

DIVERSITY AND INCLUSION TOOLKIT

MSBA



Championing Justice, Equality, and Professionalism
Our Diversity Enriches Us, Our Inclusion Empowers Us

Dear Bar Leaders,

The MSBA is empowered by diversity and inclusion. We are committed to expanding our membership to value and include diverse perspectives and backgrounds. Leveraging that talent and maximizing the participation of all members will help us become a better and stronger bar association. This is an imperative for the practice of law in the 21st Century.

This Toolkit provides resources to help you identify, support, and leverage the diverse talent in our legal profession. We hope this Toolkit will provide you with ideas and resources that will be useful in implementing diversity and inclusion in all aspects of bar initiatives. We invite and encourage all bar leaders to get involved with our diversity and inclusion work. The [MSBA's Diversity and Inclusion Director, Athena Hollins](#), can serve as a resource to you as you develop and implement your plans; please reach out to her for assistance.

Our diversity and inclusion work, including this Toolkit, would not be possible without the continued assistance of our [Diversity and Inclusion Leadership Council](#). We are grateful for their continued enthusiasm and commitment to this increasing diversity and inclusion in the legal profession.

Thank you for your dedication to the MSBA and your commitment to our diversity and inclusion initiatives.

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Getting Started

You have probably heard about the MSBA's commitment to creating an inclusive environment that fosters sustainable diversity throughout the Bar Association and you might be asking yourself, "What exactly does that mean?" or "What steps can we take to accomplish these goals?". We hope this Toolkit will answer those questions and help bar leaders identify simple steps you can take today that could have a lasting impact.

We suggest that you chose 1-3 goals in the first year. The Toolkit's section on [diversity planning](#) will help you identify goals, next steps, and target measures that will support the broader strategic plan for your group.

Examples

The LAD committee was concerned about retaining and engaging their new recruits, especially because many of them were young attorneys. To solve this, they developed a "cheat sheet" that explained basic background information about the committee; implemented a buddy system, pairing new recruits with established members; and they hosted an informal coffee and donut meet-and-greet before the first committee meeting of the year.

The Probate & Trust Law Section approved its initial Diversity Plan in May 2015, which identified several opportunities to enhance its diversity efforts. During the past year, the section focused on developing a mentoring program to connect newer attorneys to more experienced professionals. In addition, it developed a list of section members willing to serve as liaisons with diverse bar associations and law student groups. Finally, section leadership made specific efforts to identify diverse speakers and topics for its educational offerings.

We want to hear from you!

The MSBA's [Diversity and Inclusion Director, Athena Hollins](#), is available to talk through any challenges you may encounter as you conduct this work.

Also, let us know if you have any ideas for how this Toolkit could be improved. We would love to hear about other steps and resources that could be helpful to bar leaders as they undertake this effort.



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MSBA's Commitment to Diversity and Inclusion

Diversity as a core value

The MSBA recognizes diversity as a [core value](#) and defines it as:

"recognizing the power of diversity of persons, viewpoints, beliefs, and human understanding."

Goals

MSBA's [two principal goals](#) in the area of diversity and inclusion are:

1. Making the MSBA a model for diversity within all areas of the organization and
2. Supporting the work of Minnesota's affinity bar associations.

MSBA's current diversity and inclusion initiatives are listed in the [MSBA 2016-2017 Diversity and Inclusion Strategic Plan](#).

Each year, sections and committees submit an annual report to the MSBA Council which includes the following question:

"What diversity and inclusion goals did your section/committee include in your 2016-17 workplan, how did you approach these goals, and what was the result?"

Creating a Diversity Plan for your Section/Committee

Who is responsible?

Diversity liaison: a leader appointed to coordinate and implement a group's diversity and inclusion efforts, who is responsible for providing the organization feedback on these efforts at the end of the bar year.

Diversity sub-committee: diversity liaisons are encouraged to get others involved! Find people who are passionate about diversity to help drive your effort. Some sections and committees may find it helpful to create a diversity sub-committee of two to three people to assist with diversity planning and implementation. (e.g. the New Lawyers Section has had a [Diversity Sub-committee](#) for some time.)

Creating a Diversity Plan

Step 1: How will D & I benefit your group? For example:

- Diverse viewpoints increase the collective intelligence of the group. (See e.g., [How Diversity Makes Us Smarter](#) and [Fortune 500 general counsels: Diversity and inclusion make good business sense](#))
- Diversifying your membership will increase your group numbers, revenue, and influence inside and outside the Bar Association.
- Including diverse perspectives is a way to ensure the long-term viability and strength of your group. (See Minnesota's [Changing Demographics](#).)
- Diversification supports the [Mission, Vision, and Values of the MSBA](#).
- Your practice area represents individuals from all different backgrounds and every lawyer in your group will benefit if your group reflects this same diversity because they will be better equipped to identify and respond to client needs.

Step 2: Whose voices are missing from your group?

- Consider increasing participation of minority attorneys, out-state attorneys, new attorneys, and law students.
- Set realistic goals and focus on increasing diversity across 1-2 dimensions for the year.

Step 3: What concrete steps can you take?

- Use this toolkit to benchmark your group with regard to D&I.
- What steps can you implement immediately?
- What steps may take some additional planning and execution?
- Think about what steps would support the goals and purpose of your group.

Step 4: What are your group's resources and strengths?

- What are your budgetary limits?
- What assets do you have that might help you attract new members? (E.g. experienced attorneys who are leaders in the field could serve as mentors for new attorneys or law students from diverse backgrounds.)

Step 5: Identify goals and create a plan.

- Choose 1-3 goals consistent with [MSBA D & I Plan](#).
- Set specific implementation steps, a timeline, and how you will assess progress.

Step 6: Share your plan.

- Distribute your Diversity Plan to your members, post it on your website and in your my.mnbar.org Community.
- Example bar association diversity plans:

- [Model Diversity and Inclusion Plan for ABA Entities](#)
- [ABA Section of Antitrust Law, Diversity and Inclusion Plan 2016-2018](#)
- [MSBA Legal Assistance to the Disadvantaged Committee – Diversity Plan](#)

You don't have to do it all in one year! Each step makes a difference! Use this toolkit for ideas.

Things to Think About

Planning and Conducting Meetings and Events

ACCESSIBLE LOCATION AND MEETING

Accommodate known disabilities including mobility, hearing and visual impairments.

Ask about other member accessibility needs and work with MSBA staff to accommodate when possible (e.g. telephone access, larger print for agendas, etc.)

ACCOMMODATIONS STATEMENT

Include a request for [accommodations statement](#) on all communications pertaining to your event:

“If you need reasonable accommodations to participate in this event please notify [MSBA STAFF PERSON STAFFING EVENT] at [EMAIL ADDRESS AND PHONE NUMBER]. Please provide notification at least 72 hours prior to the meeting to allow sufficient time to make arrangements for accommodations at this event.”

Use the [ABA accessibility toolkit](#) for additional planning ideas.

TARGETED LOCATION FOR PARTICULAR GROUPS

Law students: Consider holding meeting at a law school.
Greater Minnesota: provide alternative participation options (e.g. teleconference, webcasting, or satellite locations) and consider holding a meeting outside of the Twin Cities.

DATE

When scheduling your meeting/event, take into consideration potential date conflicts, such as [religious holidays](#), law school events, [affinity bar association events](#), and teacher in-service days ([St. Paul Public School Calendar](#); [Minneapolis Public School Calendar](#)).

Take into consideration potential date conflicts such as religious holidays.

When it is not possible to avoid date conflicts, consider:

- Giving participants the chance to review and respond to meeting agendas prior to your meeting;
- Sending them meeting notes afterward; and
- Video-taping your event so others can view the program at a later date.

TIME

Avoid times that conflict with familial obligations like school/day-care pick-up and drop-off duties.

Consider rotating meeting times to accommodate different schedules.

Avoid timeslots that would exclude particular job categories (e.g. prosecutors, judges, and public defenders may prefer to meet over lunch due to unknown trial schedules).

FOOD AND BEVERAGES

Ensure a variety of dietary and [religious needs](#) are met. (MSBA *online event registration currently allows individuals to specify dietary restrictions.*)

Consider religious holidays that involve fasting (e.g. Ramadan) and ensure eating is not a focal point of your event.

Things to Think About

Planning and Conducting Meetings and Events (cont.)

ADVERTISING AND MARKETING

Provide meeting schedule and agenda in advance to enable people to ask questions, review materials, and process information.

Consider including a diversity and inclusion statement at the top of meeting agendas. (*Note, an MSBA business rationale statement for D & I is forthcoming.*)

Ensure marketing/email content is welcoming to diverse populations.

Distribute marketing materials widely to advertise your events beyond your networks. (See [Partnering with Outside Groups](#)).

INCLUSIVITY

Include introductions and nametags, especially when expecting visitors or new members.

Consider a 3-4 question anonymous survey at the end of the meeting to determine if participants felt like they were able to participate fully and ask for suggestions.

Consider creating a buddy system or identifying a greeter for new members/guests.

New members could receive an email introduction from an assigned “buddy” with some history/background about the group and its current initiatives. They might also offer to meet for coffee or 5 minutes prior to the meeting and check in with the new member after the meeting to answer any questions.

CHAIRING THE MEETING

Remind people about ground rules (e.g. speaking one at a time, respect for different opinions, etc.)

Stay on schedule in case participants have medical/personal issues to attend to during prescheduled breaks or after meeting is scheduled to adjourn.

Consider having standing agenda items for:

- a report from your Diversity and Inclusion Liaison and
- a reminder to members to complete their [demographic data](#) on their MSBA profile.

Create space at the end of your agenda for topics that were not included in any agenda items so that participants have space to voice ideas.

Make everyone feel welcomed and valued by:

- Greeting newcomers and guests, by introducing yourself and thanking them for attending.
- Consider starting or ending your meetings by acknowledging that everyone is there as a volunteer and has competing obligations. Thank them for coming prepared to discuss the agenda items.
- Encourage everyone to participate. (See [Run Meetings That Are Fair to Introverts, Women, and Remote Workers](#).)

Things to Think About

Planning and Conducting Meetings and Events (cont.)

TOPICS

Co-sponsor CLEs and events with outside groups and partner with leaders in other groups when selecting topics/speakers/locations. This will infuse new ideas into your programming and provides your members new opportunities to interact with people outside their networks. (See [Partnering with Outside Groups](#)).

Considering the [Feb. 2016 study](#) conducted by the ABA and the Hazelden Betty Ford Foundation, consider inviting [Lawyers Concerned for Lawyers](#) to present one of their CLEs.

Organize events and CLEs of particular interest to groups you are trying to recruit.

Host CLEs around diversity and inclusion topics such as implicit bias, cultural competence, micro-inequities, mentorship vs. sponsorship, responding to behavior that undermines inclusion, or communicating effectively across difference.

- Here are some local [inclusion/engagement consultants](#) and local [racial equity trainers](#).
- Here are some [implicit bias videos created by the ABA](#).

Examples of collaborations

- CLE with MABL and the MSBA Agricultural Law Section regarding the USDA case about racial discrimination against farmers by the federal government;
- CLE with MAIBA and ENRE Section regarding the North Dakota pipeline project;
- CLE with HABA and the Health Law Section about language accessibility in hospitals;
- CLE with MMAA and Business Law about legal issues related to accommodating flexible work schedules or parental leave plans;
- CLE with MLBA and the Immigration Section about Immigration Law Hot Topics for LGBTI Clients.

SPEAKERS

Aim for diversity in speakers over the course of the year and also within each panel/event. Make sure your panel reflects multiple dimensions of difference.

Visible diversity:

Race, gender, and in some cases religion and disability are dimensions of difference that can be visibly identified. It is important to make sure you recruit speakers who are visibly diverse from each other. This will help legitimize your panel and build trust with your audience. Furthermore, studies have shown that visible diversity causes people to approach problem-solving with a more open mind because we expect different approaches and perspectives from people who are different from us.

Invisible diversity:

Sexual orientation, geography, political affiliation, familial status, and in some cases disability are examples of dimensions of difference which can be invisible. It is important to include speakers from all different backgrounds in order to provide your audiences with a wide spectrum of ideas, expertise, and perspectives.

Link your selection of speakers with the population you are trying to recruit.

For example, if you want to increase Greater Minnesota participation, make sure your speaker lineup includes speakers from across the state. (*The MSBA has remote participation capability to facilitate speakers who wish to present from a location that is separate from your live event.*)

One way to find and recruit diverse speakers is to [consult with outside groups](#) to help you identify speakers who are experts in any particular area.

ALCOHOL

Including alcohol makes an event less accessible to people of certain cultural backgrounds, religions, and to individuals recovering from chemical dependency.

Get creative! Host a breakfast or afternoon event instead of an evening event. Alternatively, host an early evening event without alcohol.

When serving alcohol, ensure that drinking alcohol does not feel like the only option. (e.g. offer fun “mocktails”)

Things to Think About

Recruiting New Members and Leaders

MSBA STATEMENT URGING DIVERSIFICATION OF MEMBERSHIP AND LEADERSHIP IN ALL SECTIONS:

The MSBA is empowered by our members' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, geographic location, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our members unique. In recognition of the power of diversity of persons, viewpoints, beliefs, and human understanding, MSBA sections and committees are strongly urged to leverage the diversity within them and to recruit members and leaders from historically underrepresented backgrounds.

Be authentic in your recruiting

WHO TO RECRUIT

Consider what you know about your members and identify whose voices are missing from your group. This will enable you to target recruiting efforts in order to achieve greater diversity among your members.

Reach out to friends, co-workers, members of affinity bar associations, law students interested in your practice area, and members of district bar associations.

HOW TO RECRUIT

Step One: Understand the benefits of diversifying your group

Identify why recruiting new members from underrepresented backgrounds would benefit your section/committee (See e.g., [How Diversity Makes Us Smarter](#) and [Changing Demographics](#).)

Step Two: Identify the value of membership in your group.

Recognize your group's strengths and assets. For example, if your members are experienced attorneys in the advanced stages of their careers, newer attorneys would welcome the opportunity to network with your members and to learn from their experience.

Step Three: Create a targeted recruitment strategy.

Consider creating a one-page summary of benefits that accrue to your group members and a list of planned events/CLEs for the year. This document could be distributed along with your recruitment pitch.

Consider drafting an email explaining the fact that your group has openings for new members, the benefits of membership, and outlining your group's commitment to diversity. This email could be sent to a wide variety of [outside organizations](#) in an effort to recruit new members.

Consider sending a representative from your group to a meeting of another group to talk about your group's openings for new members, the benefits of membership, and your commitment to diversity.

Consider reaching out to the leader of a particular group to ask them to help you identify members from their group who are accomplished attorneys in your substantive area who might benefit from joining your group. Thereafter, reach out to those particular individuals and explain that they were referred to you because of their experience and interest in your substantive area and invite them to be members.

Things to Think About

Recruiting New Members and Leaders

AVOID TOKENISM

You are not recruiting attorneys from diverse backgrounds just to check a box. This would not be beneficial to you or to your new recruits.

It might feel more comfortable to recruit within your own networks and to reach out to people who look like you, but this approach makes your group inaccessible to lawyers from underrepresented backgrounds and your group will not be as effective and strong as it could be if your membership were

Lean into the discomfort—do not shy away from recruiting a diverse attorney because you want to avoid the appearance of tokenism!

to reflect the diversity in the broader community. There are skilled attorneys interested in your group's subject area from all different backgrounds—your goal should be to reach them all. Think about why you would recruit an attorney who shares your background (e.g. their experience, leadership or interest in your subject area) and the same holds true for why you would recruit an attorney from a different background!

Sample approach:

Remember why you are a member of the group and explain its value.

"Have you ever considered joining the MSBA's XYZ Section? We are looking for new members. I've been a member for X years and I've found it to be useful in my career because of the XXXX opportunities."

Explain why your group might be of interest to this person.

"I wanted to mention this opportunity to you because of your experience/leadership/interest in this area and I wanted to make sure you were aware of it."

Invite them to an upcoming meeting or event or to coffee to tell them more about your group.

Consider discussing your group's commitment to diversity!

"We are eager to recruit new members to our group, especially attorneys from underrepresented backgrounds because we want to incorporate as many perspectives and ideas as possible into our group. We would love to have you join."

ENGAGE AND RETAIN NEW MEMBERS

Implement a new member orientation plan. (See "[Inclusivity](#)" Section)

Create multiple access points, like involvement in sub-committees, writing opportunities, speaking opportunities, networking opportunities, pro bono opportunities, and legislative advocacy opportunities.

Check in periodically about their experience – ask them for feedback or ideas, and thank them for participating in your group.

IDENTIFYING AND RECRUITING FUTURE LEADERS

Think about your own path to leadership – who/what helped you? Make sure these opportunities are accessible to all new members.

Ensure new members are aware of leadership opportunities within your group.

Offer leadership training for new attorneys. Consider partnering with an [affinity bar](#), [law student affinity group](#) or the [New Lawyers Section](#) to do so.

Offer training to experienced members so they are able to act as "[sponsors](#)" for new members (helping new members make connections and access opportunities that will place them on the leadership path).

Reach out to engaged new members and encourage them to volunteer for leadership roles.

Partnering with Outside Groups

A great way to expand your network and to inject new ideas, perspectives and speakers into your CLEs and events is to partner with outside groups. Seek out avenues of collaboration with any of the following affinity bar associations and other community groups. Think outside the box!

MN AFFINITY BAR ASSOCIATIONS

- Leaders' contact information:
[2016-2017 Affinity Bar Leaders' Book](#)
- [Hmong American Bar Association \(HABA\)](#)
- [Minnesota American Indian Bar Association \(MAIBA\)](#)
- [Minnesota Asian Pacific American Bar Association \(MNAPABA\)](#)
- [Minnesota Association of Black Lawyers \(MABL\)](#)
- [Minnesota Black Women Lawyers Network \(MBWLN\)](#)
- [Minnesota Hispanic Bar Association \(MHBA\)](#)
- [Minnesota Lavender Bar Association \(MLBA\)](#)
- [Minnesota Mother Attorney Association \(MMAA\)](#)
- [Minnesota Women Lawyers \(MWL\)](#)
- [Somali American Bar Association \(SABA\)](#)
- [The Infinity Project](#)
- [Twin Cities Diversity in Practice \(TCDIP\)](#)
- [Lawyers Concerned for Lawyers \(LCL\)](#)

MN LEGAL COMMUNITY ORGANIZATIONS

- [Just the Beginning Foundation](#)
- [Minneapolis-St. Paul Chapter of American Constitution Society](#)
- [Minnesota DFL Lawyers Committee](#)
- [Republican National Lawyers Association](#)
- [The Federalist Society – MN Chapter](#)
- [Christian Legal Society of Minnesota](#)
- [Twin Cities Cardozo Society](#)
- [National Lawyers Guild of MN](#)
- [J. Reuben Clark Law Society](#)
- [The Institute for Justice – MN Office](#)
- [Civil Legal Service Organizations in MN](#)

MN BAR ASSOCIATION ORGANIZATIONS

- [MSBA Diversity and Inclusion Leadership Council](#)
- [Hennepin County Bar Association Diversity Committee](#)
- [Ramsey County Bar Association Diversity Committee](#)
- [Federal Bar Association Diversity Committee](#)
- [Minnesota Defense Lawyers Association Diversity Committee](#)
- [Minnesota District Bar Associations](#)

MN LAW SCHOOL DIVERSITY STAFF AND STUDENT AFFINITY GROUPS

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- [Law Student Organizations](#)
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- Staff: [Nicole Fredricks Jackson](#),
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UMN

- Staff: [Nubia Esparza](#),
Senior Coordinator of Diversity & Student Programs
- [Law Student Organizations](#)
- [Centers and Institutes](#)

MN STATE AGENCIES

- [MN Council on Latino Affairs](#)
- [Council on Asian Pacific Minnesotans](#)
- [MN Indian Affairs Council](#)
- [Council for Minnesotans of African Heritage](#)
- [Minnesota State Council on Disability](#)
- [Minnesota Board on Aging](#)
- [Minnesota State Demographic Center](#)
- [MN Diversity and Inclusion Council](#)

MN COMMUNITY ORGANIZATIONS

- [CAIR-MN](#)
- [Minneapolis Urban League](#)
- [St. Paul NAACP](#)
- [Minneapolis NAACP](#)
- [Hmong American Partnership](#)
- [League of Minnesota Cities](#)
- [Itasca Project](#)

NEED IDEAS OR MORE INFORMATION?

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