaders model trustworthiness, honesty, ethical behavior and hard work. ' Be sure entire staff understands the process and the role each plays in helping mentégé to succeed. ' Be aware employees are always watching.

Each Lawyer Will	Together Those Involved Will	The Organization Will
<p style="text-align: center;">Best Practice 4</p> <p>Develop career/awareness goals</p>	<p>Engage in career counseling</p>	<p>Promote career advancement of every lawyer</p>
<p style="text-align: center;">Implement Best Practice 4</p> <ul style="list-style-type: none"> ' With support of the mentor, mentéé sets career goals, takes initiative, and defines success. ' Initiate discussion of anything that is unclear. ' Mentor reports that that this mentéé is doing well. ' Assign/take on work assignments at an appropriate pace. ' Mentéé must find his/her own style and voice. ' Find best resources for mentéé's career development. 	<ul style="list-style-type: none"> ' Be aware of conflicts in individual goals. ' Discuss how to change practice areas, realistic goals, and organizational expectations. ' Discuss how and where self-promotion is appropriate and useful. ' Be aware of cultural barriers to self-promotion (may be hesitancy in Asian, Native American and Latino cultures, for example). ' Discuss clearly firm's overt and uncommunicated expectations. ' Discuss learning needs (client relations/writing/firm politics, etc.). ' Take mutual pride in the ultimate success of the mentéé (even if s/he becomes more successful than the mentor). 	<ul style="list-style-type: none"> ' Establish a system where there is enough work, opportunity and space for every new hire to succeed. ' Use exit interview to look long and hard at the system before "blaming" the departing lawyer. ' Make it clear that the mentéé remains responsible for developing professionally with support from mentor and organization. ' Recognize changing needs of mentéé over time and build into program guideposts to aid success. ' Allow mentéé to explore interests without leaving. ' Understand/appreciate role models.

IV. Bibliography

Abbott, Ida O. *The Lawyer's Guide to Mentoring*. National Association of Law Placement, Inc., 2000.

Dear Sisters, Dear Daughters: Words of Wisdom from Multicultural Women Attorneys Who've Been There and Done That, Karen Clanton, Editor. American Bar Association, 2000.

Feferman, Richard N. "How to Assign Work Properly." *Your New Lawyer: The Legal Employer's Complete Guide to Recruitment, Development, and Management*, Second Edition, Michael K. Magness and Carolyn M. Wehmann, Editors. American Bar Association Section of Law Practice Management, 1992.

Flattum, David. "Mentors Do Still Exist: Know How to Find Yourself One." *The National Law Journal*, C3, August 24, 1998.

Magness, Michael K. "Developing and Supervising New Lawyers." *Your New Lawyer: The Legal Employer's Complete Guide to Recruitment, Development, and Management*, Second Edition, Michael K. Magness and Carolyn M. Wehmann, Editors. American Bar Association Section of Law Practice Management, 1992.

Manch, Susan G. "Lawyers Need Coaches, Not Soul Mates: A New Model of Mentor." *The Legal Times*, S31, November 3, 1997.

Manch, Susan G. "36 Essential Management Skills for Partners." *Law Practice Management*, 36, April 1998.

NALP Foundation for Research & Education. *Keeping the Keepers: Strategies for Associate Retention in Times of Attrition*, A Best Practices National Research Study on Lawyer Careers. January 1998.

Santangelo, Charles J. "Why Do Law Firms Fail? Do You Recognize the Seven Deadly Sins of Law Firm Management?" *Oregon State Bar Bulletin*, 17, November 1995.

Steele, Claude M. "Race and the Schooling of Black Americans." *Atlantic Monthly*, 67, April 1992.

Zinn, Herbert I. "Nets and Parachutes: Lawyer Training and Mentoring." *Life, Law and the Pursuit of Balance: A Lawyer's Guide to Quality of Life*, Second Edition, Jeffrey R. Simmons, Editor. Maricopa County Bar Association with the State Bar of Arizona

Young Lawyers Division and the American Bar Association Young Lawyers Division,
1997.

2. RECOMMENDED BEST PRACTICE:

ESTABLISH WAYS FIRMS CAN COMMIT TO MENTORING AS A CORE VALUE AND ESTABLISH FIRM-WIDE SUPPORT FOR PROGRAM GOALS

Strategies for Implementation	Individual's Role	Firm's Role
<ol style="list-style-type: none"> 1. Create a system that recognizes/values mentoring 2. Educate entire staff (including support staff) about the process and role each staff person plays in helping mentor/mentee program individuals succeed 3. Provide methods/training/resources for mentors/mentees/staff that will assist them in seeking/valuing/understanding other cultural experiences within the mentor process 	<ol style="list-style-type: none"> 1. Find ways to promote mentor/mentee relationship as important part of firm's organizational philosophy/mission to clients and others 2. Participate in regular activities, meetings supported by your firm 3. Find and participate in cultural, recreational, community, bar events that will strengthen mentor/mentee relationship outside the office 4. Devote time/attention to the concept of cultural competence within/outside firm 5. Communicate what you learn to staff/colleagues 6. Continue to learn more about your own cultural/racial/ethnic background 	<ol style="list-style-type: none"> 1. Discuss clearly/continually emphasize firm's overt and uncommunicated expectations, firm politics and policies regarding mentoring/ethnic/racial diversity; provide ways for all to promote firm's philosophy/mission 2. Establish a system where there is enough work, opportunity and space for every new hire to succeed 3. Create a compensation system that recognizes and values mentor/mentee relationship development time/number of mentor hours that counts toward billable hours 4. Provide a resource list of opportunities, events (esp. those featuring racial, ethnic, cultural diversity), etc. that encourages mentors and mentees to interact; create/foster time for mentors/mentee to meet; resources in library focusing on variety of mentor relationships in myriad settings which promote racial/ethnic diversity. 5. Create ways to promote/celebrate mentoring relationships/ firm efforts outside the firm/to clients/within firm 6. Incorporate "mentor" time into regular firm activities; e.g., lunches, golf games, on-site CLEs, extend invitations to mentor group rather than individual, etc. 7. Provide way for staff/mentors/mentees to periodically reflect

		<p>together on lessons learned; create opportunities for ongoing education</p> <p>8. Provide ongoing publicity about mentoring relationships, their activities and successes to all levels of staff; communicate how these relationships and their success tie into firm mission/philosophy/culture/firm success</p>
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3. RECOMMENDED BEST PRACTICE:

ESTABLISH A FORMAL SYSTEM THAT: VALUES AND EXPANDS CULTURAL AND RACIAL AWARENESS; PROMOTES THE CAREER ADVANCEMENT OF EVERY LAWYER; CONTAINS SPECIFIC PROGRAM GOALS, BENCHMARKS AND OUTCOMES ; AND PROVIDES ONGOING TRAINING AND REVIEW.

Strategies for Implementation	Individual's Role	Firm's Role
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	<p>partner</p> <p>7. Participate in formal review of system and creation/review of benchmarks</p> <p>8. Participate in regular feedback/evaluation with one another and with managing partner-evaluator</p> <p>9. Allow mentee responsibility for developing professionally with support from mentor/firm</p>	<p>of firm's mission; outcome measures for goals/objectives; do thorough review of modalities/ techniques/materials/trainers in light of these goals/outcomes</p> <p>6. Recruit enthusiastic and motivated volunteer mentors</p> <p>7. Appoint one managing partner responsible for oversight/ongoing development of program training, outcome measurements, goal-setting</p> <p>8. Managers of firm implement cultural competency training for trainers/mentors/mentees with goals/ objectives; use racially/ ethnically diverse trainers with excellent credentials/experience</p>
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needs and comfort levels. Firms should recognize diversity as a means of broadening a firm's awareness to all issues experienced by minority members of society.

3. THE FIRM MUST ESTABLISH PROACTIVE AND ASCERTAINABLE RECRUITING GOALS

Strategies for Implementation: A meaningful level of minority representation should be established and maintained. This percentage should be applied to hiring, retention, and promotion of new employees. A timetable for meeting specific percentage requirements should be developed. Recruitment of laterals from major law firms as well as recruiting new minority attorneys should be stressed.

Individual's Role: Prominent senior partners should make a visible and express commitment to diversity. They can insure that every applicant pool contains a mix of races and ethnicity. Hiring committees can utilize personnel search firms that specialize in placing minority attorneys. Minority attorneys should be included in hiring decisions. Attorneys can participate on boards of minority organizations.

Firm's Role: The firm can encourage and participate in state and local minority recruiting programs. Firms can work with both in and out of state law schools in participating in their minority programs and career days. Firms can sponsor periodic receptions or seminars that emphasize diversity. Firms can provide assistance to diverse groups in finding positions that meet their racial and ethnic needs. The firm can establish informal networks with senior partners to include information interviews even outside the hiring cycle.

4. THE FIRM MUST ESTABLISH DIVERSITY RETENTION GOALS

Strategies for Implementation: A first step to retaining diversity is to institute plans for diversity and mentor training, including training among the associates, partners and support staff. This training should lead to meaningful and lasting mentoring relationships.

Individual's Role: Partners and senior associates can include minority attorneys in prestigious or professionally advantageous events. Partners should also conduct a periodic review of and have a sensitivity to case assignments.

Firm's Role: The firm should establish a public reward and recognition of those in the firm who assist in achieving in diversity goals.

5. FIRMS SHOULD WORK WITH THE BAR ASSOCIATION TO ESTABLISH GOALS AND TIMETABLES FOR MINORITY HIRING AND ADVANCEMENT

Strategies for Implementation: The bar should offer interactive discussions and seminars with local firms to determine realistic goals and timetables for achieving those goals. To facilitate these discussions, the bar should conduct an informal information gathering which would include: the number of minority lawyers each firm currently has; what steps the firm took to find and hire those minority lawyers; the duration of employment of those minority lawyers; what the minority lawyers status is, ie. law clerk, associate; the salary range of the minority lawyers; information on how the relationship is working out and what support could improve that relationship; and information on the number of minority lawyers that have left the firm, the reasons for departure, and where the lawyer went.

Individual's Role: Attorneys should urge bar leaders to adopt the goals and timetables to show that the legal community has a meaningful commitment to diversity.

Firm's Role: Individual firms should then adopt the goals and timetables and agree to provide information to the bar periodically. This information would include steps that the firm has taken to promote diversity, numbers of ethnically diverse attorneys that have been interviewed and hired, and feedback from the firm on the feasibility of the goals and timetables adopted by the bar.

6. SUPPORT AND SPONSOR INFORMAL GATHERINGS WITH MINORITY LAWYERS AND PROVIDE ASSISTANCE TO MINORITY LAWYERS TO FACILITATE THEIR TRANSITION INTO THE BAR

Strategies for Implementation: Firms should develop a forum for members of their firms and minority lawyers to interact and support such interactions.

Individual's Role: Attorneys should attend and participate in such meetings for networking and professional development.

Firm's Role: The firm should provide, where possible, financial and administrative support for such efforts of attorneys.

7. FIRMS SHOULD PERIODICALLY EVALUATE THEIR DIVERSITY EFFORTS AND MAKE IMPROVEMENTS WHERE NECESSARY

Strategies for Implementation: It is important for the firm to evaluate their efforts and make adjustment to policies and goals where needed. Timetables should be flexible and realistic and establish accountability criteria for each segment of the firm.

Individual's Role: Provide feedback to diversity committee within the firm to assist them in evaluating their efforts. Interact with the committee in modifying goals. Partners should discuss performance evaluation criteria and provide feedback. Finally, diversity committees should conduct

exit interviews with every minority who leaves the firm.

Firm's Role: The firm should be proactive in establishing a rapport with minority employees, help them to feel comfortable in the firm and check in with them periodically. The firm should then establish a mechanism to meaningfully address all issues of perceived prejudice and correct inappropriate behavior.

3. RECOMMENDED BEST PRACTICE:

THE FIRM MUST ESTABLISH PROACTIVE AND ASCERTAINABLE RECRUITING GOALS

Strategies for Implementation	Individual's Role	Firm's Role
<p>1. Establish goals and timetables for hiring, retaining and promoting racial and ethnic minority lawyers</p>	<p>1. Senior partners should make a visible and express commitment to diversity</p> <p>2. Minority attorneys should be included in hiring decisions</p>	<p>1. Encourage and participate in state and local minority hiring programs, including those at the law schools</p> <p>2. Sponsor receptions or seminars which emphasize diversity</p> <p>3. Utilize personnel search firms which specialize in placing minority attorneys</p> <p>4. Insure that every applicant pool contains a mix of race and ethnicity</p>

4. RECOMMENDED BEST PRACTICE:

FIRMS SHOULD WORK WITH THE BAR ASSOCIATION TO ESTABLISH GOALS AND TIMETABLES FOR MINORITY HIRING AND ADVANCEMENT

Strategies for Implementation	Individual's Role	Firm's Role
<p>1. Law firms and bar organizations should meet to determine realistic goals and timetables for achieving diversity goals</p> <p>2. To facilitate these discussions, the bar should gather information about minority hiring, retention, duration of employment and whether such relationships are working out and what support could improve the relationship</p>	<p>1. Urge bar leaders to act to adopt the goals and timetables</p>	<p>1. Adopt the goals and timetables and agree to provide information to the bar periodically</p>

5. RECOMMENDED BEST PRACTICE:

SUPPORT AND SPONSOR INFORMAL GATHERINGS WITH MINORITY LAWYERS AND PROVIDE ASSISTANCE TO MINORITY LAWYERS TO FACILITATE THEIR TRANSITION INTO THE BAR

Strategies for Implementation	Individual's Role	Firm's Role
<p>Firms should develop a forum for members of their firms and minority lawyers to interact and support such interactions</p>	<p>Attend and participate in such meetings for networking and professional development</p>	<p>Provide financial and administrative support for such efforts and recognize the efforts of attorneys who participate</p>

6. RECOMMENDED BEST PRACTICE:

FIRMS SHOULD PERIODICALLY EVALUATE THEIR DIVERSITY EFFORTS AND MAKE IMPROVEMENTS WHERE NECESSARY

Strategies for Implementation	Individual's Role	Firm's Role
<ol style="list-style-type: none"> 1. Periodically evaluate the firm's efforts and adjust policies, goals and timetables 2. Establish accountability criteria for each segment of the firm with respect to the goals and timetables for achieving those goals 	<ol style="list-style-type: none"> 1. Provide feedback to the firm to assist it in evaluating its efforts and provide assistance with modifying the policies, goals and timetables 	<ol style="list-style-type: none"> 1. Establish ongoing mechanisms to get feedback from minority attorneys regarding the firm's policies, goals and timetables and to address problem issues 2. Conduct exit interviews with minority attorneys who leave the firm

Reasons for Recommendation: Reports such as this may fall through the cracks of a busy legal practice and multiple management responsibilities. A firm may have good reasons for not adopting some or all of these recommendations, but it would be a waste of an opportunity simply to ignore them.

Recommendation No. 2

Firms should write, approve, and publicize a statement of their hiring criteria that is specific enough to give prospective applicants a realistic picture of firm expectations or requirements. If possible, the adoption and publication of these criteria should include a statement as to how the firm expects to increase diversity consistent with the hiring criteria.

Recommended date of completion: July 31, 2002.

Reasons for Recommendation:

(a) The experience of law firms elsewhere is that publicized statements of encouraging diversity are important to increasing applications from and retention of minority lawyers. Also, the publication of the firm's hiring criteria will help eliminate the ill will created when minority applicants are rejected for reasons that they cannot understand and have not been explained in advance.

(b) To create equality of expectations and treatment of associates within firms, it is important for lawyers in the firm, and new hires, to know that all hires meet the same standards.

Recommendation No. 3

Managing partner and at least 40 percent of individuals and each committee having hiring or management responsibility should participate in a program where there is an in-depth discussion of racial issues not later than December 31, 2002.

Large law firms should create partnerships with organizations that have experience in discussing racial issues with lawyers to create programs that will be effective for all lawyers to meet the new diversity CLE requirement.

Reasons for Recommendation: Oregon is not known for its racial diversity, and many partners in law firms grew up in discriminatory environments and have had little opportunity to reexamine their racial attitudes or even talk about race. This fact imposes a disproportionate burden on minority lawyers and is one of the factors leading to higher attrition. Lawyers who have taken a class examining racial issues generally find it enlightening and often become better at interacting with lawyers, employees, and clients of diverse racial and cultural identities. By participating in the creation of programs for the new CLE requirement, law firms can enhance the likelihood that the CLE will be a meaningful experience for their lawyers.

Recommendation No. 4

Each firm should devote time and resources to bar and community activities that directly support diversity in the bar and justice system. Examples of such activities would be: (a) active participation by many members of the firm in at least one specialty bar association; (b) providing staff support to a specialty bar association; (c) regular sponsorship of an event such as the Ebony and Ivory Scholarship dinner; (d) providing nonbillable credit for mentoring minority law school students; and (e) sponsoring program to encourage minority high school students to enter careers in law.

Reasons for Recommendation: One of the ways in which minority lawyers' experience in Oregon is not equal to that of the majority is that their small numbers make for a thin support network. White lawyers enjoy an unrecognized privilege in being able, when they wish, to socialize and network predominantly with people of their own race and culture. Minority bar associations try to provide the same experience for minority lawyers, but the small number of minority lawyers means that the administrative burden of maintaining an organization falls on the shoulders of the same people too often. Because there is rarely a client connection or an influential partner taking an interest, such events and organizations often do not receive the support from large law firms that other community organizations receive. To provide greater

equality of experience and aid in minority retention, large law firms should supply time and resources to such organizations.

The long-term goal of the Bar in increasing diversity in the bar and thus increasing equality of access to justice will be met only if we support and encourage students of color to become lawyers. The reality is that most Oregon lawyers of any color will not gain employment in large law firms. But large law firms can supply resources other than jobs: Classroom Law Project volunteers, young associates as tutors and mentors to law students, and programs to provide employment in law firms to high school and college students with an interest in law. Firms are encouraged to use their own imagination and the community spirit of their members to make a difference in the bar and community.

Recommendation No. 5

Integrate equality and diversity goals into firm's strategic plan. By the end of 2001, each firm's management committee should appoint a task force to determine and report to the committee on: (a) importance of diversity to key constituents such as clients and prospective colleagues; (b) status of firm with respect to diversity; and (c) status of firm's principal competitors with respect to diversity. By the middle of 2002, management committee (or whatever other entity or person is ultimately responsible for the development and adoption of the firm's strategic plan) should name at least one individual who is responsible for examining the firm's diversity efforts and reporting to the management committee on successes or failures. The management committee of each firm should re-review these recommendations on an annual basis and consider whether there are any previously rejected that would now be appropriate to adopt.

Reasons for Recommendation: The committee believes that increasing diversity is a strategic objective that is similar to other strategic objectives in that it is a long-range goal that requires changes in the status quo. Like other strategic objectives it will only happen with leadership from the top. It makes sense for a firm to commit to making significant changes in behavior to create changes which are important for its long-term strategic goals—the kinds of clients it wants to serve, the kinds of work it wants to do, and the kinds of new talent it wants to

attract and build. The committee, therefore, recommends that firms treat diversity seriously, as a strategic issue, to be evaluated and prioritized along with other issues of strategic planning.

Recommendation No. 6

Firms should commit to conducting annual interviews at law schools where ethnic minorities constitute a majority or at least a substantial minority of the population of the student body in those schools.

Reasons for Recommendation: We frequently hear from firms that they are looking for diversity but simply cannot find qualified applicants. Interviewing at schools which have a significant minority population should help remedy this. This requires a long-term commitment; it takes time for a firm to become known at a law school at which it has not previously interviewed.

Recommendation No. 7

Firms should examine their hiring criteria and correlation with actual success at the firm and within the profession.

Reasons for Recommendation: The attrition rate for associates from large firms suggests that firms' hiring standards may not be well correlated with the traits that actually lead to success. Thoughtful reexamination of the standards employed by each firm for entry-level hiring is important to ensure that seemingly arbitrary cut-offs are not posing a de facto barrier for those students whose educational background made them less prepared than more privileged individuals to succeed academically at the outset of the law school experience.

Recommendation No. 8

Each firm should become more aggressive in adopting lateral hiring strategies that will direct meaningful efforts at recruiting minority lawyers, including those from the public sector and from smaller firms who may have lawyers interested in moving to large firms.

Reasons for Recommendation: Lateral hiring is now a significant source of hiring for large firms. To ensure equality of opportunity, hiring at each level should integrate strategies to obtain a diverse candidate pool.

Recommendation No. 9

Large firms should participate in the Oregon State Bar's affirmative action internship and clerkship programs.

Reasons for Recommendation: The Oregon State Bar has several existing programs that gets minority law students into firms where they can show what they can do. (One of the programs was significantly revised within the past year, following a review of prior experience.) Even if the interns are not hired by the firm for which they serve as an intern, it does give them critical private practice experience and training that they might not get otherwise.

Recommendation No. 10

The managing partner or designate from each large firm should meet and discuss diversity issues at the Multnomah Bar Association managing partner's round table where there can be encouragement for the implementation of the foregoing recommendations.

Reasons for Recommendation: The common encouragement among managing partners to seek diversity should provide an incentive to each of the firms to give these efforts adequate attention and consideration.

Recommendation No. 11

The Oregon State Bar, either through its current president or the executive director, should annually request a report from the large law firms of which recommendations have been adopted, which rejected, and what the experience of the law firms has been during the preceding year in increasing diversity and equality of opportunity and experience.

Reasons for Recommendation: Unless there is a regular follow-up, it is again the fear of the committee that the efforts will be tabled or lost because of the press of other issues.