A Frank & Honest Talk: AALL's Diversity Symposium Takes on Hard Questions of Creating and Maintaining Diversity in the Legal Community

Lauren M. Collins
Cleveland-Marshall College of Law, Cleveland State University, l.m.collins36@csuohio.edu

Follow this and additional works at: https://engagedscholarship.csuohio.edu/fac_articles

Part of the Law and Race Commons, Legal Education Commons, and the Legal Profession Commons

How does access to this work benefit you? Let us know!

Repository Citation
https://engagedscholarship.csuohio.edu/fac_articles/1012

This Article is brought to you for free and open access by the Faculty Scholarship at EngagedScholarship@CSU. It has been accepted for inclusion in Law Faculty Articles and Essays by an authorized administrator of EngagedScholarship@CSU. For more information, please contact research.services@law.csuohio.edu.
A Frank & Honest Talk

Dean Susan L. Krinsky of Tulane Law School (right) discusses the many initiatives her law school has undertaken to increase diversity while 2006-2007 AALL Diversity Committee Chair Ruth Levor looks on.

AALL's Diversity Symposium takes on hard questions of creating and maintaining diversity in the legal community

by Lauren M. Collins
photos by Kevin Berne
Dr. Leonard A. Williams, director of the Office of Career Development at the University of New Orleans, examines the biases that negatively impact the organizations in which we work, learn, and live in order to understand why facing diversity remains a difficult task in the 21st century.

Traditionally, institutions have focused on "managing" diversity, which results in a top-down approach that often breeds resentment. Diversity requires that it become an "organizational imperative" on all levels. Williams acknowledged the difficulty of doing this given our biases, which he divided into three categories:

1. Assumptive Bias—We believe members of our group are better, always right, and should set the standard for everyone else.
2. Diversity Bias—We have negative beliefs about a particular group, such as the "dumb blonde" or African-Americans as poor tippers.
3. Guerilla Bias—We disguise insults as praise, making statements such as, "Jewish people are great with money...because they are cheap."

Though difficult to hear, confronting the types of negative stereotypes that many embrace was one of the most important parts of the discussion. This was evidenced by later questions from the audience that demonstrated many had discovered things about their own biases that they hoped to change.

Experiencing Biases

Dr. Leonard A. Williams, director of the Office of Career Development at the University of New Orleans, warned participants early on that he planned a "frank and honest talk about some really difficult subject matter." Illustrations of why facing diversity remains a difficult task in the 21st century and why it has grown in its significance required an examination of biases that negatively impact the organizations in which we work, learn, and live. Necessarily, at times the conversation felt personal and uncomfortable.

Whether to deal with diversity is no longer the question we confront; the fact that our workplaces have become diverse by default and our perspectives have become global demand that we be active participants in diverse settings every day. According to Williams, a politicized idea of diversity that relies on keeping respectable numbers of protected class members in our schools and workplaces is ineffective and unacceptable. Reliance on statistics results in affirmative action, not true diversity.

Acceptance of diversity starts with a good working definition of the term, something many of our organizations lack. Williams pointed to several statements of prominent organizations and found only that of the United Nations satisfactory. A definition that is comprehensive and understandable is a must for an organization to begin progress toward real diversity.

Traditionally, institutions have focused on "managing" diversity, which results in a top-down approach that often breeds resentment. Diversity requires that it become an "organizational imperative" on all levels. Williams acknowledged the difficulty of doing this given our biases, which he divided into three categories:

1. Assumptive Bias—We believe members of our group are better, always right, and should set the standard for everyone else.
2. Diversity Bias—We have negative beliefs about a particular group, such as the "dumb blonde" or African-Americans as poor tippers.
3. Guerilla Bias—We disguise insults as praise, making statements such as, "Jewish people are great with money...because they are cheap."

Though difficult to hear, confronting the types of negative stereotypes that many embrace was one of the most important parts of the discussion. This was evidenced by later questions from the audience that demonstrated many had discovered things about their own biases that they hoped to change.

A Clear Message of Welcome

The remainder of the symposium focused on diversity in the legal community. Dean Susan L. Krinsky of Tulane Law School discussed the many initiatives her law school has undertaken to increase diversity. She listed four steps to true diversity in educational settings: (1) recruitment; (2) retention; (3) promotion and recognition of the achievements of members of diverse groups; and (4) encouragement to these students, after graduation, to remain involved in the continuing work of maintaining diversity at the school.

Though New Orleans has been a diverse community since its early history, Tulane Law has not always reflected that diversity. The first African American law school graduate, Michael A. Starkes, entered Tulane under the conditions that there be no publicity of his admission. Since 1982, when Krinsky arrived at Tulane, the school has significantly increased its female students and students of color. The law school has the only law review that focuses on issues of sexual orientation and was the first to require community service in 1987.

How did Tulane increase diversity in its law school? According to Krinsky, "it was largely a matter of being clear in [the] message of welcome." Sadly, since Hurricane Katrina in 2005, Tulane has had trouble recruiting female students, primarily due to safety concerns. Krinsky simply sees this as a new challenge that she, her staff, faculty, and students are up to.

Retention is the Key Word

K. Todd Wallace of Liskow & Lewis, a New Orleans-based law firm, spoke about law firm diversity. To better serve its diverse clientele, enrich firm creativity, and foster inclusion that leads to a more efficient practice, Liskow created Wallace’s post as minority recruiting and retention partner. Retention, Wallace pointed out, is the most significant part of his title. Law firms routinely have recruitment efforts but are not as successful at retention. Attrition numbers of associates who are members of protected classes are alarming, making recruitment an incomplete means of developing diversity.

Law firms often have great ideas about diversity on paper, but fail to put them into action. At Liskow, when financial commitments are made by the firm, personal commitments accompany them. Purchasing a table at a diversity event is not enough—Liskow’s attorneys show up. When Liskow has a diversity recruitment event, it also provides a service, like mock interviews, to support candidates. Liskow’s outreach starts early. The firm exposes young people to law as a career as early as high school and engages in active sponsorship of a pre-law program at a local college. But the firm recognizes it has a long way to go to create a diverse workplace, and Wallace opened the floor to suggestions from the audience.

A Festive Close

To bring a festive close to the afternoon, the Diversity Committee Reception provided a sampling of New Orleans’ diverse community and history through food and song. From the Italian muffuletta to the expected, traditional fare, such as andouille sausage and crawfish dishes, the flavor of New Orleans was presented, as was its music. Elliot “Stackman” Callier and his
Roman aristocrats of Caesar's time lacked the "gravitas" of earlier times, when they commanded the respect and admiration of the public. But the reign of Caesar seems to be the period in Roman history that is filmed the most, giving us a decidedly unbalanced view of the Roman Republic.

Rome operated as a triad of political bodies, with a Magistry, Assemblies, and Senate, somewhat akin to our executive, legislative, and judicial bodies in the United States. I was interested to learn that while the Senate was composed of learned Roman aristocrats who wielded much political power, the Senate itself could not pass laws. It did, however, appoint citizens to political posts and controlled foreign policy. Caesar stood outside Senate control because he had built up his own army.

Several Scenes from Rome
We were treated to several clips from the Rome series, followed by lively discussion between each clip by Kehoe and Vetter. Mark Antony is shown running for the Tribune of Plebes (“People’s Tribune”), a position that would allow him to veto any legislation that his ally Caesar did not like. Later we see Antony vetoing a Senate proposal to force Caesar to put down his army and become a citizen. We also see Caesar pressuring a local man to run for a neighborhood magistrate position. The man demurs at first, but Caesar cannot be refused. He assures the man that he has become dictator quite legally! (And in fact, the position of dictator had previously been used in Rome as an emergency position lasting six months. The trouble begins when Caesar names himself dictator for life.)

For me, the most interesting clip was the murder trial of legionnaire Titus Pullo. Before the trial, Pullo is taken to a market where a great effort is made to hire an advocate, or “case pleader,” for him. But a full bag of coins can’t tempt the better advocates. Finally a sheepish and tongue-tied advocate steps forward and accepts the job.

Pullo, as we soon see, doesn’t stand a chance. The advocates were the trial lawyers of Rome and paid to talk. They differed from the jurists, who never went to trial and focused solely on property and contract law. Jurists were well respected men of property who never charged for their advice. Unfortunately, criminal law was undeveloped, much to Pullo’s loss.

The session concluded with a clip from a videotaped lecture given by a University of California-Los Angeles instructor. Vetter uses this video in his classroom because of the images of Roman art that intersperse the lecture, something that he can’t easily show.

This program, with its entertaining use of media, captured my imagination and made me enthusiastic about the subject. If I had not been an advocate for the use of audiovisuals in the classroom before, I certainly was after this presentation. Many thanks to Ray, Kehoe, and Vetter for making a bit of Roman law come alive for me.

■

Betsy Chessler (bchessler@mofo.com) is a senior associate librarian at Morrison Foerster LLP in San Diego.

For More Information
Purchase an audio recording of this session online at www.aallnet.org/products/products_educational.asp. (SKU 07AALL/CD-D6; $11)
Download a free handout from Professor Dennis Kehoe’s presentation online at http://programmaterials.aallnet.org.

honest talk— continued from page 27

quartet entertained the crowd with traditional jazz songs, like "Hello, Dolly."

New to this year’s symposium were a half-time break that allowed participants time to discuss what they had learned thus far and the presentation of the Minority Leadership Development Award. The symposium was the perfect place to acknowledge the contributions of an up-and-coming leader in law librarianship, like Dennis Kim-Prieto, reference librarian at Rutgers University Law School Library in Newark, New Jersey.

Lauren M. Collins (collins@law.duke.edu) is reference librarian at Duke University School of Law Library in Durham, North Carolina.