



**2011 SAGE Report:
Self-Audit for Gender Equity and Diversity**

**A Survey of Minnesota Law Firms,
Non-Firm Employers, and Individual Lawyers**

Gender

Race and Ethnicity

Sexual Orientation

Disability

Religion

**Diversity Survey Update Committee
of the Minnesota State Bar Association
September 2011**

**Minnesota State Bar Association
600 Nicollet Mall, Suite 380
Minneapolis, MN 55402**

Contents

Overview	1
Executive Summary	3
Methodology	7
Demographics	9
Law Firm Employer Survey-----	9
Non-Firm Employer Survey-----	11
Individual Attorney Survey-----	12
Focus Groups and Unconscious Bias-----	14
Individual Survey Results: Perception and Experience of Bias	15
General Perceptions of Individual Respondents-----	15
Gender-----	16
Race and Ethnicity-----	23
Sexual Orientation-----	28
Disability-----	32
Religion-----	38
Employer Survey Results	42
Recruiting (Firms and Non-Firms)-----	42
Hiring Process-----	45
Hiring-----	46
Promotion and Retention-----	47
Attrition-----	48
Involvement in Governance-----	50
Criteria for Compensation-----	52
Compensation-----	53
Work Life and Culture-----	55
Anti-Discrimination and Sexual Harassment-----	59
Professional Growth (Legal Skills and Business Development)-----	62
Conclusions and Recommendations	65
Appendices	67
Diversity Survey Update Committee Members-----	67
Employer Survey Respondents-----	68
Acknowledgements-----	69
Individual Survey Data-----	70
Employer Survey Data-----	83
Focus Group Questions-----	118

Overview

The Minnesota State Bar Association (MSBA) and other legal organizations in Minnesota have an established history of examining and supporting diversity in the legal profession.

1988-1990 The MSBA created the Committee on Women in the Legal Profession in 1988 and charged it with the task of identifying and studying issues which affect women lawyers, reporting to the bar on those issues, and making recommendations about what the Bar Association, legal employers, and individual lawyers could do to promote the professional satisfaction of women lawyers. The [Committee's report](#) was released in 1990.

1992-1993 The Hennepin County Bar Association (HCBA) established *The Glass Ceiling Task Force* to study race and gender bias issues in the legal profession. Their work culminated in the [Glass Ceiling Task Force Report](#) (<http://www.mnbar.org/committees/DiversityTaskForce/HCBAGlassCeilingReport1993.pdf>).

1996-1998 The MSBA developed the SAGE (Self Audit for Gender Equity) program upon the [recommendation of the 1996-1997 Women in the Legal Profession Task Force](#) in order to study issues and to find ways to promote and aid gender equity in the legal profession in Minnesota.

The MSBA also established the Diversity Committee to promote diversity and the elimination of bias in the legal profession.

1998-2002 As part of the SAGE program, the MSBA's Women in the Legal Profession Committee reported the [first three years of private employer statistics 1995-1997](#) (<http://www2.mnbar.org/committees/diversity/DiversityTaskForce/SAGESurveyPrivateFirms1995-97.pdf>), and the [first three years of public employer statistics from 1997-1999](#) (<http://www.mnbar.org/committees/women-in-profession/sage-survey-public.pdf>). The MSBA intended to aid employers and employees in the legal community by gathering and providing information to further the achievement of gender equity. In 2002, the Women in the Legal Profession published the first [six years of law firm statistics from 1995-2000](#) (<http://www.mnbar.org/committees/women-in-profession/sage-survey-private.pdf>).

2003 The MSBA-approved [SAGE Best Practices](#) (<http://www.mnbar.org/committees/women-in-profession/sage-best-practices.pdf>) set forth action-oriented goals intended to promote practices that encourage employment and retention of women in the profession. Since then, the MSBA has recognized three legal employers for their achievement in furthering gender equity.

2005-2006 The MSBA Task Force on Diversity in the Profession developed and executed a three-part research study that included: (1) a survey of law firms and non-firm employers; (2) a survey of individual lawyers; and (3) focus groups of lawyers from diverse communities.

The purpose of the study was to update and expand the information from previous SAGE reports and to continue efforts toward elimination of bias against minorities and on the basis of gender in the legal profession in Minnesota. The [2006 Self-Audit for Gender and Minority Equity Report](http://www.mnbar.org/committees/DiversityTaskForce/Diversity%20Report%20Final.pdf) is available at (<http://www.mnbar.org/committees/DiversityTaskForce/Diversity%20Report%20Final.pdf>).

2006-2008 In the report, the Task Force recommended that the MSBA appoint a body or charge an existing body to develop specific recommendations for action based on the survey results. As a result, the MSBA created a Diversity Implementation Task Force which subsequently drafted the [2008 Diversity Best Practices Guide](http://www.mnbar.org/committees/DiversityImplementation/DiversityBestPracticesGuideFinal.pdf) (<http://www.mnbar.org/committees/DiversityImplementation/DiversityBestPracticesGuideFinal.pdf>).

2009-2011 The MSBA's Diversity Best Practices Outreach Task Force then picked up the work of promoting the *Best Practices Guide* and encouraging employers to implement some or all of the best practices. As part of a 2011 pilot project, in a small group of legal employers signed a commitment to diversity goals based on the Best Practices.

In late 2010, the MSBA appointed a Diversity Survey Update Committee, a joint committee of the standing Women in the Legal Profession and Diversity Committees, to conduct an update of the 2006 study. The Committee decided to use the same three survey instruments. Subcommittees were formed to review and update the survey instruments and determine methodology for the focus groups.

Forty-two law firms and 15 non-firm legal employers responded to the employer survey. A total of 1,101 attorneys completed the individual survey. Ten focus groups were facilitated, with 51 lawyers participating. The information gathered from these three sources formed the basis of this Report, which is intended to provide the legal community with updated information regarding demographic and cultural aspects of legal employment and the perception and experience of attorneys regarding bias.

Executive Summary

This Report provides a snapshot of diversity in Minnesota’s legal profession. It includes statistical data from some major legal employers as well as the perceptions and experiences of over 1,000 individual lawyers. Historically the Minnesota legal profession has been largely comprised of white men. This is still mainly the case, despite the changing demographics of the populace. Yet, the data shows some emerging trends.

At the outset, we acknowledge the survey results are not necessarily representative of the Minnesota legal community but instead are based on responses of those who self-selected to respond. Small sample sizes in some circumstances hinder the ability to draw conclusions, or make adequate comparisons to prior data. One should read this Report with an eye for broad trends, understanding the Report provides important data that deserves evaluation despite the fact it may not meet the formal criteria of being statistically significant.

The first half of the Report details results of the individual lawyer survey. The survey addressed gender issues as well as those affecting other diversity characteristics: ethnicity/race, religion, disability, and gay, lesbian, bisexual, or transgender identification (GLBT). Overall the respondents to this survey were a group with fewer years of practice than those who responded in 2006. Although gender and other minority groups are very distinct and unique from one other, two points are made clear by the 2011 individual attorney survey results:

- Respondents perceive more bias based on gender and ethnicity/race than based on religion, disability, or GLBT identification. Interestingly the most bias was noted when the status is one that is “visible,” that is, gender and ethnicity/race. In those areas which one can choose to keep private — religion, some disabilities (such as mental health issues) and GLBT identification, survey respondents perceived less bias.
- In every diversity category, respondents perceived law schools as the most bias-free, followed by courtrooms; respondents perceived the greatest bias in legal workplaces and in interactions with opposing counsel.

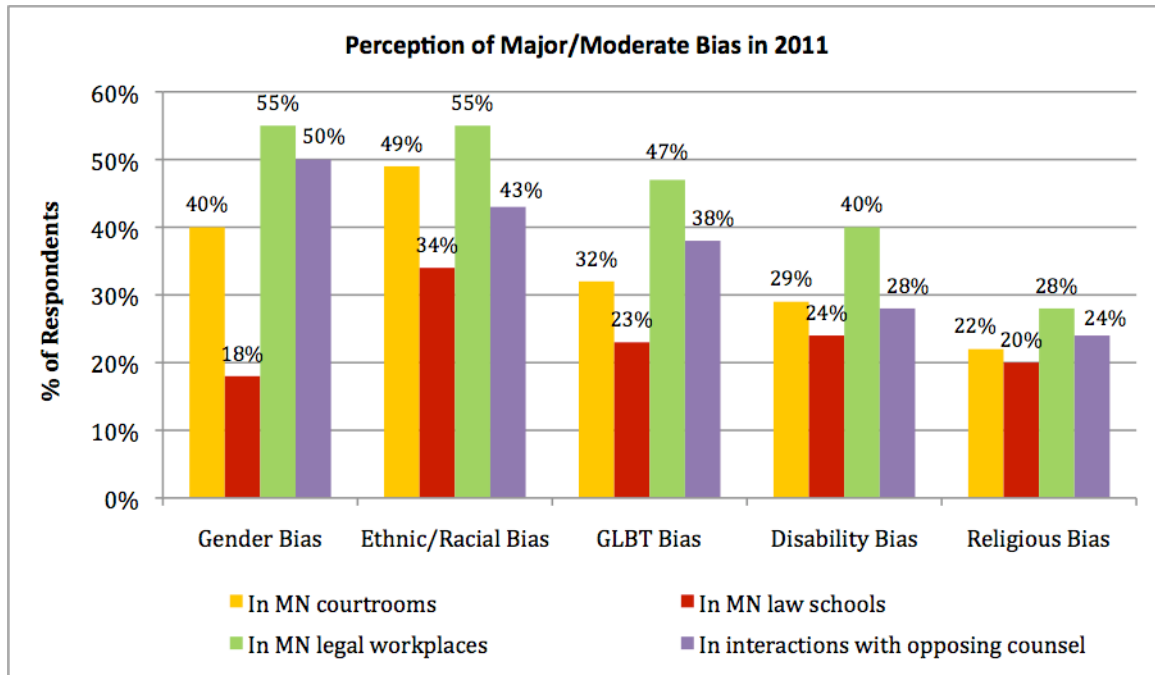


Figure 1. Individual Perceptions of Bias

Taken as whole, individual attorney respondents perceive gender, ethnicity/race, and religious bias as worse than it was five years ago. They see bias based on disability and GLBT identification as slightly improved.

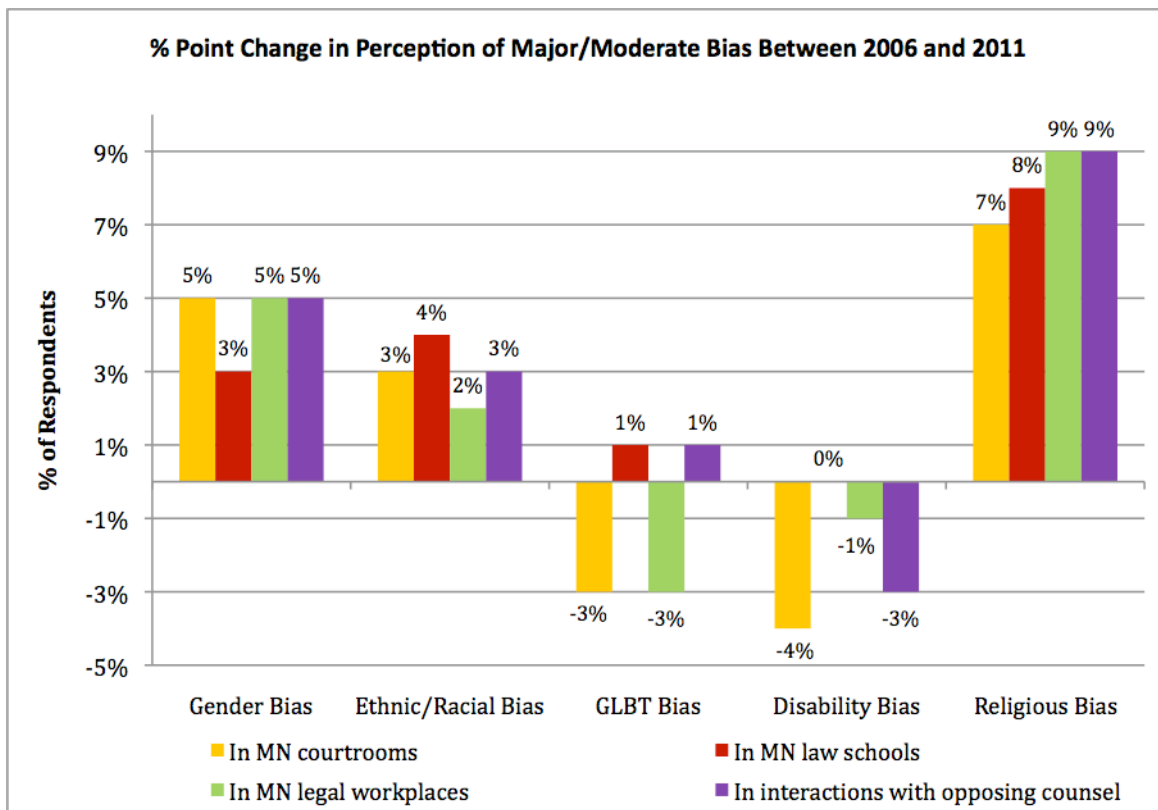


Figure 2. Comparison of Individual Bias Perceptions between 2011 and 2006

The second half of this Report details how employers handle recruiting, hiring, promotion, and compensation. The employer survey included questions about committee appointments, policies, leave, alternative work schedules, sabbaticals, accommodations, and scheduling. The sheer volume of data gathered makes it difficult to summarize in a sentence or two any hard and fast conclusions, but, as with the individual survey results, one can see certain trends.

Table 1. Summary of selected data for firms and non-firms

	<i>Female</i>	
	<i>Firm</i>	<i>Non-Firm</i>
Composition of organization	33%	54%
In Top 25% Compensation Pool	29%	58%
Left employer in 2010	42%	57%
Took family leave	55%	70%
	<i>Of Color</i>	
	<i>Firm</i>	<i>Non-Firm</i>
Composition of organization	7%	16%
In Top 25% Compensation Pool	11%	13%
Left employer in 2010	5%	13%
Took family leave	4%	13%

For example, a much greater percentage of female lawyers and lawyers of color — nearly double — make up the composition of non-firms than make up the composition of firms. In addition, there is a great disparity between firms and non-firms in the percentage of women in the top compensation category (29% as opposed to 58%).

Throughout this Report, comments from focus group participants about their experiences and perceptions personalize what the data cannot. Many focus group participants lamented that diversity in the legal profession is a “numbers game,” engaged in for “window dressing,” or to satisfy large corporate clients who demand diverse legal counsel.

Others added that diversity efforts stop short of “real inclusion” by one’s colleagues, believing that there is little recognition of the value of a diverse workforce short of the raw numbers.

Several of the focus groups mentioned an issue that was not raised in the 2006 focus groups: the significance and impact of unconscious stereotypes or bias. Some pointed out that even the most well-intentioned lawyers are subject to unconscious biases, and therefore may perpetuate the status quo while thinking they are advancing the goal of a diverse profession.

“Our experience is that we've made progress on gender diversity and sexual orientation diversity, but we struggle a lot with race and ethnicity.”

Senior Management focus group participant: Caucasian male in practice 21-25 years

The importance of diversity and the perception of bias is, to some extent, in the eye of the beholder. To some it matters because of the perceived importance to society, the employer, the individual, or all of the above. To wit, some urged more efforts be made to demonstrate the real value of diversity to the employer while others described the impact on the individual. The latter complained of the lack of “critical mass,” of peer support; these participants described a feeling of isolation and burden “to make it all work and be the success story.” One African-American lawyer perhaps summed up the impact of lack of diversity and bias best:

“It's somewhat like a corrosive effect on ... one's ambition and real focus on the job.”

African-American focus group participant: male in practice 16-20 years

For this reason alone, employers, attorneys, and clients should care.

Methodology

The MSBA Diversity Survey Update Committee (Committee) began meeting in December 2010 to discuss the best process to update the 2006 research study (2005 Self-Audit for Gender and Minority Equity). The Committee decided to utilize the same survey instruments as in 2006, namely an employer survey, an individual survey, and focus groups. Three subcommittees were formed, each to address one research instrument.

1. The Employer Survey Subcommittee reviewed and updated the web-based survey that was used in 2006. The 2006 survey was based upon previous Self-Audit for Gender Equity (SAGE) surveys executed in Minnesota and the SAGE survey executed by the 2001 Glass Ceiling Task Force in the state of Washington. Committee co-chairs Leslie Altman and Alan Haynes sent an email in March 2011 to over 100 legal employers, both firm and non-firm, inviting participation. Non-firms included employers such as corporations, courts, legal aid organizations, county attorneys, public defenders, and law schools.

The survey distribution was limited to those employing 10 or more lawyers. It included, but was not limited to, those that had participated in the previous SAGE studies. The 2010 employer surveys included questions in three new areas beyond gender and race: sexual orientation, disability status, and religion. The survey questions for law firm employers can be viewed at: <http://MSBALawFirm.notlong.com>. The non-firm version of the employer survey is available here: <http://MSBANonFirm.notlong.com>.

2. The Individual Survey Subcommittee reviewed and updated the web-based survey that was used in 2006. MSBA President Terry Votel sent an email in March 2011 to over 15,000 individual attorneys and to leaders of Minnesota minority bar associations, encouraging the groups to forward the email to their membership. Respondents were also sought via notices published in the MSBA Legal News Digest and on the MSBA website. The individual attorney survey is available here: <http://MSBAIndividual.notlong.com>.
3. The Focus Group Subcommittee reviewed and updated the discussion guide used in 2006, adding one question, “What do you regard as the most pressing diversity issue in the legal profession today?” As in 2006, volunteers were trained to serve as facilitators for the focus groups. The majority of the focus groups were homogenous according to the nature of the participants self-identified diversity characteristics. The women’s groups were also homogenous by years in practice or in the workforce. Court reporters volunteered to record the sessions and produce transcripts. Ten groups were conducted between April 27 and May 16, 2011. Verbatim quotations (set in italics) from focus group participants appear throughout this report. As with the 2006 study, numerous steps were taken to maintain confidentiality of the participants’ identity and the transcripts have been destroyed with the completion of this Report.

The quantitative instruments of the study were broadly distributed to obtain an overview of the perception and reality of diversity in Minnesota’s legal profession. Both the individual and employer surveys were distributed in the spring of 2011; however, employers were asked for

data as of December 31, 2010. For this reason, the Report references 2010 for employer results and 2011 for individual attorney results. Both represent the most current information. There was no attempt to ensure a random sampling in the employer or individual surveys or the focus groups. In this respect, the MSBA does not make any representations about the statistical validity of the findings or observations regarding the survey results.

Demographics

Law Firm Employer Survey

Two employer surveys were circulated to two types of workplaces — law firms and non-firms.

Forty-two law firms completed the survey; half had also completed the 2006 survey. Although more firms responded than in previous years, the total number of attorneys employed by respondent firms decreased since the last survey:

- 1997 employer respondents employed 2032 attorneys
- 2000 employer respondents employed 2101 attorneys
- 2005 employer respondents employed 3185 attorneys
- 2010 employer respondents employed 2692 attorneys

Approximately one-third of firms employed 10-24 employees, one-third had 25-84 employees, and one-third had 85 or more employees.

The overall gender composition of respondent firms has remained relatively stable throughout the survey years of 1997, 2000, 2005 and 2010. The gender composition (33% women) of respondent firms in 2010 is not representative of the gender composition of the local law schools at 47% women (NALP statistic for 2010-2011 year).

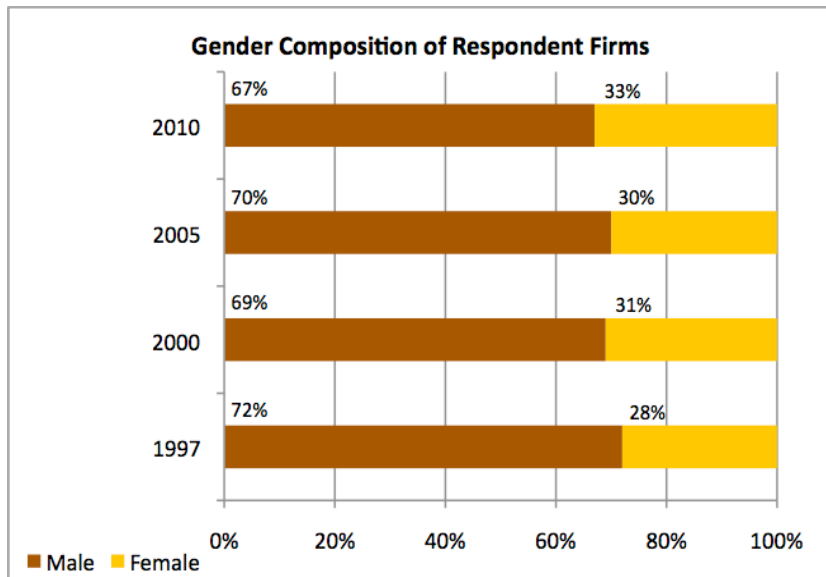


Figure 3. Gender Composition of Respondent Firms

Table 2. Gender composition of responding firms (broken down by position)

	2010		2005		2000		1997	
	Male	Female	Male	Female	Male	Female	Male	Female
Summer positions or clerkships	98 48%	108 52%	186 61%	118 39%	87 51%	84 49%	71 53%	62 47%
Associate positions	786 50%	792 50%	596 56%	465 44%	426 56%	329 44%	396 59%	271 41%
Equity partners and shareholders	2,164 77%	634 23%	1,178 82%	258 18%	759 82%	163 18%	824 84%	159 16%
Non-equity partners	152 73%	57 27%	65 78%	18 22%	88 85%	15 15%	64 90%	7 10%
Contract and staff attorneys	76 52%	70 48%	23 43%	31 57%	38 53%	34 47%	55 55%	45 45%
Of counsel	280 81%	64 19%	123 78%	34 22%	50 79%	13 21%	58 83%	12 17%
Other	50 49%	52 51%	65 72%	25 28%	5 33%	10 67%	9 50%	9 50%
Total Composition of Firms	3,606 67%	1,777 33%	2,232 70%	949 30%	1,453 69%	648 31%	1,469 72%	565 28%

The percentage of women partners, both equity and non-equity, increased over the past five years. While women were 18% of equity partners in 2005, they were 23% in 2010. The percentage of female non-equity partners increased 5% between 2005 and 2010 (from 22% to 27%). For the first time since the MSBA has been collecting survey data, in 2010 there was an even split between men and women in associate positions.

However, attorneys of color slightly lost ground between 2005 and 2010, slipping to 7% (from 8%) of the overall attorney pool in firms.

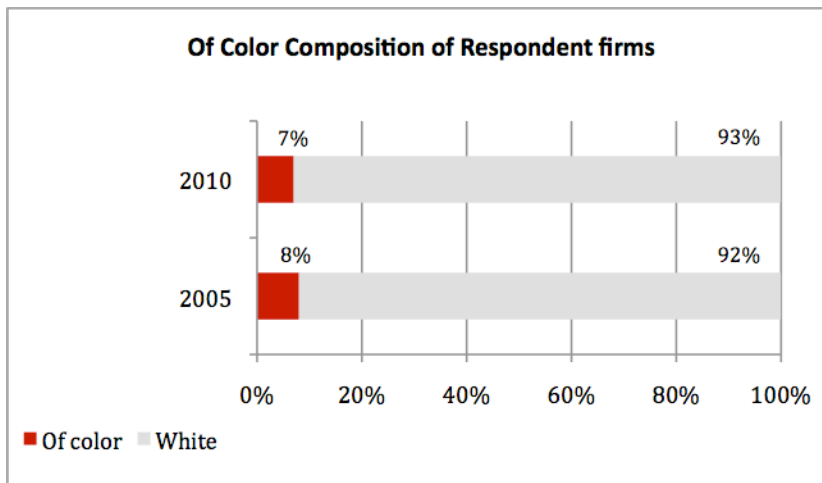


Figure 4. Of Color Composition of Respondent Firms

In the recent survey gathering data from 2010, firms were asked for the first time how many GLBT attorneys and disabled attorneys they employed. Firms indicated they employed 34 GLBT attorneys (1.3%) and 10 attorneys with disabilities (0.4%).

See Appendix 14 and 15 for additional detail.

Non-Firm Employer Survey

Fifteen non-firm legal employers completed the survey; 8 had also completed the last survey. Twenty percent of respondent legal employers had 10-24 attorneys, 60% had 25-84 attorneys, and the remaining 20% had 85 or more attorneys.

In 2010 as in 2005, 46% of the total attorneys employed were men. The following table shows the percentage of male and female attorneys in non-firms by professional position held in 2005 and 2010.

Table 3. 2005 and 2010 Gender composition of respondent non-firms

	2010		2005		1999-1997	
	Male	Female	Male	Female	Male	Female
Summer positions or clerkships	22 38%	36 62%	25 42%	35 58%	185 50%	187 50%
Attorneys with less than five years of experience	74 36%	132 64%	15 25%	46 75%	75 29%	181 71%
Supervisory attorneys/Division heads	140 50%	142 50%	78 60%	52 40%	99 66%	51 34%
Non-supervisory attorneys with five or more years of experience	416 48%	456 52%	162 44%	207 56%	301 54%	258 48%
Contract/temporary attorneys	12 33%	24 67%	9 39%	14 61%	13 59%	9 41%
Other	116 50%	116 50%	71 54%	61 46%	142 57%	106 43%
Total Composition of non-firms	780 46%	906 54%	360 46%	415 54%	815 51%	792 29%

More women than men work in non-firms in every type of position, except supervisory attorneys/division heads, where the gender balance was equal. In 2005, the gender split in this category was 60%/40% so women have made gains in this category. Those holding "other positions" were equally spread between men and women. Respondents indicated that "other" included law clerks, judges, and law school faculty and staff.

The percentage of attorneys of color employed by non-firms increased from 12% in 2005 to 16% in 2010. Both male and females of color were evenly impacted.

Non-firms indicated they employed 23 GLBT attorneys (2.7%) and 13 attorneys with disabilities (1.5%). Previous surveys did not ask about GLBT attorneys or attorneys with disabilities.

See Appendix 16 and 17 for additional detail

Individual Attorney Survey

In 2011, there were 1,101 attorneys who responded to the individual survey, a 25% increase over the number of respondents to the 2006 survey. Not all respondents, however, answered every question.

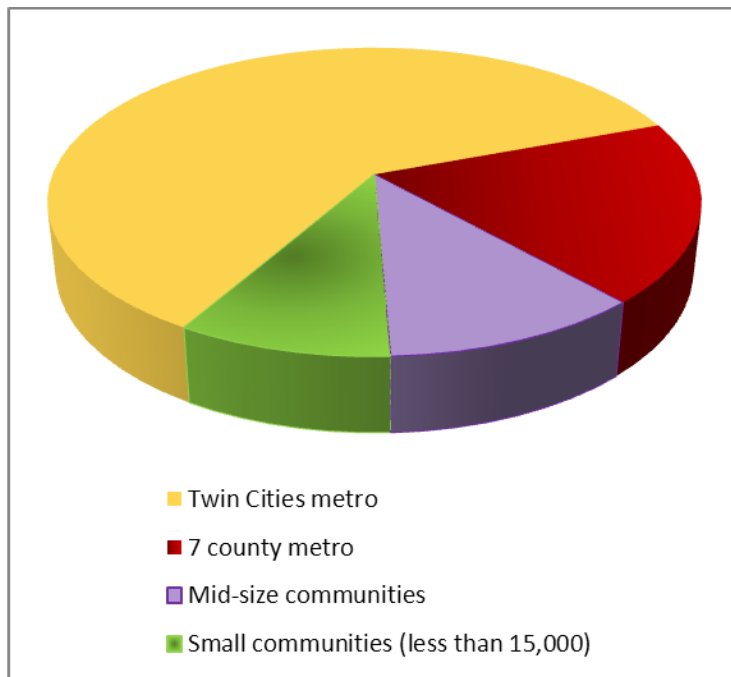


Figure 5. Geographic Breakdown of Respondents

Respondents were again asked how they identified with regard to each minority group; the results were roughly the same as 2006.

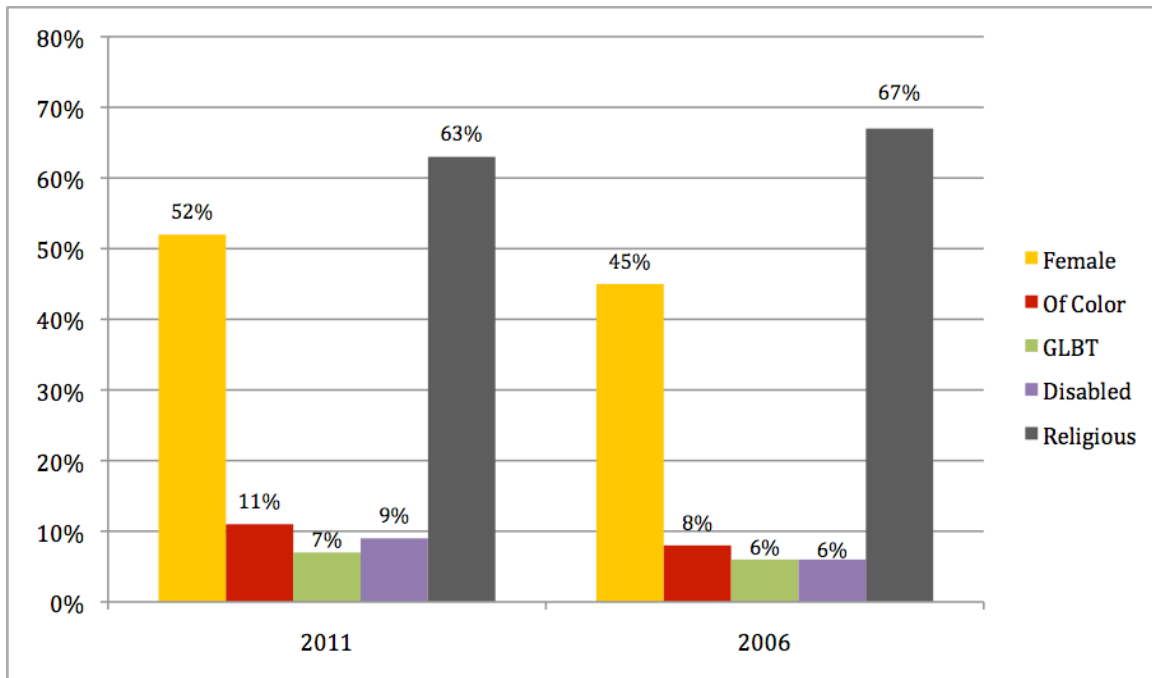


Figure 6. How Respondents Identified Themselves

The 2011 survey, however, had a much more even spread of respondents in terms of years of practice.

Table 4. Number of years respondents licensed to practice law in Minnesota

	2011	2006
Fewer than 5 years	22%	10%
5-10 years	19%	15%
11-20 years	21%	28%
21-30 years	21%	31%
More than 30 years	17%	16%

As in 2006, respondents represented a variety of legal positions, fewer partners but more associates.

The shift in respondent group may account for some of the differences in survey results.

Table 5. Current position

	2011	2006
Partner and shareholder	21%	35%
In-house counsel	14%	13%
Solo practitioner	14%	13%
Other	15%	11.50%
Associate	17%	11%
Staff and contract attorney	3%	7%
Judge	2%	4%
Prosecutor and public defender	6%	4%
Law school faculty and administrator	2%	2%
Non-profit	6%	N/A

Focus Groups and Unconscious Bias

Ten focus groups were conducted between April 27 and May 16, 2011:

- African-American
- Asian-American
- Hispanic
- Native American
- Attorneys with disabilities
- Gay, lesbian, bisexual, transgender (GLBT)
- Senior Caucasian Men
- Senior Management (without regard to race, gender)
- Junior Women (less than 10 years experience)
- Senior Women (more than 15 years experience)

Because there were not sufficient volunteer participants to conduct a separate religion-based focus group, a question about religion was asked in all 10 focus groups.

One of the top diversity challenges identified by a number of the focus group participants is unconscious (also referred to as implicit or hidden) bias. It is a term used to explain how people can consciously believe in equality while simultaneously acting on contrary, subconscious prejudices or negative associations. Examples are provided throughout this report.

See [Focus Group questions](#)

Individual Survey Results: Perception and Experience of Bias

General Perceptions of Individual Respondents

Individual respondents were asked how they compared with others in terms of awareness of diversity issues and how they thought their employers compared with other employers. An increased percentage of respondents thought they had a higher level of awareness than their peers regarding issues involving women in the legal profession (59% compared with 52% in 2006) but they also professed decreased awareness of issues involving race, religion, disability and sexual orientation as compared to 2006.

Focus group participants commented that the presence of diversity did not translate to inclusion of diverse attorneys and that, for some employers, it was merely a "statistical measure." Some also pointed out that there was little understanding of the differences within a minority category.

"I think a lot of different ethnic groups or even minority groups of any sort maybe get into a firm setting, and then they're not comfortable because you are — you do frequently become the token Indian or the token gay woman or the token black, I mean, whatever you are. And you are approached as the say-all, be-all for Native Americans as a whole, which puts you in an awkward position, and it shows a lack of sensitivity and understanding of the diversity within each group. And you don't really feel like a valued member. You feel like you are, in fact, just someone so they can meet their numbers, which is why I think a lot of us ultimately end up in a firm or an environment where most of our coworkers are Native."

Native American focus group participant: female in practice 6-10 years

The percentage of individual respondents who think *their own* employer is more aware of diversity issues decreased or stayed the same in every category of bias. Individual attorneys also reported on their employer's specific efforts:

- 41% indicated that their workplace takes specific steps to recruit minority attorneys
- 48% indicated that the efforts of their workplace are adequate
- 48% indicated that their workplace had hired a minority attorney in the last five years

Some focus group participants gave their employers high marks for their efforts while others were more critical. The potential impact of today's economy was not lost on respondents.

"... clearly the financial pressure in the industry causes firms to do some things that are really not very pretty."

Disability focus group participant: Caucasian male in practice over 40 years

Thirty-seven percent of individual respondents have observed or been reliably informed of one or more instances of discrimination on the basis of disability, gender, race/ethnicity, religion or

sexual orientation in the last five years. Of those, 48% observed an instance in their own law firm, 44% in other law firms, 44% in interactions with opposing counsel, and 40% in Minnesota courts.

The focus group participants who commented on the judiciary, however, were positive.

“... I think in some places — and I've seen it in the last five years, it's much better now than it was 15 years ago. The judges are better at recognizing it, but there has been some difference in terms of the way people are treated in the courtroom setting. Judges have been better at catching that for the most part. They don't have to be reminded like they used to have to be.”
 Senior Management focus group participant: Caucasian male in practice 21-25 years

See Appendix 1 and 2 for additional detail

Gender

Over half (52%) of the 2011 respondents were female, up from 45% in 2006.

The survey included questions regarding perceptions of gender bias, including types and settings, as well as questions related to leave (maternity, paternity, adoption, family care) and harassment (verbal, physical).

The answers of all respondents in 2011 indicate a small increase in the perception of gender bias relative to 2006 across all settings. The increase ranged from 3-6%.

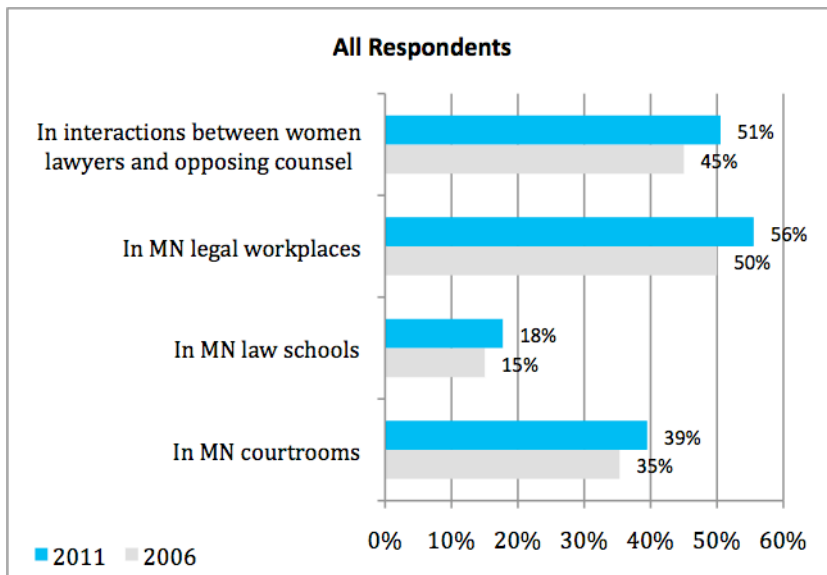


Figure 7. Perception of Major and Moderate Gender Bias in Various Settings

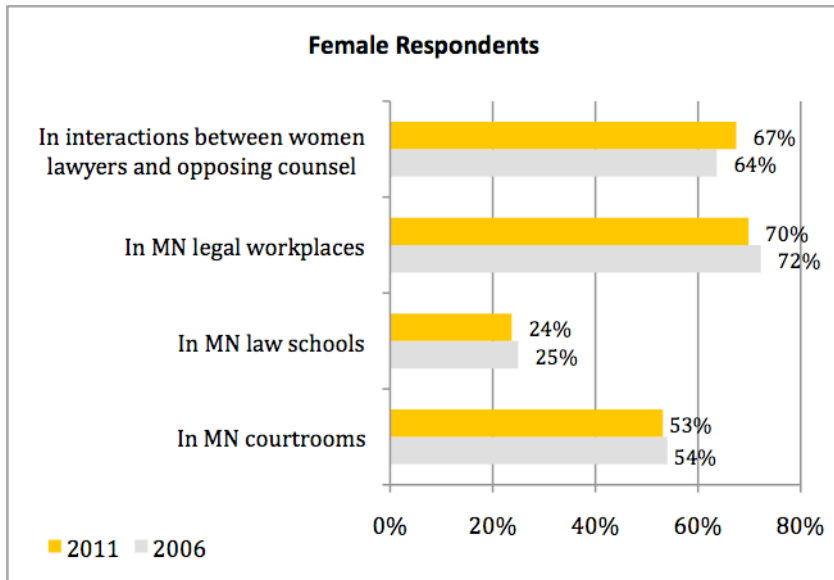


Figure 8. Perception of Major and Moderate Gender Bias in Various Settings

When the responses were filtered by male and female respondents, the data indicated that the increase is mostly due to a greater perception of gender bias by male respondents. The percentage of female respondents perceiving bias in all settings was relatively the same (within 3%) as that in 2006 whereas the male perception was up from 1-9% in the various categories. This may be due to raised awareness attributable to educational efforts or to the overall younger respondent pool.

Nonetheless, as in previous years, considerably more female respondents perceive bias in every setting than do male respondents. The gap in perception ranges from 13% (in law school settings) to 36% (in interactions with opposing counsel).

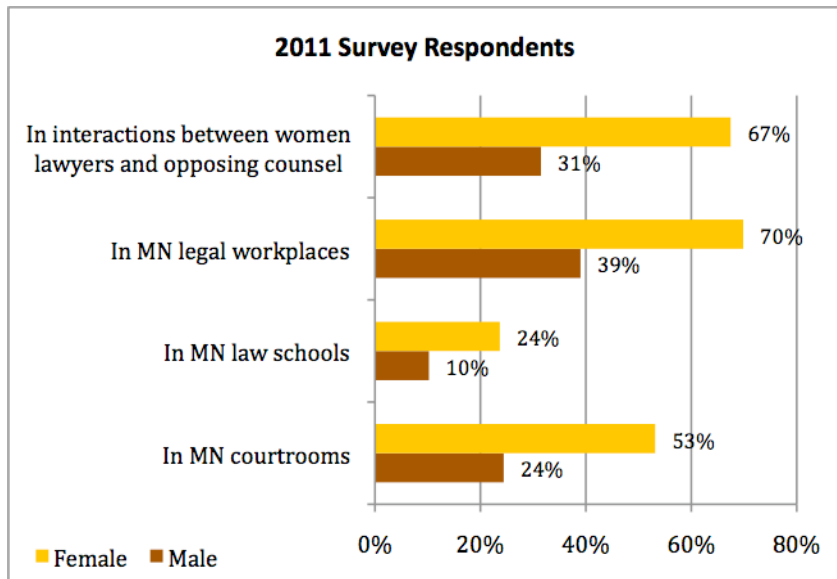


Figure 9. Perception of Major and Moderate Gender Bias in Various Settings

Respondents were asked their perception of gender bias against female attorneys *at the present time*:

- No gender bias against female attorneys exists — male 20% (down from 26%) | female 2%
- Gender bias exists, but is not widespread — male 54% (same as 2006) | female 34%
- Gender bias is widespread, but subtle and hard to detect — male 23% (up from 19%) | female 59% (same as in 2006)
- Gender bias is widespread and readily apparent — male 2% | female 5%

Respondents were also asked their perception of gender bias against female attorneys *over the last five years* which yielded some differences:

- No gender bias — male 5% | female 0%
- Less gender bias now than in the past — male 81% | female 58%
- Same amount of gender bias as in the past — male 13% | female 40%
- More gender bias than in the past — male 1% | female 2%

Male respondents thus perceive gender bias but think it is improving more than females.

Sixteen percent of female respondents and 5% of male respondents opined that judges assign more credibility to the arguments made by male attorneys. Forty-two percent of females and 60% of males did not think the gender of the attorney impacted the judge.

Both male and female respondents who have encountered gender bias indicated it was most often in the workplace, rather than during depositions or negotiations. When gender bias occurred in offices, 49% of women reported that a supervisor intervened to stop it. As shown in the table below, 30% of women indicated remarks or jokes demeaning to women are made in workplaces. Nonetheless, 68% of women reported that, in their own offices, female attorneys are treated the same as male attorneys.

Less than 10% of male and female respondents indicated that bias was encountered in courtrooms or chambers. Twenty-two percent of female respondents, however, indicated that remarks or jokes demeaning to women were made in court. When gender bias occurred in courtrooms, a majority of women (59% up from 55% in 2006) reported that a judge intervened to stop it.

Women respondents (69%) felt that comments are made about the physical appearance or apparel of female attorneys when no such comments are made about male attorneys. Also, female attorneys are asked if they are attorneys when male attorneys are not (66% of women agreed). Just over half (51%) of female respondents agreed that female attorneys are addressed by first names or terms of endearment while male attorneys are not.

The example of gender bias with which the largest number of male respondents agreed was that comments are made about the physical appearance or apparel of female attorneys when no such comments are made about male attorneys (37% of men agreed).

Table 6. Types of gender bias noted by individual respondents

	2011							
	Male				Female			
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
Remarks or jokes demeaning to women are made at my workplace	3%	17%	24%	57%	9%	21%	21%	49%
Remarks or jokes demeaning to women are made in court	2%	9%	28%	61%	2%	20%	39%	39%
Female attorneys are addressed by first names or terms of endearment when male attorneys are not	2%	15%	26%	57%	13%	38%	24%	24%
Female attorneys are asked if they are attorneys when male attorneys are not	5%	18%	23%	54%	29%	37%	20%	14%
Comments are made about the physical appearance or apparel of female attorneys when no such comments are made about male attorneys	6%	31%	21%	42%	32%	37%	17%	13%

	2006							
	Male				Female			
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
Remarks or jokes demeaning to women are made at my workplace	3%	17%	23%	57%	7%	26%	24%	43%
Remarks or jokes demeaning to women are made in court	0%	8%	24%	68%	3%	26%	36%	35%
Female attorneys are addressed by first names or terms of endearment when male attorneys are not	2%	12%	27%	60%	13%	40%	24%	23%

	2006							
	Male				Female			
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
Female attorneys are asked if they are attorneys when male attorneys are not	2%	22%	27%	49%	31%	38%	18%	14%
Comments are made about the physical appearance or apparel of female attorneys when no such comments are made about male attorneys	4%	25%	31%	40%	25%	45%	16%	14%

Focus Group participants attributed bias against women attorneys to a number of factors. Some of those included the following:

Informal internal socializing

“... it's harder for women to go out after work hours with their leadership who are white males. There's — there's certain cultural ramifications for certain people who are certain ethnicities that is inappropriate to be with, you know, a male alone after work hours and it's just not as comfortable as, for instance, if you're another white male associate coming out with a white person after work who happens to be a white male. No one bats an eye when they see that, but when they see an older white male with a younger female, there's suggestions and there's perceptions and assumptions being made.”

Asian-American focus group participant: female in practice 6-10 years

Different case or project assignments lessens opportunities for experience

“... Somebody needed work done on the weekend and it was going to involve client contact. It was going to be actually a very good thing to work on over the weekend, but it was a weekend. So the woman partner knew that Suzie had three young children at home, so she chose Dan to come in over the weekend instead of Suzie, thinking that she was doing Suzie a good turn by not having her have to choose between being with the kids or having this choice client contact.”

Senior Women focus group participant: Caucasian in practice 25+ years

Women’s lack of self-promotion and advocacy of other women (compared to men)

“... I recall when I first came out of law school I thought if I worked really, really hard everyone will recognize that and then I will advance in whatever legal employer I’m at. It took me a while to realize that working really, really hard really just got me in the door and that if I was going to advance, I was going to have to do more, including self-promotion and I’d have to get

comfortable with self-promotion ... We don't always do a good job of lifting each other up in the profession ... I don't hear women as often promoting other women as perhaps you might hear from men in promoting other men."

Senior Women focus group participant: Caucasian in practice 11-15 years

In terms of gender bias impacting opportunity for promotion, 68% of women (down from 71% in 2006) thought female attorneys in their office had the same chance of promotion as male attorneys.

"Gender is a big challenge in retention. At the associate level there were always plenty of women. It was getting to the partner level, and it's a work-life balance issue."

Senior Caucasian Men focus group participant: unknown years in practice

"[W]omen, I think some of them sort of look ahead and realize getting clients is hard and they kind of understand how to do good work. They've done good work, but to kind of see a path towards, you know, I can still feel valued and whatever if I can't get clients or I don't know how to get clients. So ... we've seen a number leave and even after they've made partner."

Senior Women focus group participant: Caucasian in practice 25 years+

Many focus group participants commented on the importance of work-life balance.

"My workplace has done a fantastic job with gender diversity, I think, through flexible work, and so there are a lot of female attorneys who, you know, either telecommute or work reduced schedules, and it's known. I mean my workplace has a reputation of being very receptive to female attorneys. It's a good workplace. So it might not be competitive necessarily competition-wise, but for work-life balance it's really attracted a lot of talent ..."

Asian-American focus group participant: female in practice 11-15 years

Physical and verbal harassment

Table 7. Respondent's experience with harassment

	<i>Male Respondents</i>	<i>Female Respondents</i>
Experienced <i>verbal</i> harassment related to gender in work-related setting	2%	32%
Experienced <i>physical</i> harassment related to gender in work-related setting	1%	5%

Of those who were verbally sexually harassed, 55% reported the incident was over five years ago. The person rendering the harassment was:

- 58%, another attorney
- 18%, a client
- 9%, a judge

The victim's response varied:

- 42% discussed the incident with a colleague or co-worker
- 39% confronted the speaker
- 28% took no action
- 24% talked with someone else
- 20% reported the incident to a superior, human resources employee, ethics board or the court system
- 10% quit or looked for other employment
- 6% consulted a legal or employment advisor

Leave

Sixty-four percent of respondents said their employers have a written leave policy, while 26% do not (remaining respondents were uncertain). Of those familiar with the policy:

- 89% cover maternity leave
- 69% cover paternity leave
- 67% cover adoption
- 74% cover family care leave
- 66% allow leave on an ad hoc or individual basis

Of those who took leave during the last five years, 9% thought it kept them from advancing as far as they wanted in the legal profession, 70% did not think it impacted their advancement, and 21% were not certain. Of those who thought the leave impacted them, they indicated a variety of adverse impacts:

- Were assigned less prestigious cases and caseloads post-leave
- Could not meet hourly billing goals post-leave
- Were no longer viewed as "fully committed" post-leave
- Were perceived as less experienced post-leave

See Appendix 3 and 4 for additional detail

Race and Ethnicity

Eleven percent of respondents (106) considered themselves to be a racial and/or ethnic minority, up from 8% of individual respondents in 2006.

The survey asked questions about bias against racial/ethnic attorneys, opportunities available to them, their experience, and any resolution of issues.

The 2011 results reveal that responding attorneys perceived 3-4% more bias in every setting as compared to 2006. Focus Group participants also expressed concern about progress in combating racial bias.

“I’m not particularly worried about it [diversity] on gender issues. Race — we’re back right where we were 30 years ago.”

Senior Caucasian Men focus group participant: in practice 30 years

“[A]lmost never see another person of color in the courtroom speaking on behalf of another Fortune 500 client in any civil case I’m in. ... and that is not a lot different than what I would say five years ago.”

Senior Management focus group participant: African-American male in practice 21-25 years, large firm

Some attributed the lack of progress to a “pipeline” problem.

“I think with respect to a lot of these issues, particularly with respect to race, we have a pipeline problem. And by that, I mean we’re just not getting enough qualified applicants in and through law school with the qualifications necessary to be able to — we’re not having that diversity at that level, not enough.”

Senior Caucasian Men focus group participant: in practice 25+ years

Others cited the lack of diversity in the upper ranks of firms leading to, at best, indifference to minority bias.

“I’d say it’s the lack of diversity in partnership and those that essentially hold the power in firms. ... [Y]ou have senior management [...] the old white guy network, who think ‘It’s always worked for me this way, why should I possibly change it, I don’t understand, I’m doing really well, the firm is doing well, look at my beautiful home, and my home in Aspen, why would I want to change anything ...”

GLBT focus group participant: Caucasian female in practice 1-5 years

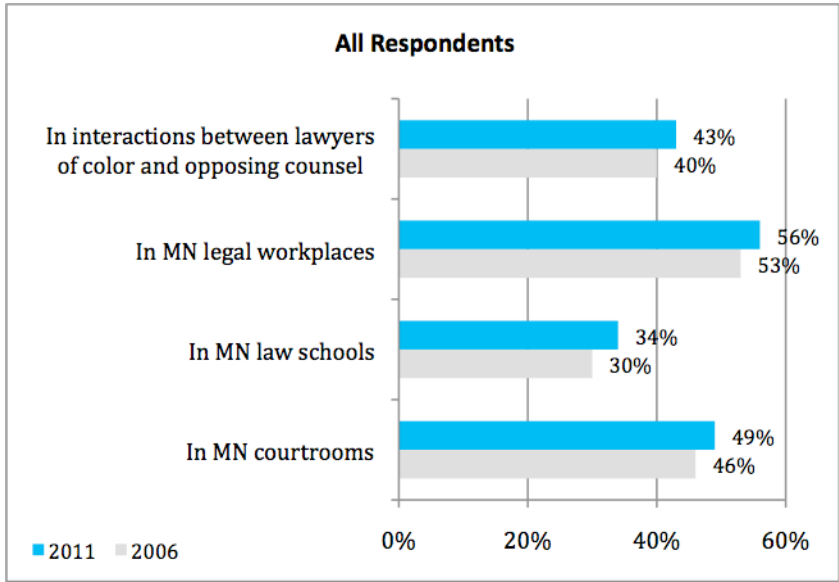


Figure 10. Perception of Major and Moderate Ethnic Bias in Various Settings

When the 2011 responses were filtered into those who considered themselves to be racial and/or ethnic minorities and those who don't, it becomes clear that the increase is a result of more bias perceived by non-minority attorneys. In fact, minority attorneys perceived less bias in every setting, with the greatest improvement noted in interactions between lawyers of color and opposing counsel.

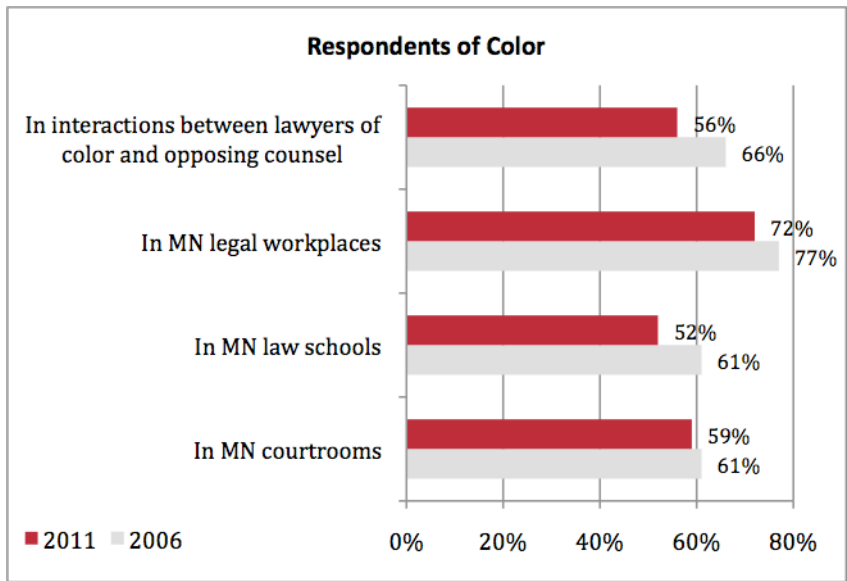


Figure 11. Perception of Major and Moderate Ethnic Bias in Various Settings

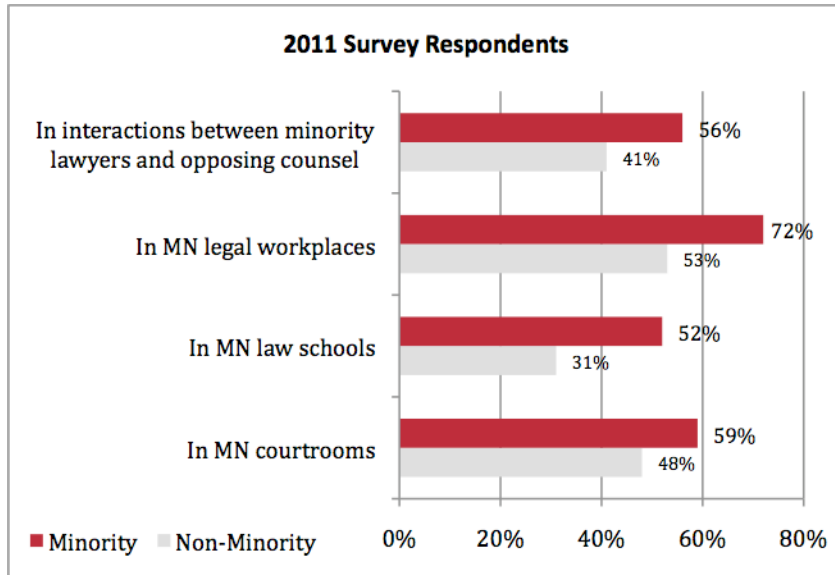


Figure 12. Perception of Major and Moderate Ethnic Bias in Various Settings

That said, in 2011 as in 2006, minority attorneys saw more bias than non-minority attorneys in all settings. In fact, 61% percent of non-minority attorneys indicated that they have encountered no instances of racial bias in any setting, but only 29% of minority attorneys answered the same.

The biggest gap in perception between minority and non-minority respondents occurred in the law school and work place settings. The issues are not just arising in firms, but are uppermost in the minds of minority attorneys in all employment settings.

Workplace

Like 2006, the setting where bias was perceived by minority attorneys was most pronounced in the workplace. Both non-minority (24%) and minority (42%) respondents agreed that race/ethnicity bias is most often encountered in the workplace. Twenty percent of all respondents agreed that remarks or jokes demeaning to certain racial, ethnic minorities are made at their workplace.

“... and, you know, kind of bad Pocahontas jokes and just — I know somebody had raised something earlier about, how hard do you hit back on these things so that you don't look like you're being too sensitive or — you know, you have to pick your battles.”

Native American focus group participant: female in practice 1-5 years

Seventeen percent of minority respondents believe they have been treated unfairly or inappropriately in their workplace because of their ethnic/racial background. Sixty-six percent of minority respondents indicated, however, that if race/ethnicity bias occurs in the office, a supervisor intervenes to stop it.

Courtroom

At times the survey results are somewhat contradictory. For example, 9% of all respondents answered that remarks or jokes demeaning to certain racial, ethnic minorities are made in court, but only 5% of all respondents indicated they had encountered bias in the courtroom or in chambers.

Eighty-five percent of non-minority respondents and 75% of minority respondents agreed that if racial/ethnic bias occurred in the courtroom, the judge intervened to stop it. When asked if the race or ethnicity of the attorney impacts how much credibility judges assign to their arguments, 6% of non-minority and 25% of minority attorneys said yes.

Type of Discrimination

The type of discrimination perceived by minority attorneys shifted from 2006. Fewer reported being denied employment or receiving unequal pay, but more reported being given unjustified negative performance reviews. This data suggests fewer issues at the outset but more problems later in the employment relationship. Some focus group participants mentioned bias at the outset, being asked if hiring them would "create citizenship issues" or an expectation that given their race they'd be hired away, so weren't worth "investing in" for example. More, however, cited later struggles.

"... one of the things that's difficult is putting in systemic programs that really work to try to both increase diversity, not just of people coming into law school or coming into whatever employer you're talking about, but creating a real ladder into leadership."

Asian-American focus group participant: female in practice 6-10 years

"I think a majority belief is that if we have a person here of color that's all we have to do. WE don't have to do anything else and hopefully they can sink or swim. If they swim great, but I don't think they think long term about career development, advancement opportunities that are made available to everybody else in the office."

African-American focus group participant: male in practice 6-10 years

Table 8 Type of bias as reported by attorneys of color that experienced discrimination within the past five years

	2011	2006
Denied employment	26%	52%
Were not given good work assignments	42%	40%
Have not given advanced as far as you want to in the legal profession	42%	36%
Received unequal pay	16%	28%

	2011	2006
Have not attained specific occupation in the law	23%	28%
Required more time/years to obtain a promotion or advancement to partner	13%	20%
Were denied promotion or advancement to partnership	10%	16%
Were given unjustified negative performance reviews	32%	12%
Received unequal employment benefits	10%	8%
Were told that clients did not want to work with you	10%	4%
Other	26%	—

More are reporting this kind of discriminatory behavior to a supervisor, 44% in 2011 relative to 34% in 2006. Of those who report, however, only 5% report being satisfied with the resolution.

When minority attorneys were asked if minority graduates entering the job market have the same opportunity as non-minority graduates:

- 25% said yes
- 49% said no (19% were uncertain)

When they were asked if minority lawyers have the same opportunity for advancement:

- 24% said yes
- 52% said no (23 % were uncertain)

Sixteen percent of minority respondents believed they have the same opportunity as non-minority attorneys to become judges (unchanged from 2006).

Lastly, minority respondents were asked about legal career issues:

- 50% said white attorneys have more opportunities for private firm positions
- 41% said race made no difference in opportunities for promotion
- 48% said race made no difference in opportunities to develop mentor relationships (although 24% felt white attorneys had more opportunities)
- 14% felt race made no difference in the assignment of desirable projects/clients

See Appendix 5, 6, and 7 for additional detail

Sexual Orientation

Ninety-three percent of respondents identified their sexual orientation as straight. Of the 67 (7%) GLBT respondents, 33% indicate they are gay; 50%, lesbian; and 17%, bisexual. Similar to 2006, 83% are out within their workplace and 81% in the legal community generally. Eighty percent of all respondents reported they knew one or more GLBT attorneys practicing in Minnesota.

The portion of the survey dealing with GLBT attorneys addressed perceived bias and its impact, including physical and verbal harassment, handling of complaints and retaliation.

Overall, 2011 respondents perceive about the same amount of bias against GLBT attorneys in every setting.

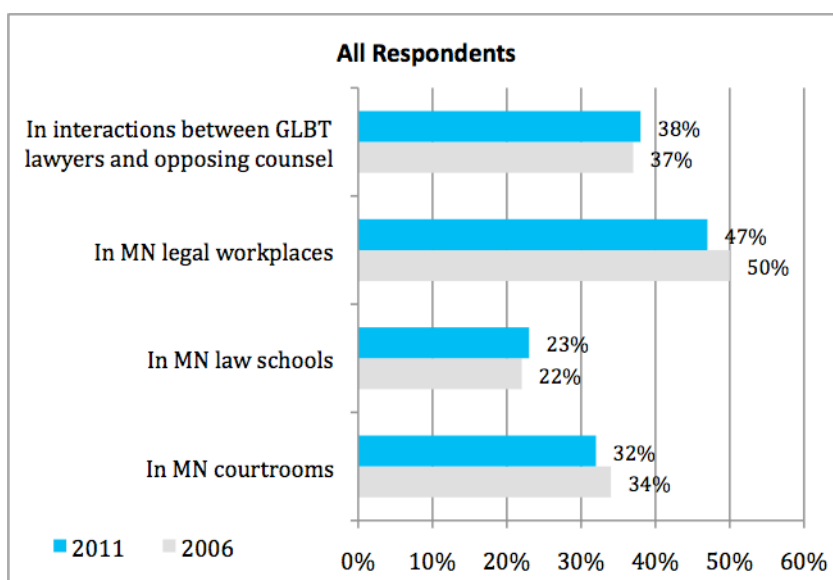


Figure 13. Perception of Major and Moderate GLBT Bias in Various Settings

Although GLBT attorneys perceive more bias in every setting than straight attorneys, in 2011 there was a smaller gap between the perception of the two groups. The reduction in perception gap was due to fewer GLBT attorneys perceiving bias (particularly in the workplace). Both groups perceived the greatest amount of bias in the workplace and the least in the law schools.

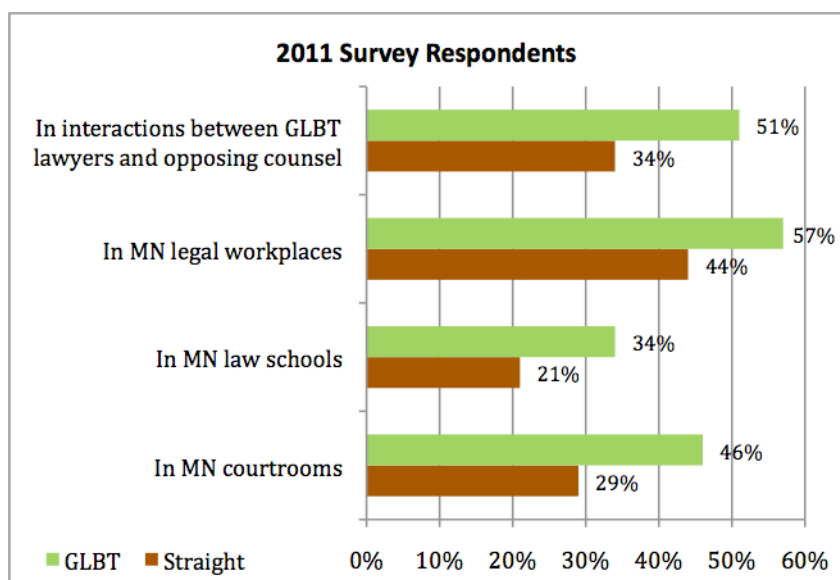


Figure 14. Perception of Major and Moderate GLBT Bias in Various Settings

Sixty-four percent of all respondents agreed it was safe for GLBT attorneys to be open about their sexual orientation at work, yet over the course of their professional careers, 59% of GLBT attorneys indicated that they hid their sexual orientation out of concern that disclosure would negatively impact them.

“For the most part I’ve been fortunate that any of my diversity qualities have been neutral ... In large part [I credit] not identifying myself as gay through my resume for being hired for my first job out of law school ... stripping it of anything involving ... a club in law school, or outside activities...”

GLBT focus group participant: Caucasian female in practice 1-5 years

Twenty-one percent of all respondents thought it better if GLBT attorneys kept their sexual orientation to themselves while at work.

With regard to whom they reveal their orientation, GLBT attorneys have been selective. The percent who have revealed their orientation, however, has increased by at least 19% from 2006 in every category except bar exam administrators and opposing parties.

Table 9. Revelation of sexual orientation

To Whom Revelation Made	2011	2006
Co-workers	95%	75%
Supervisors	83%	64%
Law school professors or staff	69%	43%
Clients	62%	42%
Judges or court personnel	34%	15%

<i>To Whom Revelation Made</i>	<i>2011</i>	<i>2006</i>
Opposing counsel	40%	15%
Opposing parties	21%	8%
Bar examination administrators	14%	2%

GLBT attorneys perceive more negative remarks, discriminatory behavior, or jokes demeaning to GLBT individuals than straight attorneys.

Table 10. Negative remarks, discriminatory behavior, jokes demeaning to GLBT individuals

	<i>GLBT Attorneys Who Agree</i>	<i>Straight Attorneys Who Agree</i>
Made at my workplace	37%	22%
Tolerated in my workplace	28%	15%
Made in court	27%	8%
Tolerated in court	16%	32%

Table 11. Type of discrimination reported by GLBT attorneys who experienced discrimination within the past five years.

	<i>2011</i>	<i>2006</i>
Received unequal employment benefits	18%	29%
Have not attained specific occupation in the law	2%	21%
Was not given good work assignments	5%	21%
Have been discriminated against in some other way	8%	21%
Received unequal pay	2%	18%
Have not advanced as far as you want to in the legal profession	5%	14%
Was denied promotion or advancement to partnership	0%	14%
Denied employment	3%	11%
Was given unjustified negative performance reviews	5%	7%

	2011	2006
Was told that clients did not want to work with you	3%	7%
Required more time/years to obtain a promotion or advancement to partnership	2%	4%

Most (60%, but down from 67% in 2006) of those reporting they experienced the discriminatory behavior reflected in the preceding table did not discuss the matter with their supervisor at the time. Among those who did, only 14% (29% in 2005) reported the problem was resolved to their satisfaction. As in 2006, one respondent reported experiencing retaliation for discussing such concerns with a supervisor.

Among GLBT attorneys responding to the survey, 25% (down from 32% in 2006) believed they have lost a client or potential client within the last five years because of their sexual orientation. An additional 18% were not certain.

No GLBT attorneys responding to the survey have been physically threatened by a co-worker or another employee within the last five years, down from 4% in 2006. Eleven percent (down from 16%) have been verbally harassed in their workplaces within the last five years. Those who did not report the incident had various reasons for not doing so. (Respondents could choose more than one reason.)

Table 12. Reasons GLBT attorneys did not report threats or harassment

I did not believe anything constructive would come of reporting	4 57%
I did not want to be branded as a “troublemaker,” or I feared that some action would be taken against me in retaliation	3 43%
I did not think the incident was serious enough to report.	3 43%
People at a higher level were aware of the incident and failed to report it.	1 14%
Someone else reported the incident.	1 14%
I believe it was someone else’s responsibility to report the incident.	1 14%

Sixty-six percent of respondents strongly or somewhat agreed that personnel policies are fair to GLBT lawyers. One quarter of respondents reported that their employers allow same sex partners to receive the same benefits as spouses of heterosexual employees, while 15% did not. (The other respondents indicated that the question was not applicable or they were uncertain.)

Many focus group participants commented on the isolation experienced by those within minority groups. GLBT attorneys were no exception.

“It is okay for other — other people in the workplace to talk about their husbands or their wives or whatever ... [but] people are more inclined to ask [about my] elderly mother that lives in Florida that I visit like four times a year. People are more inclined to ask me ... when's the next time I'm going to go see my mother, than they are to ask about ... my partner of close to 20 years.”

GLBT focus group participant: Caucasian female in practice 21-25 years

See Appendix 8 and 9 for additional detail

Disability

84 respondents to the individual attorney survey (9%) indicated that they currently have or have had a disability within the last five years; psychological disabilities and disabilities impacting mobility were the most common, (25% and 26% respectively), followed by vision (14%), hearing (10%), and substance abuse/alcohol (9%).

Table 13. Type of disabilities in respondent group

<i>Type of Disability</i>	<i>Frequency of Disability Among Those with a Disability</i>
Mobility	26%
Psychological	25%
Vision	14%
Hearing	10%
Diabetes	10%
Substance abuse/alcohol	9%
Manual dexterity	6%
Respiratory	5%
Learning disability	5%
Speech	4%

Essentially the same percentage of respondents perceive disability bias in 2011 as compared to 2006 in all settings except Minnesota courtrooms. In this setting 5% fewer respondents perceived bias.

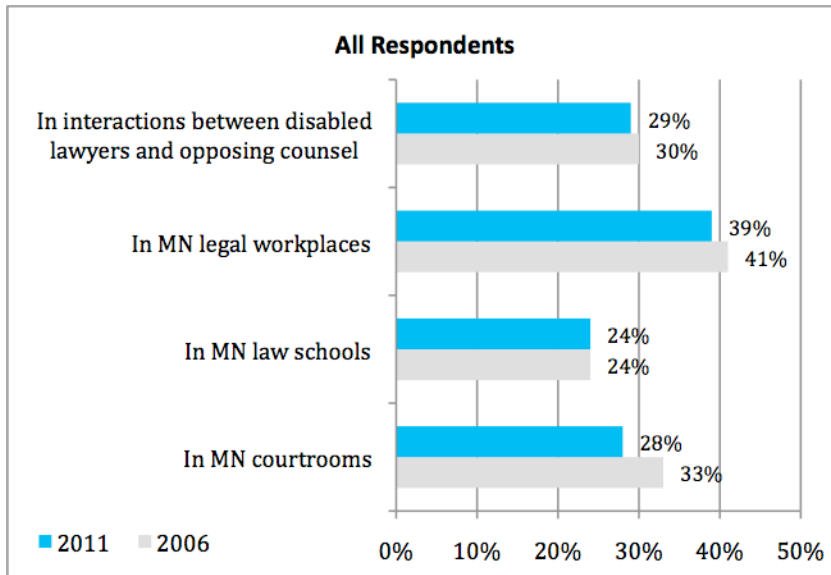


Figure 15. Perception of Major and Moderate Disability Bias in Various Settings

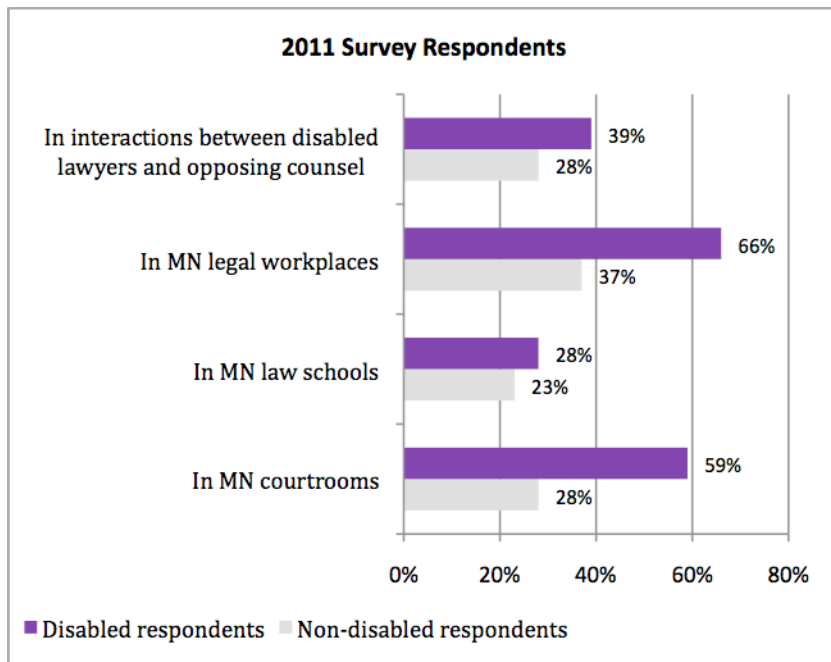


Figure 16. Perception of Major and Moderate Disability Bias in Various Settings

In 2011, as in 2006, those with and without disabilities had differing perceptions of the severity of the problem of bias against those with disabilities in each of various settings. The gap in perception was the most evident in the workplace, where 58% of attorneys with disabilities

thought bias was a major or moderate problem as compared to 37% of non-disabled respondents.

When results were filtered and responses of only attorneys with disabilities were analyzed, the results were mixed. More bias was perceived in the law schools but less in the workplace and in the courtroom. One-third of disabled attorneys in 2011 perceive a major or moderate problem with bias in the courtroom, as opposed to 59% in 2006.

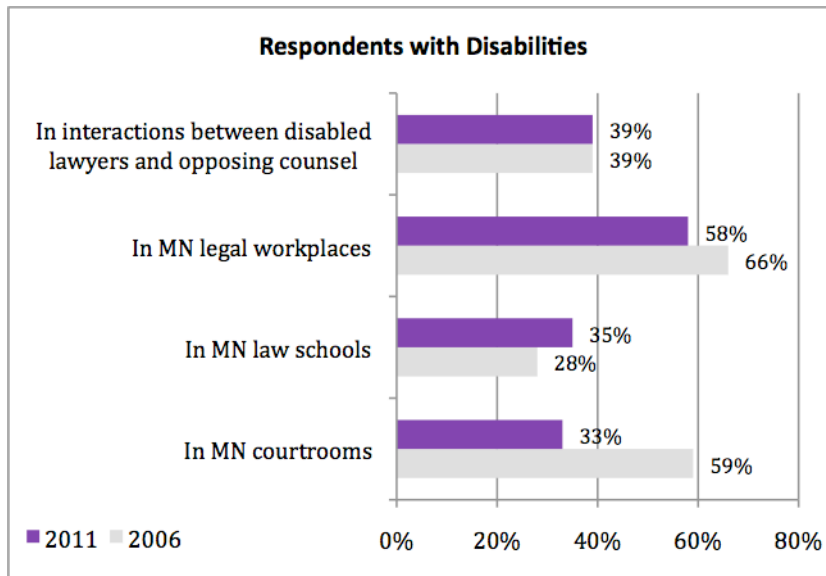


Figure 17. Perception of Major and Moderate Disability Bias in Various Settings

The perception of disability bias by the non-disabled was essentially the same as in 2006, with only a few percentage points of improvement in each category, except law school which stayed the same.

The survey asked about perceptions:

- 73% of all respondents think attorneys with disabilities are treated the same as other attorneys
- 91% of all respondents think attorneys with disabilities in their office are treated the same as other attorneys
- 88% of all respondents think attorneys with disabilities have the same chance of promotion as other attorneys
- 91% of all respondents indicated if disability-based bias occurs in the courtroom, the judge intervenes to stop it
- 87% of all respondents indicated if bias occurs in the office, a supervisor intervenes to stop it

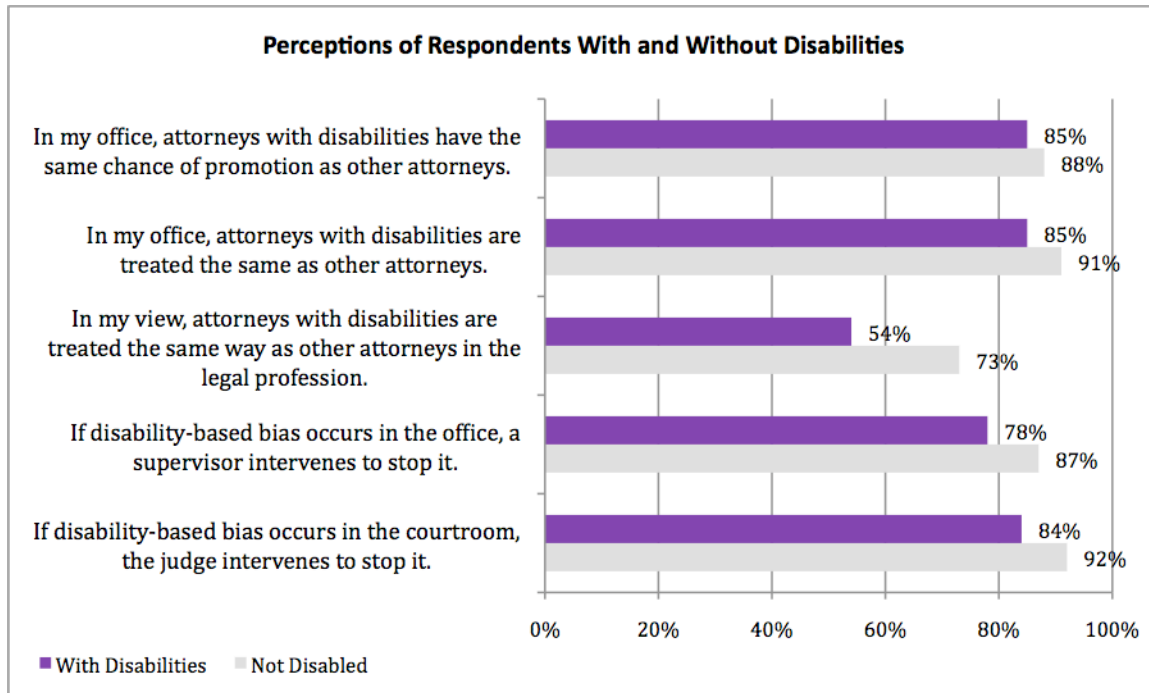


Figure 18. Perception of Major and Moderate Disability Bias in Various Settings

Not surprisingly, however, the perceptions of those with and without a disability differed:

“I think the reason that I was let go, ultimately, was because I had gone in for depression-related treatment, and it had an impact on their health insurance. And I think that was the primary — or at least that was the precipitating factor, basically: This guy's got depression issues. Who knows if he's going to have to go and get hospitalized again or get help? It's costing us too much, so we should let him go.”

Disability focus group participant: Caucasian male in practice 16-20 years

In some cases, attorneys with disabilities in 2011 report improvement relative to 2006 (shaded in table) and in other cases, report a worse situation.

Table 14. Impact of discrimination as reported by attorneys with disabilities that experienced discrimination with the past five years

	2011	2006
Have not attained specific occupation in the law	21% 6	36%
Have not advanced as far as you want to in the legal profession	43% 12	36%
Were given unjustified negative performance reviews	32% 9	36%
Received unequal employment benefits	14% 4	29%

	2011	2006
Have been discriminated against in some other way	29% 8	29%
Received unequal pay	21% 6	21%
Were not given good work assignments	25% 7	21%
Denied promotion or advancement to partnership	14% 4	7%
Required more time/years to obtain a promotion or advancement to partnership	21% 6	7%
Were told that clients did not want to work with you	14% 4	—

Some respondents chose not to reveal their disability. When asked why, 49% (23) thought they could handle it, 40% (19) felt they didn't need accommodation, 32% (15) were concerned about retaliation, 15% (7) were unfamiliar with appropriate accommodations, and resources, and 13% (6) were concerned that their job would be in jeopardy. Respondents could choose more than one answer.

With regard to disclosing a mental health disability, a focus group member commented:

"I think when it comes to disability, the primary motivation for the discrimination that I've experienced and I've seen is fear, ultimately. There is a fear within our profession, and I think we're a particularly bad profession for it: We are a profession of cowards. We are risk-averse. If we see weakness, we exploit it in others and we are afraid of it in ourselves. And the way that a community responds to these things such as depression communicates to everyone else there: Don't you dare come forward. Don't you dare have this weakness. If you do, you're toast."

Disability focus force participant: Caucasian female in practice 16-20 years

Eighty percent of those with a disability reported that their disability impacted major bodily functions defined as sight, hearing, mobility, eating. Forty-five percent indicated that their disability impacted communication.

- Of those who have encountered physical barriers, the most common settings were the workplace (13%), client's offices (10%), and courts (10%).
- Of those who have encountered vision-related barriers, the most common settings were with documents produced or distributed by opposing counsel or parties (12%), by clients (7%), workplace (5%) and courts (5%).
- Of those who have encountered hearing-related barriers, the most common settings were court hearings and conferences (10%), non-judicial proceedings (7%), meetings with opposing counsel (7%), and with opposing parties/witnesses (7%).

Among respondents with disabilities, 87% had not encountered inaccessible technology or equipment within the past five years. Those who have encountered inaccessible technology or equipment have encountered it in the workplace (6%), courts (4%), and in non-judicial proceedings (4%).

Of those who had encountered a refusal or resistance to make reasonable accommodation, 52% indicated the refusal or resistance was in legal employment, 28% in both court hearings and dealings with opposing counsel/parties, and 16% with clients.

Fifty-nine percent felt that their employer had made reasonable accommodations. Nineteen percent were uncertain. Respondents with disabilities were more optimistic about accommodations than in 2006.

Table 15. Has your employer made reasonable accommodations towards your disability?

	2011	2006
Yes	59%	72%
No	22%	15%
Uncertain	19%	13%

Of those who had been accommodated 39% felt that their employer’s accommodation was excellent or good, 14% fair, and 9% poor.

“As far as disabilities, my own experience was that I had anxiety and depression that did affect my work, and when I tried to get relief, to work less hours or be in a less stressful situation, they were absolutely unwilling to consider anything to allow me to stay on.”

Disability focus group participant: Caucasian male in practice 40+ years

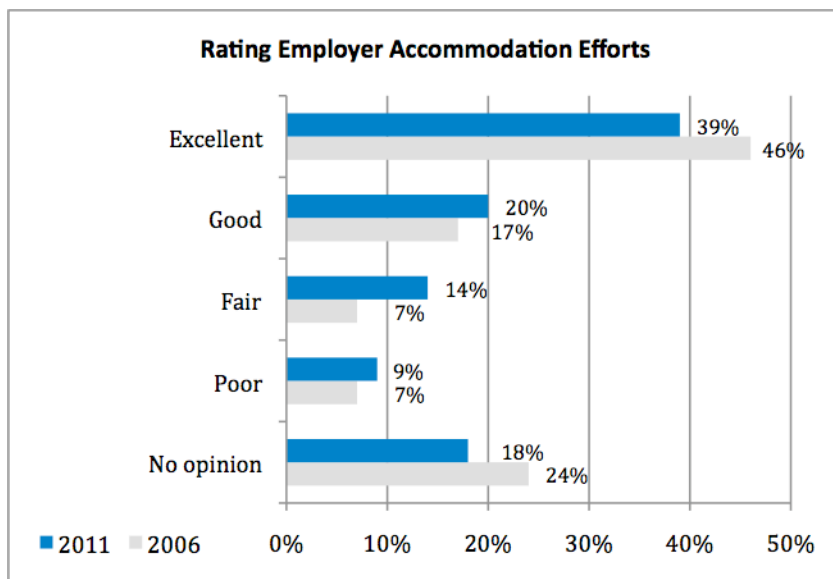


Figure 19. Accommodation Efforts as Perceived by the Employee

Thirty-nine percent indicated that the courts made reasonable accommodation. Of those indicating that courts had not accommodated them, many had not informed the court of their need.

See Appendix 10 and 11 for additional detail

Religion

Over half of respondents (63%, down from 67% in 2006) indicated that they identified with an organized religion. Of those, 93% identified with a Christian religion (up from 90% in 2006), and 6% identified as Jewish (down from 10% in 2006). Eight respondents indicated that they identified as either Buddhist (3), American Indian (3), Islamic (2), or Hindu (1).

The individual survey asked about three areas of discrimination based on religious affiliation over the last 5 years:

- Discrimination was experienced by respondent (7% of 961 respondents)
- Discrimination was reported to respondent (5% of 951 respondents)
- Respondent's perception of bias against religious attorneys (918 respondents)
- 11% — no bias
- 45% — less bias than in past
- 15% — more bias than in past
- 29% — same amount of bias than in past

These responses indicate that respondents perceive the existence of bias more than they actually hear of or experience bias, which may be due to the overall composition of the respondents.

In 2011, a higher percentage of all respondents than in 2006 indicated that religious bias was a major or moderate problem in every setting. The increase in perception was in the range of 7-9%.

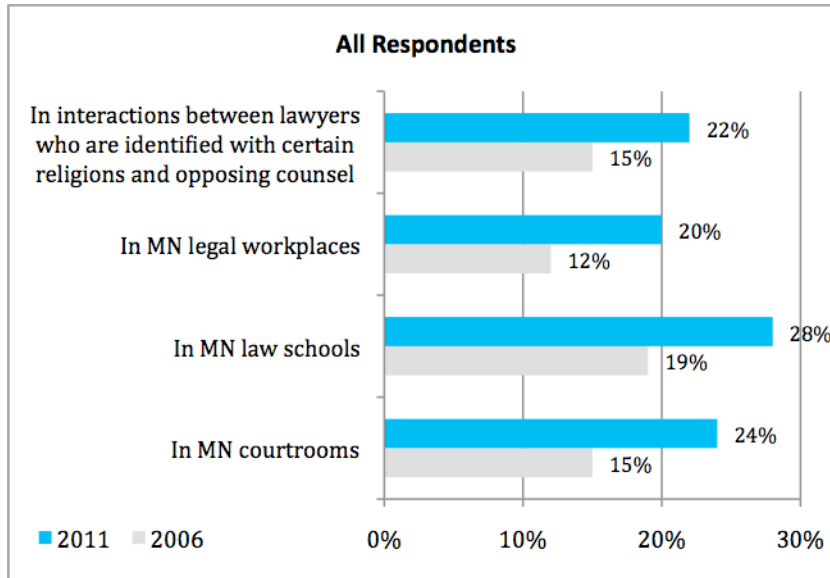


Figure 20. Perception of Major and Moderate Religious Bias in Various Settings

When the 2011 respondent pool was filtered into those affiliating with a religion and those who do not, the two groups were very similar in their perceptions of bias. The widest gap in perception was in the courtroom setting where 26% of the non-religious group perceived a major or moderate problem relative to 20% of the religious group.

These results may indicate that non-religious respondents perceive more of a bias toward non-religious attorneys than against religious attorneys.

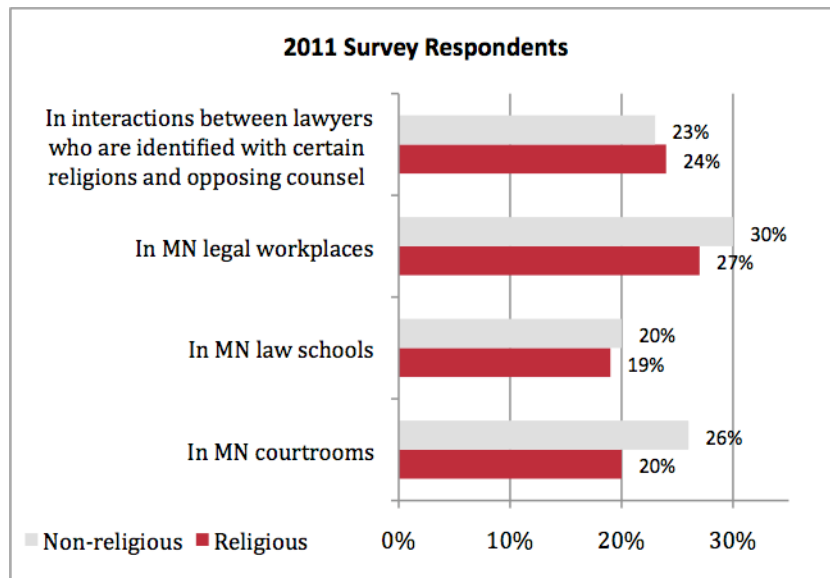


Figure 21. Perception of Major and Moderate Religious Bias in Various Setting

Those who have experienced or received a reliable report of religious discrimination indicated that the instances occurred primarily in the workplace, as opposed to in courtrooms, chambers, or during depositions or negotiations.

“I have concern about some groups having better chances than others. ... There was a summer associate who practiced a certain religion. ... there were concerns whether she would be perceived differently in the courtroom. I saw the work that she put in. All of her other fellow summer associates were very surprised that she didn't get an offer. I was surprised having looked at the work. ... And the only person who wasn't surprised was her.”

Hispanic focus group participant: male in practice 1-5 years, large firm

Table 16. How strongly do you agree or disagree with the following statements?

<i>All Respondents</i>	
Remarks or jokes demeaning to members of my religion are made in my office or court	14% of respondents* strongly or somewhat agree
If religious bias occurs in the courtroom , the judge intervenes to stop it	20% of respondents strongly or somewhat disagree
If religious bias occurs in the office, a supervisor intervenes to stop it	23% of respondents strongly or somewhat disagree
Religious attorneys are able to advance as far as non-religious attorneys in the legal profession	11% of respondents strongly or somewhat disagree
In my office, religious attorneys are treated the same as non-religious attorneys	8% of respondents strongly or somewhat disagree
In my office, members of a certain religion or place of worship are treated better than members of a different religion	24% of respondents strongly or somewhat agree

* Responses of those who affiliate with a religion reflect the same breakdown as the all-respondent pool, with the exception of this first category, where 17% of religious respondents as opposed to 14% of all respondents agree with the statement regarding demeaning remarks or jokes.

Survey comments track these results. The comments indicate instances of religious discrimination involving derogatory comments, failure to schedule meetings around religious holidays, and impacts on interactions with clients, employment, and employment benefits.

Focus group participants echoed that comments come from within and outside the office:

“And the first time I ever talked to the guy, and I was talking about billing and all that, and he made the comment, ‘Send the bills to the client — send the bills to me. You know, I just want to make sure you’re not ‘Jewing up’ the bills.’”

Senior Caucasian Men focus group participant: unknown years in practice

“[I]f people ask, I tell them, I’m a Catholic and very active in my church, and we talk about that. And I’ve had that come back in a couple of ways that I found offensive. One is that the plaintiff’s attorney — it’s happened on two occasions now where a plaintiff’s attorney said, ‘Well, you know, we’re both Christians here, and we’ve got to do the Christian thing with respect to how to handle this case.’”

Senior Caucasian Men focus group participant: in practice 26-30 years

See Appendix 12 and 13 for additional detail

Employer Survey Results

Recruiting (Firms and Non-Firms)

Female Lawyers

Fifty-four percent of law firms and non-firms made special efforts to recruit female lawyers, which is a slight decrease in efforts for firms and a big increase for non-firms. In 2005, 59% of firms and 24% of non-firms made these efforts. Relative to a decade ago, however, the 2010 figures indicate an increase in these efforts by both types of legal employers. (In 2000, 48% of firms made these efforts, and 36% of non-firms in 1999.)

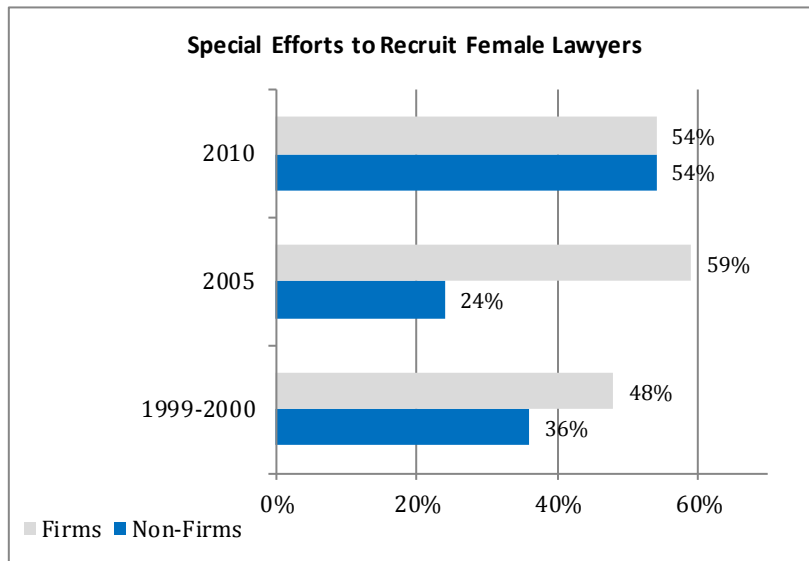


Figure 22. Special Efforts to Recruit Female Lawyers

A variety of special efforts were mentioned by firm and non-firm respondents:

- discuss gender balance and diversity at meetings
- participate in minority recruiting and diversity programs
- attend Minnesota Minority Recruitment Conference
- participate in Minnesota Women Lawyers
- advertise in publications and with organizations that have largely female audiences
- conduct proactive outreach to women law students
- work with law schools to identify qualified female candidates
- make recruiting females part of the diversity plan
- draft recruiting materials aimed at female candidates
- ask recruiters to provide diverse slate of candidates
- use females in the recruiting process
- give special consideration to females in interview and hiring process
- strive for gender balance in summer associate class
- strive for gender balance in hiring practices

- offer part-time job options as well as office-share options to promote flexibility

Lawyers of Color

In 2010, as in 2005, both firms and non-firms made more special efforts to recruit attorneys of color than to recruit women. In 2005 about the same percentage of firms and non-firms (79% and 75% respectively) reported making special efforts to recruit attorneys of color. In 2010, fewer firms made those efforts (66%) but more non-firms did (85%).

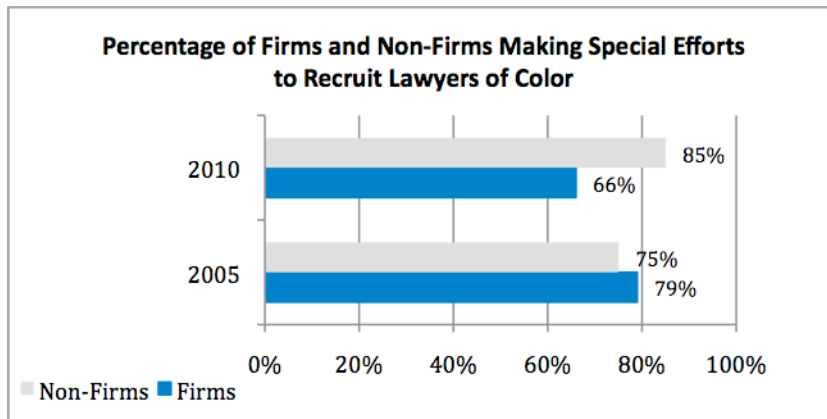


Figure 23. Special Efforts to Recruit Attorneys of Color

Many types of special efforts were noted:

- became member of Twin Cities Diversity in Practice and Minority Corporate Counsel groups
- participate in MMRC, Twin Cities Diversity in Practice 1L Summer Rotation Clerkship program
- participate in MSBA Minority Recruitment Conference and in MSBA Minority Clerkship Program
- participate in numerous diversity job fairs, conferences at law schools and elsewhere
- provide financial support to scholarship funds
- make recruiting attorneys of color part of diversity plan, affirmative action plan
- maintain diverse recruiting team
- ask search providers to provide diverse slate of candidates
- engage the services of a diversity recruiter
- place ads on websites, publications where minorities are primary audience, including minority bar associations
- state in ads that persons of color are encouraged to apply
- seek racial balance in summer associate classes
- sponsor first year internship program for students of color
- seek racial balance in hiring decisions

Despite these efforts, one focus group participant commented on the perception of the prospective employee:

“... one of the things that ... drew me to Legal Aid was that in my experience in it and in government it has been a really welcoming, accepting place to be, and I think it does have that reputation. Whereas, a lot of my own — and I realize that these were incorrect, but at the point I was in my life when I was thinking about going to law school, I was scared to go into private practice because I figured that it wouldn't be — it wouldn't be as welcoming or I'd have more problems there, and some of the other students of color that I have met have felt — in law school have kind of felt the same way. That they've been — I mean it's kind of weird to be recruited by a white man that's not only 30 years older than you, but is not in your generation, is not your race, not your color, not your ethnicity, maybe not even your religion...”

Asian-American focus group participant: female, in practice 1-5 years

GLBT lawyers

For the first time in 2010, the surveys asked if special efforts were made to recruit GLBT attorneys. Approximately one-third of both firms and non-firms reported that they make these efforts:

- participate in Lavender Law conferences, job fairs
- attend GLBT Bar Association conferences
- advertise positions in publications related to GLBT lawyers

Lawyers with disabilities

Slightly less than one-third (27%) of both employer types made special efforts to recruit lawyers with disabilities. In addition to the general efforts to achieve a diverse work force described above, certain additional efforts were mentioned specific to attorneys with disabilities:

- offer a Diversity Fellowship program open to law students of all diverse backgrounds, including students with disabilities
- state in job ads that persons with disabilities are encouraged to apply
- advertise in publications like Minnesota Access Press that serve the disability community
- seek diverse candidates for all positions
- seek to achieve diverse summer associate classes

Forty percent of responding law firms have written criteria or policies for recruiting and hiring, about the same percent as in 2005 and 2000. These policies are communicated in writing, orally at meetings, in policy statements, by posting in hard copy, by email and on the internet (website).

Written criteria or policies for recruiting and hiring were much more prevalent in non-firms (85%) than in firms (40%).

See Appendix 18, 19, 20, and 21 for additional detail

Hiring Process

Firms

Similar to 2005, the vast majority (95%) of law firms make final hiring decisions by group process versus by one individual. Female lawyers were included in the groups deciding about new law school graduates and lateral or supervisory hires at 80% of firms. This reflects a decrease from 2005 when female lawyers were involved in 94% of the law school graduate hires and 88% of the lateral or supervisory hires.

The percentage of firms that include lawyers of color in making final decisions was also down from 2005. For new law school graduate hires, attorneys of color were only involved in making a decision at 53% of firms, while in 2005 70% of firms included attorneys of color. For lateral or supervisory hires, 43% of firms in 2010 (down from 67% in 2005) included attorneys of color.

For the first time in 2010, the survey asked employers to what degree GLBT lawyers and lawyers with disabilities were included in making decisions on attorney hires. Thirty-eight percent of firms indicated participation by GLBT lawyers on hiring law school graduates and 35% on hiring lateral or supervisory attorneys. The numbers were lower for lawyers with disabilities, 20% on law school hires and 18% on lateral or supervisory hires.

Despite the involvement of minority group members in recruiting and hiring, at least one focus group participant described his perception that hiring diverse lawyers does not work out, although he did not indicate why.

“About the only difference I can think of — and this gets sensitive — is the fact that occasionally, in order to bring in the people — to make diversity — to pursue diversity, we’ll make offers that we otherwise wouldn’t make, but for a person’s diversity. And that generally does not work out in the long run at all.”

Senior Caucasian Men focus group participant: in practice 30 years

However, sometimes the lack of diversity in law firms can lead to concerns by minority attorneys about their job security.

“When you're one of a very few in a firm ... for a very long time, and not many like you have even advanced in the firm, you might get the idea that some people may think you're not capable of advancing ... that does create a sort of a tentativeness or lack of a sense of security in your standing in the firm, and that sometimes does manifest itself in your assertiveness with clients ... because you're just that afraid to make a mistake on anything.”

Senior Management focus group participant: African-American male, in practice 21-25 years

Non-firms

One person makes the hiring decisions at 77% of the responding non-firms.

For making final decisions on new law school graduate hires:

- 45% of organizations involved female lawyers (up from 23% in 2005);
- 18% of organizations involved lawyers of color (up from 8%);
- 9% of organizations involved GLBT lawyers; and
- 9% of organizations involved lawyers with disabilities.

For making final decisions on lateral and supervisory hires:

- 64% of organizations involved female lawyers (up from 38% in 2005);
- 27% of organizations involved lawyers of color (up from 31%);
- 18% of organizations involved GLBT lawyers; and
- 9% of organizations involved lawyers with disabilities.

See Appendix 18, 19, 20 and 21 for additional details

Hiring

Firms

The summer 2010 associate class in respondent firms was 52% female (up from 39% in 2005, 49% in 2000, and 47% in 1997) and 36% minority (up from 17% of color in 2005).

The associate attorney group at respondent firms was 50% female (up from 44% in 2005 and 2000, and 41% in 1997) and 11% minority (12% in 2005).

Of the lawyers accepting employment in 2010 at firms:

- At the associate level, 47% were female and 17% were of color
- At the equity partner level, 50% were female (up from 38% in 2005 and 21% in 2000) and 11%, of color
- At the non-equity partner level, 29% were female (32% in 2005, 0% in 2000) and 12%, of color

Non-Firms

Thirteen summer clerks were hired by respondent non-firms for summer 2010. Of those 62% were female (58% in 2005, 50% in 1997) and 38% were minority (up from 20% in 2005).

Of the lawyers accepting employment in 2010 at non-firms:

- At the attorney with less than five years of experience level, 83% were female and 0%, of color (note small sample size, only six hired)
- At the supervisory level, 54% were female and 8% were of color (note the small sample size, only 13 hired)
- At the non-supervisory level, 50% were female and 34%, of color (note the small sample size, only six hired)

See Appendix 14, 15, 16, 22, and 23 for additional detail

Promotion and Retention

Achievement of partnership in law firms and supervisory positions in non-firms is an important aspect of retention.

Firms

A great majority of responding law firms (84%) had specific criteria for promotion to partnership/shareholder, and 85% of firms indicated that their lawyers knew the criteria. The criteria were communicated in writing and orally at meetings, in policy statements, posted in a highly visible area, on their website, internet or by email.

The survey asked how many lawyers were eligible for both equity and non-equity partnership, considered for partnership and made partnership in calendar year 2010:

Women

- 45% of lawyers *eligible for* equity partnership were female
- Of those eligible, 44% were *considered for* equity partnership
- Of those considered, 45% were *made* equity partners

- 30% of lawyers *eligible for* non-equity partnership were female
- Of those eligible, 25% were *considered for* non-equity partnership
- Of those considered, 40% of were *made* non-equity partners

Of color

- 4% of lawyers *eligible for* equity partnership were of color
- Of those eligible, 5% were *considered for* equity partnership
- Of those considered, 7% of lawyers were *made* equity partners
- No lawyers of color were eligible for non-equity partnership

“Everybody leaves ... for a ton of reasons. Do I want to do 700 hours of non-billable stuff every year? Is that my obligation to the firm? I don’t get paid any more than that white guy down the hall. But yet I’m on every hiring, every diversity, every woman’s [committee].”

Hispanic focus group participant: female in practice 6-10 years, large firm

Non-Firms

Like law firms, a majority of responding non-firms (83%) had specific criteria for promotion, and 82% indicated that all attorneys knew the criteria. The criteria were communicated in the same ways as communicated in firms, except none indicated posting in a visible place.

The survey asked how many lawyers were eligible for a supervisory position/division head positions in calendar year 2010:

Women

- 59% of lawyers *eligible* for promotions to supervisory positions were women
- Of those eligible, 55% were *considered for* promotions to a supervisory positions
- Of those eligible, 71% were *promoted* to supervisory positions

“I’ve had two children, and the time that I’ve spent on maternity leave has counted against my, the hours that they consider me for promotion.”

Junior Women focus group participant: Native American in practice 6-10 years, government

Of color

- 16% of lawyers *eligible* for promotions to supervisory positions were of color
- Of those eligible, 18% of were *considered for* promotion to a supervisory positions
- Of those considered, 14% were *promoted* to supervisory positions

See Appendix 24 and 25 for additional detail

Attrition

Firms

The survey asked how many lawyers left the firm during calendar year 2010, either voluntarily or involuntarily. Total attrition in 2010 at responding firms was 251 of 2,692 lawyers, or 9%. In 2005 and 1997, firm attrition was 7%.

- Males accounted for 67% of all lawyers employed at responding firms in 2010, yet they were only 58% of all lawyers leaving during that year
- Attorneys of color were 7% of all lawyers employed in 2010 at responding firms, yet they were 11% of all attorneys leaving during that year

Attrition at responding firms in 2010 was higher at the associate level (18%) than at the equity partner level (4%).

- At the associate level, 20% of all male associates left while 16% of all female associates left
- At the equity partner level, 63% of those who left were male. However, only 3% of all male equity partners left while 6% of all female equity partners left.
- At the non-equity partner level, 12% of males left while 18% of females left

Departing lawyers went various places.

Table 17. Where departing lawyers went

	<i>Partners</i>				<i>Associates</i>			
	<i>Male white</i>	<i>Female white</i>	<i>Male minority</i>	<i>Female minority</i>	<i>Male white</i>	<i>Female white</i>	<i>Male minority</i>	<i>Female minority</i>
Corporate/Business	6	5	1	0	21	15	4	6
Government/Public Law	1	3	0	0	5	6	3	1
Other firm	21	7	0	0	27	19	2	2
Family	0	2	0	0	2	5	0	0
Other	0	2	0	0	12	6	3	3
Total	38	19	1	0	67	51	12	12

Non-Firms

Total attrition at responding non-firms has decreased slightly over the years — 3% in 2010, 4% in 2003, and 6% in 1997.

See Appendix 26, 27, 28 and 29 for additional detail

Involvement in Governance

Firms

Women comprise 33% of attorneys at respondent law firms in 2010, approximately the same percentage as in 2005 (30%). The survey asked firms to report the number of white, of color, male and female members of various committees in 2010.

If each firm were analyzed individually, results may vary, but globally, relative to 2005, the percentage of females has increased on every committee except partnership selection which is 19%, down slightly from 22% in 2005.

Table 18. Global percentage of female participation on law firms' committees

<i>2010</i>	
<i>Committees</i>	<i>Female</i>
Compensation	15%
Executive/management	16%
Partnership selection	19%
Long-range planning	29%
Technology	31%
Facilities/ plant	35%
Business development/ marketing	37%
Hiring/ recruitment	43%
Associates	48%
Diversity	52%

Women, however, remain proportionately underrepresented in three important committees. Women made up only 16% of executive/management, 19% of partnership selection and 15% of compensation committees.

Table 19. Historical data on (global) gender makeup of key law firm committees

<i>Committee</i>	<i>2010</i>		<i>2005</i>		<i>2000</i>		<i>1997</i>	
	<i>Male</i>	<i>Female</i>	<i>Male All</i>	<i>Female All</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
Compensation	128	23	112	15	98	20	109	18
	85%	15%	88%	12%	83%	17%	86%	14%
Executive/ management	123	23	129	23	120	23	110	20
	84%	16%	85%	15%	84%	16%	85%	15%
Partnership selection	136	32	164	47	141	32	66	9
	81%	19%	78%	22%	82%	18%	88%	12%

Total attorneys in firms	1,803	889	2,232	949	1,479	598	1,467	565
	67%	32%	70%	30%	71%	29%	72%	28%

If each firm were analyzed individually, results may vary, but globally, relative to 2005, the percentage of lawyers of color on key committees is the same or less than 2005 and low relative to the composition of responding firms. Attorneys of color make up 7% of the composition of respondent firms, but hover between 1-2% of key committee makeup.

Table 20. Participation on key committees in responding law firms

<i>Committee</i>	<i>2010 of color</i>	<i>2005 of color</i>
Compensation	1%	2%
Executive/ management	2%	2%
Partnership selection	2%	2%
Total attorneys in firms	7%	8%

Like female lawyers, lawyers of color are proportionately overrepresented on diversity (23%) and facilities (18%) committees. While overrepresented on diversity committees, the overrepresentation is less than in 2005 (35% reduced to 23%).

When broken out into gender as well as race, the differences are more striking. Male lawyers of color make up 3.1% and females 3.4% of respondent firms. The percentage of female of color attorneys on every committee is less than 10% except for the diversity and facilities committees.

Table 21. Participation by lawyers of color on key committees in responding law firms

<i>Committee</i>	<i>2010</i>		<i>2005</i>	
	<i>Male of color</i>	<i>Female of color</i>	<i>Male of color</i>	<i>Female of Color</i>
Compensation	1	1	2	0
	.7%	.7%	2%	0%
Executive/ management	1	2	1	2
	.7%	1.4%	0.7%	1%
Partnership selection	1	2	4	1
	.6%	1.2%	2%	0.5%
Total attorneys in firms	83	92	136	113
	3.1%	3.4%	4%	4%

GLBT attorneys make up only 1.3% of the respondent attorney pool and are thus somewhat overrepresented on diversity (4.3%) and technology (3.4%) committees.

Non-firms

As in 2005, women make up 54% of lawyers at respondent non-firms. Considering the survey results as a global pool, female representation is the same or has increased on all committees relative to 2005, except for diversity, hiring and recruitment, and promotion committees. The percentage of women on promotion committees is down from 38% to 31% in 2010, but up on the executive management committee, from 43% in 2005 to 53% in 2010. Compensation, the third key committee in law firms, is rarely decided by committee in non-firms.

Lawyers of color now comprise 16% of all lawyers at non-firms up from 12% in 2005. They, however, were overrepresented on diversity committees at 45% and underrepresented on promotion at 8%.

GLBT lawyers make up 2.7% of non-firms (23 lawyers). They are overrepresented on diversity (4.1%) and executive management (4.5%) committees and have no participation on three committees — facilities/plant, promotion, and technology.

See Appendix 32 and 33 for additional detail

Criteria for Compensation

Firms

The survey asked respondent firms to indicate the criteria for compensation decisions for three categories of firm attorneys — associates, non-equity, and equity partners.

For associates, like 2005, the top criterion for making compensation decisions was billable hours. The other criteria, in order, were results of performance evaluations, business generation, and client feedback (last two tied in importance). These were also in the top four criteria in 2005.

2010 results also mirrored those in 2005 for compensation decisions at the equity and non-equity partner level — business generation, followed by billable hours. Results of performance evaluations have not been among the top four criteria for equity or non-equity partners during any year surveyed.

In 2010 as in 2005, client feedback was among the top four criteria at all three levels — associate, equity and non-equity partner.

Some focus group participants commented on the importance of transparency:

“I look at the firm ... and it’s completely transparent ... it’s very entrepreneurial...what you put in is what you get out ... There was a formula ... and that made a lot more sense to me as a woman minority.”

Hispanic focus group participant: female in practice 6-10 years, large firm

Non-Firms

Non-firms were asked the criteria for compensation decisions for three categories of attorneys — those employed less than five years, non-supervisory attorneys employed more than five years, and supervisory employees.

The top three criteria used for making compensation decisions for all attorneys at responding non-firms in 2010 were the results of performance evaluations, quality of work, and communication skills. Seniority was another top three (tie) criteria for non-supervisory over five years and supervisory attorney categories.

Performance evaluations, quality of legal work, and communication skills were also in the top two criteria in previous years.

See Appendix 34 and 35 for additional detail

Compensation

Firms

The gender composition of groups making compensation decisions in firms has remained virtually unchanged since 1997. When compared to the total composition by gender of responding firms, women have been and continue to be slightly underrepresented in the Top 25% compensation pool and overrepresented in the Bottom 25% compensation pool.

Table 22. Historical composition of female representation in areas related to compensation at firms

<i>Firms</i>	<i>2010</i>	<i>2005</i>	<i>2000</i>	<i>1997</i>
% of females in firm	33%	30%	29%	28%
% of females on compensation committee	15%	12%	17%	14%
% of females in top 25% of compensation	29%	21%	21%	19%
% of females in bottom 25% of compensation	42%	36%	33%	36%

When the female attorney pool is broken down into positions, more information emerges:

- Female comprise 50% of the associate pool and 47% of the Top 25% Compensation pool for associates
- Females comprise 23% of the equity partner pool and 19% of the Top 25% Compensation pool (up from 8% in 2005) for equity partners

Attorneys of color make up 11% of the associate pool and 3% of the Top 25% Compensation pool. Attorneys of color make up 2% of the equity partner pool and 5% of the Top 25% of Compensation pool.

No data is available for percentage of associates, male or female, or of color for the Bottom 25% Compensation pool.

At the equity partner level, compensation by gender was not proportionate; women were 39% of the Bottom 25% Compensation pool but 23% of the overall composition of the firms.

Attorneys of color were equally proportionate at the equity partner level, comprising 2% of the Bottom 25% Compensation pool and 2% of the composition of the firms.

Non-Firms

The percentage of women in the Top 25% Compensation pool and in the Bottom 25% Compensation pool increased in 2010 in responding non-firms.

Table 23. Historical composition of female representation in areas related to compensation at non-firms

<i>Non-Firms</i>	<i>2010</i>	<i>2005</i>	<i>1997-1999</i>
% of females in organization	54%	54%	49%
% of females in Top 25% Compensation pool	58%	48%	37%
% of females in Bottom 25% Compensation pool	84%	58%	56%

Among responding non-firms, approximately the same percentage of women attorneys in each of the experience categories (attorneys with less than five years, supervisory attorneys, non-supervisory attorneys with greater than five years of experience) was in the Top 25% Compensation pool.

Among responding non-firms, attorneys of color were appropriately represented in the Top 25% compensation for the supervisory and non-supervisory greater than five year categories. In the Bottom 25%, they were underrepresented in every category.

See Appendix 36 and 37 for additional detail

Work Life and Culture

Policies on Leave

The percentage of responding firms with written leave policies in 2010 varied by type of leave, but was the same or increased relative to 2005:

- 94% had written family or parenting leave policies;
- 94% (up from 81% in 2005) bereavement leave policies;
- 79% (up from 72% in 2005) personal leave policies;
- 74% (up from 59% in 2005) dependent care policies; and
- 28% sabbatical policies

Written leave policies were more prevalent in 2010 (as in 2005) at non-firms than at firms:

- 100% had written family or parenting, bereavement, personal, and dependent care leave policies
- 55% (down from 63%) had written sabbatical policies

Family Leave

In 2005, family leave was available to all biological and adoptive parents but in 2010 that percentage decreased to 94% for biological or adoptive mothers and 91% for biological or adoptive fathers. As in 2005, partners of a mother or father were eligible for leave at 56% of responding firms. Grandparents were eligible for family or parenting leave at 21% of responding firms. The percentages for non-firms were higher in every category.

Family leave to care for children was available at all firms in 2005 but in 2011, only available at 91% of respondent firms. In addition, leave to care for parents or spouses was down from 87% of responding firms to 76% and 79% respectively in 2010. Leave to care for domestic partners, however, was up, offered at 71% of firms in 2010 versus 60% in 2005. The percentages for non-firms were approximately the same or higher in every category.

When paid leave beyond short-term disability was available at responding firms, it averaged 7.6 weeks for biological and adoptive mothers and 5.9 weeks for biological or adoptive fathers.

Females accounted for 55% of all attorneys taking family leave at responding firms.

- Of full-time associates taking family leave, female associates accounted for 49%
- Of full-time equity partners taking family leave, females accounted for 58%
- Of full-time non-equity partners taking family leave, females accounted for 50%

At non-firms, 80% of those taking leave were female.

At firms 5% of all attorneys took leaves; at non-firms, 1.7 %. Previously the statistic was 3% for both firm and non-firms.

See Appendix 38 and 39 for additional detail

Alternative Work Schedules

Firms

Although more firms have policies allowing alternative work schedules than previously, fewer attorneys are using them.

The percentage of responding firms that had policies in 2010 increased:

- Part-time policies (85% up from 74%)
- Flex-time policies (70% up from 61%) schedules
- Telecommuting policies (55% up from 50% in 2005 up from one-third in 2000)

Forty-four percent of firms indicated their policies were written, and 81% indicated they were available to all lawyers.

2005 saw an increase in the percentage of attorneys using alternative work schedules in responding firms, from 3% in 1995, to 5% in 2000, to 11% in 2005. This trend was reversed in 2011 when only 5% of firm attorneys took leave.

Overall men in every category were less likely to use alternative work schedules and women, more likely.

Table 24. Attorneys using alternative schedules in firms by gender and race

	Law Firm											
	2010				2005				2000		1995	
	Male of color	Female of color	Male All	Female All	Male of color	Female of color	Male All	Female All	Male	Female	Male	Female
Total using alternative schedules	2	4	65	75	8	10	195	148	36	63	28	43
	3%	5%	46%	54%	2%	3%	57%	43%	36%	64%	39%	61%
Total composition	83	92	1,803	889	136	113	2,232	949	1,453	648	1,467	565
	5%	10%	67%	33%	4%	4%	70%	30%	69%	31%	72%	28%

Some focus group participants commented on the impact of working part-time:

“[E]very year it comes up that the people on our comp committee wrestle with how do you treat a part-time — generally a woman, even a part-time partner compared to an underperforming, full-time partner, and its — and they make up some pretty strange rules for part time just to get around the fact that — instead of dealing with the underperforming partners, they do something to the part-time partners, and that can be a problem.”

Senior Women focus group participant: Caucasian in practice 25+ years, large firm

Non-Firms

- Part-time policies at 83% of non-firms (up from 69% in 2005 and 35% in 1999)
- Flex-time policies, 83% (85% in 2005 and 38% in 1999)
- Telecommuting policies, 50% (up from 23% in 2005)

These policies were written at 80% of non-firms.

The percentage of those using alternative work schedules decreased from 11% in 2005 to 2% in 2011. Of those using such schedules, 29% were male, down significantly from 2005 when 44% were male.

The number of attorneys of color using alternative schedules was low.

Table 25. Attorneys using alternative schedules in non-firms by gender and race

	<i>Non-Firms</i>							
	<i>2010</i>				<i>2005</i>			
	<i>Male of Color</i>	<i>Female of Color</i>	<i>Male All</i>	<i>Female All</i>	<i>Male of Color</i>	<i>Female of Color</i>	<i>Male All</i>	<i>Female All</i>
Total using alternative Schedules	1	1	1	3	1	3	39	49
	20%	8%	3%	6%	1%	3%	44%	56%
Total composition	56	83	36	58	36	58	360	415
	14%	18%	10%	14%	5%	7%	46%	54%

See Appendix 40, 41, and 42 for additional detail

Sabbatical Policies

Forty-four percent of respondent firms had written (28%) or informal (16%) sabbatical policies. Of the six attorneys taking sabbaticals in 2010, five were men.

Fewer respondent non-firms, 33%, had sabbatical leave policies. Of those, 25% were written and 8% informal. Of the eleven attorneys taking sabbaticals in 2010, seven were men.

Domestic Partner Benefits

Domestic partner benefits were not available at 24% of responding firms. The remaining firms indicated they were available (68%) or limited (9%). Ninety-four percent of firms specifically invited domestic partners to attend functions when spouses were invited.

Domestic partner benefits were not available at 46% of non-firms. The remaining firms indicated they were available (38%) or limited (15%). All non-firms specifically invited domestic partners to attend functions when spouses were invited.

Scheduling Considerations

When scheduling meetings or events in 2010, 58% (up from 48%) of responding firms and 62% (up from 31%) of responding non-firms considered school calendars.

Ninety-one percent (up from 84%) of firms and 92% (up from 67%) of non-firms considered religious holidays when scheduling meetings and events in 2010.

Accommodations for Religious Practices

- 78% of firms accommodate religious practices (86% in 2005)
- 92% of non-firms accommodate religious practices (100% in 2005)

Thirty-one percent of firms and 75% of non-firms made space available for lawyer's religious activities.

Religious holidays were honored or celebrated at 41% of firms (60% in 2005) and 46% of non-firms (54% in 2005).

Firms celebrated with the display of Christmas trees or wreaths, menorahs, flowers, or other decorations.

Accommodations for disabled lawyers

Non-firm environments are friendlier to disabled attorneys than firm environments in terms of available accommodations.

Table 26. Firms and non-firms offering accommodations for lawyers with disabilities in 2010

	<i>Firms</i>	<i>Non-Firms</i>
Space	48%	83%
Parking	48%	92%
Equipment	52%	100%
Technology	57%	92%
Work hours and schedule	57%	58%

Both types of employers indicated that they provide other accommodations as requested by the employee.

Anti-Discrimination and Sexual Harassment

Firms

About the same percentage of firms have anti-discrimination policies and training in 2010 as in 2005. One clear trend was that training, both voluntary and mandatory, was much less common than in 2005. Less than one quarter made training mandatory.

Table 27. Firm statistics on diversity policies and training

	<i>Firms that Have a Policy</i>		<i>Firms that Provide Training</i>		<i>Firms That Require Training</i>	
	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>
Gender	79%	79%	36%	53%	21%	50%
Race	79%	79%	33%	53%	17%	47%
Ethnicity	79%	79%	31%	50%	19%	47%
Religion	79%	79%	31%	44%	19%	44%
Disability	79%	79%	31%	47%	19%	44%
Sexual orientation	81%	79%	33%	50%	21%	47%
Gender identification	57%	59%	24%	35%	10%	35%
Age	79%	—	29%	—	19%	—

Non-Firms

More non-firms have anti-discrimination policies now than they did in 2005 and, in fact, now exceed percentage-wise, the percentage of firms that have policies. The percentage of non-firms that provide training and make training mandatory greatly exceed the comparable statistic for firms, at least double.

Table 28. Non-firm statistics on diversity policies and training

	<i>Non-Firms that Have a Policy</i>		<i>Non-Firms that Provide Training</i>		<i>Non-Firms that Require Training</i>	
	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>
Gender	87%	63%	67%	53%	67%	42%
Race	87%	63%	67%	47%	67%	37%
Ethnicity	87%	63%	67%	47%	67%	37%
Religion	87%	63%	67%	47%	67%	37%
Disability	87%	58%	67%	42%	67%	32%
Sexual orientation	87%	58%	67%	42%	67%	32%
Gender identification	73%	26%	53%	21%	53%	11%
Age	87%	—	67%	—	67%	—

In both firms and non-firms policies on anti-discrimination and sexual harassment were most often communicated in policy statements, presented orally at meetings, or posted on websites or intranets.

Both firms and non-firms are most apt to provide anti-discrimination and sexual harassment training by attorneys or staff although firms are less likely to do so than non-firms and less likely to do it in-house in 2010 (80%) than in 2005 (90%).

Table 29. How diversity training was provided by firms and non-firms that provide training

	<i>Firms</i>	<i>Non-Firms</i>
In-house	80%	92%
Consultant	42%	42%
Sending people to seminars	15%	50%
Video	23%	33%
Other	19%	17%

Among responding firms, 36% (up from 30%) had retained diversity consultants. More non-firms (47%) than firms had retained diversity consultants.

The survey asked when and how often firms and non-firms evaluate lawyers' attitudes towards diversity and discrimination.

Table 30. Firms: Evaluation of attitudes towards diversity by firms

	2010			2005		
	<i>Routinely</i>	<i>When a Problem Arises</i>	<i>Do Not Evaluate</i>	<i>Routinely</i>	<i>When a Problem Arises</i>	<i>Do Not Evaluate</i>
During hiring	17%	14%	26%	21%	24%	26%
During performance evaluations	19%	19%	17%	18%	29%	21%
During compensation evaluations	17%	17%	21%	15%	29%	24%
At promotion	19%	10%	21%	21%	26%	21%
Other	5%	2%	0%	3%	6%	3%

Table 31. Evaluation of attitudes towards diversity by non-firms

	2010			2005		
	<i>Routinely</i>	<i>When a Problem Arises</i>	<i>Do Not Evaluate</i>	<i>Routinely</i>	<i>When a Problem Arises</i>	<i>Do Not Evaluate</i>
During hiring	67%	0%	7%	47%	0%	16%
During performance evaluations	47%	20%	7%	21%	26%	11%
During compensation evaluations	33%	13%	7%	21%	11%	21%
At promotion	27%	20%	13%	16%	11%	21%
Other	7%	7%	7%	16%	11%	0%

Handling of complaints

All of the respondent firms and non-firms had procedures to submit discrimination and sexual harassment complaints. The individual receiving those complaints from both attorneys and staff in both firms and non-firms is more likely to be female (96% firms; 86% non-firms).

See Appendix 43-46 for additional detail

Professional Growth (Legal Skills and Business Development)

Diversity in client pitches

Sixteen of 18 firms had informal or formal policies to ensure diversity in client pitches.

*"I think I've been expressly included in some client pitch opportunities because I'm female. Which is sort of good and sort of feels like I'm just there to be shown off as a diverse attorney."
Junior Women focus group participant: Caucasian in practice 1-5 years, large firm*

Work distribution

One quarter of firms had formalized criteria or a system to distribute work to associates but none had such a system for partners. At non-firms, nearly half had work distribution criteria for attorneys with less than five years of experience and nearly one third had them for supervisory attorneys.

*"Within about six to eight weeks of returning from my maternity leave I was pretty abruptly transitioned off of a major case that had essentially been all of my workload for about a year at that time ... the transition itself wasn't really handled well because it wasn't really communicated to me. And I believe it had to do with the fact that I had a very young child."
Junior Women focus group participant: Caucasian in practice 1-5 years, large firm*

Formal or informal mentoring programs

Nearly all firms, 97%, had mentoring programs. Formal programs are in place at 53% of firms, down from 60% in 2005 but up from 44% in 2000 and 42% in 1997). Informal programs were in place at 44% of firms (up from 33% in 2005).

*"There's nobody like me who's got a couple of kids who actually wants to raise them, who happens to be a working mom who's Hispanic. ... There's not even tokens. There's nobody to look up to who's doing it and doing it successfully."
Hispanic focus group participant: female in practice 6-10 years, large firm*

Of the firms with formal or informal mentoring programs, one-third had such programs specifically for women lawyers, one third specifically for lawyers of color, 26% specifically for GLBT lawyers, and 19% for lawyers with disabilities.

Eighty-five percent of firm programs targeted entry-level attorneys; 88% targeted any attorney who wanted or needed mentoring. Lateral associates and partners received mentoring at approximately 60% of responding firms.

Most non-firms, 92%, had mentoring programs as well. Formal programs were in place at 42% of non-firms (down from 50% in 2005). Informal programs were in place at 50% of non-firms (same as in 2005).

“There still seems to be a lack of diversity in the professionals, not just the lawyers and judges, but in social workers, probation officers, child support officers.”

African-American focus group participant: female in practice 16-20 years, government

“There are not a lot of partners or higher level in-house counsel who are a minority. There are some, but not a lot yet.”

Hispanic focus group participant: female in practice 20 years, in-house

Of the non-firms with formal or informal mentoring programs, 8% had programs specifically for women lawyers, 9% for lawyers of color, 17% for GLBT lawyers, and 17% for lawyers with disabilities. This is an improvement over 2005 where percentages were 6% for women and none for lawyers of color.

“My mentor did something differently than other people who I still look up to in the firm, which is, he was very transparent about, you know, the partnership, the organization, directions it was heading in, what it was like to be a partner, what it was like to, you know, be a partner with certain people. He was just very transparent when he didn't really have to be.”

Hispanic focus group participant: male in practice 1-5 years, large firm

Table 32. Availability of professional development for various groups in firms and non-firms

<i>Has Professional Development, Training or Support Specifically for</i>	<i>Firms</i>	<i>Non-Firms</i>
Women lawyers	33%	8%
Lawyers of color	33%	9%
GLBT lawyers	17%	17%
Lawyers with disabilities	9%	17%

Performance Evaluations

In firms, all associates receive performance reviews, but only 32% of equity partners and 21% of non-equity partners do. In addition 71% of summer associates and 41% of contract employees receive them.

All permanent non-firm attorneys received periodic performance evaluations.

See Appendix 47 for additional detail

Business Development

**Table 33. Top five business development activities funded by firms
(by highest percentage of firms funding)**

	2010		2005		2000		1997	
#1 Activity	Bar Association events	33 97%	Meals	28 90%	Bar Association event	25 100%	Bar Association event	23 96%
	Charitable events	33 97%						
#2 Activity	Community events	31 91%	Charitable events	27 87%	Charitable events	24 96%	Meals	22 92%
	Meals	31 91%			Meals	24 96%		
					Tickets to sporting events	24 96%		
#3 Activity	Tickets to sporting events	29 85%	Bar Association events	29 94%	Theater tickets	22 88%	Charitable events	21 88%
			Community events	26 84%			Theater tickets	21 88%
			Minority bar association events	26 84%			Tickets to sporting events	21 88%
			Tickets to sporting events	27 87%				
#4 Activity	Minority bar association events	28 82%	Theater tickets	24 77%	Community events	21 84%	Community events	20 83%
	Golf events	28 82%						
#5 Activity	Theater tickets	22 65%	Golf events	23 74%	Golf events	20 80%	Golf events	19 79%

See Appendix 48 for additional detail

Conclusions and Recommendations

As observed in the Executive Summary, the scope of this undertaking was ambitious and yielded a lot of data. So, what now? Perhaps the best way to conclude is by commenting briefly on best practices and how to move forward. In 2003 and again in 2008, a list of best practices was developed and made available. Legal employers were encouraged to adopt them. The employer survey was based, in some part, on determining whether various best practices are being implemented by employer. Many focus group participants commented on best practices, particularly on mentoring.

Some participants indicated that the ideal mentor should be someone in a position of power, a managing partner, for example, while others wanted a mentor who can identify with the group being mentored. Those respondents who do mentor or serve in diversity efforts, however, commented that the work is often unending, exhausting, and uncompensated. For this reason, mentors should be recognized and rewarded for their efforts. Many commented on the importance of starting mentoring earlier, even at the high school level. One participant said, "I was already intimidated when I went to law school." A "101 in how to be a mentor or a screening of mentors" was advocated.

"My best mentor over the years ... an older white male who had daughters, and he was very encouraging. And ... an older white woman who had become president of the corporation ... her best mentoring was to actually explain why she was doing things, why she wanted something. And it was helpful to understand where they were coming from ... It was nice to be included. That's it. To be included in what's going on and why."

African-American focus group participant: female, in practice 16-20 years, multiple positions

Another recurring theme was that diversity efforts need to be tied to compensation particularly in private firms.

"I question how many major firms have a compensation structure that's similar to some corporations where the in-house ... people are rewarded on how well they do with diversity. It's a specific, kind of a line item that they get evaluated on."

Senior Management focus group participant: African-American male, in practice 21-25 years, large firm

Interestingly, the interplay of "Minnesota Nice" was mentioned, that perhaps our local culture encouraged sparing feelings by not giving lawyers honest feedback, which was detrimental in the long run. Another aspect of local culture was the tendency of Minnesotans to associate with friends from high school, college; it's a very "sheltered environment," thus lawyers from more diverse geographic locations have a harder time feeling welcome.

Extending diversity training to unconscious bias was another suggestion, particularly in the evaluation of lawyers by their superiors. One senior Caucasian male observed that there are "cultural and gender expectations for how constructive criticisms and guidance is provided and received," thus some awareness of these differences would be useful.

A number of focus group participants mentioned that diversity efforts must come from the top levels of management:

“... it has to come from the top. They have to recognize — you have to get more people of all diversity up into management into leadership roles who can tell everyone why it’s so important, why it’s valuable, why it makes money for the firm, and why it’s not scary, why it should be embraced.”

Native American focus group participant: female in practice 6-10 years

Additional best practices mentioned in senior management focus groups included:

- Funding diversity scholarships at the law schools
- Having a strategic plan for diversity
- Secondment programs (loaning law firm associates to client companies to learn business acumen)

The fact that most attorneys perceive bias in their own workplaces and in interactions with opposing counsel is troubling. The upshot is that *implementing* the changes necessary to create a more inclusive legal profession is still a work-in-progress and the work must be done by the legal profession itself. Increased adoption and implementation of the MSBA’s 2003 SAGE Best Practices and the Diversity Best Practices Guide from 2008 would create stronger, more diverse legal workplaces in Minnesota.

“Implementation is key ... it’s ... best not in trying to reinvent best practices, because there are a lot of them out there, but just trying to help implement best practices.”

Senior Management focus group: Caucasian male, in practice 30+ years, large firm

Appendices

Diversity Survey Update Committee Members

Leslie Altman, Co-Chair
Alan Haynes, Co-Chair
David Ahlvers
Meredith Bauer
Rebecca Bernhard
Joan Bibelhausen
Katelyn Brin
Mark Chapin
Brian Chou
Marta Chou
Vanessa Cruz
Sally Dahlquist
Lindsey Davis
Roy Ginsburg
Jennifer Jameson
Shaun Jamison
Erin Knapp Darda
Carolina Lamas
Alissa Lyon
Kathleen Marron
Jeffrey Murray
Lawrencina Oramalu
Lisa Lodin Peralta
Julie Plumitis
Hon. Kathleen Sanberg
Breia Schleuss
Daniel Seberg
Summra Shariff
Courtney Ward-Reichard
Ashley Wenger
Jennifer Young
Elizabeth Zidones

Committee staff support provided by Nancy Mischel and Tram Nguyen

Contract Project Staff: Nancy Hupp, report writer

Employer Survey Respondents

2011 Law Firm Survey Respondents

Arthur, Chapman, Kettering, Smetak & Pikala P.A.	Jardine, Logan & O'Brien, P.L.L.P
Barnes & Thornburg LLP	Johnson & Condon, P.A.
Bassford Remele	Kennedy & Graven, Chartered
Bowman and Brooke LLP	Kinney & Lange, P.A.
Briggs and Morgan, P.A.	Larson King, LLP
Dorsey & Whitney LLP	Levander, Gillen & Miller, P.A.
Fabyanske, Westra, Hart & Thomson, P.A.	Leonard, Street and Deinard
Faegre & Benson LLP	Lindquist & Vennum PLLP
Fafinske Mark & Johnson	Mansfield, Tanick & Cohen, P.A.
Foley & Mansfield PLLP	Maslon Edelman Borman & Brand, LLP
Fredrikson & Byron, P.A.	McGrann Shea Carnival Straughn & Lamb, Chartered
Fryberger, Buchanan, Smith & Frederick, P.A.	Melchert Hubert Sjodin, PLLP
Fulbright & Jaworski L.L.P.	Merchant & Gould
Gaskins, Bennett, Birrell, Schupp, LLP	Messerli & Kramer P.A.
Gray Plant Mooty	Moss & Barnett, A Professional Association
Greene Espel	Murnane Brandt
Henson & Efron, P.A.	Nilan Johnson Lewis, P.A.
Hinshaw & Culbertson LLP	Oppenheimer Wolff & Donnelly LLP
Halleland Habicht	Rinke Noonan Attorneys at Law
Jacobson, Buffalo, Magnuson, Anderson & Hogen, P.C.	Sapientia Law Group, PLLC
	Sieben, Grose, Von Holtum & Carey
	Zelle Hofmann

2011 Non-firm Survey Respondents

Cargill	Olmstead County Attorney's Office
Central Minnesota Legal Services	Ramsey County Attorney's Office
City of Minneapolis Attorney's Office	State Court Administration
City of St. Paul Attorney's Office	Target
Hamline University School of Law	University of Minnesota Law School
Hennepin County Attorney's Office	University of St. Thomas School of Law
Mid-Minnesota Legal Assistance	Washington County Attorney's Office
Office of the Public Defender	

Acknowledgements

The MSBA wishes to thank the University of Minnesota Law School for providing funding to hire a project manager for the focus groups.

In addition, the MSBA thanks the following organizations for their assistance in recruiting focus group participants:

- Minnesota American Indian Bar Association (MAIBA)
- Minnesota Association of Black Lawyers (MABL)
- Minnesota Hispanic Bar Association (MHBA)
- Minnesota Lavender Bar Association (MLBA)
- Minnesota Lawyers Concerned for Lawyers (LCL)
- Minnesota Women Lawyers (MWL)
- National Asian Pacific American Bar Association (NAPABA)
- Twin Cities Diversity in Practice (TC DIP)

The MSBA also thanks the Minnesota Lavender Bar Association and Minnesota Women Lawyers for their financial contribution towards the GLBT and women's focus groups, respectively.

The MSBA expresses its gratitude to the following people who facilitated one or more focus groups:

Joan Bibelhausen	Phil Duran
Roy Ginsberg	Shaun Jamison
Val Jensen	Erin Knapp Darda
Kathleen A. Marron	Lawrencina Oramalu
Summra Shariff	Ashley Wenger

Thanks also to the following individuals and organizations for contributing services in kind:

Court Reporters who provided transcription for the focus groups:

- Kristi L. Arntzen
- Christine M. Clark, RPR
- Elizabeth Gangl, Paradigm Reporting & Captioning Inc.
- Timothy J. McGowan, McGowan Reporting, LLC
- Mary P. Mitchell, Registered Diplomate Reporter and Certified Real Time Reporter, of Paradigm Reporting & Captioning Inc.
- Jenny Ogaard, Official Reporter to the Honorable Daniel O'Fallon

Consultants who provided input on focus group strategy and content:

- Diane Wiley, CEO, National Jury Project
- David B. Hunt, CEO, Critical Measures

Consultant who conducted training of all focus group facilitators:

- Kathleen A. Marron, President, The Marron Alliance, LLC

Individual Survey Data

Appendix 1. How do you (individual respondents) think you compare/your employer compares on awareness of diversity issues? (Q. 22, 23)

	2011									
	<i>Self compared to others</i>					<i>Own employer compared to other employers</i>				
	<i>More aware</i>	<i>About the same</i>	<i>Less aware</i>	<i>Not certain No opinion</i>	<i>Total</i>	<i>More aware</i>	<i>About the same</i>	<i>Less aware</i>	<i>Not certain No opinion</i>	<i>Total</i>
Women in the legal profession	647	395	26	29	1,097	483	447	91	60	1,081
	59%	36%	2%	3%	100%	45%	41%	8%	6%	100%
Racial/ethnic minorities in the legal profession	443	543	76	34	1,096	375	495	138	72	1,080
	40%	50%	7%	3%	100%	35%	46%	13%	7%	100%
Religious minorities in the legal profession	232	569	229	64	1,094	220	552	187	121	1,080
	21%	52%	21%	6%	100%	20%	51%	17%	11%	100%
Persons with disabilities in the legal profession	255	586	201	54	1,096	246	552	173	107	1,078
	23%	53%	18%	5%	100%	23%	51%	16%	10%	100%
GLBT individuals in the legal profession	390	456	173	74	1,093	314	455	191	116	1,076
	36%	42%	16%	7%	100%	29%	42%	18%	11%	100%
	1,967	2,549	705	255	5,476	1,638	2,501	780	476	5,395
	2006*									
	<i>Self compared to others</i>					<i>Own employer compared to other employers</i>				
	<i>More sensitive</i>	<i>About the same</i>	<i>Less sensitive</i>	<i>Not certain No opinion</i>	<i>Total</i>	<i>More sensitive</i>	<i>About the same</i>	<i>Less sensitive</i>	<i>Not certain No opinion</i>	<i>Total</i>
Women in the legal profession	455	370	26	23	874	396	370	48	38	852
	52%	42%	3%	3%	100%	46%	43%	6%	4%	100%
Racial/ethnic minorities in the legal profession	381	431	34	28	874	346	403	49	51	849
	44%	49%	4%	3%	100%	41%	47%	6%	6%	100%
Religious minorities in the legal profession	230	467	97	78	872	221	476	50	103	850
	26%	54%	11%	9%	100%	26%	56%	6%	12%	100%
Persons with disabilities in the legal profession	295	485	44	50	874	260	461	49	80	850
	34%	55%	5%	6%	100%	31%	54%	6%	9%	100%
GLBT individuals in the legal profession	323	408	83	59	873	290	399	74	84	847
	37%	47%	10%	7%	100%	34%	47%	9%	10%	100%
	1,684	2,161	284	238	4,367	1,513	2,109	270	356	4,248

*(Note: wording of 2006 survey slightly different)

Appendix 2. Reliable reports of discrimination based on disability, gender, race/ethnicity, religion or sexual orientation within the past five years, made to individual respondents (Q. 33, 34)

<i>Setting Where Discrimination Was Observed</i>	<i>2011</i>	<i>2006</i>
In Twin Cities law firms other than your own	172 44%	21%
In the Minnesota courts	156 40%	20%
During interactions with opposing counsel	171 44%	20%
In your workplace	186 48%	17%
In law firms outside the Twin Cities other than your own	78 20%	11%
In Minnesota law schools generally	64 16%	6%
In the content or administration of bar examinations	14 4%	2%
In the Minnesota State Bar Association	7 2%	2%
In the criteria for admission to the Minnesota Bar	8 2%	1%

Appendix 3. Perception of gender bias in various settings noted by individual respondents (Q. 24)

	2011														
	<i>All Respondents</i>					<i>Male</i>					<i>Female</i>				
	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms	40	283	256	239	818	9	86	118	176	389	31	197	138	63	429
	5%	35%	31%	29%	100%	2%	22%	30%	45%	100%	7%	46%	32%	15%	100%
In MN law schools	16	117	228	389	750	4	30	72	226	332	12	87	156	163	418
	2%	16%	30%	52%	100%	1%	9%	22%	68%	100%	3%	21%	37%	39%	100%
In MN legal workplaces	123	399	255	163	940	22	148	137	129	436	101	251	118	34	504
	13%	42%	27%	17%	100%	5%	34%	31%	30%	100%	20%	50%	23%	7%	100%
In interactions between women lawyers and opposing counsel	97	387	283	191	958	21	121	159	150	451	76	266	124	41	507
	10%	40%	30%	20%	100%	5%	27%	35%	33%	100%	15%	52%	24%	8%	100%
2006															
	<i>All Respondents</i>					<i>Male</i>					<i>Female</i>				
	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms	32	254	293	231	810	12	79	172	186	449	20	175	121	45	361
	4%	31%	36%	29%	100%	3%	18%	38%	41%	100%	6%	48%	34%	12%	100%
In MN law schools	15	100	270	396	781	4	23	132	269	428	11	77	138	127	353
	2%	13%	35%	51%	100%	1%	5%	31%	63%	100%	3%	22%	39%	36%	100%
In MN legal workplaces	97	317	286	134	834	18	118	192	121	449	79	199	94	13	385
	12%	38%	34%	16%	100%	4%	26%	43%	27%	100%	21%	52%	24%	3%	100%
In interactions between women lawyers and opposing counsel	69	309	307	150	835	18	117	194	124	453	51	192	113	26	382
	8%	37%	37%	18%	100%	4%	26%	43%	27%	100%	13%	50%	30%	7%	100%

Appendix 4. Types of gender bias noted by individual respondents (Q. 36)

	2011							
	Male				Female			
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
Remarks or jokes demeaning to women are made at my workplace	14 3%	85 17%	122 24%	288 57%	46 9%	111 21%	116 21%	267 49%
Remarks or jokes demeaning to women are made in court	8 2%	44 9%	134 28%	294 61%	8 2%	97 20%	194 39%	195 39%
Female attorneys are addressed by first names or terms of endearment when male attorneys are not	9 2%	77 15%	129 26%	287 57%	70 13%	204 38%	130 24%	128 24%
Female attorneys are asked if they are attorneys when male attorneys are not	25 5%	90 18%	115 23%	268 54%	153 29%	197 37%	103 20%	75 14%
Comments are made about the physical appearance or apparel of female attorneys when no such comments are made about male attorneys	31 6%	152 31%	104 21%	211 42%	170 32%	199 37%	91 17%	71 13%

	2006							
	Male				Female			
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree
Remarks or jokes demeaning to women are made at my workplace	3%	17%	23%	57%	7%	26%	24%	43%
Remarks or jokes demeaning to women are made in court	0%	8%	24%	68%	3%	26%	36%	35%
Female attorneys are addressed by first names or terms of endearment when male attorneys are not	2%	12%	27%	60%	13%	40%	24%	23%
Female attorneys are asked if they are attorneys when male attorneys are not	2%	22%	27%	49%	31%	38%	18%	14%
Comments are made about the physical appearance or apparel of female attorneys when no such comments are made about male attorneys	4%	25%	31%	40%	25%	45%	16%	14%

Appendix 5. Perception of ethnic/racial bias in various settings noted by individual respondents (Q. 25)

	2011														
	<i>All Respondents</i>					<i>White</i>					<i>Minority</i>				
	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms	103	242	186	171	702	78	220	166	158	622	25	22	20	13	80
	15%	34%	26%	24%	100%	13%	35%	27%	25%	100%	31%	28%	25%	16%	100%
In MN law schools	60	160	194	230	644	37	139	173	211	560	23	21	21	19	84
	9%	25%	30%	36%	100%	7%	25%	31%	38%	100%	27%	25%	25%	23%	100%
In MN legal workplaces	139	310	219	139	807	99	279	202	128	708	40	31	17	11	99
	17%	38%	27%	17%	100%	14%	39%	29%	18%	100%	40%	31%	17%	11%	100%
In interactions between lawyers of color and opposing counsel	75	242	233	184	734	49	215	207	168	639	26	27	26	16	95
	10%	33%	32%	25%	100%	8%	34%	32%	26%	100%	27%	28%	27%	17%	100%

	2006														
	<i>All Respondents</i>					<i>Caucasian</i>					<i>Of Color</i>				
	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms	86	277	240	188	791	65	257	224	178	724	21	20	16	10	67
	11%	35%	30%	24%	100%	9%	35%	31%	25%	100%	31%	30%	24%	15%	100%
In MN law schools	47	185	234	298	764	28	163	222	284	697	19	22	12	14	67
	6%	24%	31%	39%	100%	4%	23%	32%	41%	100%	28%	33%	18%	21%	100%
In MN legal workplaces	112	313	250	134	809	84	286	243	125	738	28	27	7	9	71
	14%	39%	31%	17%	100%	11%	39%	33%	17%	100%	39%	38%	10%	13%	100%
In interactions between lawyers of color and opposing counsel	63	253	296	186	798	43	228	283	176	730	20	25	13	10	68
	8%	32%	37%	23%	100%	6%	31%	39%	24%	100%	29%	37%	19%	15%	100%

Appendix 6. Types of ethnic/racial bias noted by individual respondents (Q. 71)

	2011														
	All Respondents					White					Minority				
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total
If race/ethnic bias occurs in the courtroom, the judge intervenes to stop it	297	391	112	20	820	272	346	94	14	726	25	45	18	6	94
	36%	48%	14%	2%	100%	37%	48%	13%	2%	100%	27%	48%	19%	6%	100%
If race/ethnic bias occurs in the office, a supervisor intervenes to stop it	332	340	160	31	863	301	303	134	23	761	31	37	26	8	102
	38%	39%	19%	4%	100%	40%	40%	18%	3%	100%	30%	36%	25%	8%	100%
In my view, minority attorneys are treated the same way as other attorneys in the legal profession	226	319	293	71	909	213	291	260	42	806	13	28	33	29	103
	25%	35%	32%	8%	100%	26%	36%	32%	5%	100%	13%	27%	32%	28%	100%
In my office, minority attorneys are treated the same as other attorneys	516	253	88	26	883	472	219	74	15	780	44	34	14	11	103
	58%	29%	10%	3%	100%	61%	28%	9%	2%	100%	43%	33%	14%	11%	100%
In my office, minority attorneys have the same chance of promotion as non-minority attorneys	522	225	93	29	869	477	200	75	16	768	45	25	18	13	101
	60%	26%	11%	3%	100%	62%	26%	10%	2%	100%	45%	25%	18%	13%	100%

Appendix 7. Which of the following do you (attorneys of color) believe has happened to you (individual respondents) within the past five years because of you ethnic/racial background? (2010 Q. 78)

	2011	2006*
Denied employment	26%	52%
Was not given good work assignments	42%	40%
Have not advanced as far as wanted in the legal profession	42%	36%
Received unequal pay	16%	28%
Have not attained specific occupation in the law	23%	28%
Required more time/years to obtain a promotion or advancement	13%	20%
Was denied promotion or advancement	10%	16%
Was given unjustified negative performance reviews	32%	12%
Received unequal employment benefits	10%	8%
Was told that clients did not want to work with you	10%	4%
Other	26%	

*wording of 2011 and 2006 surveys differed slightly

Appendix 8. Perception of GLBT bias in various settings noted by individual respondents (Q 28)

	2011														
	All Respondents					Straight					GLBT				
	Major	Moderate	Minor	None	Total	Major	Moderate	Minor	None	Total	Major	Moderate	Minor	None	Total
In MN courtrooms	35	151	170	217	573	25	105	137	183	450	10	46	33	34	123
	6%	26%	30%	38%	100%	6%	23%	30%	41%	100%	8%	37%	27%	28%	100%
In MN law schools	24	107	187	240	558	20	69	146	199	434	4	38	41	41	124
	4%	19%	34%	43%	100%	5%	16%	34%	46%	100%	3%	31%	33%	33%	100%
In MN legal workplaces	72	248	207	154	681	47	189	168	130	534	25	59	39	24	147
	11%	36%	30%	23%	100%	9%	35%	31%	24%	100%	17%	40%	27%	16%	100%
In interactions between GLBT lawyers and opposing counsel	48	191	203	194	636	37	132	158	171	498	11	59	45	23	138
	8%	30%	32%	31%	100%	7%	27%	32%	34%	100%	8%	43%	33%	17%	100%

	2006														
	All Respondents					Heterosexual					GLBT				
	Major	Moderate	Minor	None	Total	Major	Moderate	Minor	None	Total	Major	Moderate	Minor	None	Total
In MN courtrooms	53	211	235	268	767	41	190	226	262	719	12	21	9	6	48
	7%	28%	31%	35%	100%	6%	26%	31%	36%	100%	25%	44%	19%	13%	100%
In MN law schools	26	133	267	307	733	21	113	253	298	685	5	20	14	9	48
	4%	18%	36%	42%	100%	3%	16%	37%	44%	100%	10%	42%	29%	19%	100%
In MN legal workplaces	99	291	226	169	785	86	263	219	168	736	13	28	7	1	49
	13%	37%	29%	22%	100%	12%	36%	30%	23%	100%	27%	57%	14%	2%	100%
In interactions between GLBT lawyers and opposing counsel	52	231	272	216	771	44	208	259	212	723	8	23	13	4	48
	7%	30%	35%	28%	100%	6%	29%	36%	29%	100%	17%	48%	27%	8%	100%

Appendix 9. Types of GLBT bias noted by individual respondents (Q. 131)

	2011														
	All Respondents					Straight Respondents					GLBT Respondents				
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total
Negative remarks, discriminatory behavior or jokes demeaning to GLBT individuals are made at my workplace	33	175	202	502	912	29	154	186	476	845	4	21	16	26	67
	4%	19%	22%	55%	100%	3%	18%	22%	56%	100%	6%	31%	24%	39%	100%
Negative remarks, discriminatory behavior or jokes demeaning to GLBT individuals are tolerated at my workplace	23	120	223	543	909	21	103	206	512	842	2	17	17	31	67
	3%	13%	25%	60%	100%	2%	12%	24%	61%	100%	3%	25%	25%	46%	100%
Negative remarks, discriminatory behavior or jokes demeaning to GLBT individuals are made in court	5	77	311	435	828	4	61	284	416	765	1	16	27	19	63
	1%	9%	38%	53%	100%	1%	8%	37%	54%	100%	2%	25%	43%	30%	100%
Negative remarks, discriminatory behavior or jokes demeaning to GLBT individuals are tolerated in court	7	61	279	474	821	6	52	247	453	758	1	9	32	21	63
	1%	7%	34%	58%	100%	1%	7%	33%	60%	100%	2%	14%	51%	33%	100%
GLBT attorneys are able to advance as far as non-GLBT attorneys in the legal profession	256	333	231	66	886	251	308	206	55	820	5	25	25	11	66
	29%	38%	26%	7%	100%	31%	38%	25%	7%	100%	8%	38%	38%	17%	100%

Appendix 10. Perception of disability bias in various settings noted by individual respondents (Q. 27)

		2011														
		<i>All Respondents</i>					<i>Attorneys with Disabilities</i>					<i>Attorneys without Disabilities</i>				
		<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms		38	123	203	201	565	5	8	16	11	40	33	115	187	190	525
		7%	22%	36%	36%	100%	13%	20%	40%	28%	100%	6%	22%	36%	36%	100%
In MN law schools		28	91	164	217	500	4	7	10	11	32	24	84	154	206	468
		6%	18%	33%	43%	100%	13%	22%	31%	34%	100%	5%	18%	33%	44%	100%
In MN legal workplaces		66	178	205	175	624	11	12	10	7	40	55	166	195	168	584
		11%	29%	33%	28%	100%	28%	30%	25%	18%	100%	9%	28%	33%	29%	100%
In interactions between lawyers who are disabled and opposing counsel		36	128	196	210	570	5	11	15	10	41	31	117	181	200	529
		6%	22%	34%	37%	100%	12%	27%	37%	24%	100%	6%	22%	34%	38%	100%
		2006														
		<i>All Respondents</i>					<i>Attorneys with Disabilities</i>					<i>Attorneys without Disabilities</i>				
		<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms		54	197	267	234	752	6	22	12	8	48	48	175	255	226	704
		7%	26%	36%	31%	100%	13%	46%	25%	17%	100%	7%	25%	36%	32%	100%
In MN law schools		28	149	264	287	728	5	11	14	13	43	23	138	250	274	685
		4%	20%	36%	39%	100%	12%	26%	33%	30%	100%	3%	20%	36%	40%	100%
In MN legal workplaces		81	233	287	163	764	13	19	12	5	49	68	214	275	158	715
		11%	30%	38%	21%	100%	27%	39%	24%	10%	100%	10%	30%	38%	22%	100%
In interactions between lawyers who are disabled and opposing counsel		43	187	302	225	757	4	15	23	6	48	39	172	279	219	709
		6%	25%	40%	30%	100%	8%	31%	48%	13%	100%	6%	24%	39%	31%	100%

Appendix 11. Types of disability bias noted by individual respondents (Q. 99)

	2011														
	All Respondents					Attorneys without disabilities					Attorneys with disabilities				
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total
If disability-based bias occurs in the courtroom, the judge intervenes to stop it.	344	363	60	8	775	327	343	55	6	731	17	20	5	2	44
	44%	47%	8%	1%	100%	45%	47%	8%	1%	100%	39%	45%	11%	5%	100%
If disability-based bias occurs in the office, a supervisor intervenes to stop it.	359	337	97	13	806	341	319	89	11	760	18	18	8	2	46
	45%	42%	12%	2%	100%	45%	42%	12%	1%	100%	39%	39%	17%	4%	100%
In my view, attorneys with disabilities are treated the same way as other attorneys in the legal profession.	268	342	198	36	844	256	328	185	27	796	12	14	13	9	48
	32%	41%	23%	4%	100%	32%	41%	23%	3%	100%	25%	29%	27%	19%	100%
In my office, attorneys with disabilities are treated the same as other attorneys.	460	274	65	10	809	429	264	59	9	761	31	10	6	1	48
	57%	34%	8%	1%	100%	56%	35%	8%	1%	100%	65%	21%	13%	2%	100%
In my office, attorneys with disabilities have the same chance of promotion as other attorneys.	455	256	85	13	809	426	245	78	13	762	29	11	7	0	47
	56%	32%	11%	2%	100%	56%	32%	10%	2%	100%	62%	23%	15%	0%	100%

Appendix 12. Perception of religious bias in various settings noted by individual respondents (Q. 26)

		2011														
		<i>All Respondents</i>					<i>Attorneys Identified as Religious</i>					<i>Attorneys Not Identified as Religious</i>				
		<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>	<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms		28	97	169	262	556	13	54	95	170	332	15	43	74	92	224
		5%	17%	30%	47%	100%	4%	16%	29%	51%	100%	7%	19%	33%	41%	100%
In MN law schools		20	79	146	261	506	13	44	82	160	299	7	35	64	101	207
		4%	16%	29%	52%	100%	4%	15%	27%	54%	100%	3%	17%	31%	49%	100%
In MN legal workplaces		30	148	235	224	637	18	85	139	141	383	12	63	96	83	254
		5%	23%	37%	35%	100%	5%	22%	36%	37%	100%	5%	25%	38%	33%	100%
In interactions between lawyers who are identified with certain religions and opposing counsel		21	117	188	255	581	13	71	102	166	352	8	46	86	89	229
		4%	20%	32%	44%	100%	4%	20%	29%	47%	100%	3%	20%	38%	39%	100%

		2006				
		<i>All Respondents</i>				
		<i>Major</i>	<i>Moderate</i>	<i>Minor</i>	<i>None</i>	<i>Total</i>
In MN courtrooms		18	100	266	388	772
		2%	13%	34%	50%	100%
In MN law schools		15	77	240	422	754
		2%	10%	32%	56%	100%
In MN legal workplaces		24	124	319	323	790
		3%	16%	40%	41%	100%
In interactions between lawyers who are identified with certain religions and opposing counsel		17	100	310	354	781
		2%	13%	40%	45%	100%

Appendix 13. Types of religious bias noted by individual respondents (Q. 94)

	2011														
	All Respondents					Respondents Identified as Religious					Respondents Not Identified as Religious				
	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Total
Remarks or jokes demeaning to members of my religion are made in my office or court	31	97	214	557	899	23	73	114	372	582	8	24	100	185	317
	3%	11%	24%	62%	100%	4%	13%	20%	64%	100%	3%	8%	32%	58%	100%
If religious bias occurs in the courtroom, the judge intervenes to stop it	274	368	126	31	799	196	219	75	21	511	78	149	51	10	288
	34%	46%	16%	4%	100%	38%	43%	15%	4%	100%	27%	52%	18%	3%	100%
If religious bias occurs in the office, a supervisor intervenes to stop it	304	334	152	39	829	208	207	94	24	533	96	127	58	15	296
	37%	40%	18%	5%	100%	39%	39%	18%	5%	100%	32%	43%	20%	5%	100%
Religious attorneys are able to advance as far as non-religious attorneys in the legal profession	463	328	79	18	888	317	191	50	13	571	146	137	29	5	317
	52%	37%	9%	2%	100%	56%	33%	9%	2%	100%	46%	43%	9%	2%	100%
In my office, religious attorneys are treated the same as non-religious attorneys	598	216	57	16	887	403	119	33	13	568	195	97	24	3	319
	67%	24%	6%	2%	100%	71%	21%	6%	2%	100%	61%	30%	8%	1%	100%
In my office, members of a certain religion or place of worship are treated better than members of a different religion	123	88	183	494	888	85	47	110	328	570	38	41	73	166	318
	14%	10%	21%	56%	100%	15%	8%	19%	58%	100%	12%	13%	23%	52%	100%

Employer Survey Data

Appendix 14. Firm Survey (Q. 4): Gender Composition of Responding Firms

	2010			2005			2000			1997		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Summer positions or clerkships	49	54	103	186	118	304	87	84	171	71	62	133
	48%	52%	100%	61%	39%	100%	51%	49%	100%	53%	47%	100%
Associate positions	393	396	789	596	465	1,061	426	329	755	386	271	657
	50%	50%	100%	56%	44%	100%	56%	44%	100%	59%	41%	100%
Equity partners/shareholders	1,082	317	1,399	1,178	258	1,436	759	163	922	824	159	983
	77%	23%	100%	82%	18%	100%	82%	18%	100%	84%	16%	100%
Non-equity partners	76	29	105	65	18	83	88	15	103	64	7	71
	73%	27%	100%	78%	22%	100%	85%	15%	100%	90%	10%	100%
Contract or staff attorneys	38	35	73	23	31	54	38	34	72	55	45	100
	52%	48%	100%	43%	57%	100%	53%	47%	100%	55%	45%	100%
Of counsel	140	32	172	123	34	157	50	13	63	58	12	70
	81%	19%	100%	78%	22%	100%	79%	21%	100%	83%	17%	100%
Other	25	26	51	65	25	90	5	10	15	9	9	18
	49%	51%	100%	72%	28%	100%	33%	67%	100%	50%	50%	100%
Total firm composition	1,803	889	2,692	2,236	949	3,185	1,453	648	2,101	1,467	565	2,032
	67%	33%	100%	70%	30%	100%	69%	31%	100%	72%	28%	100%

Appendix 15. Firm Survey (Q. 4): Minority Group Composition of Responding Firms

	2010					2005		
	Male Minority	Female Minority	Total Minority	GLBT	Disabled	Male of Color	Female of Color	Total of Color
Summer positions or clerkships	13	24	37	1	0	28	24	52
	27%	44%	36%	1.0%	0.0%	15%	20%	17%
Associate positions	37	48	85	17	1	61	66	127
	9%	12%	11%	2.2%	0.1%	10%	14%	12%
Equity partners/shareholders	19	10	29	13	8	21	12	33
	2%	3%	2%	0.9%	0.6%	2%	5%	2%
Non-equity partners	7	2	9	1	0	5	2	7
	9%	7%	9%	1.0%	0.0%	8%	11%	8%
Contract or staff attorneys	0	3	3	1	0	8	2	10
	0%	9%	4%	1.4%	0.0%	35%	6%	19%
Of counsel	5	1	6	1	1	5	3	8
	4%	3%	3%	0.6%	0.6%	4%	9%	5%
Other	2	4	6	0	0	8	4	12
	8%	15%	12%	0.0%	0.0%	12%	16%	13%
Total Composition of Firms	83	92	175	34	10	136	113	249
	5%	10%	7%	1.3%	0.4%	6%	12%	8%

Appendix 16. Non-Firm Survey (Q. 4): Gender Composition of Responding Non-Firms

	2010			2005			1997		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Summer positions or clerkships	11	18	29	25	35	60	185	187	372
	38%	62%	100%	42%	58%	100%	50%	50%	100%
Attorneys with less than five years of experience	37	66	103	15	46	61	75	181	256
	36%	64%	100%	25%	75%	100%	29%	71%	100%
Supervisory attorneys/Division heads	70	71	141	78	52	130	99	51	150
	50%	50%	100%	60%	40%	100%	66%	34%	100%
Non-supervisory attorneys with five or more years of experience	208	228	436	162	207	369	301	258	559
	48%	52%	100%	44%	56%	100%	54%	46%	100%
Contract/temporary attorneys	6	12	18	9	14	23	13	9	22
	33%	67%	100%	39%	61%	100%	59%	41%	100%
Other	58	58	116	71	61	132	142	106	248
	50%	50%	100%	54%	46%	100%	57%	43%	100%
Total non-firm employer composition	390	453	843	360	415	775	815	792	1,607
	46%	54%	100%	46%	54%	100%	51%	49%	100%

Appendix 17. Non-Firm Survey (Q. 4): Minority group composition of responding non-firms

	2010					2005		
	Male Minority	Female Minority	Total Minority	GLBT	Disabled	Male of Color	Female of Color	Total of Color
Summer positions or clerkships	7	4	11	0	0	5	7	12
	64%	22%	38%	0%	0%	20%	20%	20%
Attorneys with less than five years of experience	8	14	22	4	3	3	11	14
	22%	21%	21%	4%	3%	20%	24%	23%
Supervisory attorneys/division heads	7	14	21	4	2	5	6	11
	10%	20%	15%	3%	1%	6%	12%	8%
Non-supervisory attorneys with five or more years of experience	24	40	64	8	8	11	29	40
	12%	18%	15%	2%	2%	7%	14%	11%
Contract/temporary attorneys	0	2	2	0	0	1	0	1
	0%	17%	11%	0.0%	0%	11%	0%	4%
Other	17%	16%	16%	6%	0%	15%	8%	12%
	10	9	19	7	0	11	5	16
Total non-firm employer composition	14%	18%	16%	3%	2%	10%	14%	12%
	56	83	139	23	13	36	58	94

Appendix 18. Firm and Non-Firm Survey (Q. 14): How female lawyers participate in recruitment activities

	<i>By Female Lawyers</i>											
	<i>Firms</i>								<i>Non-Firm Employers</i>			
	<i>Hiring New Law School Graduates</i>				<i>Hiring Associates and Partners</i>				<i>Hiring New Law School Graduates</i>		<i>Hiring Lateral and Supervisory Attorney/Division Heads</i>	
	<i>2010</i>	<i>2005</i>	<i>2000</i>	<i>1997</i>	<i>2010</i>	<i>2005</i>	<i>2000</i>	<i>1997</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>
Recruiting	32	30	24	23	34	30	23	23	9	10	8	7
	80%	91%	96%	96%	85%	91%	96%	96%	82%	77%	73%	54%
Screening	31	30	24	24	33	29	23	24	9	11	8	8
	78%	91%	96%	100%	83%	88%	96%	100%	82%	85%	73%	62%
Interviewing	36	33	25	24	39	31	23	24	9	11	8	9
	90%	100%	100%	100%	98%	94%	96%	100%	82%	85%	73%	69%
Making recommendations	35	32	24	24	39	32	23	24	9	11	9	10
	88%	97%	96%	100%	98%	97%	96%	100%	82%	85%	82%	77%
Making final decision	32	31	24	19	32	29	22	18	5	3	7	5
	80%	94%	96%	79%	80%	88%	92%	75%	45%	23%	64%	38%
Total responses	40	33	25	24	40	33	24	24	11	13	11	13

Appendix 19. Firm and Non-Firm Survey (Q. 14): How lawyers of color participate in recruitment activities

By Lawyers of Color

	<i>Firms</i>				<i>Non-Firm Employers</i>			
	<i>Hiring New Law School Graduates</i>		<i>Hiring Associates and Partners</i>		<i>Hiring New Law School Graduates</i>		<i>Hiring Lateral and Supervisory Attorney/Division Heads</i>	
	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>
Recruiting	24	22	22	22	8	7	8	5
	60%	67%	55%	67%	73%	54%	73%	38%
Screening	24	23	22	23	8	9	8	7
	60%	70%	55%	70%	73%	69%	73%	54%
Interviewing	25	25	22	24	9	9	9	8
	63%	76%	55%	73%	82%	69%	82%	62%
Making recommendations	25	25	22	26	9	9	10	7
	63%	76%	55%	79%	82%	69%	91%	54%
Making decision	21	23	17	22	2	1	3	4
	53%	70%	43%	67%	18%	8%	27%	31%
Total responses	40	33	40	33	11	13	11	13

Appendix 20. Firm and Non-Firm Survey (Q. 14): How GLBT lawyers participate in recruitment activities

	<i>By GLBT Lawyers</i>			
	<i>Firms</i>		<i>Non-Firm Employers</i>	
	<i>Hiring New Law School Graduates</i>	<i>Hiring Associates and Partners</i>	<i>Hiring New Law School Graduates</i>	<i>Hiring Lateral and Supervisory Attorney/Division Heads</i>
	<i>2010</i>	<i>2010</i>	<i>2010</i>	<i>2010</i>
Recruiting	21 53%	21 53%	6 55%	6 55%
Screening	21 53%	21 53%	6 55%	6 55%
Interviewing	22 55%	22 55%	6 55%	6 55%
Making recommendations	21 53%	21 53%	6 55%	7 64%
Making decision	15 38%	14 35%	1 9%	2 18%
Total responses	40	40	11	11

Appendix 21. Firm and Non-Firm Survey (Q. 14): How lawyers with disabilities participate in recruitment activities

By Lawyers with Disabilities

	<i>Firms</i>		<i>Non-Firm Employers</i>	
	<i>Hiring New Law School Graduates</i>	<i>Hiring Associates and Partners</i>	<i>Hiring New Law School Graduates</i>	<i>Hiring Lateral and Supervisory Attorneys/Division Heads</i>
	<i>2010</i>	<i>2010</i>	<i>2010</i>	<i>2010</i>
Recruiting	10 25%	10 25%	5 45%	4 36%
Screening	10 25%	10 25%	5 45%	4 36%
Interviewing	11 28%	11 28%	5 45%	4 36%
Making recommendations	10 25%	10 25%	5 45%	5 45%
Making decision	8 20%	7 18%	1 9%	1 9%
Total responses	40	40	11	11

Appendix 22. Firm Survey (Q. 12): Number of lawyers accepting employment during 2010

	<i>Firms</i>						<i>Total Hired</i>
	<i>Male white</i>	<i>Female white</i>	<i>Male Of Color</i>	<i>Female Of Color</i>	<i>GLBT</i>	<i>With a Disability</i>	
Summer positions or clerkships	27	29	13	15	3	1	84
	32%	35%	15%	18%	4%	1%	100%
Associate positions	56	45	8	12	1	0	121
	46%	37%	7%	10%	1%	0%	100%
Equity partners/shareholders	9	7	0	2	0	0	18
	50%	39%	0%	11%	0%	0%	100%
Non-equity partners	10	5	2	0	0	0	17
	59%	29%	12%	0%	0%	0%	100%
Contract or staff attorneys	12	7	1	0	0	0	20
	60%	35%	5%	0%	0%	0%	100%
Other	8	3	0	1	0	0	12
	67%	25%	0%	8%	0%	0%	100%
Total	122	96	24	30	4	1	272
	45%	35%	9%	11%	1%	0%	100%

Appendix 23. Non-Firm Survey (Q. 12): Number of lawyers accepting employment during 2010

	<i>Non-Firm Employers</i>						<i>Total Hired</i>
	<i>Male white</i>	<i>Female white</i>	<i>Male Of Color</i>	<i>Female of Color</i>	<i>GLBT</i>	<i>With a Disability</i>	
Summer positions or clerkships	3	1	6	3	0	0	13
	23%	8%	46%	23%	0%	0%	100%
Contract/temporary attorneys	0	7	2	5	0	0	14
	0%	50%	14%	36%	0%	0%	100%
Attorneys with less than five years experience	1	5	0	0	0	0	6
	17%	83%	0%	0%	0%	0%	100%
Non-supervisory attorneys with five or more years of experience	2	2	1	1	0	0	6
	33%	33%	17%	17%	0%	0%	100%
Supervisory attorneys/Division heads	6	6	0	1	0	0	13
	46%	46%	0%	8%	0%	0%	100%
Other	1	2	5	3	0	0	11
	9%	18%	45%	27%	0%	0%	100%
Total	13	23	14	13	0	0	63
	21%	37%	22%	21%	0%	0%	100%

Appendix 24. Firm Survey (Q. 20-24): Number of lawyers eligible for, considered for, and made partner

		2010						
		Firms						
		Male white	Female white	Male Of Color	Female Of Color	GLBT	With a Disability	Total
Equity partners/shareholders	Eligible	62	49	1	4	1	0	117
		53%	42%	1%	3%	1%	0%	100%
Non-equity partners	Eligible	20	9	0	0	1	0	30
		67%	30%	0%	0%	3%	0%	100%
Other	Eligible	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%
Equity partners/shareholders	Considered	42	31	1	3	0	0	77
		55%	40%	1%	4%	0%	0%	100%
Non-equity partners	Considered	9	3	0	0	1	0	12
		75%	25%	0%	0%	8%	0%	100%
Other	Considered	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%
Equity partners/shareholders	Made	33	25	1	3	0	0	62
		53%	40%	2%	5%	0%	0%	100%
Non-equity partners	Made	6	4	0	0	1	0	10
		60%	40%	0%	0%	10%	0%	100%
Other	Made	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%
Total		172	121	3	10	4	0	308
		56%	39%	1%	3%	1%	0%	100%

Appendix 25. Non-Firm Survey (Q. 20-24): Number of lawyers eligible for, considered for, and promoted to supervisory attorney/division head positions

		2010						
		Non-Firm Employers						
		Male white	Female white	Male Of Color	Female Of Color	GLBT	With a Disability	Total
Supervisory attorneys/division heads	Eligible	69	92	9	22	1	0	193
		36%	48%	5%	11%	1%	0%	100%
Other	Eligible	2	2	0	1	0	0	5
		40%	40%	0%	20%	0%	0%	100%
Supervisory attorneys/division heads	Considered	20	20	2	7	1	0	49
		41%	41%	4%	14%	2%	0%	100%
Other	Considered	2	2	0	1	0	0	5
		40%	40%	0%	20%	0%	0%	100%
Supervisory attorneys/division heads	Made	2	4	0	1	1	0	7
		29%	57%	0%	14%	14%	0%	100%
Other	Made	2	2	0	1	0	0	5
		40%	40%	0%	20%	0%	0%	100%
Total		97	122	11	33	3	0	264
		37%	46%	4%	13%	1%	0%	100%

Appendix 26. Firm Survey (Q. 29): In 2010, How many lawyers left your employ?

	Firms						Total
	Male white	Female white	Male Of Color	Female Of Color	GLBT	With a Disability	
Associate (full-time)	67	46	11	14	4	0	138
	49%	33%	8%	10%	3%	0%	100%
Associate (part-time or reduced-time)	2	4	0	0	2	0	6
	33%	67%	0%	0%	33%	0%	100%
Equity partner/shareholder (full-time)	32	17	0	0	0	1	49
	65%	35%	0%	0%	0%	2%	100%
Equity partner/shareholder (part-time or reduced-time)	1	2	0	0	0	0	3
	33%	67%	0%	0%	0%	0%	100%
Non-equity partner (full-time)	8	4	1	0	0	0	13
	62%	31%	8%	0%	0%	0%	100%
Non-equity partner (part-time or reduced-time)	0	1	0	0	0	0	1
	0%	100%	0%	0%	0%	0%	100%
Other positions	24	16	0	1	0	0	41
	59%	39%	0%	2%	0%	0%	100%

Appendix 27. Non-Firm Survey (Q. 29): In 2010, How many lawyers left your employ?

	<i>Non-Firm Employers</i>						<i>Total</i>
	<i>Male white</i>	<i>Female white</i>	<i>Male Of Color</i>	<i>Female Of Color</i>	<i>GLBT</i>	<i>With a Disability</i>	
Attorneys with less than five years of experience (full-time)	8	11	0	1	0	0	20
	40%	55%	0%	5%	0%	0%	100%
Attorneys with less than five years of experience (part-time)	0	3	0	0	0	0	3
	0%	100%	0%	0%	0%	0%	100%
Non-supervisory attorneys with five or more years of experience (full-time)	22	27	4	4	0	0	57
	39%	47%	7%	7%	0%	0%	100%
Non-supervisory attorneys with five or more years of experience (part-time)	0	2	0	0	0	0	2
	0%	100%	0%	0%	0%	0%	100%
Supervisory attorneys/Division heads (full-time)	4	5	1	1	1	0	12
	33%	42%	8%	8%	8%	0%	100%
Supervisory attorneys/Division heads (part-time)	2	5	2	0	0	0	9
	22%	56%	22%	0%	0%	0%	100%
Other positions	36	53	7	6	1	0	103
	35%	51%	7%	6%	1%	0%	100%

Appendix 28. Firm (Q. 31): Of those who left your employ in 2010, where did they go?

	Firms														
	Associate							Partner							Others
	Male white	Female white	Male Minority	Female Minority	GLBT	With a Disability	Total Hired	Male white	Female white	Male Minority	Female Minority	GLBT	With a Disability	Total	Total
Corporate/ Business	21	15	4	6	0	0	46	6	5	1	0	0	0	12	5
	31%	29%	33%	50%	0%		32%	16%	26%	100%	0%	0%	0%	21%	
Government/ Public Law	5	6	3	1	1	0	15	1	3	0	0	0	0	4	2
	7%	12%	25%	8%	25%		11%	3%	16%	0%	0%	0%	0%	7%	
Other firm	27	19	2	2	2	0	50	21	7	0	0	0	0	28	9
	40%	37%	17%	17%	50%		35%	55%	37%	0%	0%	0%	0%	48%	
Family	2	5	0	0	0	0	7	0	2	0	0	0	0	2	2
	3%	10%	0%	0%	0%		5%	0%	11%	0%	0%	0%	0%	3%	
Other	12	6	3	3	1	0	24	10	2	0	0	0	0	12	19
	18%	12%	25%	25%	25%		17%	26%	11%	0%	0%	0%	0%	21%	
Total	67	51	12	12	4	0	142	38	19	1	0	0	0	58	37
	100%	100%	100%	100%	100%		100%	100%	100%	100%	0%	0%	0%	100%	

Appendix 29. Non-Firm Survey (Q. 31): Of those who left your employ in 2010, where did they go?

Non-Firm Employers

	Non Supervisor							Supervisor/Division Head							Others
	Male white	Female white	Male Minority	Female Minority	GLBT	With a Disability	Total Hired	Male white	Female white	Male Minority	Female Minority	GLBT	With a Disability	Total	Total
Corporate/ Business	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
	0%	0%	0%	0%			0%	0%	50%	0%	0%	0%	0%	2%	
Government/ Public Law	2	2	2	3	0	0	9	0	0	1	0	0	0	1	0
	67%	40%	67%	75%			6%	0%	0%	100%	0%	0%	0%	2%	
Other firm	0	2	0	1	0	0	3	0	0	0	0	0	0	0	1
	0%	40%	0%	25%			2%	0%	0%	0%	0%	0%	0%	0%	
Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0%	0%	0%	0%			0%	0%	0%	0%	0%	0%	0%	0%	
Other	1	1	1	0	0	0	3	2	1	0	1	0	0	—	5
	33%	20%	33%	0%			2%	100%	50%	0%	100%	0%	0%	7%	
Total	3	5	3	4	0	0	15	2	2	1	1	0	0	6	6
	100%	100%	100%	100%			11%	100%	100%	100%	100%	0%	0%	10%	

Appendix 30. Firm Survey (Q. 33): Firm committee membership (by gender)*

	2010*			2005			2000			1997		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Associates	92	84	176	92	75	167	77	45	122	61	38	99
	52%	48%	100%	55%	45%	100%	63%	37%	100%	62%	38%	100%
Business development/marketing	104	62	166	77	26	103	74	22	96	84	26	110
	63%	37%	100%	75%	25%	100%	77%	23%	100%	76%	24%	100%
Compensation	128	23	151	112	15	127	98	20	118	109	18	127
	85%	15%	100%	88%	12%	100%	83%	17%	100%	86%	14%	100%
Diversity	56	61	117	49	40	89	35	31	66	30	24	54
	48%	52%	100%	55%	45%	100%	53%	47%	100%	56%	44%	100%
Executive/ management	123	23	146	129	23	152	120	23	143	110	20	130
	84%	16%	100%	85%	15%	100%	84%	16%	100%	85%	15%	100%
Facilities/ plant	11	6	17	20	2	22	20	4	24	16	7	23
	65%	35%	100%	91%	9%	100%	83%	17%	100%	70%	30%	100%
Hiring/ recruitment	105	78	183	113	77	190	106	58	164	92	46	138
	57%	43%	100%	59%	41%	100%	65%	35%	100%	67%	33%	100%
Long-range planning	57	23	80	62	21	83	73	20	93	41	14	55
	71%	29%	100%	75%	25%	100%	78%	22%	100%	75%	25%	100%
Partnership selection	136	32	168	164	47	211	141	32	173	66	9	75
	81%	19%	100%	78%	22%	100%	82%	18%	100%	88%	12%	100%
Technology	61	27	88	66	11	77	63	17	80	50	15	65
	69%	31%	100%	86%	14%	100%	79%	21%	100%	77%	23%	100%
Other	16	12	28	65	11	76	31	15	46	157	49	206
	57%	43%	100%	86%	14%	100%	67%	33%	100%	76%	24%	100%
Total attorneys	1,803	889	2,692	2,232	949	3,181	1,479	598	2,077	1,467	565	2,032
	67%	33%	100%	70%	30%	100%	71%	29%	100%	72%	28%	100%

*Note: Committee titles were titled slightly differently on 2010 Survey

Appendix 31. Firm Survey (Q.33): Committee Membership by Minority Groups*

	Committee Spots Held By							
	2010*			2005				
	Male Of Color	Female Of Color	Total Of Color	GLBT	Disabled	Male of Color	Female of Color	Total of Color
Associates	5	5	10	3	0	10	5	15
	11%	6%	9%	1.7%	0.0%	5%	7%	6%
Business development/ marketing	3	0	3	2	0	1	2	3
	1%	3%	2%	1.2%	0.0%	4%	0%	3%
Compensation	2	0	2	1	0	1	1	2
	1%	4%	1%	0.7%	0.0%	2%	0%	2%
Diversity	18	13	31	5	0	16	11	27
	29%	18%	23%	4.3%	0.0%	37%	33%	35%
Executive/ management	1	2	3	1	0	1	2	3
	1%	9%	2%	0.7%	0.0%	1%	9%	2%
Facilities/ plant	1	0	1	0	0	1	2	3
	9%	33%	18%	0.0%	0.0%	5%	0%	5%
Hiring/ recruitment	9	7	16	3	0	10	5	15
	10%	6%	8%	1.6%	0.0%	8%	9%	8%
Long-range planning	1	1	2	0	0	4	2	6
	7%	9%	8%	0.0%	0.0%	2%	5%	2%
Partnership selection	4	1	5	2	0	1	2	3
	1%	6%	2%	1.2%	0.0%	2%	2%	2%
Technology	3	0	3	3	0	2.5	2	4.5
	4%	7%	5%	3.4%	0.0%	5%	0%	4%
Other	1	3	4	0	0	0	1	1
	0%	8%	4%	0.0%	0.0%	2%	27%	5%
Total attorneys	136	113	249	34	10	83	92	175
	5%	10%	7%	1.3%	0.4%	6%	12%	8%

*Note: Committee titles were titled slightly differently on 2010 Survey

Appendix 32. Non-Firm Survey (Q. 33): Firm committee membership (by gender)

	<i>2010*</i>			<i>2005</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
New attorney	4	6	10	4	2	6
	40%	60%	100%	67%	33%	100%
Compensation	0	0	0	0	1	1
	N/A	N/A	N/A	0%	100%	100%
Diversity	25	24	49	4	17	21
	51%	49%	100%	19%	81%	100%
Executive/ management	32	35	67	33	24	57
	48%	52%	100%	58%	42%	100%
Facilities/ plant	0	1	1	5	5	10
	0%	100%	100%	50%	50%	100%
Hiring/ recruitment	20	20	40	12	14	26
	50%	50%	100%	46%	54%	100%
Long-range planning	13	21	34	10	8	18
	38%	62%	100%	56%	44%	100%
Promotion	9	4	13	10	6	16
	69%	31%	100%	63%	38%	100%
Technology	2	4	6	5	2	7
	33%	67%	100%	71%	29%	100%
Other	12	18	30	6	9	15
	40%	60%	100%	40%	60%	100%
Total attorneys	390	453	843	360	415	775
	46%	54%	100%	46%	54%	100%

Appendix 33. Non-Firm Survey (Q.33): Committee Membership by Minority Groups*

	Committee Spots Held By							
	2010*					2005		
	Male Of Color	Female Of Color	Total Of Color	GLBT	Disabled	Male of Color	Female of Color	Total of Color
New attorney	1	1	2	0	0	0	0	0
	25%	17%	20%	0%	0%	0%	0%	0%
Compensation	0	0	0	0	0	0	0	0
	N/A	N/A	N/A	N/A	N/A	N/A	0%	0%
Diversity	16	6	22	2	1	2	6	8
	64%	25%	45%	4.1%	2%	50%	35%	38%
Executive/ management	3	7	10	3	0	1	3	4
	9%	20%	15%	4.5%	0%	3%	13%	7%
Facilities/ plant	0	0	0	0	0	0	2	2
	N/A	0%	0%	0%	0%	0%	40%	20%
Hiring/ recruitment	2	6	8	1	0	0	3	3
	10%	30%	20%	2.5%	0%	0%	21%	12%
Long-range planning	0	5	5	1	1	0	3	3
	0%	24%	15%	2.9%	2.9%	0%	38%	17%
Promotion	0	1	1	0	0	0	2	2
	0%	25%	8%	0%	0%	0%	33%	13%
Technology	0	1	1	0	0	0	0	0
	0%	25%	17%	0%	0%	0%	0%	0%
Other	0	3	3	0	0	0	1	1
	0%	17%	10%	0%	0%	0%	11%	7%
Total attorneys	56	83	139	23	13	36	58	94
	14%	18%	16%	2.7%	1.5%	10%	14%	12%

Appendix 34. Firm Survey (Q. 42, 43): Criteria used when making compensation decisions in firms

	2011	2005	2000	1997
At Associate level				
#1 Criterion	Billable hours	Billable hours	Results of performance evaluations	Billable hours
#2 Criterion	Results of performance evaluations	Business generation	Billable hours	Results of performance evaluations
#3 Criterion	Business generation Client feedback (tie)	Results of performance evaluations	Pro bono work	Business generation Client feedback (tie)
#4 Criterion	Pro bono work	Client feedback	Client feedback	Professional contribution
At Equity partner/shareholder level				
#1 Criterion	Business generation	Business generation	Business generation Billable hours (tie)	Business generation
#2 Criterion	Billable hours	Billable hours	Firm administration/ committee involvement	Billable hours
#3 Criterion	Firm administration/ committee involvement	Firm administration/ committee involvement	Client feedback	Firm administration/ committee involvement
#4 Criterion	Client feedback	Client feedback	Professional contribution Mentoring experience (tie)	Professional contribution
At Non-equity partner level				
#1 Criterion	Business generation	Business generation	Billable hours, Business generation (tie)	Billable hours
#2 Criterion	Billable hours	Billable hours	Professional contribution	Business generation
#3 Criterion	Client feedback Firm administration/ committee involvement Professional contribution	Client feedback	Firm administration/ committee involvement, Community/charity service (tie)	Firm administration/ committee involvement, Community/charity service (tie)
#4 Criterion	trial skills work on diversity matters (tie)	Firm administration/ committee involvement Professional contribution (tie)	Professional contribution	Professional contribution

Appendix 35. Non-Firm Survey (Q. 42): Criteria Used When Making Compensation Decisions in Non-Firms

	2011	2005	2000
Attorneys < 5 yrs			
#1 Criterion	Results of performance evaluations	Results of performance evaluations	Quality of legal work
#2 Criterion	Quality of legal work Communication skills (tie)	Quality of legal work Efficiency of legal work Communication skills Organizational skills (tie)	Results of performance evaluations
#3 Criterion	Efficiency of legal work Organizational skills Client/board feedback Professional contribution Seniority (tie)	Client/board feedback	Trial skills
Non-supervisory attorneys > 5 yrs			
#1 Criterion	Results of performance evaluations	Results of performance evaluations	Quality of legal work
#2 Criterion	Quality of legal work Communication skills Seniority (tie)	Quality of legal work Efficiency of legal work Communication skills Organizational skills Client/board feedback (tie)	Efficiency of legal work
#3 Criterion	Efficiency of legal work Organizational skills Client/board feedback Professional contribution Organization admin/committee involvement (tie)	Mentoring experience	Results of performance evaluations Trial skills (tie)
Supervisory attorneys/division heads			
#1 Criterion	Results of performance evaluations	Results of performance evaluations (tie)	Quality of legal work
#2 Criterion	Quality of legal work Communication skills Seniority (tie)	Quality of legal work Efficiency of legal work, Communication skills, Client/board feedback (tie)	Results of performance evaluations
#3 Criterion	Efficiency of legal work Organizational skills Client/board feedback Professional contribution (tie)	Supervisory experience	Efficiency of legal work

Appendix 36. Firm Survey (Q. 38, 39): Top and Bottom 25% Monetary Compensation in firms

	2010		2005		2000		1997	
	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
Total in Top 25%	200	80	307	83	228	62	302	71
	71%	29%	79%	21%	79%	21%	81%	19%
Total composition of firms	1,803	889	2,232	949	1,453	648	1,467	565
	67%	33%	70%	30%	69%	31%	72%	28%
Total in Bottom 25%	116	84	229	130	173	87	223	127
	58%	42%	64%	36%	67%	33%	64%	36%

	2010				
	<i>Male Minority</i>	<i>Female Minority</i>	<i>Total Minority</i>	<i>GLBT</i>	<i>With a Disability</i>
Total in Top 25%	8	4	12	4	0
	67%	33%	4%	1%	0%
Total composition of firms	83	92	175	34	10
	47%	53%	7%	1%	0%
Total in Bottom 25%	6	5	11	1	0
	55%	45%	6%	1%	0%

Appendix. 37. Non-Firm Survey (Q. 38, 39): Top and Bottom 25% Monetary Compensation in Non-Firms

	<i>2010</i>		<i>2005</i>		<i>2000</i>		<i>1999-1997</i>	
	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
Total in Top 25%	43	59	49	46	—	—	88	51
	42%	58%	52%	48%	—	—	63%	37%
Total composition of non-firms	390	453	360	415	—	—	815	792
	46%	54%	46%	54%	—	—	63%	49%
Total in Bottom 25%	7	36	20	28	—	—	27	35
	16%	84%	42%	58%	—	—	44%	56%

	<i>2010</i>						
	<i>Male Minority</i>	<i>Female Minority</i>	<i>Total Minority</i>	<i>GLBT</i>	<i>With a Disability</i>	<i>Male of Color</i>	<i>Female of Color</i>
Total in Top 25%	7	6	13	1	0	1	10
	54%	46%	13%	1%	0%	1%	11%
Total composition of non-firms	56	83	139	34	10	36	58
	40%	60%	16%	4%	1%	5%	7%
Total in Bottom 25%	0	5	5	0	0	2	5
	0%	100%	12%	0%	0%	4%	10%

Appendix 38. Firm Survey (Q. 50): Number of lawyers taking parenting or family leave in firms

	2010						
	Firms						
	Male white	Female white	Male Of Color	Female Of Color	GLBT	With a Disability	Total
Associate attorney (full-time)	43	41	2	3	1	1	89
	48%	46%	2%	3%	1%	1%	100%
Associate attorney (part-time or reduced-time)	0	5	0	1	0	0	6
	0%	83%	0%	17%	0%	0%	100%
Equity partners/shareholders (full-time)	12	15	0	1	0	0	28
	43%	54%	0%	4%	0%	0%	100%
Equity partners/shareholders (part-time or reduced-time)	0	6	0	0	0	0	6
	0%	100%	0%	0%	0%	0%	100%
Non-equity partners (full-time)	1	1	0	0	0	0	2
	50%	50%	0%	0%	0%	0%	100%
Non-equity partners (part-time or reduced-time)	0	0	0	0	0	0	0
	67%	33%	0%	0%	0%	0%	100%
Other	2	1	0	0	0	0	3
	43%	51%	1%	4%	1%	1%	100%
Total	58	69	2	5	1	1	134

Appendix 39. Non-Firm Survey (Q. 51): Number of lawyers taking parenting or family leave in non-firms

	2010						
	Non-Firm Employers						
	Male white	Female white	Male Minority	Female Minority	GLBT	With a Disability	Total
Attorneys with less than five years of experience (full - time)	0	7	0	1	0	0	8
	0%	88%	0%	13%	0%	0%	100%
Attorneys with less than five years of experience (part-time)	0	3	0	0	0	0	3
	0%	100%	0%	0%	0%	0%	100%
Non-supervisory attorneys with five or more years of experience (full-time)	3	0	0	1	0	0	4
	75%	0%	0%	25%	0%	0%	100%
Non-supervisory attorneys with five or more years of experience (part-time)	0	0	0	0	0	0	0
	0%	0%	0%	0%	0%	0%	0%
Supervisory attorneys/division heads	0	0	0	0	0	0	0
	0%	0%	0%	0%	0%	0%	0%
Other	0	0	0	0	0	0	0
	0%	0%	0%	0%	0%	0%	0%
Total	3	10	0	2	0	0	15
	20%	67%	0%	13%	0%	0%	100%

Appendix 40. Firm Survey (Q. 57): Gender use of alternative work schedules in firms

	2010			2005			2000			1995		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Associate (full-time)	6	14	20	38	47	85	3	1	4	3	4	7
	30%	70%	100%	45%	55%	100%	75%	25%	100%	43%	57%	100%
Associate (part- or reduced-time)	1	21	22	3	16	19	8	26	34	1	20	21
	5%	95%	100%	16%	84%	100%	24%	76%	100%	5%	95%	100%
Equity partner/shareholder (full-time)	20	13	33	100	44	144	9	7	16	18	3	21
	61%	39%	100%	69%	31%	100%	56%	44%	100%	86%	14%	100%
Equity partner/shareholder (part- or reduced-time)	3	11	14	5	15	20	12	19	31	5	8	13
	21%	79%	100%	25%	75%	100%	39%	61%	100%	38%	62%	100%
Non-equity partner (full-time)	0	1	1	1	0	1	0	0	—	0	0	—
	0%	100%	100%	100%	0%	100%	N/A	N/A	N/A	N/A	N/A	N/A
Non-equity partner (part- or reduced-time)	2	6	8	1	0	1	0	1	1	0	0	—
	25%	75%	100%	100%	0%	100%	0%	100%	100%	N/A	N/A	N/A
Other positions	33	9	42	47	26	73	4	9	13	1	8	9
	79%	21%	100%	64%	36%	100%	31%	69%	100%	11%	89%	100%
Total attorneys using alternative schedules	65	75	140	195	148	343	36	63	99	28	43	71
	46%	54%	100%	57%	43%	100%	36%	64%	100%	39%	61%	100%
Total composition of firm	1,803	889	2,692	2,232	949	3,181	1,453	648	2,101	1,467	565	2,032
	67%	33%	100%	70%	30%	100%	69%	31%	100%	72%	28%	100%

Appendix 41. Firm Survey (Q. 57): Minority Use of Alternative Work Schedules in Firms

	2010					2005		
	Male Of Color	Female Of Color	Total Of Color	GLBT	With a Disability	Male of Color	Female of Color	Total of Color
Associate (full time)	1	0	1	0	0	3	6	9
	17%	0%	5%	0.0%	0.0%	8%	13%	11%
Associate (part- or reduced-time)	0	2	2	1	0	1	0	1
	0%	10%	9%	4.5%	0.0%	33%	0%	5%
Equity partner/shareholder (full time)	0	2	2	0	0	1	0	1
	0%	15%	6%	0.0%	0.0%	1%	0%	1%
Equity partner/shareholder (part- or reduced-time)	1	0	1	0	2	1	1	2
	33%	0%	7%	0.0%	14.3%	20%	7%	10%
Non-equity partner (full time)	0	0	0	0	0	0	0	0
	0%	0%	0%	0.0%	0.0%	0%	0%	0%
Non-equity partner (part- or reduced- time)	0	0	0	0	0	0	0	0
	0%	0%	0%	0.0%	0.0%	0%	0%	0%
Other positions	0	0	0	0	0	2	3	5
	0%	0%	0%	0.0%	0.0%	4%	12%	7%
Total attorneys using alternative schedules	2	4	6	1	2	8	10	18
	3%	5%	4%	0.7%	1.4%	4%	7%	5%
Total composition of firm	83	92	175	34	10	136	113	249
	5%	10%	7%	1.3%	0.4%	6%	12%	8%

Appendix 42. Non-Firm Survey (Q. 58): Use of alternative work schedules in non-firms

	2010			2005			2000			1995		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Attorneys with less than 5 years of experience	0	1	1	4	7	11	5	13	18	1	3	4
	0%	100%	100%	36%	64%	100%	28%	72%	100%	25%	75%	100%
Non-supervisory attorneys with five or more years of experience	4	10	14	16	25	41	76	99	175	28	31	59
	29%	71%	100%	39%	61%	100%	43%	57%	100%	47%	53%	100%
Supervisory attorneys/ division heads	1	0	1	7	5	12	35	21	56	32	19	51
	100%	0%	100%	58%	42%	100%	63%	38%	100%	63%	37%	100%
Other	0	1	1	12	12	24	28	21	49	3	1	4
	0%	100%	100%	50%	50%	100%	57%	43%	100%	75%	25%	100%
Total attorneys using alternative schedules	5	12	17	39	49	88	144	154	298	64	54	118
	29%	71%	100%	44%	56%	100%	48%	52%	100%	54%	46%	100%
Total non-firm composition	390	453	843	360	415	775	0	0	0	815	792	1,607
	46%	54%	100%	46%	54%	100%	0%	0%	0%	51%	49%	100%

	2010					2005		
	Male Of Color	Female Of Color	Total Of Color	GLBT	With a Disability	Male of Color	Female of Color	Total of Color
Attorneys with less than 5 years of experience	0	0	0	0	0	0	0	0
	0%	0%	0%	0.0%	0.0%	0%	0%	0%
Non-supervisory attorneys with five or more years of experience	1	1	2	0	0	1	1	2
	25%	10%	14%	0.0%	0.0%	6%	4%	5%
Supervisory attorneys/ division heads	0	0	0	0	0	0	0	0
	0%	—	0%	0.0%	0.0%	0%	0%	0%
Other	0	0	0	0	0	0	2	2
	0%	0%	0%	0.0%	0.0%	0%	17%	8%
Total attorneys using alternative schedules	1	1	2	0	0	1	3	4
	20%	8%	12%	0.0%	0.0%	3%	6%	5%
Total non-firm composition	56	83	139	23	13	36	58	94
	14%	18%	16%	2.7%	1.5%	10%	14%	12%

Appendix 43. Firm and Non-Firm Survey (Q. 73, 74): Employers' policies and training for the following types of bias

	2010											
	<i>Firms</i>						<i>Non-Firm Employers</i>					
	<i>Have a Policy</i>		<i>Provide training</i>		<i>Require training</i>		<i>Have a Policy</i>		<i>Provide training</i>		<i>Require training</i>	
	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>	<i>2010</i>	<i>2005</i>
Gender	79%	79%	36%	53%	21%	50%	87%	63%	67%	53%	67%	42%
Race	79%	79%	33%	53%	17%	47%	87%	63%	67%	47%	67%	37%
Ethnicity	79%	79%	31%	50%	19%	47%	87%	63%	67%	47%	67%	37%
Religion	79%	79%	31%	44%	19%	44%	87%	63%	67%	47%	67%	37%
Disability	79%	79%	31%	47%	19%	44%	87%	58%	67%	42%	67%	32%
Sexual orientation	81%	79%	33%	50%	21%	47%	87%	58%	67%	42%	67%	32%
Gender identification	57%	59%	24%	35%	10%	35%	73%	26%	53%	21%	53%	11%
Age	79%	N/A	29%	n/a	19%	N/A	87%	n/a	67%	n/a	67%	N/A

Appendix 44. Firm and Non-Firm Survey (Q. 82, 83): Employers' evaluation of lawyers' attitudes toward diversity/discrimination in the following situations

	<i>Firms</i>						<i>Non-Firm Employers</i>					
	<i>2010</i>			<i>2005</i>			<i>2010</i>			<i>2005</i>		
	<i>Routinely</i>	<i>When a problem arises</i>	<i>Does not evaluate</i>	<i>Routinely</i>	<i>When a problem arises</i>	<i>Does not evaluate</i>	<i>Routinely</i>	<i>When a problem arises</i>	<i>Does not evaluate</i>	<i>Routinely</i>	<i>When a problem arises</i>	<i>Does not evaluate</i>
During hiring	7	6	11	7	8	9	10	0	1	9	0	3
	17%	14%	26%	21%	24%	26%	67%	0%	7%	47%	0%	16%
During performance evaluations	8	8	7	6	10	7	7	3	1	4	5	2
	19%	19%	17%	18%	29%	21%	47%	20%	7%	21%	26%	11%
During compensation evaluations	7	7	9	5	10	8	5	2	1	4	2	4
	17%	17%	21%	15%	29%	24%	33%	13%	7%	21%	11%	21%
At promotion	8	4	9	7	9	7	4	3	2	3	2	4
	19%	10%	21%	21%	26%	21%	27%	20%	13%	16%	11%	21%
Other	2	1	0	1	2	1	1	1	1	3	2	0
	5%	2%	0%	3%	6%	3%	7%	7%	7%	16%	11%	0%
Total	42	42	42	34	34	34	15	15	15	19	19	19

Appendix 45. Firm Survey (Q. 74): Does organization have a policy and provide anti-discrimination training for the following types of discrimination?

		2010								
		Firms								
		<i>Gender</i>	<i>Race</i>	<i>Ethnicity</i>	<i>Religion</i>	<i>Disability</i>	<i>Age</i>	<i>Sexual Orientation</i>	<i>Gender Identification</i>	<i>Total Firms</i>
Have a policy		33	33	33	33	33	33	34	24	42
		79%	36%	40%	12%	40%	7%	21%	12%	
Provide training		15	14	13	13	13	12	14	10	42
		79%	33%	40%	10%	38%	5%	17%	10%	
Provide training to all lawyers		17	17	16	16	16	16	17	12	42
		79%	31%	38%	10%	38%	5%	19%	7%	
Provide training to new lawyers only		5	4	4	4	4	4	4	4	42
		79%	31%	38%	10%	38%	5%	19%	7%	
Provide training to All staff		17	16	16	16	16	16	17	12	42
		79%	31%	38%	10%	38%	5%	19%	7%	
Provide training to new staff		3	2	2	2	2	2	2	2	42
		79%	29%	38%	10%	38%	5%	19%	7%	
Mandatory training		9	7	8	8	8	8	9	4	42
		81%	33%	40%	10%	40%	5%	21%	7%	
Voluntary training		5	4	3	3	3	3	3	3	42
		57%	24%	29%	10%	29%	5%	10%	7%	

Appendix 46. Non-Firm Survey (Q. 73): Does organization have a policy and provide anti-discrimination training for the following types of discrimination?

		2010								
		Non-Firm Employers								
		Gender	Race	Ethnicity	Religion	Disability	Age	Sexual Orientation	Gender Identification	Total Non-Firm Employers
Have a policy		13	13	13	13	13	13	13	11	15
		87%	87%	87%	87%	87%	87%	87%	73%	
Provide training		10	10	10	10	10	10	10	8	15
		67%	67%	67%	67%	67%	67%	67%	53%	
Provide training to all lawyers		6	6	6	6	6	6	5	4	15
		40%	40%	40%	40%	40%	40%	33%	27%	
Provide training to new lawyers only		3	3	3	3	3	3	3	3	15
		20%	20%	20%	20%	20%	20%	20%	20%	
Provide training to all staff		10	10	10	10	10	10	9	8	15
		67%	67%	67%	67%	67%	67%	60%	53%	
Provide training to new staff		3	3	3	3	3	3	3	3	15
		20%	20%	20%	20%	20%	20%	20%	20%	
Mandatory training		10	10	10	10	10	10	10	8	15
		67%	67%	67%	67%	67%	67%	67%	53%	
Voluntary training		4	4	4	4	4	4	4	3	15
		27%	27%	27%	27%	27%	27%	27%	20%	

Appendix 47. Firm and Non-Firm Survey (Q. 99, 98): Does your organization conduct periodic performance evaluations?

	<i>Firms</i>				<i>Non-Firm Employers</i>		
	<i>2010</i>	<i>2005</i>	<i>2000</i>	<i>1997</i>	<i>2010</i>	<i>2005</i>	<i>2000</i>
Summer associates/clerks/positions	24 71%	23 74%	N/A —	N/A —	7 58%	2 13%	1 3%
Associates or attorneys with less than 5 years of experience	34 100%	29 94%	15 60%	16 67%	12 100%	15 100%	5 13%
Equity partners/shareholders or supervisory attorneys/division heads	11 32%	8 26%	0 —	1 4%	12 100%	12 92%	0 —
Non-equity partners or non-supervisory attorneys with five or more years of experience	7 21%	7 23%	N/A —	N/A —	12 100%	15 100%	4 10%
Contract/staff/temporary attorneys	14 41%	16 52%	N/A —	N/A —	3 25%	5 33%	N/A —

Appendix 48. Firm Survey (Q.103): Top five marketing and business development activities funded by firms (by highest percentage of firms funding)

	2010	2005	2000	1997
#1 Activity	Bar Association events	Meals	Bar Association event	Bar Association event
	Charitable events			
#2 Activity	Community events	Charitable events	Charitable events	Meals
	Meals		Meals	
#3 Activity	Tickets to sporting events	Bar Association events	Theater tickets	Charitable events
		Community events		Theater tickets
#4 Activity	Minority bar association events	Minority bar association events	Community events	Community events
	Golf events	Tickets to sporting events		
#5 Activity	Theater tickets	Golf events	Golf events	Golf events

Focus Group Questions

Diversity definition:

- Gender
- Race and Ethnicity
- Sexual Orientation and Gender Identity
- Disabilities (Visible and Invisible)
- Religion and Creed

I. Current state of diversity in the legal profession

1. What do you regard as the most pressing diversity issues in the legal profession today?
2. In the past five years, what examples have you noticed where anyone at your workplace has been treated differently because of their gender, race, sexual orientation/gender identity, religion, or disabilities?
3. What impact (favorable or unfavorable) did this treatment have on you or others?
4. What difference has your gender, race/ethnicity, sexual orientation/gender identity, religion, or disability made in your legal career or in your current employment?
5. In the past five years, when it comes to hiring, retention or advancement, what have you noticed about the experience of DIVERSE attorneys being hired, retained and advanced in the legal profession?

II. Best practices and next steps

1. We would like to hear what you have noticed that is working well in the legal profession with regard to diversity and inclusion. For example, what has senior management in your workplace done successfully to promote a diverse, inclusive environment, or to minimize discrimination?
What are some examples of things that have been tried but did not work?
2. What else could we do to promote diversity in the legal profession?
In other words, what next actions could be taken with regard to promoting diversity that are not currently being done (or not being done well)?



Minnesota
State Bar
Association

600 Nicollet Mall
Suite 380
Minneapolis, MN 55402

www.mnbar.org

