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PROFESSIONALISM ON POINT

By the year 2044, the United States will officially become a majority-minority nation. More than half of our population will belong to a minority group. By 2060, one in five Americans will be foreign-born. And, in 2015, for the first time in U.S. history, the majority of babies born in the country were babies of color.

When I facilitate diversity programs with the Illinois Supreme Court Commission on Professionalism, I often start with those statistics. It helps to lay out how our country will continue to transform over the next few decades. Then I talk about the numbers in the legal profession.

According to the American Bar Association, of the 1.3 million lawyers in the United States, 85 percent of them are white, 5 percent are black, 2 percent are Asian and 5 percent are Hispanic.

As for gender, 35 percent of lawyers are women, 65 percent are men. For larger law firms, women account for 22 percent of partners, minorities for 8 percent and minority women for 2.76 percent of all partners.

The juxtaposition of those numbers was part of the reasoning behind the Illinois Supreme Court's amending of Supreme Court Rule 794(d) regarding professional responsibility Continuing Legal Education classes. As of July 2017, the rule now requires that Illinois lawyers take one hour of diversity and inclusion CLE and one hour of mental health and substance abuse CLE every two years. Illinois lawyers have long had an expansive professional responsibility requirement that has included both of these categories.

However, as the number of courses offered in these areas has remained low, and the problems in our profession continue to manifest themselves, the court decided to take an additional step toward ensuring the continued professionalism of one of our nation's largest bars.

Diversity education has always played a central role in the work of the Commission on Professionalism. To help Illinois lawyers fulfill their diversity requirement, we often facilitate in-person diversity CLE programming. This month, however, we will offer Illinois attorneys two free interactive e-learning courses on diversity.

The courses will focus on understanding the diversity challenges in the legal profession, recognizing the role implicit bias plays in recruitment, retention and inclusion of women and underrepresented attorneys and teaching strategies to help interrupt implicit bias.

We hope to continue to see employers, CLE providers and bar associations offer innovative diversity programming that will meet the varied needs of Illinois attorneys. To that end, here are some additional thoughts on what types of programs you or your organization can offer or participate in:

1. #MeToo

Mandatory sexual harassment training has been in the workplace for decades. As the past several months have clearly demonstrated, we have more work to do. Sexual harassment training



INNOVATING DIVERSITY

From #MeToo to hackathons, new ideas for programming

By MICHELLE SILVERTHORN

sessions qualify for diversity and inclusion credit. As you continue to have this training, remember to not only focus on what can and can't be said and done, but also on the larger goal of these programs — to promote gender equality and power balance in the workplace.

2. Productive mentoring relationships

Formal mentoring relationships are highly effective inclusion and success builders. Most people are comfortable mentoring people who look like them and remind them of themselves. It is more uncomfortable and difficult to mentor people outside of our familiarity zone.

A program that discusses how to combat bias in creating mentoring relationships, formal ways to structure mentoring relationships and how to deliver and receive effective feedback in those relationships, will go a long way toward creating a more inclusive work environment where all individuals feel empowered to succeed.

3. People analytics and leadership

Are your diverse candidates leaving? When? For what? And why? Where are you recruiting from? What assignments are they taking? How many hours are they billing? How are you tracking these statistics? Many companies, including legal organizations, use diversity metrics to understand where they are falling short in inclusion, retention and promotion. Teach a program where your senior attorneys learn the data and explain how understanding it can help them manage and lead their diverse teams.

4. Diversity mini hackathons.

Lawyers are problem-solvers. So, let's solve diversity problems by borrowing an idea started by legal diversity startup DiversityLab: diversity in

the law hackathons. DiversityLab did it over several months. Let's try doing it in two hours.

The program facilitator spends 30 minutes explaining a diversity dilemma to a large room of attorneys. For example, minority women leaving private practice at a higher rate than any other group. Then, the attorneys are divided into groups. Each group is given an hour to design one workable solution to the problem.

For the last half hour, they present their solutions to the large group and the group votes for a winner. For two hours, attorneys will have thought about the diversity problem and designed solutions that may one day work in their own organizations.

Those are only a few ideas for diversity programs that you can do in your office, bar association or next CLE class. But remember one last thing: Training is not enough. Learning in a CLE class about the applicability of a new statute or judicial ruling will supplement, but not replace, representing a client and practicing the law.

Similarly, if you leave a diversity CLE class thinking that you have done all you need to do, then that diversity program is not a success. The next crucial step is utilizing the skills and knowledge learned in the program to implement change. That's the true hallmark of a successful diversity training program. [CL](#)

Michelle Silverthorn is the diversity and education director at the Illinois Supreme Court Commission on Professionalism. She leads the professionalism education goals of the commission and works with law schools, students and other legal groups to develop interactive education workshops.