



**THE STATE BAR  
OF CALIFORNIA**

**Council on Access & Fairness**

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**TO: Members, Stakeholder Relations Committee**

**FROM: Audrea J. Golding, Chair, Council on Access & Fairness  
Patricia Lee, Special Assistant for Diversity & Bar Relations**

**DATE: February 14, 2013**

**RE: Council on Access & Fairness 2013 and 2014 Work Plans**

**BACKGROUND:**

The Council on Access & Fairness (COAF) engages in an annual planning retreat every November to review year-end accomplishments, to approve the upcoming year's work plan, and to create the following year's work plan.

During the year, the COAF committees (Early Education, College/Law School, Legal Profession and Judicial) identify key diversity pipeline issues and develop proposed initiatives to address the issues. The committees use planning templates which include information on the current year's accomplishments, confirmation or edits to the upcoming year's work plan, and a description of proposed initiatives, action plan and outcomes for the following year's work plan.

Committee planning templates are vetted by the COAF Chairs prior to presentation at the full COAF November Planning Retreat. At the retreat, COAF members review accomplishments, confirm the upcoming work plan and discuss proposed initiatives for the following year. Discussion may result in edits to the proposed initiatives or removal of the proposed initiative from further consideration. Once final proposals are confirmed, COAF members prioritize the proposed initiatives and select the top initiatives for inclusion in the next year's work plan.

At the Planning Retreat on November 10, 2012, COAF reviewed 2012 accomplishments, confirmed./edited the 2013 Work Plan (Attachment A) and prioritized initiatives to create the 2014 Work Plan (Attachment B). Both the 2013 and 2014 Work Plans are attached for your information.

**ATTACHMENT A  
COUNCIL ON ACCESS & FAIRNESS  
2013 WORK PLAN**

**COUNCIL ON ACCESS & FAIRNESS  
2013 Work Plan**

**EARLY EDUCATION:**

- **Implicit Bias/Stereotype Threat Curriculum:** identify/compile/create lesson plans for use in law academies to educate students and increase self confidence and performance in education process and standardized testing
- **Early Education Discipline and Truancy Project:** Hold statewide forums to raise awareness re: school discipline issues impacting students of color and diversity pipeline and create network of minority bar associations to address issues at local level
- **Cultivate Network and partnerships with ABA and Bar associations** focusing on Early Education pipeline issues/programs –
- **“Calling All Lawyers” Campaign** – traveling presentations and promotional materials to encourage attorney involvement in pipeline programs ; identify and create list of programs accepting volunteers
- **“I Have a Dream” Essay Contest:** Contest coordination with all students in the six local California Department of Education Partnership Law Academies (created in partnership between CDE, State Bar and local law academy advisory boards) to celebrate the 50<sup>th</sup> anniversary of the “I Have a Dream” speech.

**COLLEGE LAW SCHOOL:**

- **Community College Video Project:** Distributing/posting videos depicting successful , diverse attorneys and judges who graduated from community colleges. We are partnering with the Law School Admissions Council (LSAC), Street Law; Inc., and the Community College League of California to post and promote the videos. To view videos go to YouTube sites: <http://youtu.be/P7FTTW-OWik> (short version) and <http://youtu.be/75CsetbZ7N8> (long version)
- **Community College “Faculty Champions”:** training session(s) with LSAC for community college faculty to develop “Faculty Champions” to provide pre law counseling and to assist with law projects at their respective community colleges

- **Community College Articulation Agreements (2+2+3):** collaboration with community colleges, four-year universities and law schools to create and implement articulation agreements for community college students to move along the higher education pipeline to graduation from law school. A Bar Foundation grant was received to help implement this project.
- **Continued Focus on Impact of U.S. News & World Report's rankings on Diversity at Public and Private Law Schools in California:** ongoing discussions with US News to include diversity factors in the overall rankings, creation of options to address impact of US News rankings on law school admissions policies, and identification/compilation of alternative law school rankings systems to share with prospective law school applicants.
- **Access to Justice Imperative:** educating and encouraging diverse law students about the options for the practice of law focusing on providing services to underserved communities; working with law schools to offer curriculum to address diversity issues in government and public interest sectors and to produce access to justice/government sector positions; and providing the option for students to declare a preference for the program upon application to law school
- **Meetings with Law School Deans:** continue conversations with law school deans (USC and Pepperdine in Fall, UC Davis and Mc George in Winter, and USD and Jefferson in Spring) to establish an open with the Deans re: their diversity policies, programs and initiatives while addressing with the Deans the following:
  - U.S. News & World Report's law school rankings/other options
  - Faculty promotion and tenure assessment
  - Disability accommodations
  - 2+2+3 articulation agreements with community colleges
  - Effective Lawyering Initiative (Shultz Zedeck study)
  - Practical Training of law students
  - Access to Justice Curriculum/Program

## **LEGAL PROFESSION:**

- **Legal Employer Focus Group Report and Recommendations:** Finalizing report and recommendations and highlighting best practices by legal employers for addressing diversity issues in a down economy, with a focus on recruitment and retention of diverse attorneys.
- **Effective Lawyering Initiative:** review focus group reports and status of implementation of Shultz/Zedeck Effective Lawyering study; identify funding sources and other support for the creation and implementation of testing tools for use by legal employers and eventually by law schools.

- **Addressing Implicit Bias in the Legal Practice Setting:** providing MCLE training to identify and address implicit bias and implications for recruitment, hiring, retention, promotion
- **Re-Affirm and Promote State Bar Statement of Diversity Principles:** re-affirm 2005 statement and updated addendum re: diversity program best practices; circulation of statement to gather signatories in support of implementation of provisions in the statement; gathering data from existing sources re: law firm diversity metrics

### **JUDICIAL:**

- **Judicial Summit:** Identifying and prioritizing recommendations in the Judicial Summit Report and Recommendations for ongoing COAF implementation
- **Outreach and Recruitment:** collaborating with Governor's Office and local/minority bars to increase judicial applications by diverse attorneys
- **Transparency of Judicial Appointments Process:** continue compiling data, demographic information and to provide increased transparency re application and appointments process
- **Mentoring Programs** to support diverse judicial applicants with immediate application and to groom potential applicants for future applications
- **Monitoring Online Judicial Application Process and Form:** ongoing communication with the Governor's office to facilitate the online application process and proposed changes to the application format, questions, etc.
- **Addressing Implicit Bias in the Judicial System:** providing bias training to the JNE Commission and to attorneys and judges, with special focus on members of judicial application screening entities.

### **EOB CURRICULUM:**

- **MCLE Programming for the Annual Meeting**
- **Outreach/Promotion of EOB MCLE Video Programs**

### **DIVERSITY COALITION:**

- **Outreach and Recruitment for COAF and State Bar Appointments:** increasing diversity of applicant pool for appointment to State Bar entities; Appointments Workshops (SF and LA)
- **Diversity and Education Pipeline Awards Outreach for Nominations**

## **ROAD SHOW:**

- **Ongoing Collection and Presentation/Distribution of data and updating Road Show slides:** continued emphasis on collection of data, demographics to education stakeholders re the status of diversity along the pipeline and approaches to addressing issues – continue to focus on methods for gathering pipeline data re disabilities and LGBT
- **Re-vamping/design/format of Road Show Slide Show:** convening Road Show committee to work with staff and PowerPoint expert to create updated, uniform set of slides

## **DIVERSITY STAKEHOLDER FORUM (October 12, 2013, San Jose):**

- **Celebration of 50<sup>th</sup> Anniversary of Dr. Martin Luther King, Jr.’s “I Have a Dream” Speech** and influence of Dr. King’s teachings on diversity in the legal profession. Speakers include Dr. Clarence B. Jones see <http://www.npr.org/2011/01/17/132905796/dream-speech-writer-jones-reflects-on-king-jr> for excerpts from a conversation with Dr. Jones about his experiences with Dr. King and the writing of the speech.

## **DIVERSITY AWARDS RECEPTION (October 12, 2013, San Jose)**

- Including recognition of 50<sup>th</sup> Anniversary of the “I Have a Dream” Speech

**ATTACHMENT B  
COUNCIL ON ACCESS & FAIRNESS  
2014 WORK PLAN**

**COUNCIL ON ACCESS & FAIRNESS  
VOTING RESULTS -- 2014 RECOMMENDED STRATEGIC INITIATIVES**

**COAF Strategies:**

- **Strategy 1: Produce Institutional and Attitudinal Change**
- **Strategy 2: Communicate to Inspire and Engage Diversity**
- **Strategy 3: Partner, Collaborate and Coordinate to Achieve Diversity:**
- **Strategy 4: Measure Change**

| <b>INITIATIVES PRIORITIZED FOR INCLUSION IN 2014 WORK PLAN</b> |   |
|--|---|
| <b>Priority #1</b><br><b>35 votes</b><br><b>(Strategy #1)</b>  | <ul style="list-style-type: none"> <li>• <b>Access to Justice Imperative:</b> educating and encouraging diverse law students about the options for practice of law to focus on providing services to underserved communities—working with law schools to offer curriculum to address diversity issues in government and public interest sectors and to produce access to justice/government sector positions—with diverse law students declaring preference for program upon application to law school (<i>Note: might be moved to 2013 Work Plan to align with other State Bar initiatives</i>)</li> </ul> |
| <b>Priority #2</b><br><b>32 votes</b><br><b>(Strategy # 1)</b> | <ul style="list-style-type: none"> <li>• <b>Education re: issues and challenges facing diverse constituents</b> and identifying and implementing ways to address challenges (issues re: students and attorneys with disabilities and ethnic minority, women, LGBT and older students and attorneys.</li> </ul>  |
| <b>Priority #3</b><br><b>27 votes</b><br><b>(Strategy # 3)</b> | <ul style="list-style-type: none"> <li>• <b>Promote Best Practices of Law-Related Education Programs K-12</b> – build diversity pipeline through law related education and other initiatives to further involve the legal profession by providing opportunities to engage and encourage students to complete high school, continue into higher education and careers in the law</li> </ul>  |
| <b>Priority #4</b><br><b>26 votes</b><br><b>(Strategy # 3)</b> | <ul style="list-style-type: none"> <li>• <b>Addressing Leaky Pipeline issues</b> to ensure diversity flows to judicial applicants</li> </ul>  |
| <b>Priority #5</b><br><b>24 votes</b><br><b>(Strategy # 4)</b> | <ul style="list-style-type: none"> <li>• <b>Diversity Metrics Training for COAF and Diversity Stakeholders:</b> training re creating diversity metrics/outcomes to measure change and accomplishments toward COAF strategic goals and initiatives</li> </ul>  |

## INITIATIVES NOT PRIORITIZED FOR 2014 WORK PLAN

|  |   |
|--|---|
| <b>23 votes</b><br><b>(Strategy #2)</b>  | <ul style="list-style-type: none"> <li>• <b>Outreach to inspire law students, attorneys and community re value and benefits of a legal education</b></li> </ul>   |
| <b>23 votes</b><br><b>(Strategy #3)</b><br><i>(Legal Prof. Comm. to complete and distribute report in 2013 and to review and identify initiatives for implementation in 2013 and 2014)</i> | <ul style="list-style-type: none"> <li>• <b>Legal Employer Focus Group Report and Recommendations:</b> review focus group findings and recommendations and compile/distribute model diversity programs to legal employers to help maintain and increase diversity (e.g. recruitment and retention) in the wake of the economic downturn</li> </ul>  |
| <b>15 votes</b><br><b>(Strategy #1)</b>  | <ul style="list-style-type: none"> <li>• <b>Achieving Diversity in the Law Faculty Appointments/Promotion Process:</b> ensuring that diversity is part of the overall mission, vision and strategic plan of law schools in particular including specific policies stating that teaching, research, professional and public service contributions that promote diversity are encouraged and are part of the appointments/promotion qualifications (e.g. tenure track); that achieving a diverse faculty is a priority for law school deans, and that the law school climate must be hospitable to creativity, diversity and innovation.</li> </ul> |
| <b>15 votes</b><br><b>(Strategy # 1)</b>   | <ul style="list-style-type: none"> <li>• <b>Expand Law School Admissions Process</b> to shift from LSAT as primary factor to consider additional factors/methodology for identifying effective lawyering and the successful practice of law</li> </ul>  |
| <b>12 votes</b><br><b>(Strategy # 2)</b><br><i>(Note: Early Educ. Comm. is proposing to conduct a pilot contest to celebrate MLK's "I Have a Dream" Speech)</i>                            | <ul style="list-style-type: none"> <li>• <b>Annual Student Contests to promote law-related theme:</b> seeking contest entries from elementary schools (artwork), middle schools (short essays) and high schools (video/youtube ) in response to law related theme to educate students about the legal system and promote future careers in the law<br/> <i>(Note: might also be proposed as addition to 2013 Work Plan)</i> </li> </ul>   |
| <i>(will partner with Judicial Council and AOC to do outreach re the Judicial Summit report)</i>   | <ul style="list-style-type: none"> <li>• <b>Appellate District Meetings</b> to Share Discussion, Dialogue and Recommendations from Judicial Summit Outreach to increase judicial diversity</li> </ul>   |

| INITIATIVES PENDING OR DELETED                                    |  |
|---|--|
| <i>Pending further research re current classes (Strategy # 1)</i> | <ul style="list-style-type: none"> <li>• EOB Curriculum in Law School Prof. Responsibility classes</li> </ul>  |
| DELETED (Strategy # 1)  | <ul style="list-style-type: none"> <li>• <del>Encourage Diversity in Judicial Assignments/Addressing Perceived Glass Ceiling among sitting judges:</del> coordinating with presiding judges to encourage diverse and rotational assignments; educate judicial applicants re importance to court users of all assignments, educate judicial applicants re use of assignments to provide opportunity to learn courtroom management and making of fair judicial decisions; collect data on level of diversity in civil and felony trials, law and motion, complex litigation assignments</li> </ul> |
| DELETED (Strategy # 3)  | <ul style="list-style-type: none"> <li>• <del>Judicial Review Committees Vetting Process:</del> encourage formal, objective vetting process by minority bars and other diversity bars for judicial applicants</li> </ul>   |