

MSBA's Commitment to Diversity Statement and Plan

the Diversity Vision



MINNESOTA STATE BAR ASSOCIATION

2014-2017

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“In America there is institutional racism that we all inherit and participate in, like breathing the air in this room-and we have to become sensitive to it.” –Henri Louis Gates

In 2012, following extensive study, a group of appointed members and nonmembers, determined that the Minnesota State Bar Association (MSBA) should renew its commitment to diversity and inclusion. Accordingly, the group recommended that the Council, MSBA's governing board, reorganize MSBA's diversity efforts. It urged the creation of a dedicated, director-level position to support MSBA's mission of diversity and inclusion within the legal profession. In response to these voices, in 2013 MSBA formally created and staffed a Director of Diversity and Inclusion position, committing the organization to a renewed and reorganized focus on diversity in the legal profession.

The following three year plan represents MSBA's written commitment to lead that reorganized effort. It communicates our desire to create a solid foundation to lead the way in promoting diversity and inclusion. We believe that MSBA, as Minnesota's all-inclusive state bar association, must reflect the diversity that is our profession and provide the opportunities and inclusion that we urge external organizations to implement. We also believe that expanding our partnership with Minnesota's minority bar associations in a more concerted way will strengthen the organizations, and compound the impact of everyone's efforts to promote diversity and inclusion within the legal profession, by avoiding duplicative efforts and fostering synergistic strategy and programming.

We are focused. Through hard work, foundation setting, innovation, and ongoing objective assessment we believe that we can achieve our diversity vision.

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¹ Each minority bar association president was contacted to discuss the goals of the strategic plan. Not all presidents were available to discuss the plan prior to its release.

MSBA'S ORGANIZATIONAL MISSION, VISION, AND VALUES

Mission

- The MSBA **promotes the highest standard of excellence and inclusion within the legal profession**, provides valued resources to its members, and strives to improve the law and the equal administration of justice for all.

Vision

- The MSBA **will improve society by developing professional excellence among its diverse membership** and will be a leader in the state of Minnesota in achieving effective and equal justice for all.

Values

- **Diversity: Recognizing the power of diversity of persons, viewpoints, beliefs, and human understanding.**

Definitions for purposes of this plan

Diversity: Persons who have historically faced discrimination based on race/ethnicity, gender, physical and mental disability, and sexual orientation. Within this document the term “diversity” also incorporates the term “inclusion.”

Inclusion: An organizational culture of opportunity for all persons, with an eye on long-term retention of diverse human capital, with a goal of making different views, experiences, and beliefs work together in a respectful atmosphere.²

Goal I: Making MSBA a model for diversity within all areas of the organization.
Organizational initiatives and strategies for this goal are set out in pages 9 through 14.

Goal II: Supporting the work of Minnesota’s minority bar associations.³
Organizational initiatives and strategies for this goal are set out in pages 15 through 16.

Quick Hit: An initiative whose implementation can be achieved within one bar year or less. This is not to be confused with the known results of implementation, which may take longer than one year.

Continuous Commitment: An initiative whose complete fulfillment cannot be achieved within one bar year.

² This definition is taken in part from Cornell University. <http://dbp.cornell.edu/diversity-and-inclusion/how-we-define-diversity-and-inclusion>.

³ Minority Bar Associations include the Minnesota American Indian Bar, Minnesota Association of Black Lawyers, Minnesota Hispanic Bar Association, Minnesota Asian Pacific American Bar Association, and the Minnesota Lavender Bar Association as defined in Art. 7, § 7.3 of the Minnesota State Bar Association’s Restated Bylaws (Restated June 11, 2004) (Amended through Dec. 2012).

Why a Diversity Plan?

The purpose of the strategic plan is to create for the first time a framework for the Minnesota State Bar Association (MSBA) to guide its diversity efforts. It's been created to provide a foundation for future MSBA goal setting in this area. It is the endeavor of this and future plans to keep pace with the increasing diversity of society and the persons whom the legal profession serves. For purposes of this diversity commitment, the organization is focused on the following:

GOAL I: *Making the MSBA a Model for Diversity within all Areas of the Organization, and*

GOAL II: *Supporting the Work of Minnesota's Minority Bar Associations.*

The rationale of *GOAL I* is premised on the idea that leadership begins at home. The MSBA has always been dedicated to the advancement of diversity and inclusion as indicated in its Mission, Vision, and Values. Nevertheless, the MSBA can achieve greater diversity, specifically among our staff, Council, Assembly, section and committee members and officers, in appointments and nominations, and in our general membership. By working internally to achieve greater diversity and inclusiveness, we can become a more influential community and member resource. This will allow us to not only offer guidance, and assistance, but also be a living model for a myriad of organizations and legal professionals.

The foundation for *GOAL II*, is based on the concept that even stronger affinity bar associations translate into increased diversity efforts and opportunity throughout the profession. In carrying out *GOAL II* the MSBA seeks to be a conduit for building relationships among the minority bars, and to assist them in avoiding duplicative efforts.

This plan is framed and organized around the above two stated diversity developmental goals. *GOALS I and II* are the MSBA's broad priorities. They are then broken down into specific organizational strategies and ideas for implementation.

GOALS I and II and their strategies are based on data and research from the following sources:

1. 2002-2005 MSBA Membership Survey Comparison
2. 2008 MSBA Two-Minute Member Survey
3. 2009-10 MSBA Recruitment Report (July 29, 2010)
4. 2009 ABA Goal III Report, Executive Summary from the Commission on Racial and Ethnic Diversity
5. MSBA Member Profile Summary (Oct. 10, 2011)
6. MSBA Member Profile Summary (May 17, 2013)
7. 2011 ABA Diversity Plan
8. ABA 2011-2012 Young Lawyers Division Diversity Plan
9. Going Forward: Leading Toward a More Diverse and Inclusive Minnesota Bar (Dec. 31, 2012)
10. ABA 2012 Goal III Report from the Commission on Racial and Ethnic Diversity
11. Toward New Destinations: Institutional Diversity Planning, Cornell University (March 2013)
12. Report and Recommendation on MSBA Diversity Efforts (Apr. 5, 2013)
13. MSBA Diversity Committee Survey regarding the need for a Director of Diversity and Inclusion for the MSBA
14. Facing Race: A Renewed Commitment to Racial Equity, Minnesota Philanthropy Partners (March 2014)

The implementation of the diversity strategic plan will enable the MSBA to take advantage of the diverse ideas and experiences within the organization and to set itself apart as a leader in this area. It will also give members of the legal profession, and related organizations the benefit of MSBA's experience implementing its commitment to diversity and inclusion. By exposing what ideas have worked for MSBA or, alternatively, may not work-others can avoid bearing the economic costs of experimentation or permanent implementation. Finally, pursuing the strategic plan allows MSBA to be a conduit and a clearinghouse for communication of diversification and inclusion efforts in and between stakeholders with common goals.

MSBA'S STRUCTURE IN PROMOTING DIVERSITY



MSBA: COMMUNICATOR

Communication is important. Good communication is the hallmark of any good association. Our organization is committed to improving its communication. We want to be held accountable for our commitment to diversity-by our communities, our affiliates, and most importantly our members. By asking for accountability, we want to show that our commitment to diversity is long-term. Our organization needs to be more transparent in our diversity efforts. Why? We believe that if there is a lack of knowledge, then there is no identifiable way of

“Trust happens when leaders are transparent.”
-Jack Welsh

gaining member and public trust.

Quick Hit: Public Dissemination of Diversity Reports

A copy of this plan and every future MSBA diversity plan will be provided to all internal leaders and staff members. A copy will also be provided to all minority and affinity bar presidents or executive directors. This and future plans will be available on the diversity section of the website for public review.

Quick Hit: Annual Diversity Report

The Executive Director and Director of Diversity will release an Annual Diversity Report in July of each year. The Report will discuss the successes, failures, or modifications of any strategies discussed in any preceding plan. A copy of the Report will be provided to all internal leaders and staff. A copy will also be provided to all minority and affinity bar presidents or executive directors. The Annual Diversity Report will be available on the diversity section of the website for public review.

Quick Hit: Leadership Demographics

Each year the MSBA will post a demographic composition of its Council and Officers.

Implementation: At the start of each bar year the Executive Director or Director of Diversity will urge each Council Member and Officer self-identify. The composition of the Council and Officers will be published in the diversity section of the MSBA’s website.

Implementation: Throughout the year the Executive Director and Director of Diversity and Inclusion will review the highest priority goals for the year, and evaluate whether their fulfillment is on target. Based on their conclusions, they will determine the best course of action, if applicable. Final assessment on all the stated strategies will be published in the Annual Diversity Report.

Quick Hit: Diversity Efforts of Committees & Sections

Each year the MSBA will publish as part of the Annual Diversity Report, each section and committee’s efforts to diversify its general membership and leadership.

MSBA: DATA COLLECTOR

We believe that numbers and statistics tell a story. They tell us the story of the beginning. They tell us the story of progress. Progress gives us the story about impact. However, the most important story numbers and statistics tell, is about what we value. If there is little to no data on something, it's fair to say that little to no value is associated with that something. Our organization values diversity internally and within the legal profession. Therefore, we care about the story the data tells us.

Quick Hit: Member Self-Identification

The MSBA will request that its members voluntarily self-identify on their member profile.

Implementation: MSBA will spend its financial and human resources to update its online member profile to request diversity data.

Implementation: The Director of Diversity will work with the Director of Marketing to craft a campaign to explain the member benefits of self-identification.

Continuous Commitment: Attorney Registration Self- Identification

The MSBA will request that the Minnesota Supreme Court ask for self-identification data on the state-wide attorney registration form.

Implementation: The MSBA Council and Director of Diversity will work with the Minnesota Supreme Court and other interested legal organizations to provide comprehensive research, recommendations, and support to further the request and implementation of diverse attorney data collection.

Continuous Commitment: Affiliated Organization Self-Identification Campaigns

Our organization will initiate or collaborate with any affiliate bar's organized effort to gather new diversity data about the legal profession.

Implementation: The Director of Diversity and MSBA's diversity focused committees will attempt to create or learn about any affiliate bar's efforts to collect new data. Executive staff and leadership will meet and discuss these efforts in order to determine MSBA's roll.

*“Why is data an indispensable tool for improving...lives? First, it helps us make the case to...leaders that empower[ment]...isn't just the right thing to do, it's the smart thing to do. There's another reason data is so important. It helps us see where [people] are being left behind, so we know where to target our resources”
-Melinda Gates*

MSBA: EMPLOYER

Strong businesses embrace diversity of cultures because it creates diversity of view-points, ideas and strengths. Where one or more people lack in experience, ideation, and skills, others can seamlessly come in and fill the void. Diversity creates a greater, stronger whole. MSBA considers itself strong. Now, we are interested and focused on becoming stronger and more visionary. This begins and ends with

MSBA's foundation, its staff.

Quick Hit: Employee Interviews

During all MSBA staff interviews candidates will be requested to provide ideas as to how they can utilize the position to further MSBA's current diversity goals and initiatives.

Implementation-The Director of Diversity will work with the Human Resources Manager and the director of the hiring department-as soon as a position is made available, to craft a diversity- centric question to pose to potential candidates during the interview process.

Quick Hit: Self-Identification of Potential & New Staff

MSBA will request voluntary self-identification data of all its potential and newly hired staff, as well as its existing staff to the extent the law allows.

Implementation: The Director of Diversity will work with outside survey expert to craft the self-identification questions. The Director of Diversity will work with the Human Resources Manager in crafting and implementing a self-identification document to present to all potential, newly hired and current MSBA full and part-time staff.

*“Diversity is no longer simply a matter of creating a heterogeneous workforce, but using that workforce to innovate and give it a competitive advantage in the marketplace.”
-Forbes Insights*

Quick Hit: Commitment to Diversity in Hiring

MSBA will draft and publish a stated commitment to diversity and inclusion to accompany all of its job postings and make it a permanent part of its internal employee handbook.

Implementation: The Director of Diversity will work with the Human Resources Manager to craft and implement a commitment to diversity statement in all hiring practices.

Continuous Commitment: Staff Input on Diversity

MSBA will survey its new staff members after six months of employment and each staff member yearly regarding their beliefs about the MSBA's diversification and inclusion efforts among staff. We will do this to determine if the MSBA is fostering a diverse and inclusive environment.

Implementation: The Human Resources Manager, Director of Diversity, and the Executive Director will work together in creating a staff survey about diversity. They will also work in notifying staff as to why the information will be collected and how it will be used.

Continuous Commitment: Implicit Bias Testing

All staff will be required every six months to take one of Harvard University's Implicit Association Test (IAT), or an equivalent bias test regarding gender, race, and disability. This will allow the staff member to identify any implicit biases they may bring into the organization.

Quick Hit: Diversity Training

MSBA will provide yearly training to staff and the MSBA Council to address institutional biases and discrimination.

Implementation: The Director of Diversity will work with the Executive Director and Human Resources Manager to coordinate diversity or internal bias training.

MSBA: BUSINESS DEVELOPER

We believe that our committees, sections and affiliated certification program, and publications are indispensable to the business development of attorneys. Through these avenues, members and non-members alike can highlight their expertise to the profession at large and develop skills that easily translate to the workplace. All of this is done while developing real relationships with peers—a natural referral source. MSBA does not believe our opportunities for business development are for a limited few. This is why our concerted effort to expand the inclusiveness of committees, sections and

certification is vital.

“A new era of responsibility is here.”

-Valerie Jarrett

Continuous Commitment: Diversity Commitment for Committees & Sections

MSBA will create a formal policy urging diversification of membership and leadership in all sections and committees.

Implementation: The Director of Diversity will work with the Director of Sections and committee staff liaisons in the creation of the policy statement. The statement will be provided to all incoming section and committee leadership and members. It will also become a permanent part of the Section and Committee Council Handbook.

Quick Hit: Speakers & Writers Bureau

MSBA will create a speakers and writers database of diverse attorneys as a source for internal MSBA continuing legal education presenters and MSBA publication writers.

Implementation: MSBA will create an on-line form for diverse individuals to sign-up for either the speaker or writers' database, or both. The Director of Diversity will work with the Director of Sections, committee leadership, and the Bench and Bar to provide the information for upcoming CLE presentations and/or publications.

Continuing Commitment: Section Liaisons

MSBA will encourage each of its sections to have a liaison on one of MSBA's diversity focused committees in order to learn and adapt ways in which they can diversify their section membership and leadership.

Implementation: The Director of Diversity will work with the Director of Sections in creating this position within the Section and Committee Council Handbook. The two directors will work together at assisting sections in filling the liaison role.

Continuous Commitment: Self-Identification of Certification Applicants

MSBA will request that each board of the Certification program start requesting and collecting applicants' self-identification data.

Implementation: The Director of Diversity will work with the Certified Legal Specialist Manager to discuss the advantages of diversity survey collection. The diversity department will provide expertly vetted sample identification questions the Certification program can use.

Quick Hit: Diversity Focused Website

MSBA will develop a section of its website dedicated to Diversity and Inclusion. This section will provide internal and external opportunities for diverse attorneys (i.e. partnerships, activities, programming, and resources).

Quick Hit: Diversity Focused Social Media

MSBA will utilize social media on a consistent basis to promote: diverse attorneys and law students; internal and external programming; partnerships; activities; and professional accomplishments. It will also be used to encourage diverse attorneys' participation in professional opportunities, and discussion on diversity and inclusion issues.

Quick Hit: Leaders Fostering Future Leaders

MSBA leadership will meet with diverse MSBA members in effort to create relationships, and provide advice for professional development within and outside the organization, in order to create a pipeline of diverse leadership.

Implementation: The Director of Diversity will identify current MSBA leadership and diverse members with leadership potential, and attempt to facilitate informal conversations between these individuals.

Continuous Commitment: Marketing Certification for Diversity

MSBA will collaborate with each certification board on extending their marketing reach to more diverse candidates.

Implementation: The Director of Diversity will work with the Certified Legal Specialist Manager to identify marketing opportunities directed to diverse attorneys.

Continuous Commitment: Tracking Diversity in Leadership, Nominations & Appointments

MSBA will track diversity in candidates/nominations and appointments in the Assembly; Council; Executive Officers; Section and Committee officers; Task Force leaders and members; and other outside appointments

Implementation: MSBA will draft an on-line and hard copy self-identification request form of all its candidates and appointed leaders and task force members. The organization will create a mechanism to track statistical measurements of diversity.

MSBA: COMMUNITY PARTICIPANT

MSBA believes that we don't live or work in a vacuum. We are only as strong as our closest allies. We can get more accomplished working together than working independently. Fostering diversity within the legal profession requires that we work with other organizations who have the same mission in mind. We believe by committing to this-everyone's impact will be greater.

Quick Hit: Diversity Conduit

MSBA will assist in the collaboration of efforts in events, programming, and goals between the MSBA and the minority bar associations themselves in order to eliminate repetitive efforts and strengthen the associations' impact.

Implementation: The Director of Diversity and Inclusion will act as a MSBA liaison with the Minority Bar Associations in order to assist in communication between the organizations and creation of partnerships.

Quick Hit: Website Promotion of Minority Bars

MSBA will use a portion of Diversity Section website or social media page to promote minority association programming, partnerships, activities, and opportunities.

Continuous Commitment: Providing Financial Opportunities

MSBA will work with the minority bar associations in providing them pertinent information on where and how to retain sponsorships for their initiatives and programming.

Implementation: MSBA will attempt to work with foundations and legal entities to create a workshop where associations can learn proper scheduling for monetary requests, and how to create a proposal that will get noticed.

“Life is, by nature, highly interdependent. To try to achieve maximum effectiveness through independence is like trying to play tennis with a golf club-the tool is not suited to the reality. Interdependence is a far more mature, more advanced concept.”
-Stephen R. Covey

Continuous Commitment: Increasing Legislative and Policy Voices

MSBA diversity related committees will seek input from minority bar associations regarding MSBA policy resolutions and legislative agenda that potentially impacts or relates to the associations' members, mission, or culture.

Implementation: The Director of Diversity will work with diversity related committee chair(s), staff liaisons to the judiciary and governance committees, and the MSBA legislative advocate to create a system for the minority bar associations to comment and/or support MSBA policy resolutions or legislation.

Continuous Commitment: Annual Leadership Lunches

MSBA will coordinate an annual lunch to bring the MSBA Council, staff liaisons to sections and committees, and minority bar leaders together for relationship building and idea generation.

Quick Hit: Diversifying 9 days In June

MSBA will provide yearly opportunities for each minority bar association to participate in MSBA's 9 days in June programming across the State, in order to highlight their organization, membership expertise, and their businesses.

Quick Hit: Recognition of Leadership and Initiatives

MSBA will work with the minority bar leadership in an effort to create a fact sheet of current minority bar leaders and their initiatives for the bar year. The document will be disseminated to the MSBA Council and internal bar leaders in an effort to create recognition and collaboration with the minority bar associations.

Continuous Commitment: Annual Diversity Conference

MSBA will plan and coordinate an Annual Diversity Conference with a national speaker, in order to highlight individual, affiliate and minority bar associations' prior year's diversity efforts and future year plans.

SUMMARY

The MSBA will use staff and volunteer resources for the purpose of analyzing and meeting the foundation setting goals and strategies of the Commitment to Diversity. The MSBA is resolute in communicating the successes and failures of our objectives and priorities. The Executive Director and the Director of Diversity will review the plan annually to determine the progress of our prioritized goals and the necessity for revision in strategy, implementation, or both. Each year our organization will make those findings public. MSBA is committed to the reorganization of its former diversity efforts. More importantly, we are committed to creating a solid foundation for future initiatives. When doing so we will stay true to MSBA's Mission, Vision, and Values. Through these efforts we will create the foundation we need: one that will lead to verifiable internal and external change, and relationship creation and maintenance.