

Diversity, Equity, and Inclusion (DEI) and Lawyering in Ohio

Made possible by the generous funding from Women in Law at the University of Cincinnati College of Law and the Ohio State Bar Foundation

WORKSHOP AGENDA

1. Introduction
2. Why does DEI matter?
 - a. DEI and the workplace
 - b. DEI and client relations
3. How do we improve DEI?
 - a. Organizational changes
 - b. Individual changes
 - c. Embracing DEI in the workplace
4. Closing

Key Concepts and Terms

Diversity

Equity

Inclusion

INTRODUCTION

The American Bar Association and DEI

GOAL III: ELIMINATE BIAS AND ENHANCE DIVERSITY

- Objectives 1: Promote full and equal participation in the Association, our profession, and the justice system by all persons.
- Objective 2: Eliminate bias in the legal profession and the Justice System.

"We strive to mirror population demographics of the United States and to represent the communities the ABA serves." (ABA)

INTRODUCTION

Research Methods

- The 2023 Legal Profession Survey was conducted between 11/1/23 and 12/12/23.
- Survey participants were recruited from Bar Association listservs in Ohio. Of the listservs contacts, 6 (Cincinnati, Butler County, Cleveland, Columbus, Toledo, and Wood County) agreed to post survey invitations to their listserv.
- 179 legal professionals (with Cincinnati having the largest group of 96) participated in the survey.
- Due to the low coverage rate (the lack of Ohio Bar listservs represented), the results of the survey are NOT generalizable to all legal professionals in Ohio.
- The results of this pilot study provide insights that indicate a need for a larger study of Ohio legal professionals.

Why Does DEI Matter?



How Does DEI Impact Lawyering?

How Does DEI Impact Lawyering?



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A Lawyer's Creed

Must represent our clients
as we would want to be
represented

Our actions and
demeanor reflect our
system of justice; our
profession must conduct
ourselves accordingly.

We must devote our time
and skills to community,
governmental, and other
activities that promote the
common good.

We must strive to improve
the law and our legal
system and make the law
and our legal system
available to all.

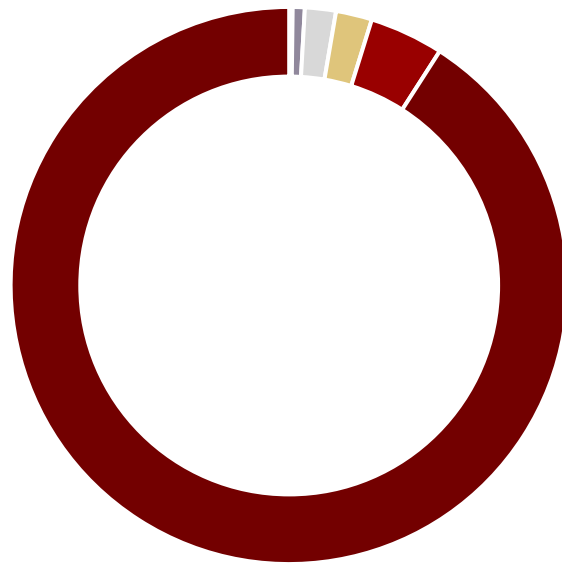
We must treat our
colleagues with the same
courtesy, respect, candor,
and dignity that we expect
to be extended to us.

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DEI and the Workplace

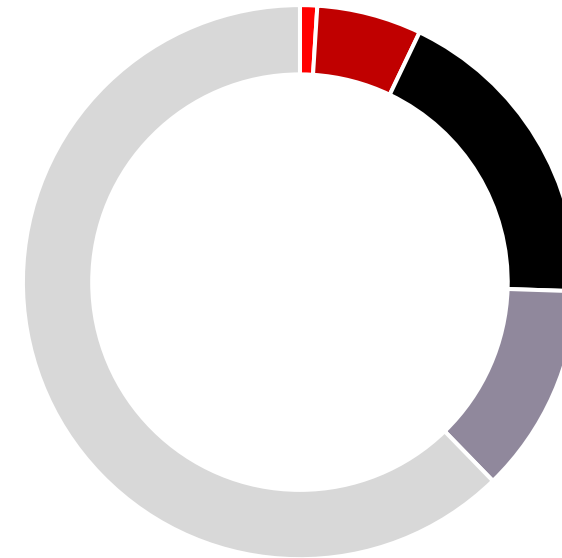
The Legal Profession in Ohio - Race

Legal Profession in Ohio



- Other 0%
- Not Provided 0.1%
- Hispanic 1.8%
- Black/African American 4.3%
- Native Hawaiian/Pacific 0.1%
- Am. Indian/Alaskan 0.7%
- Asian 2.1%
- White 91.0%

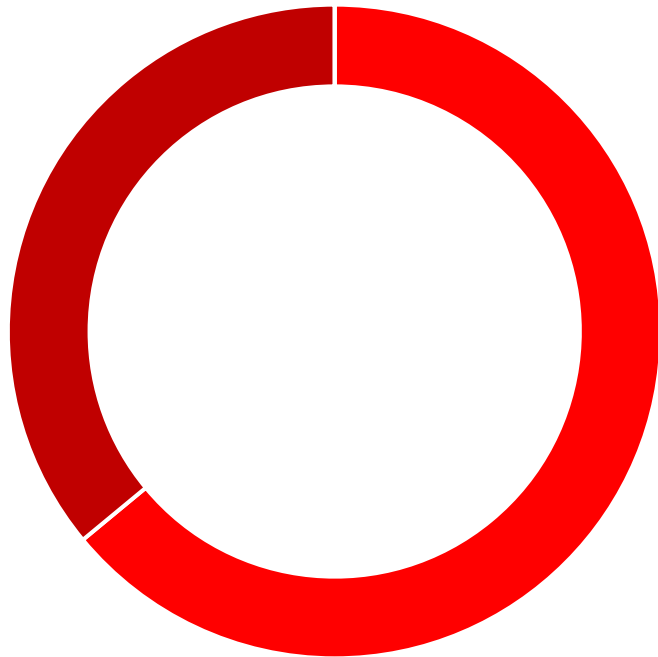
Ohio General Population



- Other 1%
- Asian Alone 6.1%
- Black Alone 12.2%
- White Alone 62.2%
- Hispanic 18.4%

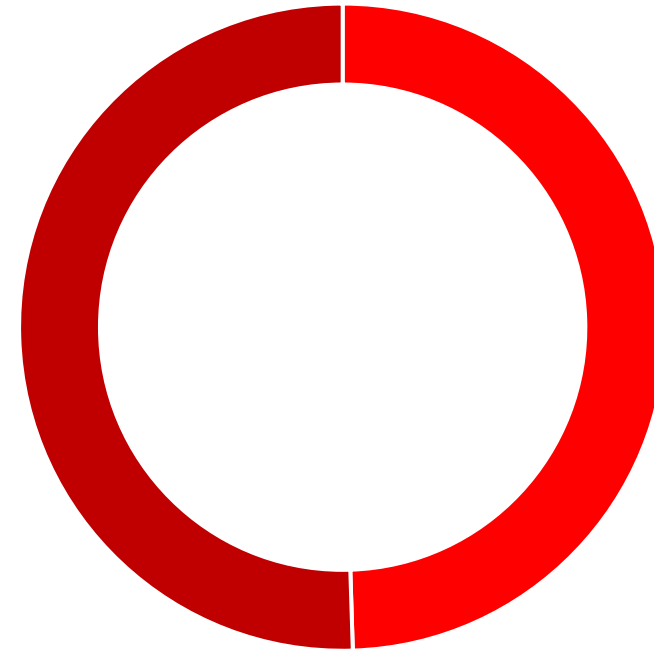
The Legal Profession in Ohio - Gender

Legal Profession in Ohio



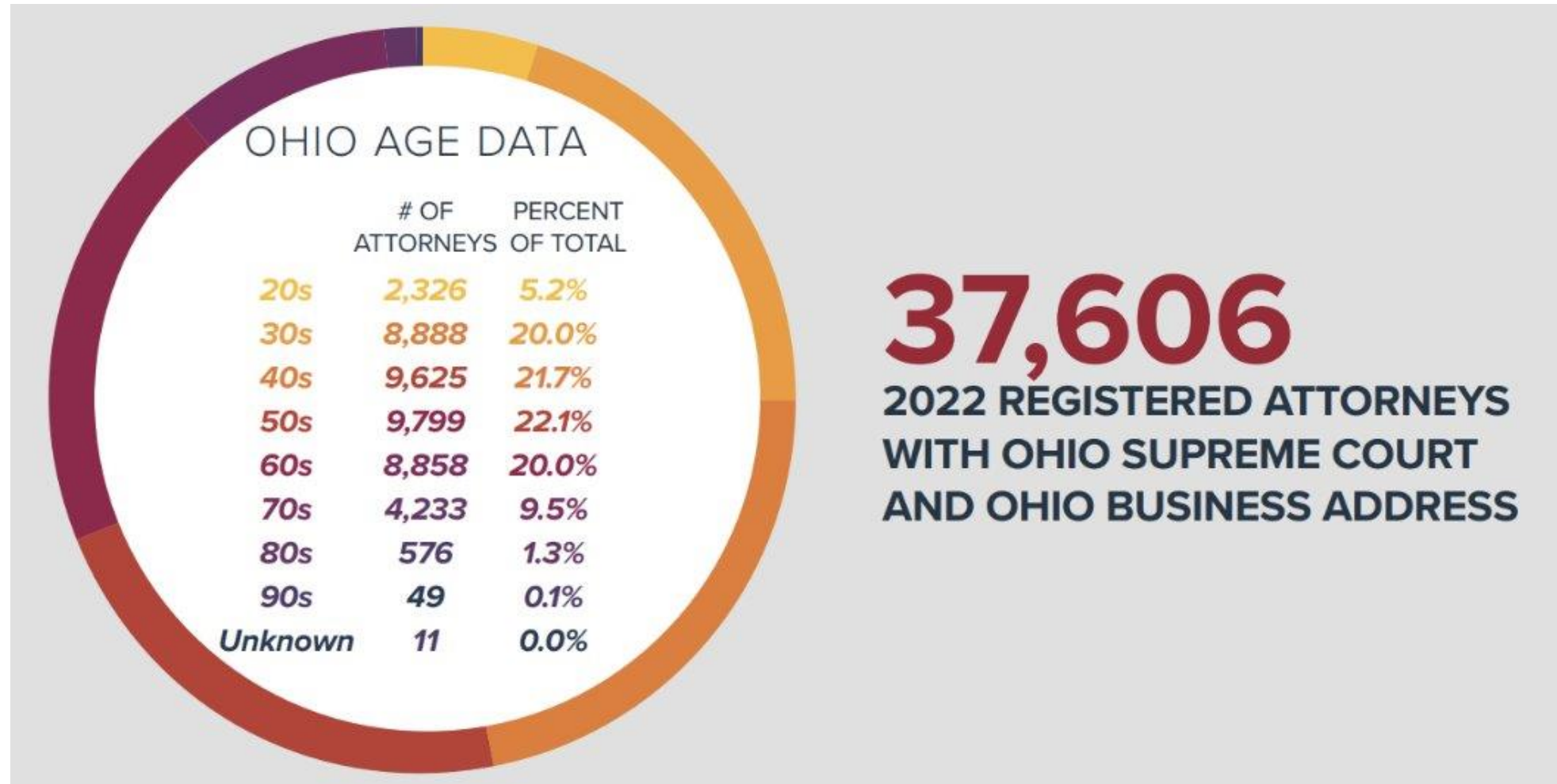
■ Male 64% ■ Female 36% ■ Undisclosed 0%

Ohio General Population



■ Male 49.5% ■ Female 50.5%

What Kind of Workplace Will We Have?



What are New Professionals Prioritizing?

- In answering whether the diversity of lawyers/attorneys in Ohio should reflect the population of Ohio in terms of **race/ethnicity**.
 - 80% of respondents with <10 years of experience agree
 - 47.6% of respondents with >30 years of experience agree
- In answering whether the diversity of lawyers/attorneys in Ohio should reflect the population of Ohio in terms of **gender**.
 - 79.2% of respondents with <10 years of experience agree
 - 44.1% of respondents with >30 years of experience agree

Why Do We Want This Kind of Workplace?

- Research shows that 78% of the workforce views it important to work for an organization that prioritizes diversity and inclusion.
- A McKinsey research shows that the top two reasons employees cited for leaving (or considering leaving) are 1) they didn't feel their work was valued by the organization (54%) or 2) that they lacked a sense of belonging at work (51%).

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DEI and Client Relations

How Can DEI Help Attract Clients?

- Organizations that support DEI are better able to serve diverse groups of customers.
- DEI helps them be more responsive to customers' needs, boosting customer perceptions of the organization, improving the customer experience, and increasing customer satisfaction.
- Shared experiences between the lawyer and the client.


"The shared history and personal experiences of members within a group offer an opportunity to empathize; in this case, it is an opportunity for empathy between a lawyer and a client." (Lawton)

Practicing Inclusive Client Relations: Cultural Considerations

How should you greet the client?



How do you pronounce the client's name?



Does the client have a religious practice?



How might the client's cultural background impact jury selection?

Practicing Inclusive Client Relations: Cultural Considerations

- A Russian Client
- Have you had any experiences like this attorney?
- What would you do if you have a client like this?

How Do We Improve DEI?

Organizational Changes

I. Hiring Practices:

- Recruit from and network with diverse bar associations like the National LGBT Bar Association, Hispanic Bar Association, Asian-American Bar Association of Ohio and Ohio's Women Bar Association.
- Have a diverse hiring panel.

II. Implement a Mentoring Program Focused on Diversity and Inclusion:

- Teach both mentors and mentees mentoring skills, as well as cross-cultural communication skills.
- Make sure underrepresented groups have professional development opportunities and the assistance necessary to ensure retention and promotion.

Individual Changes

I. Approach clients and co-workers with empathy:

- Clients will be more willing to share stories and provide information, leading to a stronger client relationship.
- Success in law correlates significantly more with relationship skills than it does with intelligence, writing ability, or any other known factor.

II. Practice allyship:

- Allies use their places of privilege to lift someone whose voice has been silenced or who has not yet had the opportunity to use it.
- A study from Lean In found that more than 80% of white employees see themselves as allies to people of color at work — but only 10% of Black women and 19% of Latinas say their strongest allies are white.

CLOSING

Key Takeaways

1. The population of working legal professionals is changing and therefore, so are the things they are prioritizing in their job search.
2. DEI influences how individuals are treated at work and therefore, also influences retention.
3. DEI can help you attract more clients and build a stronger client-attorney relationship.
4. Strengthen DEI within your organization by reviewing your hiring practices and by implementing a mentoring program.
5. Prioritize DEI as an individual by extending empathy and practicing allyship.

CLOSING

Continued Learning

- ABA resources pages
<https://www.americanbar.org/groups/bar-leadership/resources/resourcepages/diversity/>
- OSBA resources pages
<https://www.ohiobar.org/advocacy/inclusion--diversity/>

Questions?