

Diversity in the Legal Profession: A Pipeline to Equal Access and Inclusion

By Michael D. White





There can be little doubt that over the past decades, great strides and advances have been made in both diversity and inclusion. But change has been slow, particularly in the legal profession. To better serve the shifting needs of the community, judges, attorneys and those that support their work are leading the charge to diversify the Bench and the Bar.

IN 2008, SFVBA PAST PRESIDENT RICHARD LEWIS, the first African-American president of the Bar Association, answered the call to diversify the legal profession and worked with the SFVBA Board of Trustees to form a standing Diversity Committee (now the Inclusion & Diversity Committee) to reshape the Bench and Bar by building an educational pipeline leading to the legal profession and Judiciary.

Over the past decade, the Bar has earned a reputation as one of the most active groups of its kind in terms of actively promoting diversity and inclusion in the legal profession. In October 2016, the SFVBA was lauded for its efforts and was the recipient of the State Bar of California Bar Association Diversity Award. The Diversity Awards recognize outstanding efforts made by a bar association,

law firm, organization or attorney to promote diversity in the legal profession, in their organization, or among their peers.

In addition, the SFVBA has served as a long-time associate member of the Multicultural Bar Alliance (MCBA) of Southern California, an organization comprised primarily of minority bar associations. The MCBA, one of the largest of its kind in the entire country, shares the SFVBA's commitment to increasing diversity and promoting inclusion in the legal profession at large.

Below are some observations on the topic of diversity and inclusion from Bar leaders, judges, and staff who are intimately involved in the work of the SFVBA, and the legal community in general, to better mirror the image of the community they serve.

SFVBA Past President Carol L. Newman

"The edges of the envelope are being pushed. And there is some push back, but progress is being made in making the legal profession more diverse and inclusive, though it is slower than what's been hoped for," says attorney Carol L. Newman, Partner at Alleguez & Newman in Woodland Hills.

"I think the older, established law firms are trying to become more diverse and inclusive. But it really is a matter of how you bring people along in the profession," she says. "I was fortunate that I was with a series of firms and got very good training, so I was able to develop valuable skills that carried me through and was with two firms as a partner before going out on my own."

Diversity in the legal profession, Newman feels, "helps us be able to relate to the people we represent. It helps us appreciate the differences and the sameness of people. It makes



“

Diversity in the legal profession helps us be able to relate to the people we represent.”

—Carol L. Newman

us better rounded as lawyers to deal with society and the challenges we face every day,” adding that it also “focuses on differences between people. In fact, lot of us share the same things that are important to us...values that cross over differences in what we look like. Values and faith in the justice system.”

The key, says Newman, the SFVBA's first openly LGBT president and a veteran of more than 40 years as a practicing attorney, “is to appreciate differences in opinion and not demonize those who think differently from the way we do. We need to value the fact that others have just as strong a view as we may have and hold that view as honestly and sincerely as we do.”

The SFVBA's officers, Board of Trustees, Section and Committee heads, she says, “are a great example of diversity and I really hope that our Bar keeps that up and makes that a priority because that will make us stand out as special.”



Michael D. White is editor of *Valley Lawyer* magazine. He is the author of four published books and has worked in business journalism for more than 35 years. Before joining the staff of the SFVBA, he worked as Web Content Editor for the Los Angeles County Metropolitan Transportation Authority. He can be reached at michael@sfvba.org.

SFVBA President Elect Yi Sun Kim

Talk about diversity usually orbits around the topics of gender and ethnic background, says Yi Sun Kim, Partner at Greenberg & Bass in Encino.

"That's certainly important and at the forefront of the discussion, but it's also about culture, age, and the diversity of experiences, with the free exchange of ideas at the core of our approach to diversity and inclusiveness," she says. "If you feel that you're different from everyone else, you may have a harder time sharing your ideas and expressing yourself. It's easier to communicate and identify with someone who shares a common experience. That's particularly true among new lawyers. It only makes sense that if you see young people like yourself, you want to get involved more."

A better understanding of people and their experiences, she says, "can only lead to a better understanding of

the problems they might face. You can then understand why some issues might be more sensitive to them than others."

A graduate of Loyola Law School, with a decade as a practicing attorney, she feels that "what you learn in law school is book-based and not very practical. There should be more emphasis on how to interact with people of different backgrounds and learn what to be sensitive to. Maybe diversity could be more effectively incorporated into the classes that cover how to relate with clients."

It all can't but help attorneys to serve their clients and the community more effectively, Kim says. "We want justice to be blind. In furtherance of justice, when it comes to people being discriminated against or deferred to, we need to be more aware of those whose concerns are not universal."



“

It's easier to communicate and identify with someone who shares a common experience."

— Yi Sun Kim

LA Superior Court Judge Paul A. Bacigalupo

The legal profession "must strive to make information available to young people about its profession and cultivate and support educational opportunities and students' interest and involvement in the judicial system," says Los Angeles County Superior Court Judge Paul A. Bacigalupo.

Lawyers, he feels, "can construct mentoring programs for new lawyers through minority and specialty bar associations, like the SFVBA's Inclusion & Diversity Committee, and support efforts to create a culture of inclusion in law firms and legal organizations."

At the same time, they "can participate in implicit bias or the elimination of bias training and examine the cultures where they work and identify the obstacles and opportunities for improving diversity and inclusion."

Bacigalupo currently serves as Co-Chair of the California Latino Judges Association's Judicial Appointment Support Committee, which mentors



“

Lawyers can participate in implicit bias or the elimination of bias training and examine the cultures where they work."

— Judge Paul A. Bacigalupo

and provides assistance to applicants throughout the judicial appointment process and presents judicial appointment workshops as a means to promote diversity and inclusion on the bench.

Likewise, Judge Bacigalupo says the court continues to educate judges about diversity and inclusion. He's chair of the Judicial Branch's Access, Ethics & Fairness Curriculum Committee and designs and develops programs to educate judges about sexual harassment prevention, LGBT and gender identification and sexual orientation, ADA issues, language access, cultural competency, persons with disabilities, the aged, community outreach, judicial demeanor, social media, and impartiality and bias in decision-making through programs and products in order to promote public trust, diversity, inclusion, equal access and fairness in the courts.

"The better educated we are on these topics helps all those who appear in the courts feel they belong and are being heard," he says.

SFVBA Trustee Peta-Gay Gordon

Diversity and inclusion “adds differing viewpoints. Everyone comes with their own background, biases, beliefs and experiences and from that, the legal profession can be better able to help diverse clients. In the court system, for example, you’re better able to understand the stories that come before you as a judge,” according to attorney Peta-Gay Gordon.

“Diversity in the law profession needs to better reflect the actual population so that it’s not just a certain group of people making decisions for everybody else.”

Gordon would like to see “a special effort at reaching out to attorneys who are just starting out. My hope is that there is some way to bridge that gap to get more people involved and grow the Bar. We’ve done a pretty good job of trying to tap a lot of areas to grow the Bar. We’re doing what we should, but we should be doing more to reach out.”

With so many organizations to choose from, “It’s hard for people to carve out the time to concentrate on



“

Diversity can be taught in the practicum phase of law school where they focus on learning hands-on.”

—Peta-Gay Gordon

one, so it’s going to be a constant battle to try to get in front of people, get them involved and hopefully retain them over the long-term. I think the Bar has done better

than most groups, but trying to grow and get better is always a good thing.”

Gordon has been a practicing attorney for 12 years. A graduate of the USC Gould School of Law, she currently serves as Vice President of the law school’s alumni association and is a Partner with Oldman, Cooley, Sallus, Birnberg & Coleman in Encino.

“There has to be a drive toward diversity and reaching people at a younger age whether it be promoting diversity of getting them interested in the law,” she says. “Diversity can be taught in the practicum phase of law school where they focus on learning hands-on whether it be through clinics or learning hands-on. It could also be woven into the cases that take on the issue of diversity.”

Slow headway “has been made getting into communities that need more legal assistance. That’s difficult because, geographically, this region is so huge. But, Gordon says, “There are still some communities where people don’t know what a will or trust is and how not having one or the other can affect their lives. That needs to change and that’s part of what we have to work toward.”

LA Superior Court Judge Huey Cotton

The greatest value of diversity “is that it prepares us for what’s next. We are rapidly evolving into a more interactive society, while borders and walls, for the most part, are coming down,” observes Judge Huey Cotton.

“We want the rule of law to survive these changes,” says Cotton, who practiced law for 27 years before being appointed to the Los Angeles Superior Court in 2009.

To do so, he says, “Our laws, and therefore our lawyers and judges, must understand how to fairly apply the law to these evolving social dynamics. The old view that a homogenous race, gender or culture based firm or legal community is best for society becomes a demonstratively false view when we

consider the interactive social future on the horizon.”

Over the years, he says, “I have seen well-intended lawyers and administrators implement hiring practices that helped diversify many law schools, law firms, and the judiciary. These change agents deserve our applause and respect. However, these change agents have been largely ineffective in fighting when the so-called reverse discrimination movement attacked the very meager progress that had been achieved.”

Consequently, “many institutions backed away from their active commitment to diversity. Instead, they elected to focus upon discussing diversity,” adds Cotton. “The extent of diversity in various institutions got worse, not better. At the same time,



“

We are rapidly evolving into a more interactive society.”

—Judge Huey Cotton

the institutions that did diversify actually reaped the benefit of diversity.”

According to Cotton, “Diverse firms find it easier to attract business from diverse communities, easier to select jurors, easier to understand and empathize with clients of diverse backgrounds and easier to interact

respectfully with lawyers or judges of diverse backgrounds. But this is the very environment being attacked and resisted. Given this upside, the overriding lesson on diversity is this—don’t give up on the process of diversifying our legal community.”

Co-Chair of SFVBA Inclusion & Diversity Committee **Joanna Sanchez**

“I think diversity is difficult to define,” says family law attorney Joanna Sanchez with the Law Offices of Robert Gantman. “For me, it means giving a voice and a seat at the table to everyone, not just a select few, but including people from under-represented communities, people who are not frequently seen in the legal profession, and not only attorneys, but those in other areas of the legal profession such as judges, paralegals and court reporters.”

According to Sanchez, “As time passes and as we grow as a legal community, the definition of diversity is going to change. Before it mainly meant inclusion of women and those of different ethnic backgrounds. Now we’re seeing it expanded to include the transgender community and people with disabilities.”

What we think of as a diverse society “is always changing. I don’t know that we can ever truly accomplish total diversity because it’s going to constantly change over time and expand,” she says. “Once you think you’ve reached ‘diversity,’ you probably haven’t because there is going to be something new to learn about and include.”

As a member of the SFVBA Board of Trustees, Sanchez says she would like to see “more programs focusing on enhancing diversity and attorneys of diverse backgrounds actually participating in the Bar’s events and programs. More often than not you see the same people at the Bar’s events and I think we need to reach out to the entire community to change that.”



“

As time passes and as we grow as a legal community the definition of diversity is going to change.”

—Joanna Sanchez

.....

The Bar “is a great organization. We have lots of resources and do amazing things for the community, but many people still do not know about us. That’s an ongoing challenge.”

In general, “We have a long way to go in terms of diversity in the legal profession and that’s what motivated me to get involved with the [Inclusion & Diversity] Committee, to work with the community colleges and high school students, and get young people to feel comfortable in a legal environment by meeting practicing attorneys, judges and others in the profession. That can get them motivated to go on and at least consider the legal profession as a career.”

Co-Chair of SFVBA Inclusion & Diversity Committee **Valarie Dean**

Diversity “is encouraging involvement of all types of people, no matter what race ...,” says Valarie Dean.

When asked how someone learns about diversity, Dean responded, “I do not think diversity and inclusion are taught in a textbook. In terms of the legal community, it means embracing others of diverse cultures, which isn’t something that’s taught, so to speak.”

“That goal of acceptance and inclusion was former SFVBA President Richard Lewis’ goal when he started the Diversity Committee years ago,” says Dean. “From what I’ve been told, back then, diversity wasn’t a focus of the SFVBA, even though the Valley has one of the largest diverse populations in Los Angeles County.”

Both Dean and Diversity Committee Co-Chair Joanna Sanchez, “continue to



“

We are far more diverse than many other bar associations because we encompass multiple cultures.”

—Valarie Dean

work in helping achieve the goal, which is to bridge the gap by including other diverse bar associations in our efforts. Developing those kinds of relationships in the legal profession is so very important,” says Dean.

Dean is Founder and CEO of TechnoTaries, Inc., a Tarzana-based company that provides virtual paralegal services to attorneys. Drawing on more than 30 years of experience in the legal field, Dean says she would like to see the Bar’s Inclusion & Diversity Committee, “continue its outreach so that we can bring various diverse cultures together in the Valley through our programs.”

Along with their collaborations with judicial officers and other legal professionals, “we can make a difference.” Dean says. “We are far more diverse than many other bar associations because we encompass multiple cultures. I’d like to increase the support given to every culture in the Valley as much as possible through our efforts.”

SFVBA Past President **Richard A. Lewis**

While the 2008 creation of the Bar’s Diversity Committee is readily seen as his brainchild, attorney Richard A. Lewis is quick to credit then-President Sue Bendavid as its real progenitor.

“The idea of forming a Diversity Committee was really Sue’s idea,” says Lewis, who had, just two years previously, served as the Bar’s first African-American president. “We agreed that it was critical that we work toward equipping the Bar in a way that would make it more effective in serving the Valley’s increasingly diverse community. I just helped it along.”

Getting the SFVBA involved in the 19-member Multicultural Bar Alliance of Southern California was “a major step in positioning the Bar as a professional organization that’s

serious about expanding its horizons in terms of diversity and inclusion,” he says. “We’ve been increasingly active in our involvement with the Alliance and to this day, remain the only regional bar association that’s a member of the group. I think that shows our efforts have been taken seriously.”

Diversity “is an ongoing process and we’ve come a long way,” says Lewis, alluding to the fact that the Bar’s current President-Elect, when she assumes office next fall, will be the Bar’s first Asian-American head.

“That shows a lot to me because by welcoming as diverse a collection of people as possible, you benefit tremendously from what they bring to the table. New perspectives, new ideas about policies and programs and ways in which we can better serve the community we are, in part, responsible for,” he says.



“

By welcoming as diverse a collection of people as possible, you benefit tremendously from what they bring to the table.”

—Richard Lewis

SFVBA Director of Public Services **Rosie Soto Cohen**

The Bar's Attorney Referral Service (ARS) and its Inclusion & Diversity Committee are symbiotically linked as the ARS funds the Committee's various outreach programs.

"We saw early on how important it was to start young people thinking about future careers in the legal profession," says Rosie Soto Cohen, who joined the Bar in 2001 as assistant to the Executive Director and was named Director of the ARS in 2008.

The Committee, she says, was tasked with creating programs that make the legal profession more diverse by working "through the pipeline," that is, investing time and effort into finding the most productive and impactful way to reach those young people.

Schools, says Soto Cohen, "were the obvious answer. Over time we adopted Maurice Sendak Elementary School, Milliken Middle School, helped create Reseda High School's Law and Government Magnet Program, and worked with Pierce College and Mission College to help them start their law clubs."

The ARS funds the awards given to winners of the Committee's essay contests, as well as the dramatic productions that are primarily aimed at elementary school students, and more.

"We've had productions with the Big Bad Wolf being sued by the Three Little Pigs and Snow White suing the Witch for poisoning her."

To reach middle school and high school students, the Committee and the ARS work hand-in-hand to organize court tours, speaking engagements with lawyers,



“

We work to find the most productive and impactful way to reach young people.”

—Rosie Soto Cohen

and meetings with judges “who the students can see and serve as role models. During the court tours, judges will take the time to bring in the bailiff, court reporter, and others involved in the profession,” she says.

From the ARS' perspective, the goal, says Soto Cohen, “has always been to meet the needs of the community and often times that means needing a lawyer that is bilingual who, at least in the eyes of the client, can build a stronger relationship.”

Currently, “we have a number of attorneys who are bilingual but we can certainly use more so that we can better reflect the community that we serve.” 

