

State Bar of Wisconsin

# Diversity Task Force Report & Recommendations to the State Bar of Wisconsin Board of Governors

Diversity Task Force  
June 2014

# TABLE OF CONTENTS

<b>Introduction</b> .....	<b>5</b>
<b>Diversity Task Force Roster</b> .....	<b>7</b>
<b>Executive Summary</b> .....	<b>9</b>
<b>Diversity Task Force Report</b> .....	<b>15</b>
History.....	15
Methodology.....	17
Diversity and Inclusion Recommendations .....	21
I.    Adopt Definition of Diversity and Commit to Promoting Diversity.....	21
II.   Promote and Further Diversity and Inclusion within the State Bar .....	21
III.  Promote and Further Diversity and Inclusion in the Law Schools .....	23
IV.  Promote and Further Diversity and Inclusion in the Wisconsin Legal Profession as a Whole .....	25
<b>Conclusion</b> .....	<b>27</b>

## INTRODUCTION

### From the Chair

I am pleased to present this report on behalf of the State Bar Diversity Task Force. Established in 2012, the Task Force's mandate was to determine the State Bar's role in promoting and furthering diversity and inclusion in the Wisconsin legal profession.

I would like to recognize and thank the outstanding commitment of the State Bar Diversity Task Force members for the many hours and days of meetings, listening sessions, and drafting of documents. They did so despite very busy professional and personal obligations. A special thanks to Sonabai Kanhai, State Bar Program Coordinator, who did an amazing job staffing our task force. The State Bar Diversity Task Force is submitting our recommendations to Bar Leadership with great expectations that they will be the foundation for a renewed and focused effort to promote diversity and inclusion throughout the legal profession in Wisconsin.

We have reviewed efforts by many other states and the ABA, as they too, endeavored to address the issue of diversity and inclusion, but it was the many listening sessions that provided the task force with heartfelt and tangible insight into what diversity and inclusion, or the lack thereof, means to lawyers, judges, law faculty and law students. We hope that the majority of bar members will readily conclude and agree that a diverse bar encompassing, among other things, diversity of race, ethnicity, national origin, religion, gender, age, sexual orientation and disability helps to create a culture that embraces people from the widest range of talent and experiences and promotes understanding and respect for all people and different points of view in the legal profession. If this is true, and we believe it is, then we, not surprisingly, have much work to do.

The good news is the State Bar Leadership has recognized the need to do more to address diversity and inclusion by appointing our Task Force. We would like to recognize President Patrick J. Fiedler, President-Elect Robert R. Gagan, Past-President Kevin G. Klein, and State Bar Executive Director George Brown for their leadership and support of our efforts. Although the Task Force has been working for more than a year to formulate our recommendations, the real work lies ahead. A primary emphasis underlying all our recommendations, which will be detailed in the report, is incorporating diversity and inclusion in all aspects of State Bar activities and strategies. During our

work as a Task Force, we noted opportunities to support diversity and inclusion that were missed, not because of any intentional decision, but simply something not considered. The culture needs to be changed, that is, we as a Bar should always at least ask the question, how can this action or process support diversity and inclusion or how might it exacerbate the lack of diversity?

There was and is skepticism about what the Bar can or is willing to do about diversity and inclusion. I am convinced that there is a clear understanding of the compelling importance of promoting diversity and inclusion as a fundamental obligation of the Bar. The Bar has the ability to seize the opportunity to comprehensively support diversity and inclusion by adopting the following recommendations. I believe we, as a Bar, are up to the challenge.

I extend our heartfelt thanks and appreciation to the local bar leaders, Marquette Law School Dean, Joseph Kearney, University of Wisconsin - Madison Law School Dean, Margaret Raymond and to everyone who contributed to our work and recommendations, especially to all of the groups who participated in our listening sessions.



It has been my distinct honor and privilege to serve as the chair of the State Bar Diversity Task Force.

STATE BAR  
OF WISCONSIN

---

Carl Ashley  
Circuit Court Judge  
Chair of the State Bar of Wisconsin Diversity Task Force

## DIVERSITY TASK FORCE ROSTER 2014

*Hon. Carl Ashley*

**Chairperson**

Milwaukee County Circuit Court

901 N 9th St # 503

Milwaukee, WI 53233-1425

Work Phone: (414) 278-5318

Fax: (414) 223-1264

Email: carl.ashley@wicourts.gov

*Atty. Michelle A. Behnke*

**Member**

Michelle Behnke & Associates

222 N Midvale Blvd Ste 17

Madison, WI 53705-5004

Work Phone: (608) 233-9024

Fax: (608) 233-9029

Email: michelle\_behnke@sbcglobal.net

*Atty. Andrew J. Chevez*

**Member**

PO Box 270720

Milwaukee, WI 53227-7215

Work Phone: (414) 604-1604

Email: achevez@execpc.com

*Atty. Kathleen Chung*

**Member**

Wisconsin Department of Transportation Office of General Counsel

PO Box 7910

Madison, WI 53707-7910

Work Phone: (608) 266-8752

Fax: (608) 267-6734

Email: kathleen.chung@dot.wi.gov

*Atty. Bruce J. Lindl*

**Member**

W156S7471 Martin Ct

Muskego, WI 53150-8395

Work Phone: (262) 409-0174

Email: bruceindl@gmail.com



STATE BAR  
OF WISCONSIN

*Atty. Vada Lindsey*

**Member**

Marquette University Law School

PO Box 1881

Milwaukee, WI 53201-1881

Work Phone: (414) 288-5366

Fax: (414) 288-6403

Email: vada.lindsey@marquette.edu

*Atty. Maureen A. McGinnity*

**Member**

Foley & Lardner LLP

777 E Wisconsin Ave

Milwaukee, WI 53202-5306

Work Phone: (414) 297-5510

Fax: (414) 297-4900

Email: mmcginnity@foley.com

*Atty. Cory L. Nettles*

**Member**

Quarles & Brady LLP

411 E Wisconsin Ave Ste 2350

Milwaukee, WI 53202-4426

Work Phone: (414) 277-5000

Fax: (414) 271-3552

Email: cory.nettles@quarles.com

*Atty. Carlos A. Ortiz*

**Member**

Partner

Hinshaw & Culbertson LLP

222 N la Salle St Ste 300

Chicago, IL 60601-1013

Work Phone: (312) 704-3198

Fax: (312) 704-3001

Email: cortiz@hinshawlaw.com

*Atty. Rebecca L. Smith*

**Member**

University of Wisconsin Law School

975 Bascom Mall # 4314C Madison, WI 53706-

1399

Work Phone: (608) 262-2240

Fax: (608) 262-5485

Email: rebeccasmith@wisc.edu

*Atty. Jo A. Swamp*  
**Member**  
Forest County Potawatomi Community  
313 N 13th St  
Milwaukee, WI 53233-2244  
Work Phone: (414) 847-7750  
Fax: (414) 847-7721  
Email: Jo.Swamp@fcpotawatomi-nsn.gov

*Atty. Gregory Maurice Wesley*  
**Member**  
Gonzalez Saggio & Harlan LLP  
111 E Wisconsin Ave Ste 1000  
Milwaukee, WI 53202-4806  
Work Phone: (414) 277-8532 x1114  
Fax: (414) 277-8521  
Email: greg\_wesley@gshllp.com

*Atty. Starlyn Rose Tourtellott*  
**Member**  
Staff Attorney  
Stockbridge-Munsee Community Legal Department  
PO Box 70  
Bowler, WI 54416-0070  
Work Phone: (715) 793-4392  
Fax: (715) 793-4856  
Email: starlyn.tourtillott@mohican-nsn.gov

*Ms. Sonabai Kanhai*  
**Staff Liaison**  
State Bar of Wisconsin  
5302 Eastpark Blvd  
Madison, WI 53718-2101  
Work Phone: (608) 250-6181  
Fax: (608) 257-5502  
Email: skanhai@wisbar.org



STATE BAR  
OF WISCONSIN

## EXECUTIVE SUMMARY

The State Bar of Wisconsin, consistent with state bar associations around the country and the American Bar Association, was concerned about the issue of diversity and inclusion within the legal profession. The Wisconsin Bar Leadership committed to a formal effort to reevaluate how the Bar could better promote diversity and inclusion. In December 2012, President-Elect Patrick J. Fiedler directed the creation of the Diversity Task Force with the following charge:

### Diversity Task Force Charge

“The charge of the Diversity Task Force is to determine the role of the State Bar in promoting and furthering diversity within the law schools, the profession and the State Bar by identifying an approach to diversity that will serve the Wisconsin legal profession. This includes creating the State Bar’s definition of “diversity”, a future committee structure, organization-wide diversity initiatives as well as the future of the Diversity Clerkship Program and diversity based CLE programs. In addition, the Task Force will develop an action plan for the implementation of identified changes to create leadership opportunities for diverse lawyers with Wisconsin and the legal profession and articulate how diversity should inform, shape and influence the work of the State Bar across the organization.”

The Diversity Task Force included 13 members and a State Bar staff member who have a record of demonstrated knowledge and commitment toward diversity and inclusion. We reviewed efforts from other State Bars and the American Bar Association. The Task Force engaged in 15 listening sessions with a variety of groups who represent stakeholders in the Wisconsin legal profession. We examined the State Bar’s past history in addressing diversity and inclusion and assessed the viability of existing programming. We invite you to read the complete account of the Task Force’s methodology and history of the State Bar in addressing diversity and inclusion found on page 15 and 17 respectively of this report.

The Task Force recommends and supports a comprehensive plan for the State Bar to actualize systemic changes to increase and support diversity and inclusion. This starts with a definition of diversity and the structure to implement our other recommendations, with State Bar leadership taking an active role in monitoring and supporting the effort. We are also recommending that “diversity and inclusion” be incorporated into the mission and vision statement of the State Bar. In order to signal a real change in the culture of our legal community, the Bar needs to make a clear and significant commitment, and there is no greater indication for this than to embed in our mission and vision statement the support for diversity and inclusion.

The full list of recommendations begins on page 21 of this report. You will find that they are fairly detailed because we felt it was important to give those involved in the implementation process the advantage of what we learned from our work. The executive summary highlights some of the major recommendations and provides an overview of our overall recommendations.

## Summary of recommendations of the Diversity Task Force

1. The Task Force recommends that the Bar adopt the following definition of diversity:

*The term “diversity” has a dynamic meaning that evolves as the demographics in the state change. It is an inclusive concept that encompasses, among other things, race, ethnicity, national origin, religion, gender, gender identity, age, sexual orientation and disability. Inclusion helps to create a culture that embraces people from the widest range of talent and experience and promotes understanding and respect for all people and different points of view in the legal profession.*

During our review of definitions from other jurisdictions, we found two approaches: a broad and flexible definition or a more limited definition that covered a distinct list of groups or categories. Those who sought to limit the definition, in fairness to their rationale, did so because they were concerned that efforts/resources to address diversity and inclusion might be diluted to the point that those most in need would not receive the proper attention. Although we likewise heard the same concerns in our listening sessions, we concluded the better option was to choose the broader definition. It would have been difficult, if not impossible, for us to exclude any group from our definition since the concept is necessarily inclusive and ever-changing. However, we further recommend that the Bar “[t]ailor specific programs to the diverse, under-represented populations who need those particular



resources” in order to target efforts because not all groups identified in the definitions have the same issues or needs.

**2. The Task Force recommends that the Bar appoint a new Diversity and Inclusion Oversight Committee:**

*Appoint a Diversity and Inclusion Oversight Committee as a Standing Committee to succeed the Diversity Task Force. The Diversity and Inclusion Oversight Committee would serve as the State Bar’s diversity “think tank” to carry out diversity and inclusion commitment and goals. The committee would report directly to the State Bar Board of Governors Executive Committee. The Executive Committee would maintain diversity and inclusion as a continuous item on its agenda.*

The oversight committee is central to the success of the Bar’s commitment to diversity and inclusion. The new oversight committee will not be the sole entity charged with actually effectuating or incorporating diversity efforts into the Bar’s work, but rather it will assist, coordinate and facilitate these efforts within all of the entities of the Bar. The committee will be responsible for institutionalizing and implementing the Bar’s ultimate action plan with regard to diversity and inclusion. Elevation to standing committee status will ensure continuity of the Bar’s mission. Providing the ability of the committee to report directly to the Executive Committee is intended to remove any obstacles that might hinder access and communication between the committee and Bar leadership. Maintaining diversity and inclusion as a continuous item on the Executive Committee’s agenda will allow the Bar leadership to perform ongoing assessment of the committee’s work and to provide contemporaneous feedback about diversity and inclusion activities, while also giving notice to staff and the Bar membership about the crucial importance of these efforts. A more complete list of the suggested responsibilities of the committee is located on page 21 of this report.

**3. The Task Force recommends retention of the Diversity Outreach Committee, but renamed, the Law Student Outreach Subcommittee as a subcommittee of the Diversity and Inclusion Oversight Committee:**

*Charge Law Student Outreach Subcommittee with responsibility for playing leadership role in forming and marketing collaboration among law schools, the State Bar, and employers to encourage and support diversity and inclusion.*

The Law Student Outreach Committee will revitalize the Diversity Clerkship Program and consider new initiatives such as mentoring programs, pipeline programs, and shadowing programs. The committee will continue its great collaboration with both Marquette and University of Wisconsin Law Schools. The Task Force discussed a number of potential programs that were suggested at our listening sessions, discovered through our outreach efforts or from Task Force members. The committee will need to sort through what is feasible subject to the guidance of the Diversity and Inclusion Oversight Committee and Bar leadership.

**4. The Task Force recommends that the Bar establish, update and publish reliable data:**

*The State Bar should establish, update and publish reliable census data regarding the diversity of State Bar members.*

We found no legitimate effort on the part of any State Bar to address diversity and inclusion without some objective evaluation. The Bar should establish a baseline of information with pertinent data points that will enable an objective evaluation of what programs/initiatives are needed, who the target groups should be, and a method to determine and track whether progress has been made over time. We realize that it will be challenging to objectively evaluate these efforts, but we strongly feel that it necessary to do so.

**5. The Task Force recommends that the State Bar model diversity and inclusion:**

*The Bar should model diversity and inclusion within the State Bar leadership, Executive Committee, Board of Governors, Committee leaders, Division boards, Section leaders, State Bar management and staff.*

The Bar should set the tone from top to bottom that it values diversity and inclusion. The Bar must lead not only by promoting the need for increased diversity and inclusion within the legal profession, but also by serving as a model of diversity and inclusion as it pertains to its own organizational structure and staff.

**6. The Task Force recommends that the State Bar take a leadership role in promoting and furthering diversity and inclusion in all facets of the Wisconsin legal profession:**

*The State Bar should support and promote increased diversity and inclusion in the Wisconsin legal profession as it impacts lawyers, firms, employers, students, faculty, and the judiciary.*

As a mandatory bar representing lawyers who practice in Wisconsin, the State Bar of Wisconsin is in a unique position to advance the cause of diversity and inclusion in the Wisconsin legal profession. Diversity and inclusion is already part of the Bar's strategic plan. The Diversity Task Force strongly supports adoption of these recommendations so that the State Bar of Wisconsin can set a course demonstrating the commitment to create a culture that truly embraces people from the widest range of talent and experience and promotes understanding and respect for all people and different points of view in the legal profession in Wisconsin.



**STATE BAR  
OF WISCONSIN**

**[Page intentionally left blank]**



**STATE BAR  
OF WISCONSIN**

# DIVERSITY TASK FORCE REPORT

## State Bar of Wisconsin's History with Diversity and Inclusion

The issue of diversity and inclusion, or the lack thereof, in Wisconsin's legal profession did not receive much attention by the State Bar of Wisconsin until the mid-90's. In 1993 the Minority Placement Committee was formed to create summer clerkship opportunities for minority law students. In 1994, through the efforts of the Greater Madison African American Lawyers, Wisconsin Association of Minority Attorneys and then incoming State Bar President Pamela Barker, the State Bar established the Diversity Outreach Committee and made the previously existing Minority Placement Committee a subcommittee of the Diversity Outreach Committee. The Diversity Outreach Committee as it currently operates, was formed in 2007 when three already established State Bar Committees, the Gender Equity Committee (formed in the late 90's and referred to as the Special Committee on the Participation of Women in the Bar until mid-2002), Minority Clerkship Committee (formerly the Minority Placement Committee) and Diversity Outreach Committee, were combined to make the Diversity Outreach Committee. This new committee focused on the wider diversity needs of the State Bar, its members, members' clients and the state in general. The Diversity Outreach Committee concentrated its work in three areas:

- 1) **Diversity Clerkship Program** – a program designed to match 1L's from Wisconsin's two law schools with paid clerkships from participating employers. The purpose of the program is to facilitate a rich learning experience for participating students and employers. The program has provided first-hand experience in private law firms, corporate legal departments, and governmental agencies. There is also an interviewing/networking skills program that the planning subcommittee and staff arrange at both law schools as part of this program for practicing attorneys to educate students on how to interview and network in a legal environment.

The clerkship selection process begins in the fall by securing employers to participate in the upcoming summer program. The student application process includes two selection rounds. At the end of the selection process, each participating employer has interviewed all student

finalists and both students and employers submit their matching preferences and a selection is then made. Clerks work through the summer and there is a networking event for clerks, employers and committee members at the end of the summer.

- 2) **Diversity Counsel Program** – creation and coordination of a State Bar CLE program devoted to legal diversity issues/considerations. The program raises awareness of the contributions of diverse attorneys as well as engages and educates attorneys about diversity issues. The program takes place in the fall and provides opportunities for attorneys to receive quality, low cost CLE diversity programming. This is a self-supporting program, bringing in sponsors to cover the cost of the program, with excess sponsorship/registration funds received going to the Diversity Designated Fund administered by the Wisconsin Law Foundation to be used in future Counsel Program events and diversity education.
  
- 3) **Diversity Statement** – a subcommittee of the Diversity Outreach Committee worked on a diversity statement and guidelines for its use. In June 2012 the State Bar Board of Governors adopted the statement in the form of a resolution declaring its commitment to diversity in the legal profession. Also accompanying the diversity statement to the Board of Governors was the committee's request that the Board of Governors appoint a Diversity Task Force to conduct ongoing studies on diversity. The Committee suggested these areas of focus: why a large percentage of minority law graduates in Wisconsin leave the state after graduation, what percentage of those remaining get jobs and work in the legal profession, how many remain employed in the legal profession in Wisconsin after 5 years, how to foster communication on diversity programming and efforts between different State Bar entities and specialty bars in Wisconsin's legal community, and study whether a mandatory diversity CLE credit is appropriate for Wisconsin.

In December 2012 then President-Elect Patrick J. Fiedler called for the creation of the Diversity Task Force with the following charge:

### Diversity Task Force Charge

“The charge of the Diversity Task Force is to determine the role of the State Bar in promoting and furthering diversity within the law schools, the profession and the State Bar by identifying an approach to diversity that will serve the Wisconsin legal profession. This includes creating the State Bar’s definition of “diversity”, a future committee structure, organization-wide diversity initiatives as well as the future of the Diversity Clerkship Program and diversity based CLE programs. In addition, the Task Force will develop an action plan for the implementation of identified changes to create leadership opportunities for diverse lawyers with Wisconsin and the legal profession and articulate how diversity should inform, shape and influence the work of the State Bar across the organization.”

### Methodology of the Diversity Task Force



In spring of 2013 the members of the Diversity Task Force were appointed and began their work with a focus on the Charge. The Task Force conducted a total of seven (7) in-person meetings. In addition, several subcommittees were created and there were numerous meetings held via teleconference. We felt strongly that it was important to gather the perspectives of a wide variety of groups within the Wisconsin legal community regarding diversity and inclusion. As such, the Task Force engaged in 15 listening sessions with the following groups: Wisconsin Hispanic Lawyers Association (WHLA), Legal Association for Women (LAW), Wisconsin Association of African American Lawyers (WAAL), Indian Law Section, Marquette University Law School Faculty and Students, Wisconsin Chapter of the Association for Corporate Counsel (WISACCA), State Bar Section Leaders Council, UW Law School Faculty and Students, Association for Women Lawyers (AWL), State Bar Government Lawyers Division, State Bar Young Lawyers Division, State Bar Executive Committee, Wisconsin Asian Bar Association (WABA), and representatives from the disabled lawyers community and the LGBTQ lawyers community. The listening sessions proved to be invaluable and insightful.

Some of the following common themes were expressed throughout the listening sessions:

1. Diversity should be broadly defined;
2. Leadership on diversity and inclusion should originate from the top of the State Bar;
3. In terms of programming, greater mentorship and internship opportunities, and raising awareness and education on diversity and inclusion were cited as examples that the State Bar should strive to improve upon;
4. Improved diversity in the judiciary is needed; and
5. The State Bar should work to facilitate better communication and networking among the various stakeholders.

In addition, the Task Force examined the reports and recommendations issued by other states, including neighboring states. We also reviewed the efforts of the American Bar Association in this regard. Many state bars have adopted a policy and action plan regarding diversity and inclusion. The recommendations contained within this report represent, in our opinion, the best course of action going forward for the State Bar of Wisconsin given its current organizational structure, our assessment of existing programming, and available resource levels while also taking into account issues that are unique to the legal landscape in Wisconsin.

During the course of the year, the Task Force was proactively involved in efforts that we felt would help lay the groundwork for implementation of the report and recommendations. First, the Task Force sought and obtained approval from the State Bar leadership and the Board of Governors for an amendment to the Bar's strategic plan to include diversity and inclusion as one of its goals that would codify the Board of Governor's June 2012 commitment to diversity. Second, the Task Force requested and obtained approval that a section in the bar annual dues statement be inserted to solicit voluntary reporting of demographic information as a first step of establishing a baseline for diversity levels in the Wisconsin bar. Third, the Task Force partnered with the State Bar Communications Committee in the Nominate a Legal Innovator Program. This initiative solicits submissions regarding innovative practices in a variety of subjects (for example, use of technology, new marketing strategies) that have been successful in creating value or an advantage to consumers of legal services. The Communications Committee was gracious in allowing diversity to be included as



an additional component. It is our hope that we can identify and recognize best practices in the area of diversity that can serve as examples of best practices for others. Finally, the Task Force facilitated the creation of a video to market Wisconsin to diverse candidates that was screened at the National Black Law Student Association convention in Milwaukee.

In the report entitled “*Diversity in the Legal Profession: The Next Steps*”<sup>1</sup>, the American Bar Association adequately summarizes why diversity in the legal profession is beneficial to the justice system:

- Our political system requires broad participation by all its citizens. When attorneys and judges come from diverse backgrounds, people have greater trust in the government and judicial system.
- Global customers, suppliers, and competitors are composed of workforces from diverse backgrounds and clients expect their lawyers to be culturally and linguistically proficient.
- Individuals with law degrees often possess the skill sets necessary to become leaders in their communities. Access to a legal education must therefore be broadly inclusive.
- The demographics of the legal profession should represent the demographics of our nation’s population as a whole.



**STATE BAR  
OF WISCONSIN**

The Task Force unanimously believes that the State Bar of Wisconsin should take a greater leadership role in improving diversity and inclusion in Wisconsin’s legal profession. We have provided a roadmap for how to achieve this. However, in our view, success depends upon the commitment by State Bar leadership to make diversity an important priority in action and words. From now on, diversity and inclusion should be a permanent part of the discussion in everything the Bar does.

---

<sup>1</sup> p. 25 *Diversity in the Legal Profession: The Next Steps*, American Bar Association, April 2010

[Page intentionally left blank]



STATE BAR  
OF WISCONSIN

## DIVERSITY AND INCLUSION RECOMMENDATIONS

### I. Adopt Definition of “Diversity” and Commit to Promoting Diversity

A. Incorporate commitment to diversity and inclusion in the mission and vision statement of the State Bar’s strategic plan, with goals to include:

1. Increase representation and participation of diverse Wisconsin lawyers in all aspects of the work of the State Bar, including leadership and staff;
2. Collaborate with Wisconsin law schools to increase and support diversity and inclusion in legal education;
3. Collaborate with the Wisconsin Supreme Court to increase diversity, and support and foster a culture of inclusion, in the Wisconsin judiciary and the practicing bar; and
4. Promote diversity and inclusion in the legal community and the justice system.

B. Adopt broad, inclusive definition:

“The term ‘diversity’ has a dynamic meaning that evolves as the demographics in the state change. It is an inclusive concept that encompasses, among other things, race, ethnicity, national origin, religion, gender, gender identity, age, sexual orientation and disability. Inclusion helps to create a culture that embraces people from the widest range of talent and experience and promotes understanding and respect for all people and different points of view in the legal profession.”

C. Tailor specific programs to the diverse, under-represented populations who need those particular resources

D. State Bar leadership should seize opportunities to emphasize the importance of diversity in all aspects of the legal profession and share successes

### II. Promote and Further Diversity and Inclusion within the State Bar

A. Appoint new **Diversity and Inclusion Oversight Committee** as a Standing Committee to succeed Diversity Task Force. The Diversity and Inclusion Oversight Committee would serve as the State Bar’s diversity “think tank” to carry out diversity and inclusion commitment and goals. The committee would report directly to the **Board of Governors Executive Committee**. The Executive Committee would maintain diversity and inclusion as a continuous item on its agenda.

1. Committee duties:

- a. Advise, facilitate and monitor the efforts of State Bar staff and other Bar partners (Board of Governors, committees, divisions, sections, etc.) with regard to diversity and inclusion goals and strategies;

- b. Collect information on other state bars' diversity and inclusion programs and projects, brainstorm new initiatives, and share with appropriate Bar partners;
- c. Serve as resource to assist President/Board of Governors in identifying, developing and implementing effective diversity and inclusion initiatives;
- d. Recommend metrics to assess the Bar's progress in advancing diversity and inclusion; monitor progress and surface concerns to Board of Governors;
- e. Report at least annually to the Board of Governors on the progress of diversity initiatives;
- f. Maintain records on the Bar's diversity and inclusion initiatives and results.

2. Committee composition

- a. Committee comprised of 9 members, each appointed to a three-year term with staggered terms so one-third of the committee terms expire each year;
  - i. Committee members should have interest in supporting and advancing diversity and inclusion efforts;
  - ii. Two (2) Board of Governors members serve;
  - iii. Committee should reflect diversity and include some members with experience with State Bar policy and governance;
  - iv. Committee should include lawyers, judges, law school faculty, and law student representatives.

B. Retain Diversity Outreach Committee and rename it **Law Student Outreach Subcommittee** as a subcommittee of Diversity and Inclusion Oversight Committee (see Section III for responsibilities).

C. State Bar should establish, update and publish reliable census data regarding the diversity of State Bar members.

- 1. Obtain baseline demographic information in the year 2014 by requesting Demographic Data on dues renewal statement for ethnicity, gender, sexual orientation, and disability and update periodically;
- 2. Collect diversity information from new State Bar members as they join;
- 3. Collect information on retention of diverse new UW and MU law school graduates;
- 4. Publish and regularly update diversity information in:
  - a. State Bar Annual Report

- b. President/Executive Director Report to Board of Governors at least annually.
- c. Separate Report on the diversity of members of the judiciary
- 5. Monitor and report on relevant comparisons [*e.g.* Wisconsin general demographics, other state bars, other state judiciaries]

D. Model diversity and inclusion within State Bar leadership including the Executive Committee, Board of Governors, Committee leaders, Division boards, and Section leaders

- 1. Establish in 2014, update, and publish reliable census data regarding the diversity of State Bar leadership;
- 2. Develop and implement outreach strategies for all levels of leadership, including continuation of the Leadership Summit;
- 3. Formally incorporate diversity and inclusion expectations in appointment processes and report results to Board of Governors and membership;
- 4. Regularly share best practices for grooming/recruiting diverse leaders;
- 5. Codify the “Building Bridges Liaison” program into State Bar by-laws and continue inviting affinity groups to appoint non-voting representatives to the Board of Governors.



E. Model diversity and inclusion within State Bar staffing.

- 1. Beginning in 2014, update and publish reliable census data regarding the diversity of State Bar staff members.
- 2. Include and evaluate staff diversity as performance objective for Executive Director and departmental managers.

F. Facilitate formation of statewide LGBTQ and disabled lawyers affinity groups.

G. Charge State Bar staff with ensuring that the State Bar’s communications and initiatives include a diversity component.

H. Charge State Bar staff with ensuring that State Bar sponsored CLE programs, presentations and publications feature diverse presenters and authors.

**III. Promote and Further Diversity and Inclusion in the Law Schools**

A. Charge **Law Student Outreach Subcommittee** with responsibility for playing leadership role in forming and marketing collaboration among law schools, State Bar, and employers to encourage and support diversity and inclusion, including:

- 1. Revitalize **Diversity Clerkship Program**

- a. Monitor and evaluate case law on race-based selection criteria for paid summer clerkships;
  - b. Establish a minimum grade point requirement for first semester;
  - c. Implement aggressive marketing campaign to recruit employers and qualified applicants;
  - d. Explore increasing clerkships through alternative funding;
  - e. Explore providing CLE credit for lawyers who provide a certain number of hours of clerk supervision and mentoring;
  - f. Increase recognition of participating employers;
  - g. Expand social component for participating clerks and employers beyond current end-of-summer socials, to include a blog and in-person gatherings to introduce participants, facilitate networking, and share diversity best practices;
  - h. Consider asking each employer to offer a two-hour tour for all program participants so all clerks have opportunity to tour all participating employers;
  - i. Invite all clerks to attend selected state and local bar activities during the summer, as well as gatherings of the judiciary.
2. Facilitate better communication/collaboration to develop/expand programs such as:
- a. Pre-Law School
    - i. Pipeline programs (exposing underrepresented middle school, high school or undergraduate students to the pre-admission process, law professors, review of cases and participation in mock trial events);
    - ii. Pre-law study programs;
    - iii. LSAT preparation;
    - iv. School application preparation.
  - b. Law Students
    - i. Formal mentoring programs for 1L and 2L students, the specifics of which should be designed with direct student input;
    - ii. Shadowing programs (learning about law practice by observing practitioners in a variety of settings);
    - iii. Short internships;
    - iv. Rotations through different legal settings;
    - v. Career counseling (e.g. what classes to take/trajectory if career objectives are identified);
    - vi. Tutoring;
    - vii. Opportunities for/benefits of practicing law in Wisconsin (including rural initiatives);
    - viii. Interviewing/job hunting skills;



- ix. Provide networking/social opportunities.
- c. New Graduates
  - i. Transition to work expectations;
  - ii. Resources;
  - iii. Networking opportunities.
- B. Develop tools that could be used to market Wisconsin to diverse candidates and make available to law schools and employers.
- C. Promote State Bar membership for law students at UW and MU, and for other law students with Wisconsin ties.
- D. Recruit employers to sign onto diversity pledge, post on wisbar.org.
- E. Engage State Bar members and other community volunteers in recruiting diverse law school faculty.
- F. Provide opportunities to acquaint diverse out-of-state law students with opportunities throughout the state.

**IV. Promote and Further Diversity in the Wisconsin Legal Profession as a Whole**

- A. Encourage the Wisconsin Supreme Court to commit to promoting diversity and inclusion in Wisconsin's court system;
- B. Explore ways to remove barriers in the election and appointment of diverse judges, commissioners, and court staff;
- C. Consider asking the Wisconsin Supreme Court to add requirement for diversity credits;
- D. Collaborate with Challenges Facing New Lawyers Committee to research other states' loan repayment assistance programs and explore viability of Wisconsin offering similar program;
- E. Solicit and recognize/reward diversity and inclusion best practice ideas from lawyers, judges, employers, law schools and law students.
  - 1. Collaborate with State Bar Communications Committee "Innovations" subcommittee; include diversity as Innovations topic, solicit nominations in April 2014 with selections published in fall 2014;
  - 2. Publish periodic *Wisconsin Lawyer* articles on diversity;

3. Sponsor biennial diversity best practices summit and/or include diversity programs at State Bar conventions;
  4. Provide blog or chat room for individuals to share questions and recommendations/opportunities on topics such as retention strategies, family friendly policies, outreach to women lawyers returning to work, *etc.*)
- F. Create diversity web page on public portion of wisbar.org that includes:
1. Contact information for lawyers with expertise in representing underserved populations;
  2. Contact information for multi-lingual lawyers;
  3. Contact information for attorneys willing to mentor/be a resource for diverse attorneys, law students and pre-law students;
  4. Contact information for diverse bar associations in Wisconsin;
  5. Blog or chat room to facilitate networking among diverse attorneys.
- G. Offer orientation/welcome program for diverse lateral attorneys moving to Wisconsin.
- H. Produce training program(s) on understanding differences/capitalizing on diversity as asset, for use by local bar associations and other groups.
- I. Encourage local bar associations to access State Bar local bar grants to support diversity programs, including "road trips" to promote rural practices.
- J. Play leadership role in identifying and facilitating networking opportunities for diverse lawyers and law students with other diverse professionals (*e.g.* Black MBA's).
- K. Identify worthy projects that might qualify for Wisconsin Law Foundation funding.



## CONCLUSION

The State Bar of Wisconsin has taken the important first step of committing to furthering and promoting increased diversity and inclusion in the Wisconsin legal profession by appointing the Diversity Task Force to study this issue and submit recommendations. The work performed by the Task Force has opened dialogue amongst the various stakeholders and has sparked optimism that the State Bar is committed to lead on this important issue.

For your consideration, the Diversity Task Force respectfully submits this report with actionable recommendations for immediate and long term implementation. It is our hope that the State Bar will adopt the Task Force's recommendations and embark on a new course of action that will increase diversity and inclusion in the Wisconsin legal profession. Success will require support and commitment from the State Bar leadership to make diversity and inclusion a priority both in word and action.



Diversity and inclusion should become an important focus of the State Bar. The legal profession is enriched and better equipped by a community of diverse lawyers who possess a wide range of talents and perspectives. Greater diversity and inclusion engenders more public confidence and trust that our legal system is fair and reflective of the public that it serves.