



Diversity in Colorado's Legal Profession 2007

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Colorado Pledge to Diversity Legal Group



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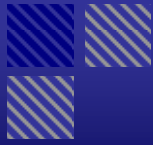


Table of Contents

Chapter 1: Executive Summary	3
Study Results	3
Chapter 2: Introduction	6
The Case for Diversity and Inclusive Excellence	6
The Work Being Done in Colorado	7
Implementation of Inclusive Excellence in the Legal Community	8
The Reason for this Survey.....	9
Chapter 3: Study Methods	10
Survey Design.....	10
Survey Participants	11
Surveys Collected	12
Chapter 4: Demographics of Survey Respondents.....	13
Personal Characteristics Related to Legal Careers	14
Organizational Characteristics	17
Disparities in Income.....	18
Summary of Demographic Findings.....	19
Chapter 5: Pipeline	21
Summary of Pipeline Findings	24
Chapter 6: Recruitment Findings	26
Recruiting Diverse Attorneys.....	26
Hiring Patterns	29
Training and Hiring.....	32
Qualifications in Hiring	34
Summary of Recruitment Findings.....	35
Chapter 7: Retention Findings	37
Job Satisfaction.....	37
Reasons for Staying.....	39
Reasons for Leaving	39
Other Retention Issues	42
Diversity and Inclusiveness Best Practices.....	45
Discrimination in the Legal Profession	51
Summary of Retention Findings.....	53
Chapter 8: Conclusion	55
Appendix A: References	56
Appendix B: Methodological Notes	57
Appendix C: Survey Questions	74

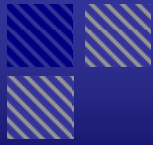
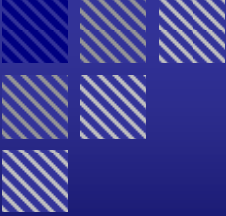


Table of Contents: Charts and Tables

Table 4.1. Denver metro area and survey respondents' race, ethnicity, sexual orientation, and gender. .	13
Chart 4.1. Survey respondents' years in the legal profession by demographic groups.....	14
Chart 4.2. Attorneys' types of organizations, excluding attorneys in PTDG organizations.....	15
Chart 4.3. Type of position within firms by demographic group.....	16
Chart 4.4. Percent graduating within each law school quartile.....	16
Chart 4.5. Organization size.....	17
Chart 4.6. Percent in each income category by demographic groups.....	18
Chart 4.7. Percent in each income category by demographic groups, specific to respondents from PTDG organizations.....	19
Chart 5.1. First in family to obtain a degree.....	22
Chart 5.2. Knew a lawyer before going to law school.....	23
Chart 5.3. Method of learning about jobs.....	23
Chart 5.4. Significant differences in methods of learning about jobs.....	24
Chart 6.1. Special efforts made to recruit diverse attorneys.....	26
Table 6.1. Percent who reported that efforts to recruit diverse attorneys are sufficient.....	27
Chart 6.2. Percent who agreed and disagreed that sufficient efforts are being made to recruit racially and ethnically diverse attorneys.....	28
Chart 6.3. Percent who agreed and disagreed that sufficient efforts are being made to recruit GLBT attorneys.....	28
Chart 6.4. Percent who reported diverse applicants have applied, been interviewed, and been hired by their organizations.....	30
Chart 6.5. Perceptions of the reasons that diverse candidates are hired and not hired.....	31
Chart 6.6. All attorneys in my organization should be trained to understand the needs of specific diverse groups.....	32
Chart 6.7. Percent who have taken diversity training classes and the extent of organizational support.....	33
Chart 6.8. Percent who agreed that diverse attorneys need better qualifications than other attorneys to be hired.....	34
Chart 6.9. Percent who agreed that hiring standards are lower for diverse attorneys than for other attorneys.....	35
Chart 7.1. Satisfaction with professional situation.....	38
Chart 7.2. Percent currently seeking other employment.....	39
Chart 7.3. Reasons for staying at current position.....	39
Chart 7.4. Reasons for leaving a previous position.....	40
Chart 7.5. Diverse attorneys are leaving the organization because the climate is not conducive.....	41
Chart 7.6. Organization takes sincere steps to advance diverse attorneys.....	43
Chart 7.7. Diverse attorneys do not receive the privileges that other attorneys receive.....	43
Chart 7.8. Sense of isolation in present position.....	45
Chart 7.9. Formal philosophy.....	46
Chart 7.10. Diversity efforts in small and large organizations.....	46
Chart 7.11. Active and effective diversity committees.....	47
Chart 7.12. Serving on committees.....	48
Chart 7.13. Mentoring program effectiveness and accountability systems.....	48
Chart 7.14. Percent who agreed and disagreed that their organization is not doing enough to address diversity and inclusiveness issues.....	50
Chart 7.15. Witnessed or experienced discrimination on the basis of racial and ethnic diversity.....	51
Chart 7.16. Witnessed or experienced discrimination on the basis of GLBT status.....	52
Chart 7.17. Percents of diverse attorneys who agreed and disagreed with three types of discrimination based on diverse status.....	52



Chapter 1: Executive Summary

The report to follow describes the results of a 2007 survey of practicing attorneys in the Denver-metro area. The survey asked the respondents to share their perceptions and experiences related to diversity in the legal profession. Respondents represented diverse and non-diverse attorneys and those employed in both public and private sector settings. Diverse attorneys were defined, for the sake of this survey, as Latino attorneys, racial minority attorneys, and Gay, Lesbian, Bisexual, and Transgender (GLBT) attorneys. All respondents, diverse and non-diverse, were asked about:

- Pipeline issues, such as the early influences that led them into the legal profession;
- Recruitment issues, such as perceptions of hiring practices;
- Retention issues, such as the climate of their organization and their satisfaction with their job;
- Best practice issues, such as diversity committees and mentoring programs; and
- Discrimination problems, both overt and covert.

Information from other states and national reports was used to understand the results of the Colorado survey, helping to see how Colorado is similar to and different from other states.

Study Results

In total, 938 attorneys in the Denver-metro area completed enough of the survey to be included in the results. Of these, 307 reported working at organizations who have signed the pledge of the Colorado Pledge to Diversity Legal Group (PTDG). Of the 938 responses, 102 identified as Latino, 29 as Native American, 34 as African American, 47 as Asian American, 3 as Pacific Islander, 4 as "other," and 75 as GLBT. There are overlaps in these numbers because 38 participants identified with more than one diverse category, resulting in 256 diverse respondents total, or approximately 27% of the total responses. As no demographic information is tracked for all attorneys in the Denver-metro area, it is impossible to say if the respondents are representative of the general population of attorneys. Thus, survey results are not inferred to any population beyond those who took the survey.

Demographics: The survey, and accompanying national information, found striking differences between heterosexual, white men and racially and ethnically diverse, GLBT, and female attorneys. These disparities were seen in many important areas of success in the legal profession, such as:

- Years of practice (Chart 4.1), where 57.2% of heterosexual, white men who responded to the survey reported having practiced law for 20 years or more, compared to 25% or less of racially and ethnically diverse and GLBT respondents; and
- Partnership in law firms (Chart 4.3), where 66.5% of heterosexual, white male respondents identified themselves as partners, compared to less than 35% for racially, ethnically, and GLBT diverse respondents.

These two issues, in combination with gender and public versus private sector employment, were the major factors underlying the income disparities (Chart 4.6) found between racially and ethnically diverse, GLBT, and female attorneys as compared to heterosexual, white male attorneys.

Pipeline: Diverse respondents differed from non-diverse respondents in both their family history and their ways of learning about jobs. Racially and ethnically diverse attorneys were:

- Significantly more likely to be the first in their family to earn undergraduate, graduate, and law degrees (Chart 5.1); and
- Significantly more likely to find jobs through law school career services, which may be related to the high percentage of diverse respondents who reported being new to the profession (Chart 5.4).

Respondents from organizations in the Colorado Pledge to Diversity Legal Group (PTDG) were also very likely to have learned about their current job through law school career services, indicating that PTDG organizations have been recruiting in a manner that can reach diverse applicants.

Recruitment: Respondents from PTDG organizations reported far more use of recruitment efforts specifically aimed at recruiting diverse attorneys than respondents from other organizations. Respondents from PTDG organizations were also:

- More likely to agree that recruitment efforts for diverse attorneys are adequate in their organization (Charts 6.1 and 6.2);
- More likely to report that diverse candidates have been interviewed and hired (Chart 6.4); and
- More likely to report that they believe diverse candidates have been hired specifically to increase diversity (Chart 6.5).

Racially and ethnically diverse and GLBT attorneys largely did not agree that efforts to recruit diverse attorneys were adequate in their organizations, as compared to heterosexual, white men, who largely reported that the efforts were adequate (Table 6.1, Charts 6.2 and 6.3). GLBT attorneys also reported more frequently than other respondents that their organizations have had diverse applicants, including GLBT applicants, who have applied, interviewed, and been hired (Chart 6.4). Combined with open-ended comments from GLBT respondents about the invisibility of GLBT issues, the results suggest that GLBT applicants may be remaining largely “hidden” from their non-GLBT peers. Racially and ethnically diverse and GLBT respondents were also more likely to believe that hiring practices are biased against diverse applicants (Chart 6.8). Overall, diverse respondents had dramatically different interpretations of hiring practices than their non-diverse peers.

Beyond diverse status, other factors affected how attorneys viewed diversity efforts in recruitment practices. For example:

- Respondents who had taken a diversity training class were more likely to agree that other attorneys need to take such classes, including attorneys responsible for interviewing applicants (Chart 6.6); and
- Respondents from large firms were more likely to perceive hiring practices to be biased in favor of racially and ethnically diverse attorneys (Chart 6.9).

Retention: Racially and ethnically diverse and GLBT attorneys reported experiencing the legal profession very differently than their non-diverse counterparts. They were significantly more likely to:

- Be dissatisfied with their position overall and their access to clients, their advancement opportunities, the complexity of their work, and their mentoring opportunities (Chart 7.1);
- Be actively seeking other employment (Chart 7.2);
- Have left a previous position due to a lack of access to clients and mentors (Chart 7.4);
- Report that they do not feel included in social and business networking events; and
- Report that they feel isolated in their current positions (Chart 7.8).

The respondents from PTDG organizations and organizations with more than 50 attorneys on staff reported significantly more often that their organizations have put in place best practices related to diversity (Charts 7.10 and 7.11). These included:

- A formal philosophy on diversity and inclusiveness;
- CEOs communicating their vision related to diversity;
- Compensation being tied to efforts to increase diversity;
- An active and effective diversity committee; and
- An effective and accountable mentoring program.

The best practices appeared to have some impact, as more attorneys in PTDG organizations reported that their organization is doing enough to address diversity and inclusiveness issues. Yet at the same time, approximately 20% of respondents in PTDG organizations and other organizations continued to disagree that their organization is doing enough, suggesting that the diversity best practices have not changed the perceptions of 1/5 of respondents.

The most important predictor of whether a respondent believed their organization is doing enough to address diversity issues was not the programs in place, but rather whether the respondent had witnessed or experienced discrimination. Racially and ethnically diverse, GLBT, and female respondents were all more likely to report witnessing or experiencing discrimination (Charts 7.15 and 7.16). Among diverse respondents, 16.2% reported that they are believed to be less qualified due to their diverse status and similarly, 16.7% reported their colleagues are less tolerant of their mistakes due to their diverse status (Chart 7.17).



Chapter 2: Introduction

The Colorado legal community is not unique in the challenges presented by the low numbers of diverse attorneys practicing law, high attrition rates of diverse attorneys, and declining numbers of diverse law school applicants. This situation is faced by almost every legal community in the country. However, in Colorado, many attorneys and groups in the legal community have come together to devise an ambitious plan to transform the underlying culture of the legal profession to the point where inclusion is a practice embedded in the very fabric of every legal organization. This study on Diversity in Colorado's Legal Profession represents a key component in achieving inclusive excellence.

The Case for Diversity and Inclusive Excellence

There is no substantial disagreement among law firms, companies, and bar leaders regarding the importance of diversity in the legal profession. As the Supreme Court recognized in its landmark decision in *Grutter v. Bollinger* (2003), the benefits of diversity “are not theoretical but real, as major American businesses have made clear that the skills needed in today's increasingly global marketplace can only be developed through exposure to widely diverse people, cultures, ideas, and viewpoints” (539 U.S. 306, 330-31, 123 S.Ct. 2325). Despite the concerted efforts of employers, the employment statistics with respect to diverse attorneys in the legal profession are dismal.

According to the U.S. Bureau of Labor Statistics and based on U.S. Census data for 2000, the legal profession lags behind many other professions in minority representation. On a national basis, minorities constitute only 9.7% of lawyers compared to 15.9% of dentists, 16.7% of civil engineers, 20.8% of accountants, and 24.6% of physicians. In Colorado, according to 2000 Census data, only 6.9% of all lawyers are ethnic or racial minorities. This situation cannot be remedied anytime soon as the application rates for diverse law students have been on the decline for two years (Handwerk, 2006). Additionally, the attrition rate for diverse lawyers in private law firms is very high; much higher than that for non-diverse attorneys. For example, by the fifth year of practice, 81% of all female attorneys of color have left their law firms (Visible Invisibility, 2006).

Diversity in the legal profession includes more than just racial and ethnic minorities. Gay, lesbian, bisexual, and transgendered (GLBT) attorneys are also historically under-represented. There is no way to know precisely how many GLBT attorneys are represented in the legal profession, but data collected by the National Association for Law Placement indicates that they comprise only 1.42% of attorneys in larger law firms across the country (NALP, 2006).

Law firms are particularly concerned about these issues because the shortage of minority attorneys is having a significant impact on their business. In response to stagnant employment rates of minority attorneys in private law firms since 1999, corporate legal counsel across the country formed an initiative to encourage diversity in law firms. The "Call to Action," signed by over one hundred Fortune 500 corporations, requests that law firms increase their diversity or

risk losing signatory corporations as clients (Call to Action, 2007). The corporate legal counsel who organized this initiative recognized that the effort to diversify private law firms will not be effective until it impacts their bottom lines. The “Call to Action” is now causing law firms to put diversity at the top of their priority lists.

The Work Being Done in Colorado

In Colorado, several law firms formed an alliance in 1993 to increase the number of racially and ethnically diverse attorneys recruited, hired, and promoted by law firms in Colorado. These law firms signed a Pledge to Racial and Ethnic Diversity in Colorado Law Firms to evidence such commitment. The Colorado Pledge to Diversity Legal Group¹ (PTDG) has sponsored a successful 1L diversity summer associate program since 2000, through which many diverse law students have been hired. In 2007, the PTDG’s summer associate program received national recognition for achieving excellence from the National Association for Law Placement.

Colorado also has an active bar association devoted to issues involving diversity in the legal profession. The Diversity in the Legal Profession (DILP) of the Colorado and Denver Bar Associations includes members from all areas of law. DILP has organized a Mentor/Mentee Program each year to match practicing attorneys from the Specialty Bar Groups² with diverse first year students at the University of Denver Sturm College of Law and the University of Colorado Law School. Additionally, DILP has overseen the planning of a national-scale diversity conference – The Rocky Mountain Legal Diversity Summit on September 20th 2007- where the results of this diversity survey are an important agenda item.

More recently, the law deans of the two Colorado law schools – Dean Beto Juárez of the University of Denver Sturm College of Law and Dean David Getches of the University of Colorado Law School -- joined together to convene Denver law firms with a common interest in achieving greater diversity and providing leadership from the law schools as well as a forum for development of goals and best practices. The Deans’ Diversity Council, formed in the fall of 2006, is a collaborative effort between law schools, corporations, law firms, government, the bar associations, and the judiciary to bring together leaders of the Denver legal community to address the difficulties employers have in recruiting and retaining diverse lawyers. In just a few short months, the Council has generated tremendous momentum.

The first meeting of the Deans’ Diversity Council took place at the University of Denver Sturm College of Law on November 8th, 2006. The group generated ideas for the Rocky Mountain Legal Diversity Summit and many members made long-term commitments by volunteering for several ongoing working groups to address the following issues:

- Pipeline: Increasing the pool of qualified diverse applicants to Colorado law schools and retaining them through the successful conclusion of their law education;

¹ Current members of the Colorado Pledge to Diversity Legal Group include: Baker & Hostetler; Berenbaum Weinshienk & Eason; Brownstein Hyatt Farber & Schreck; Davis Graham & Stubbs; Dorsey & Whitney; Faegre & Benson; Hall & Evans; Hogan & Hartson; Holland & Hart; Holme Roberts & Owen; Isaacson Rosenbaum; Kamlet Shepherd & Reichert; Kutak Rock; Montgomery Little Soran Murray & Kuhn; Morrison & Foerster; Otten Johnson Robinson Neff & Ragonetti; Parsons Heizer Paul; Patton Boggs; Pryor Johnson Carney Karr & Nixon; Qwest; Reilly Pozner & Connelly; Rothgerber Johnson & Lyons; SafeCo Insurance; Sherman & Howard; Snell & Wilmer; and Wells Anderson & Race.

² The Specialty Bar Groups include the Sam Cary Bar Association (African-American attorneys), Asian Pacific American Bar Association (APABA), Colorado Hispanic Bar Association (CHBA), Colorado Gay Lesbian Bisexual Transgender Bar Association (GLBT Bar), and the Colorado Indian Bar Association (CIBA).

- Recruiting: Improving recruitment of qualified diverse law students, new attorneys, and lateral applicants to Denver area law firms and corporations; and
- Retention: Transforming cultures within law firms and corporate legal departments to ensure a sustainable commitment to inclusion and success.

The Council's "Core Strategy Group," which consists of the law deans, key members of the Council, and topic experts such as Dr. Jesús Treviño, Associate Provost for the Center for Multicultural Excellence at the University of Denver, created a Vision Statement as follows:

Diversity in the legal profession fosters both legal excellence and social equality. The Council is committed to transformation of the legal profession with the following results: By the year 2016, all Denver metro law firms and corporate legal departments will have successfully developed and implemented initiatives that create cultures of inclusion where attorneys of all backgrounds succeed without regard to gender, race, religion, national origin, disability, or sexual orientation.

Notably, 28 firms and organizations have signed the Vision Statement as of August, 2007.

Implementation of Inclusive Excellence in the Legal Community

This vision will be realized through the Council's "Campaign for Inclusive Excellence." The term "Inclusive Excellence" is a new paradigm for the legal profession.³ It moves beyond numbers (compositional diversity), and involves embedding practices and philosophies that encourage diversity in every aspect of an organization (Milem, Chans, & Antonio, 2005).

The Core Strategy Group of the Deans' Council is also organizing a new non-profit organization called the **Colorado Campaign for Inclusive Excellence**, providing the resources necessary to ensure the viability and sustainability of the work of the Deans' Diversity Council and implementation of the Vision Statement. The non-profit will act as a clearinghouse for information on diversity best practices and support legal offices in their efforts to adopt the principles of inclusive excellence. The establishment of a permanent and robust organization represents a significant step toward achieving a new paradigm in the legal community concerning diversity.

According to the Inclusive Excellence approach, as long as diversity in the legal profession is viewed, as it largely has been, as an outcome -- a number, a strategy, or a phase -- progress will be elusive. Numbers are tools for counting "wins" or recruiting. Real diversity in the legal profession will never be achieved when the focus is solely on numbers. Strategies that fail to address and achieve sustainability are little more than transient attempts at change.

³ The Denver Foundation, which has a new project call the Expanding Nonprofit Inclusiveness Initiative (ENII), succinctly describes the difference between diversity and inclusion: "Diversity describes the extent to which an organization has people from diverse backgrounds and communities working as board members, staff, and/or volunteers. Inclusive organizations not only have diverse individuals involved; more importantly, they are learning-centered organizations that value the perspectives and contributions of all people, and strive to incorporate the needs and viewpoints of diverse communities in the design and implementation of universal and inclusive programs. Inclusive organizations are, by definition, diverse at all levels."

The Colorado Campaign for Inclusive Excellence is not about numbers, strategies, or phases; it is a new paradigm that involves the principle of Inclusive Excellence, a principle which infuses diversity into every aspect of the practice of law. Inclusive Excellence approaches diversity as more than simply an outcome – a certain number of diverse attorneys or a certain number of programs – that can be checked off a list. Rather, diversity in the legal profession is a process toward better legal education and practice. Inclusive Excellence also requires a deeper examination of what practices are truly effective in creating cultures of inclusion and what practices, perhaps even “best practices,” are not working at all.

The Reason for this Survey

Not enough is known about diversity in Colorado’s legal community. Basic demographic information is not tracked by the Supreme Court or the CBA, and while the Colorado Women’s Bar Association has studied women in the profession, there have been no similar studies of the aspects of diversity targeted by this survey. This diversity survey will give the legal community the data needed to conduct that in-depth examination; it will provide a baseline by which to measure future progress; and it will act as a deterrent to those determined to act on myths and half-truths. The survey results will ultimately prove to be a critical step in the efforts of the Deans’ Diversity Council and Colorado Campaign for Inclusive Excellence, in partnership with other groups committed to diversity in the legal profession, such as the Colorado Pledge to Diversity Legal Group, the Diversity in the Legal Profession Committee of the CBA and DBA, and the Specialty Bar Groups, to fulfill the critical mission to achieve Inclusive Excellence in the Colorado legal community.



Chapter 3: Study Methods

Survey Design

The study of diversity issues in the legal profession primarily focused on perception data, but also included objective data gathered from the Census, American Bar Association, and other respected national sources. The perception data was collected through a survey of attorneys in the Denver-metro area in Colorado. The survey covered a wide range of issues identified by the Deans' Diversity Council's Pipeline, Recruitment, and Retention Working Groups. The issues included:

1. Pipeline: These questions asked respondents to share the early influences that led them into the legal profession.
2. Recruitment: These questions explored perceptions of hiring practices.
3. Retention: Many questions focused on retention, examining the climate of the organizations and job satisfaction of the respondents.
4. Best Practices: Many of the recruitment and retention questions were designed to ask about specific nationally recommended best practices, both their frequency of use and the success of the efforts.
5. Diverse Respondent's Experiences: Some questions specifically asked about what diverse respondents have experienced in the legal profession, including discrimination and ideas for improving the climate in Colorado's legal profession and in the organizations in which they work.

The survey questions in the five areas were drawn from surveys conducted by Minnesota, Nebraska, and New York, when possible. Questions designed specifically for this survey were drawn from the ideas of the three working groups and the survey workgroup who served as the leaders of this research project. The full survey was piloted by 10 individuals representing African American, Native American, Hispanic, GLBT, and non-diverse lawyers. The questions were substantially modified after discussion with the survey subcommittee. The final survey design reflects the input of the committee and pilot participants, the previously used questions, and the knowledge of the research team. The full list of survey questions is available in Appendix C.

Limitations of the Survey Design

The subcommittees working on diversity issues in the legal profession and the survey working group identified many additional issues that could not be included in the survey. Some questions were not appropriate for the target audience of the survey, attorneys in the Denver-metro area. Future studies may wish to focus specifically on partners with decision-making roles in recruitment and retention practices as well as the law schools that are centrally involved in pipeline issues in the legal profession.

Other questions that may have been appropriate for the target audience were removed to address the need for a relatively short survey. Even after removing many possible areas of inquiry, the final survey was lengthy, taking respondents an average of 20 – 30 minutes. The length of the survey, as well as the topic of the survey, may have both contributed to the relatively low response rate, discussed below.

Survey Participants

The target audience for the survey was active attorneys in the Denver-metro area working in organizations with two or more attorneys on staff. Email invitations were sent to a sample of 3,600 attorneys in the Denver metro area, drawn from a database compiled by the Colorado Supreme Court's Attorney Registration Office. Although the database was the most comprehensive list of attorneys available, it was incomplete in multiple ways. Attorneys who had very recently passed the bar were not included, and of the attorneys included, approximately 10% did not provide an email address and approximately 5% of email addresses were no longer valid.

Additionally, the five specialty bars who represent diverse attorneys in Colorado participated in sending out the survey. Each bar culled their listservs to remove anyone who worked outside the Denver-metro area or was not a diverse attorney, to the best of their knowledge. The survey email was sent to all diverse attorneys on their listservs, for a total of over 500 additional invitations to the survey. The five specialty bars who participated are the: Sam Cary Bar Association (SCBA), Colorado Indian Bar Association (CIBA), Colorado Hispanic Bar Association (CHBA), Colorado Gay Lesbian Bisexual Transgender Bar Association (GLBT Bar), and Asian Pacific American Bar Association (APABA).

All attorneys working for the 24 firms and two corporate offices that have signed the Colorado Pledge to Diversity were removed from the Supreme Court database prior to the sample being pulled. A separate sample was pulled for these attorneys, to allow for a separate analysis. Of the 1600 attorneys in the 26 organizations, 1250 received an email inviting participation.

With repeat reminder emails, recruitment through newsletters, emails from senior partners, and other mechanisms, the response rate for the general attorney population in the Denver metro area was approximately 20%, and the response rate for the Colorado Pledge to Diversity Legal Group (PTDG) attorneys was the same. The exact response rate cannot be calculated, as the specialty bar listserv names were not released to the research team. It is thus impossible to tell how many individuals on the listservs were also in the sample, and how many were additional recruits. The 20% response rate did allow for statistically significant results on most of the questions asked in the survey.

Limitations of the Recruitment Methods

The use of email addresses as the only invitation mechanism for the survey has significant limitations. Email addresses are not required fields in the Supreme Court database, resulting in missing and retired email addresses. Additionally, the use of an online survey may not be appropriate for a small number of attorneys who lack easy access to the online format. The online software program being used for the design and implementation of the survey underwent a significant update midway through the survey, which not surprisingly resulted in multiple technical problems for approximately one week of the survey implementation. Some

participants may have been discouraged by the problems, decreasing the response rate. Finally, as no demographic information is tracked for all attorneys in the Denver-metro area, it is impossible to say if the respondents are representative of the population. Thus, survey results are not inferred to any population beyond those who took the survey.

Surveys Collected

The discussion of survey results in the next four chapters is based on the responses of 938 attorneys in the Denver-metro area who participated in the survey. Of these, 307 work at organizations who have signed the Pledge to Diversity. Of the 1171 respondents who began the survey, 80% completed most or all of the survey questions and are included in the analysis.

Of the 938 responses, 102 identified as Latino, 29 as Native American, 34 as African American, 47 as Asian American, 3 as Pacific Islander, 4 as "other," and 75 as GLBT. There are overlaps in these numbers as 38 participants identified with more than one diverse category, resulting in 256 diverse respondents total, or approximately 27% of the total responses. In many analyses included in the chapters to follow, all racially and ethnically diverse attorneys have been grouped together into one category. This was necessary due to the low numbers of diverse attorneys in different racial and ethnic categories. The limitation of this approach is that it may mask unique experiences of different racial and ethnic groups.

Although few analyses could separate out different racial groups, Latino and racially diverse respondents have been broken out into two groups as often as was reasonable throughout the report. Specifically, they were separated into two groups when the results were meaningfully different for the two groups and sufficient numbers existed to analyze them separately. Otherwise, they are grouped together into one category of "racially and ethnically diverse".

The discussion of survey findings includes an overview of the information learned, but does not provide every number and significant finding. For each chart and table in the chapters to follow, a more detailed table is included in Appendix B.

Chapter 4: Demographics of Survey Respondents

Nationally, the legal profession is more diverse than it was 20 years ago. Over two decades, diverse attorneys have slowly but steadily increased in numbers. However, the increase has failed to keep pace with minority representation in the general U.S. population (Dinovitzer, Garth, Sander, Sterling, & Wilder, 2004). As seen in **Table 4.1**, respondents to the survey do not match national trends or Colorado’s census data on the legal profession – they are more diverse than the lawyers throughout Colorado but less diverse than the general population.

Table 4.1. Denver metro area and survey respondents’ race, ethnicity, sexual orientation, and gender.* Compared to the Denver-metro area, respondents in both Colorado Pledge to Diversity Legal Group (PTDG) organizations and non-PTDG organizations were less likely to be Latinos and women, but otherwise relatively similar in population demographics.

	Denver population*	Lawyers in Colorado**	PTDG	Non-PTDG	All
Total #	2,587,452	14,643	307	621	928
African American	5.3%	1.2%	3.9%	3.5%	3.7%
Asian	3.5%	0.9%	6.2%	4.2%	4.9%
Native American	1.0%	0.5%	2.9%	3.1%	3.0%
White	88.2%	93.3%	85.0%	88.4%	87.3%
Latinos, any race	21.0%	4.1%	10.4%	11.1%	10.9%
Pacific Islander	0.1%	0.0%	0.3%	0.3%	0.3%
Multi/Other	1.9%		1.3%	0.0%	0.4%
GLBT, out	Not Available		5.2%	6.3%	5.9%
GLBT, partially out	Not Available		1.0%	1.1%	1.1%
GLBT, not out	Not Available		0.3%	1.1%	0.9%
GLBT total	Not Available		6.5%	8.5%	7.9%
Women	49.7%	28.67%	43.1%	46.0%	45.1%

* U.S. Census Population Estimates, 2005

** U.S. Census 2000, based on percentages of self-reported lawyers, excluding judges, magistrates, and other judicial workers.

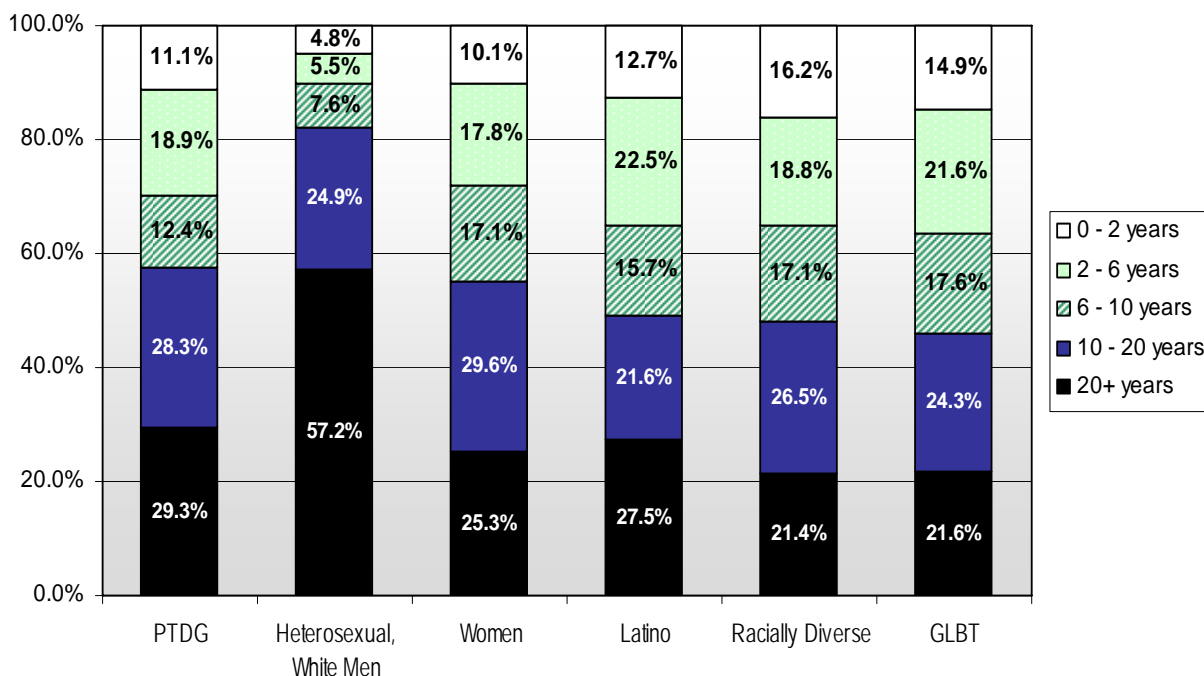
As seen above in **Table 4.1**, a slightly lower percentage of survey respondents were African American than in the Denver-metro population, but a much higher percentage than the Census data on lawyers in Colorado. A slightly higher percentage of survey respondents were Asian and Native American than the Denver-metro population and they represented a much higher percentage of respondents than Census data found with Asian lawyers in Colorado. Only

10.9% of attorneys surveyed were Latinos of any race, compared to 21.0% in the Denver-metro population and only 4.1% identified as Latino among lawyers in the U.S. Census data. Women were also under-represented in the attorneys surveyed as compared to the Denver-metro population, but over-represented compared to lawyers in Colorado, with women representing 49.7% of the Denver-metro population, but only 45.1% of the attorneys surveyed. The attorneys in the Colorado Pledge to Diversity Legal Group (PTDG) organizations look very similar to the attorneys in other organizations who were surveyed, but they were slightly more likely to be white or Asian and less likely to be Latino and female.

Personal Characteristics Related to Legal Careers

As seen in **Chart 4.1**, the majority of heterosexual, white men who responded to the survey reported that they have been practicing law for more than 20 years. In contrast, only 25.3% of women, 27.5% Latino, and 21.4% of racially diverse attorneys reported that they have been practicing for over 20 years. The significant differences between heterosexual, white men and all other demographic groups were also found at the other end of the spectrum. Only 4.8% of heterosexual, white men were in their first two years as attorneys, compared to 10.1 – 16.2% for other demographic groups, with racially diverse attorneys most likely to be in their first two years of practice. Attorneys from PTDG organizations were significantly less likely to have practiced for over 20 years and 14.2% of PTDG attorneys were in their first two years of practice.

Chart 4.1. Survey respondents’ years in the legal profession by demographic groups. Heterosexual, white men were significantly more likely to have been in the legal profession for 20+ years, while GLBT attorneys were the most likely to be in their first two years of practice.

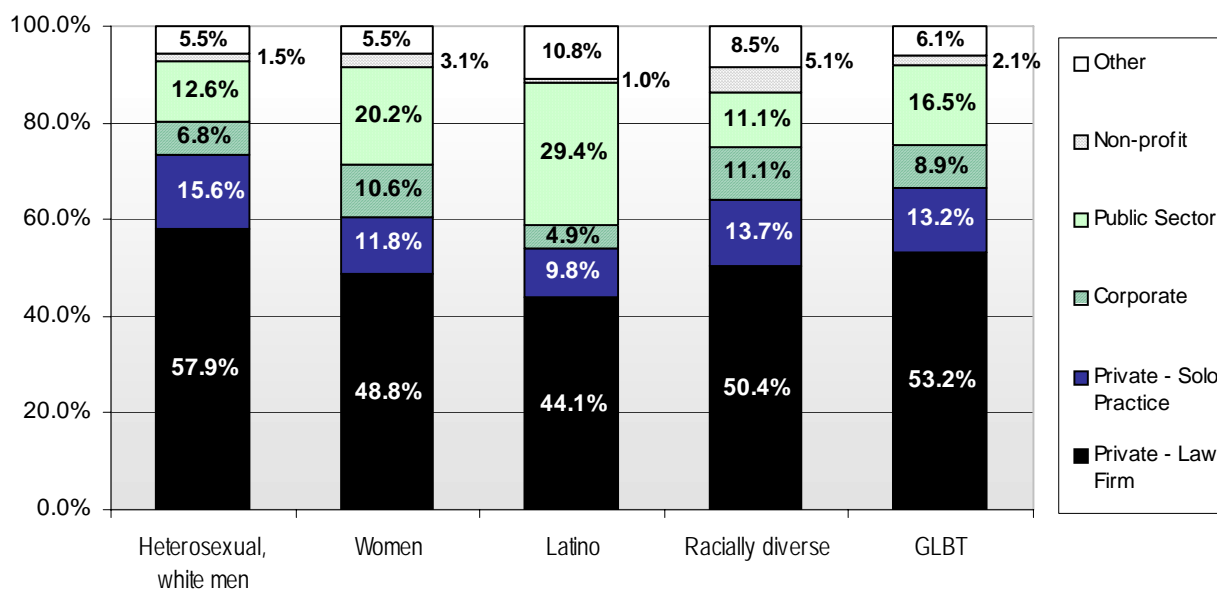


* Latino and racially diverse have been broken out into two groups in this chart. Throughout the report, they are broken out when the results are meaningfully different for the two groups and sufficient numbers exist to analyze them separately. Otherwise, they are grouped together.

The diverse attorneys who responded to the survey were over-represented in different types of organizations and in positions within those organizations. **Chart 4.2** explores the types of non-PTDG organizations that attorneys work for in the Denver-metro area. Attorneys employed by PTDG organizations have been removed from this analysis as the vast majority of those attorneys were in private firms, making it difficult to see the breakdown in other types of organizations.

Heterosexual, white men were the demographic group least likely to be in public or non-profit sector positions (12.6% and 1.5% respectively) and most likely to be in a private law firm (57.9%). In contrast, Latinos were more than twice as likely to be in public sector positions (29.4%) and racially diverse respondents were three times as likely to be in non-profit positions (5.1%). GLBT (Gay, Lesbian, Bisexual, and Transgendered) respondents have similar positions to heterosexual, white males, with slightly higher representation in public sector positions (16.5%).

Chart 4.2. Attorneys’ types of organizations, excluding attorneys in PTDG organizations. Heterosexual, white men were significantly more likely to be employed in private law firms, while women and racially and ethnically diverse attorneys were more likely to be employed in government sector organizations and least likely to be in a solo practice.



These findings are largely consistent with national and other state trends, with the exception of Asian Americans, where findings indicate women and minorities are more likely to enter the legal profession working for the public or non-profit sectors (2005 Self-Audit for Gender and Minority Equity, 2006; Chambliss, 2004; and Dinovitzer, et. al., 2004). This survey found that Latinos are the least likely to be in solo practice (9.8%), along with women (11.8%), in comparison to the 15.6.0% of heterosexual, white male attorneys who have chosen to work in a solo practice.

Heterosexual, white men who responded to the survey were overwhelmingly more likely to be partners in their law firms than any other demographic group, with 66.5% of heterosexual, white men working as partners and only 22.2% of the same population working as associates in their organization, as can be seen in **Chart 4.3**. This trend is also true on the national level and

Chapter 4: Demographics of Survey Respondents

within other states where the partnership level at law firms is almost exclusively white and male (2005 Self-Audit, 2006; 2006 Diversity Benchmarking Study, 2006; Goal IX, 2006; Dinovitzer, et. al., 2004; Chambliss, 2004; Nebraska Minority and Justice Task Force, 2003). Only 17.6% of GLBT attorneys responding to the survey were partners, and only 33.9% and 33.0% of racially diverse and female attorneys were partners, respectively. Latino and GLBT attorneys were the least likely to be partners, with only 24.4% and 17.6% of respondents reporting partnership in their firms. Latino attorneys were the most likely to be associates and GLBT attorneys were the most likely to be of counsel, staff attorneys, or other positions.

Respondents in PTDG organizations looked almost identical to respondents in all organizations in terms of diversity and role in the organization. The only noticeable difference was among racially and ethnically diverse respondents, where only 21.7% were partners in PTDG organizations, compared to 30.1% in all organizations.

Chart 4.3. Type of position within firms by demographic group. Heterosexual, white men were three times more likely to be partners in their firms than GLBT attorneys and twice as likely as women and racially and ethnically diverse attorneys.

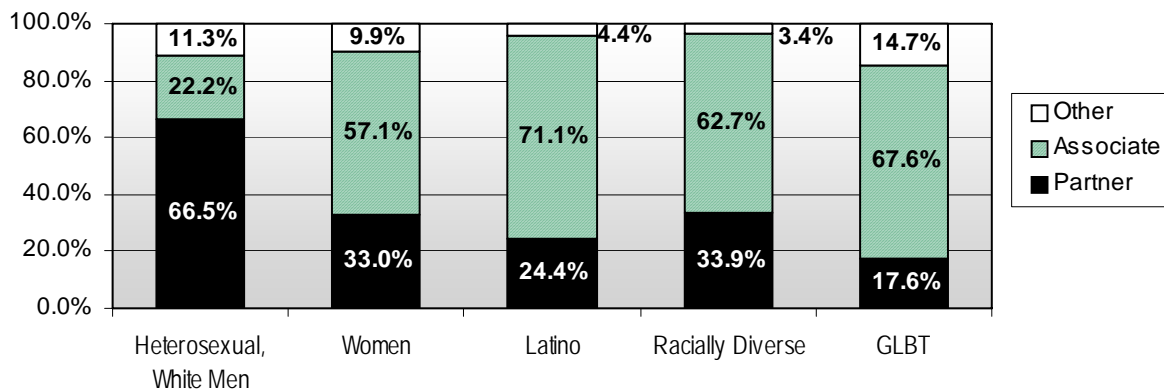
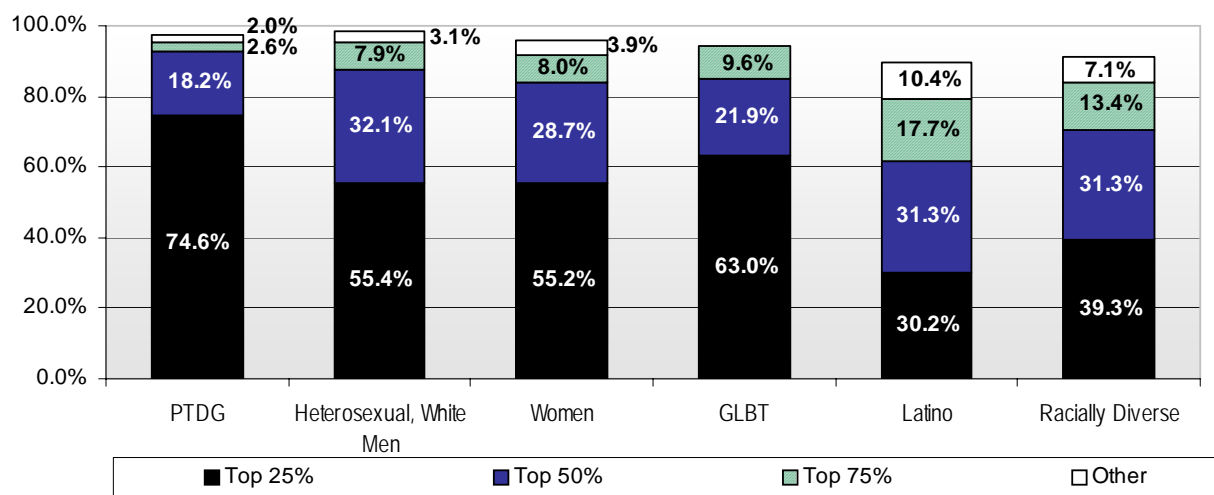


Chart 4.4. Percent graduating within each law school quartile. Respondents from PTDG organizations were the most likely to have graduated in the top 25% of their class and racially and ethnically diverse respondents were the least likely.



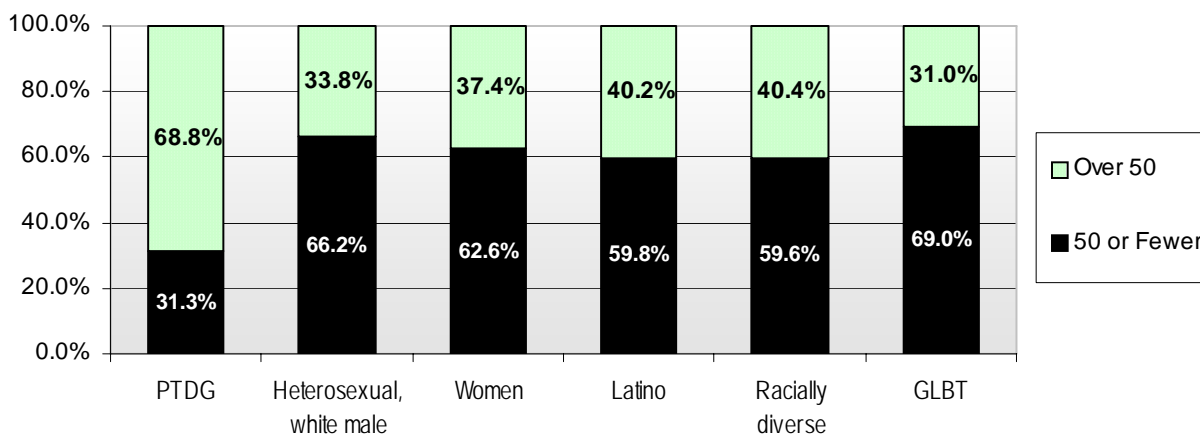
A similar analysis of leadership roles by diverse status cannot be done with the public sector attorneys, as an insufficient number responded to the survey. Only 10 elected or appointed officials took the survey. Of the 10, six were heterosexual, white males and the other four were women and racially and ethnically diverse respondents. No elected or appointed officials who responded to the survey identified themselves as GLBT.

Attorneys completing the survey were asked what quartile they graduated in from their law schools. **Chart 4.4** shows that three quarters of the attorneys from PTDG organizations reported that they graduated in the top 25% of their class, while only 54.3% of attorneys overall reported the same. Only 35.8% of racially and ethnically diverse attorneys reported graduating in the top 25% of their class, and they were also the most likely to report graduating in the bottom quarter of their class as well. Within the PTDG organizations, there was no significant difference between the diverse and non-diverse attorneys' reported quartile. This may suggest a barrier for PTDG organizations who wish to hire racially and ethnically diverse attorneys.

Organizational Characteristics

Two-thirds of the respondents were employed in organizations with 50 or more attorneys. As can be seen in **Chart 4.5**, with respect to diverse status, there were no appreciable differences based on organizational size. Only PTDG respondents were more likely to be employed by large organizations instead of smaller ones.

Chart 4.5. Organization size. Diverse respondents reported employment by large and small organizations in similar percentages to non-diverse respondents.



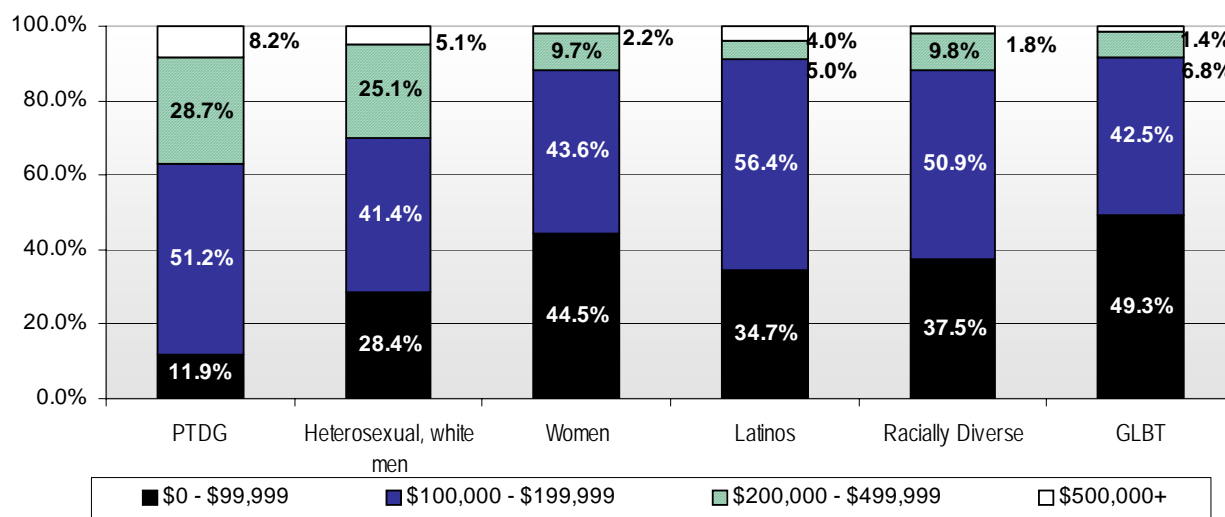
Looking at diversity in organizations through another question, in total, 231 respondents (24.2%) reported that their organizations do not have any diverse attorneys. Eleven of those respondents who reported no diverse attorneys were employed by PTDG organizations. An additional 228 respondents reported only one or two diverse attorneys in their organization (23.9%), 18 of whom were employed by PTDG organizations. At the other end of the spectrum, 176 respondents reported more than 12 diverse attorneys in their organization (18.4%), 104 of whom were employed by PTDG organizations. As noted above, many PTDG organizations are larger organizations, resulting in greater opportunity for a high number of diverse attorneys. Over half of the attorneys working in organizations with between two and ten attorneys on staff reported no diverse attorneys in their organization. Only one attorney working in an organization with over 100 attorneys employed reported the same. Of attorneys in

organizations with 26 – 50 attorneys employed, 17.3% reported only two diverse attorneys working for their organizations. Overall, the larger the firm, the more likely diverse attorneys were to be employed there, as one would expect.

Disparities in Income

After exploring the variations in type and size of organization, role in organization, and length of time as a lawyer, it is not surprising to find significant disparities in income for diverse attorneys. As can be seen in **Chart 4.6**, 36.9% of attorneys in PTDG organizations reported incomes of \$200,000 and higher, with 8.2% of those attorneys reporting incomes over \$500,000. In contrast, 79.9% of attorneys surveyed overall reported incomes under \$200,000. Among diverse groups, GLBT attorneys reported the lowest incomes, with 49.3% of attorneys making less than \$100,000 in the last year and only 8.2% making over \$200,000. Heterosexual, white men were the demographic group most likely to make an income over \$200,000 or over \$500,000.

Chart 4.6. Percent in each income category by demographic groups. Attorneys in PTDG organizations reported higher incomes than any other group. GLBT attorneys were the least likely to be in the highest income brackets.



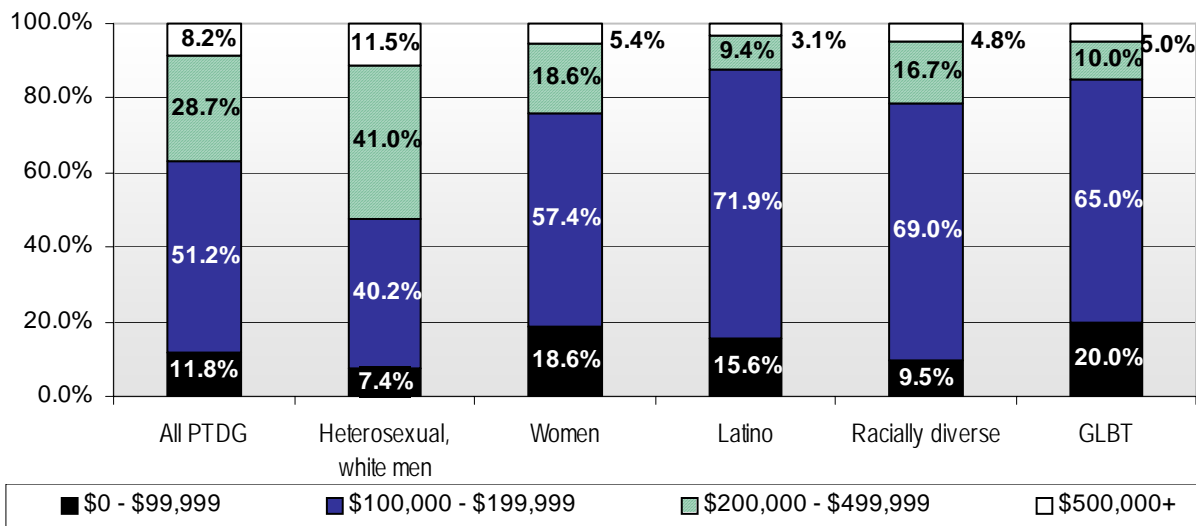
Nationally, salaries were found to reflect differences in practice settings (e.g., government, private, non-profit, business) and the region of the country. African American and Hispanic attorneys were found to have lower salaries than other groups, primarily due to their clustering in lower paying practice settings such as government and non-profit sectors. Across all groups, however, men reported higher salaries on average than women (Dinovitzer, et. al., 2004).

To truly understand the income results it is important to consider the variety of factors working together that may be leading to lower incomes for diverse respondents. Years practicing, type and size of organization, and position in the organization are related to income. When these attributes are simultaneously analyzed, six factors emerge that are related to higher incomes and three factors lead to lower incomes. Attorneys who were either a partner in a firm, in a corporate, private firm, or PTDG firm, had been practicing law for many years, or male had a higher likelihood of making more money. Conversely, attorneys who were either in the public sector, staff attorneys or legal counsel, or women were more likely to be compensated at a

lower level. Except for gender, where women make less than men all other things being equal, the other personal characteristics – race, ethnicity, GLBT-- were indirectly, not directly, statistically related to annual salary. In other words, diverse status did not lead to *either* higher or lower salaries, but diverse status did relate to years in practice and type of profession, as noted above, and these characteristics did lead to income disparities.

Within the PTDG organizations, similar patterns can be seen, though the differences between heterosexual, white men and diverse respondents were not as extreme. As **Chart 4.7** shows, among respondents from PTDG organizations, 28.7% make between \$200,000 and \$499,999. For heterosexual, white males, this was considerably higher, at 41.2%. In comparison, 18.6% of women, 10.0% of GLBT, and 14.7% of racially and ethnically diverse respondents made between \$200,000 and \$499,999. The disparity in incomes did not go away in the highest income category, \$500,000 and above, where heterosexual, white males were more than twice as likely to report an income in this range when compared to women, GLBT, and racially and ethnically diverse respondents.

Chart 4.7. Percent in each income category by demographic groups, specific to respondents from PTDG organizations. Income disparities by diverse status existed within the PTDG organizations, similar to the broader population of respondents surveyed.



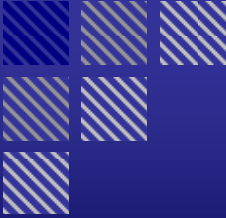
Summary of Demographic Findings

Although the survey cannot tell anything about attorneys in the Denver-metro area overall, it does reveal some distinct differences between diverse and non-diverse respondents:

- One quarter of respondents reported that there were no diverse respondents in their organization;
- Diverse respondents are less likely to have graduated in the top quartile of their class, but respondents from PTDG organizations are much more likely to have graduated from the top quartile; and
- Diverse respondents and women have lower incomes, a finding that was related to their tenure in the legal profession, organization type, and other demographic characteristics.

The disparities between diverse and non-diverse attorneys in terms of whether they were partners, their years in practice, and earnings were striking. The disparities have significant

consequences, given the multiple advantages partners accrue in the legal profession. This report analyzes many of the issues that can help explain these disparities. In particular, it focuses on whether the pipeline, recruitment, and retention practices have been successful at supporting the diversification of private firms and advancement of the diverse attorneys. Chapters five through seven explore these issues in detail.



Chapter 5: Pipeline

The pipeline leading to law school and the legal profession has been an issue of concern for some time. The American Bar Association (ABA) has explored the declining percentage of minorities at each step along that pipeline, from lower rates of graduation in high school and undergraduate to lower rates of application to law schools. Since the 1980's and mid-1990's, the rate of minorities entering law school has slowed considerably, primarily due to the drop in the percentage of African American law students, which has fallen from 7.4% to 6.6%, a 12-year low. Hispanic law student application rates have also dropped during this period, from 5.8% to 5.7%. Nationally, 28% of law school applicants and 22% of first year students in 2004 were racial and ethnic minorities. The 2004 numbers show almost no improvement from the 2000 numbers. The application and enrollment patterns for Asian Americans are an exception to the above findings, as their numbers have been increasing steadily (Chambliss, 2004).

One possible explanation for the disproportionately low entry of minorities into law school is the heavy reliance by law schools on LSAT scores (Law School Admission Tests) and GPAs for admitting prospective students. On average minorities score lower than whites on the LSAT; thus, use of such criteria serves as a significant barrier to minority access to law school, despite the fact that these scores are a weak predictor of law school grades and later success as a lawyer. Law schools, however, rely on such numerical criteria for several reasons. They are relatively cheap and easy to assess; they allow for an intuitively appealing, linear ranking of applicants; and they appear to be objective since they are numerical. Additionally, U.S. News & World Report ranks law schools heavily according to applicant LSAT scores (Chambliss, 2004).

“We need to encourage more [diverse students] to attend law school.” – *lesbian Latina*

Further, a recent study of admission decisions at over 175 ABA-accredited law schools found that whites were significantly more likely to be admitted than minorities with the same GPAs, even with affirmative action (Chambliss, 2004). According to the American Bar Association, in recent years, affirmative action at public schools of higher education, including public law schools, has been reviewed by the U.S. Supreme Court. In *Grutter v. Bollinger, 2003*, the Supreme Court found that student body diversity is a compelling governmental interest and that law schools are allowed to consider ‘race’ as a ‘plus’ factor in admissions. However, in a companion case, *Gratz v. Bollinger, 2003*, the Court struck down the “point system” used to increase diversity at large state universities. As a result, affirmative action became significantly more costly as the Court called for an individualized, holistic review (*ibid.*).

Finally, another factor to consider is the cost of a legal education. A study found that Asian-Americans (22%) and whites (14%) were more likely than members of other groups to receive financial support from parents and relatives, with 9% and 5% respectively of Hispanics and African Americans receiving similar support. African Americans were found to receive more of their financial support from law school-based grants and scholarships than others. The median level of law school educational debt reported, however, was above \$70,000, and ranged from \$100 to \$200,000, with Hispanic and African-Americans having the highest levels of education debt and Asian-Americans the lowest (Dinovitzer et al., 2004). The disparate numbers of

minority students applying for and enrolling in law schools is exacerbated by the high attrition rate for minority law students. Although the ABA has limited attrition data, the trends they have found suggest that minority students are more likely to leave school before graduating. A lower percentage of diverse students who complete their law degree succeed in passing the bar exam, with national data finding white students pass at a rate of 96.7% compared to African American students at 77.6% and Asians at 91.9% (Chambliss, 2004)

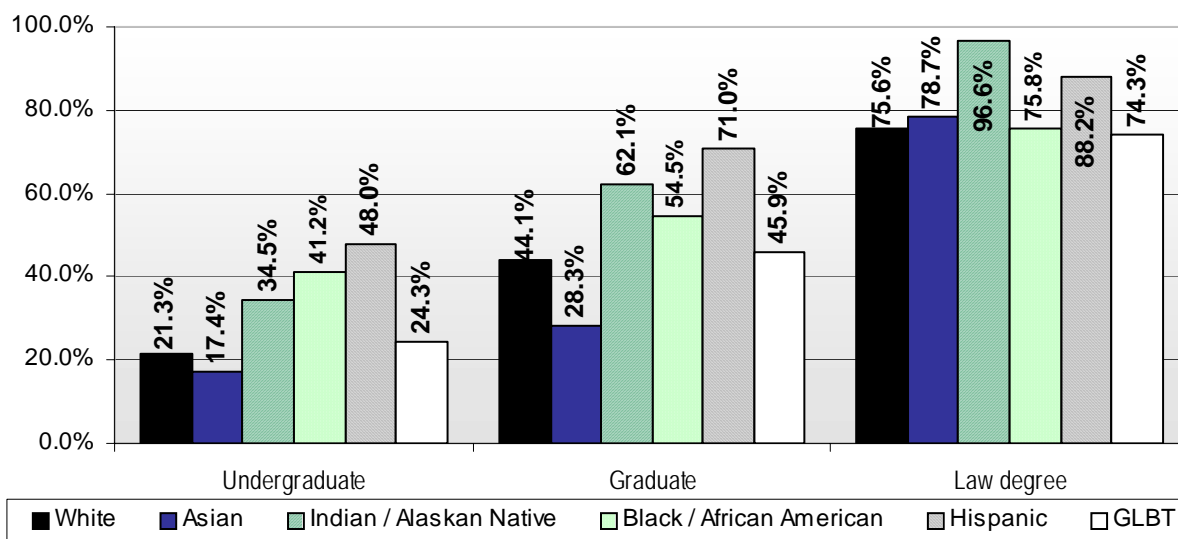
“The fact is most of us come from poor families or families with far less education than our Caucasian colleagues. The private sector, especially large firms, seek associates with backgrounds that are cultivated probably from grade school. It is quite a challenge to try to compete with attorneys who were educated in private schools, or grew-up in affluent school districts and eventually attended Ivy League law schools (or other top ten law schools).” – *heterosexual, African American female in a PTDG organization*

The survey was not able to capture many of the pipeline issues as the participants represent only those individuals who completed their law school education and are now practicing attorneys. Consequently, many important pipeline issues are not addressed in the findings to follow.

Pipeline Survey Results

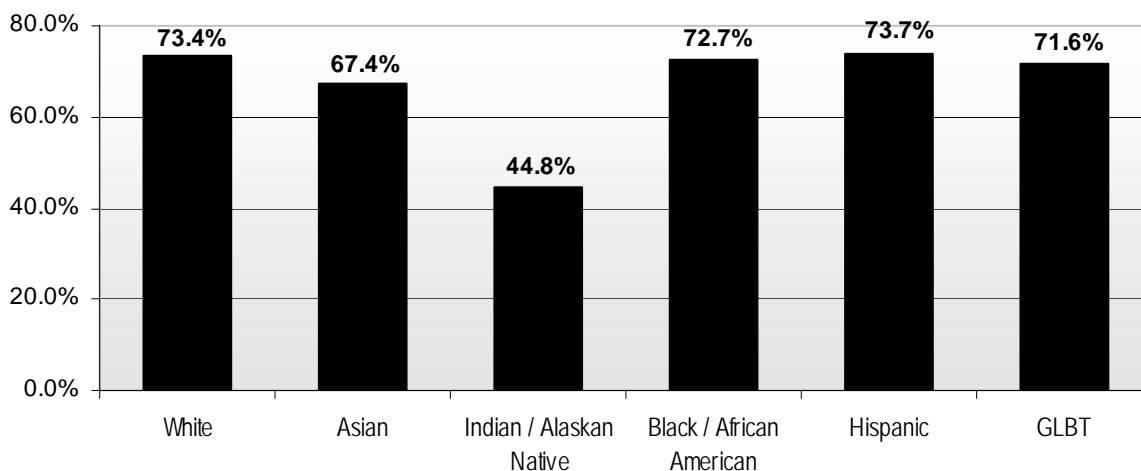
Although asking when the respondents first considered a law career revealed no significant differences between diverse and non-diverse attorneys, other pipeline questions did identify differences. Shown in **Chart 5.1**, racially and ethnically diverse respondents were significantly more likely to be the first member of their family to graduate from college, obtain a graduate degree, and obtain a JD. They were also less likely to have known an attorney personally prior to entering law school. As the different racial and ethnic groups look very different, they are each shown separately in the chart below. Indian/Alaskan Native respondents were the most likely to be the first in their families to obtain a law degree (96.6%), but Latino respondents were overall the most likely to be the first in their families to obtain higher education degrees of any type. In contrast, GLBT (Gay, Lesbian, Bisexual, and Transgendered) attorneys were similar to non-diverse respondents across all four questions.

Chart 5.1. First in family to obtain a degree. White and Asian respondents were least likely to be the first individuals in their families to obtain undergraduate and graduate degrees.



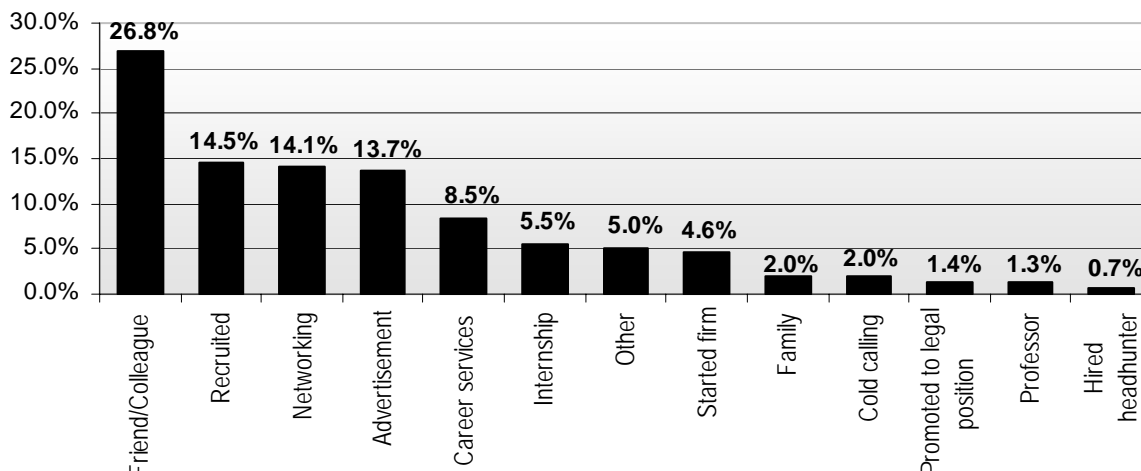
Respondents from the Colorado Pledge to Diversity Legal Group (PTDG) organizations did not match the broader Denver-metro attorneys. As can be seen in **Chart 5.2**, they were significantly less likely to be the first in their families to earn an undergraduate degree, at only 15% compared to 26% of the Denver-metro attorneys. They were also significantly less likely to be the first in their families to earn graduate degrees, at only 37% compared to 47% for the Denver-metro attorneys. As minority students were more likely to be the first in their families to earn a college degree, this finding may suggest a barrier for diverse applicants interested in working for PTDG organizations.

Chart 5.2. Knew a lawyer before going to law school. Over half of all attorneys knew a lawyer before going to law school, with the exception of Native American attorneys.



Respondents were asked how they found out about their current job, a question that addresses both pipeline and recruitment issues. As **Chart 5.3** shows, more respondents found out about their positions through friends and colleagues than through any other means, and many others found out through advertisements, career services on campus, and being recruited.

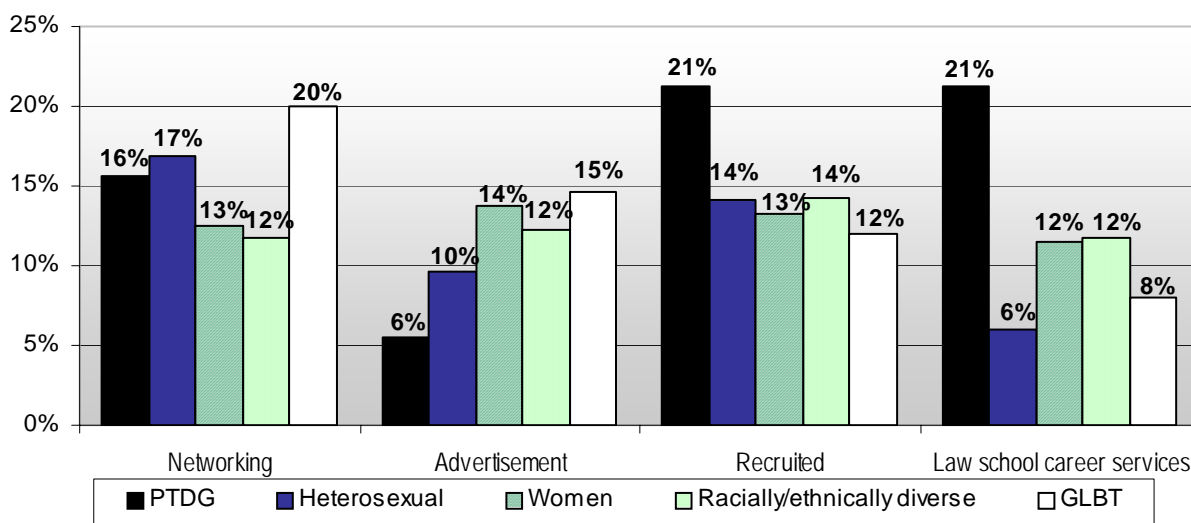
Chart 5.3. Method of learning about jobs. More attorneys learned about their positions through friends and colleagues than any other means.



Similar to a study in Nebraska (2003), heterosexual, white males were significantly more likely to find out about jobs through networking and less likely to find out about jobs through advertisements and career services. Diverse respondents and women were significantly more likely to find out about jobs through law school career services. GLBT respondents were significantly more likely to find jobs through networking. In open-ended comments, three diverse respondents reported that they learned of their job through diversity fairs. Of those who reported that they started their own firms, over half were heterosexual, white males.

As **Chart 5.4** explores, the PTDG organizations were significantly more likely to recruit specific applicants or use law school career services to advertise their positions. These are the same two job-seeking approaches that diverse and female respondents were equally or more likely to report using than heterosexual, white men. One explanation for the increased use of law school career services by women and diverse respondents is that they were disproportionately new to the profession, as compared to heterosexual, white men, and thus may have been more likely to be in their first job since earning their degrees.

Chart 5.4.* Significant differences in methods of learning about jobs. PTDG organizations were significantly more likely to recruit directly or use law school career services to advertise positions.



* Racially / ethnically diverse respondents include Latinos and non-white respondents. They are grouped together in this chart due to low total numbers of diverse respondents reporting each method of learning about jobs.

Summary of Pipeline Findings

To truly understand pipeline issues in Colorado, additional information is needed, including an analysis of application, admission, and retention at Colorado’s two law schools. From the survey, however, three important conclusions can be reached:

- Diverse applicants in Colorado, in keeping with national findings, were less likely to come from families with a history of undergraduate, graduate, and law degrees;

- PTDG organizations were less likely to hire individuals who are first generation higher education graduates, creating a potential barrier to diversifying their organizations; and
- Diverse respondents and women were significantly more likely to find out about jobs through advertisements and law school career services, indicating a need to advertise jobs including at law schools as a means of recruiting diverse applicants.

Overall, the pipeline findings indicate that diverse applicants' backgrounds did not look the same as non-diverse applicants, particularly as relates to their family's higher education experience and their use of advertisements to identify job possibilities. Organizations interested in recruiting diverse applicants may wish to consider how their advertising and hiring practices may affect their ability to diversify.

.....
• “A common response to the lack of
• diversity in law firms is that there is a
• lack of diverse attorneys. The logical
• step would be to begin educating
• people about a profession in the law
• early-- at the high school/
• undergraduate years. As such, more
• high school/college mentoring and
• internship opportunities sponsored by
• CBA could help.” – *heterosexual,
• Asian female*
.....

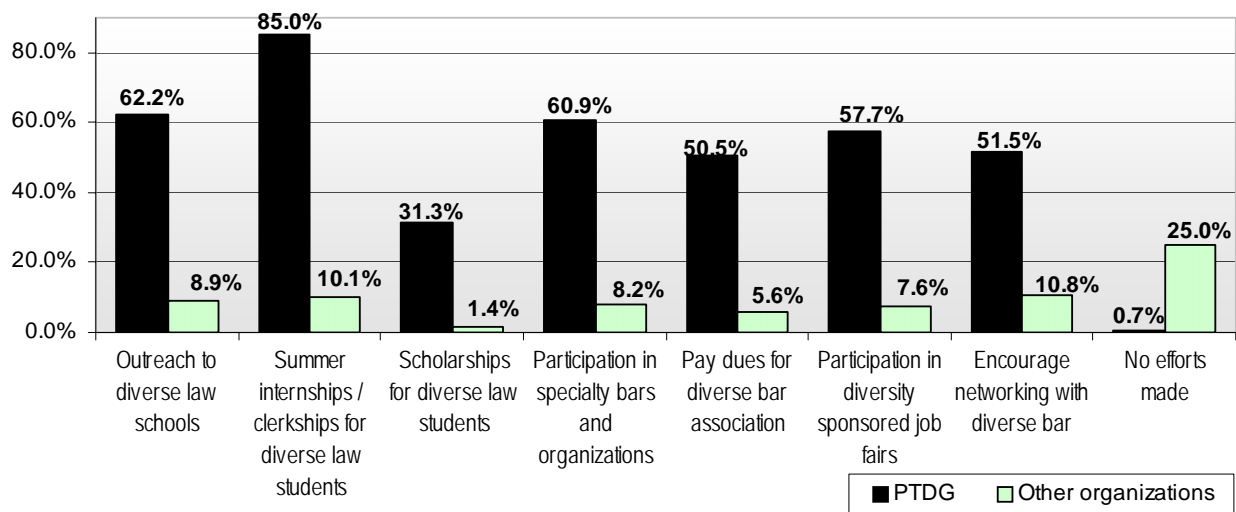
Chapter 6: Recruitment Findings

Challenges with recruiting and supporting diverse students in the pipeline to a legal career are only the beginning of diversity issues in the legal profession. Differing recruitment practices in all types of legal settings may create barriers for diverse individuals who seek employment as attorneys. While some organizations are dedicated to expanding the diversity of their offices, and have programs in place to help achieve that goal, other organizations, or the individuals within the organizations, feel strongly that diverse status should not be considered in the hiring decisions of any organization.

Recruiting Diverse Attorneys

The attorneys in Colorado Pledge to Diversity Legal Group (PTDG) organizations were significantly more likely to report that their organizations make special efforts to recruit diverse attorneys. As **Chart 6.1** shows, six of the seven special efforts were reported as underway by at least half of the PTDG attorneys. In contrast, attorneys in non-PTDG organizations reported very limited use of recruiting methods, with 25% reporting that their organization makes no efforts to recruit diverse attorneys.

Chart 6.1. Special efforts made to recruit diverse attorneys. A significantly higher percentage of attorneys in PTDG organizations reported that special efforts are underway in their organizations to recruit diverse attorneys.



As shown in **Table 6.1**, slightly over half (51.5%) of attorneys in PTDG organizations reported that, in their opinion, the efforts to recruit diverse attorneys made by their organizations were sufficient. Only 39.1% of attorneys in other organizations reported the same. Racially and

ethnically diverse (including Latinos and all non-white respondents), GLBT (Gay, Lesbian, Bisexual, and Transgender), and female attorneys were significantly less likely to report that recruiting efforts were sufficient as compared to heterosexual, white men. This finding is supported by a study conducted by the Minnesota State Bar Association where non-diverse attorneys and diverse attorneys had disparate perceptions of the adequacy of their employer’s recruiting efforts. Specifically, 76% of white attorneys believed that their employer’s efforts were adequate compared with only 47% of attorneys of color believing that those efforts were adequate. Reasons given by attorneys of color for their belief were the lack of success in retaining attorneys of color as evidence of inadequate recruiting and hiring, and their employer’s lack of success due to the competition among employers to recruit attorneys of color (2005 Self-Audit, 2006, p. 10).

Table 6.1. Percent who reported that efforts to recruit diverse attorneys are sufficient. Heterosexual, white men were the most likely to agree that recruitment efforts were sufficient, while Latinos were the least likely to agree.

	Heterosexual, white men	Women	Latinos	Racially diverse	GLBT
% agree	54.3%	36.3%	26.4%	34.4%	32.8%
% disagree	11.4%	23.7%	40.2%	37.5%	36.2%
% don’t know	34.4%	40.0%	33.3%	28.1%	31.0%

Diverse attorneys explained that efforts were not sufficient due to such things as a focus on grades / ranking as hiring criteria, not prioritizing diversity, and lacking a formal commitment to hiring diverse attorneys. Many diverse attorneys also reported that the efforts were simply not enough because the number of diverse attorneys is not increasing in their organization. Heterosexual, white male attorneys shared some of the same concerns, noting that nothing has changed in their offices.

.....
 • “We need to have better results, to
 • build a solid core of diversity so it
 • can be more self-sustaining.” –
 • *heterosexual, white male attorney*
 • *in a PTDG organization*
 •.....

However, there were also multiple heterosexual, white male attorneys who reported that diversity efforts are not sufficient because they have gone too far in the direction of hiring minorities, or that the efforts do not succeed because they believe there are insufficient qualified diverse applicants. As one attorney put it, “Because it’s not a focus. We draw from a pretty narrow pool of qualified candidates. We would certainly look to hire diverse attorneys if they had the experience or promise in our field.” The Minnesota study also noted a similar challenge that legal employers in Minnesota compete for a small pool of attorneys of color despite the fact that three quarters of all employers make special efforts to recruit attorneys of color (2005 Self-Audit, 2006, p. 10). Yet it also noted that the myth of employers lower their hiring standards to recruit attorneys of color is still given credence (ibid., p. 9).

Respondents were also asked to agree or disagree with two separate statements on whether their organization makes sufficient efforts to recruit and hire racially and ethnically diverse or GLBT attorneys. Diverse status was the most important predictor of disagreement with the statements. As **Chart 6.2** shows, diverse respondents were significantly more likely to disagree or strongly disagree with both statements, with racial and ethnic diversity as the strongest predictor of disagreement across the two statements. Heterosexual, white men disagreed with the statement on recruiting racially and ethnically diverse attorneys less than 15% of time,

compared to racially and ethnically diverse respondents who disagreed over 40% of the time. Similarly, heterosexual, white men disagreed with the statement on recruiting GLBT attorneys 21.8% of the time, compared to GLBT attorneys who disagreed 46.3% of the time, as shown in **Chart 6.3**.

Chart 6.2. Percent who agreed and disagreed that sufficient efforts are being made to recruit racially and ethnically diverse attorneys. Racially and ethnically diverse attorneys were significantly more likely to disagree that sufficient efforts are being made.

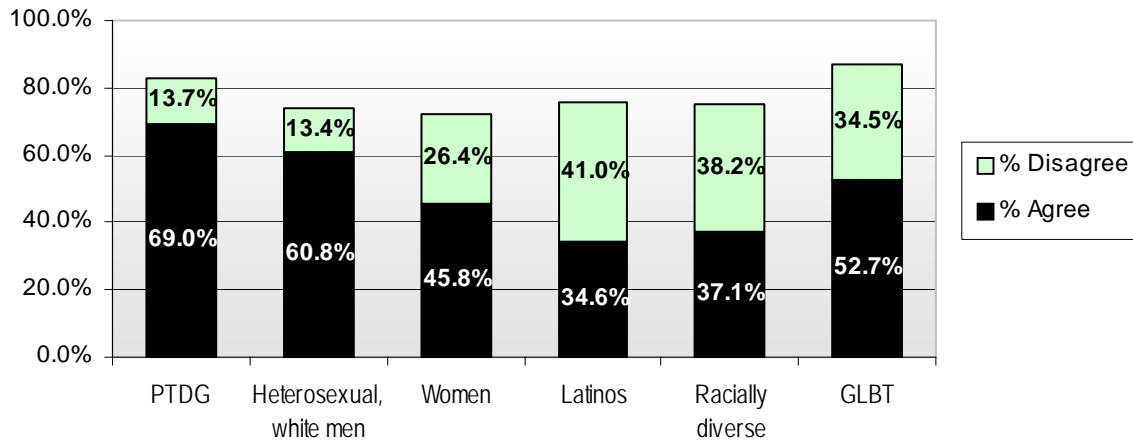
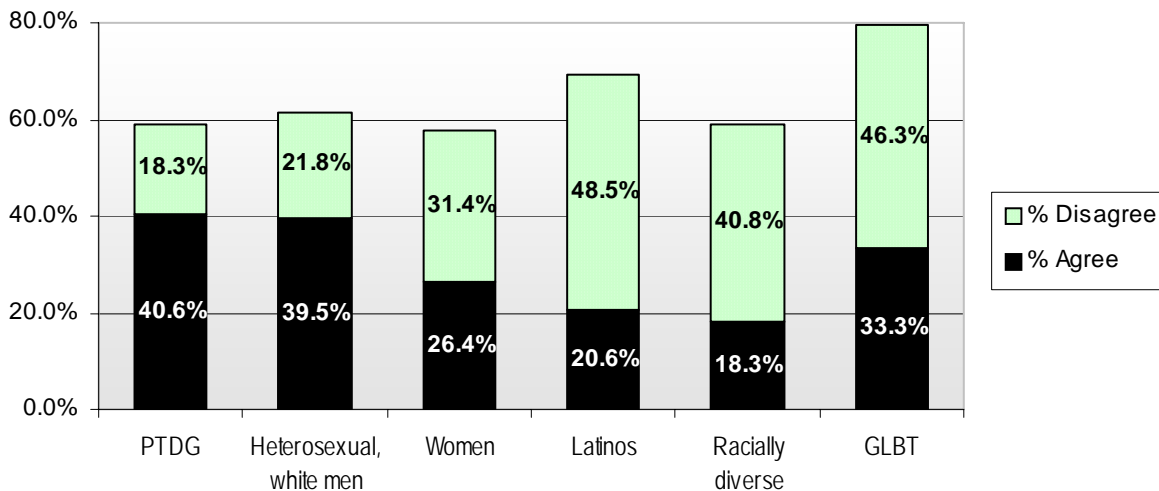


Chart 6.3. Percent who agreed and disagreed that sufficient efforts are being made to recruit GLBT attorneys. GLBT and racially and ethnically diverse attorneys were significantly more likely to disagree that sufficient efforts are being made.



PTDG respondents, both diverse and non-diverse, reported similar levels of agreement to heterosexual, white men, with over 40% agreeing or strongly agreeing that sufficient efforts were being made to recruit GLBT attorneys. Almost 70% of PTDG respondents reported agreement for the same question when asked in relation to racially and ethnically diverse respondents. This may indicate that the programs and practices in place in many PTDG organizations are having an impact on perceptions of respondents from these organizations.

On both questions, women and heterosexual, white men were the most likely to indicate they did not know or neither agreed or disagreed that recruitment efforts were adequate. All respondents, including GLBT attorneys, were more likely to report that they did not know or that they neither agreed or disagreed to the question on whether recruitment was adequate for GLBT attorneys than on whether it was adequate for racially and ethnically diverse attorneys. With almost 40% of women and heterosexual, white men reporting that they do not know if recruitment efforts for GLBT attorneys are adequate, it is unclear whether there is a lack of visibility in existing recruitment efforts or simply a lack of recruitment efforts.

“We do not ‘seek’ out diverse attorneys. We desire to hire the most qualified attorneys to serve our clients. Whether an attorney is ‘diverse’ or not does not matter. We do not discriminate against diverse attorneys. At the same time, I personally will not reverse discriminate against well qualified non-diverse attorneys merely to fill a quota of diverse attorneys.” – *heterosexual, white male*

Many open-ended comments also emphasized that qualifications, not diverse status, were the one and only set of criteria used by their organization to make hiring decisions. The qualifications listed in these open ended answers included such things as area of specialization, quality of law school, and class ranking. A 2006 study of hiring practices among Colorado legal organizations found similar criteria, particularly among medium and large firms that focus on class rank, the university attended, involvement in law review, and GPA (Colorado Institute of

“It is a small firm and I'm pretty sure no one here would be comfortable with a gay person working here. I know that sounds unfair, but there are much worse things going on in the world and in Colorado's legal community than discrimination.” – *heterosexual, white male*

Public Policy, 2005). Unfortunately, other studies have found that minority students pursuing their first position are disadvantaged by the heavy reliance on these classic criteria for successful applicants, including such as law school rank, law review membership, clerkships, and grades (Chambliss, 2004). This suggests that attorneys in charge of hiring within the Denver-metro area may benefit from education on the potential negative consequences of “diversity-blind” hiring practices that emphasize these classic criteria (ibid., p. 79).

It is worth noting that these classic hiring criteria were not the only ones of interest to organizations responding to the 2006 study on hiring practices in the Colorado legal profession. The private firms, government, and non-profit organizations also reported that they include diversity among the top ten characteristics important in their hiring decisions. Additionally, government, non-profit, and small private firms reported less reliance on the classic criteria and more reliance on things like practical experience and public service (Colorado Institute of Public Policy, 2005). The difference in hiring criteria between public and private sector may help to explain the differences seen in Chart 4.2, which reports that diverse respondents are less likely to be employed by private sector organizations.

“As long as the emphasis on grades is the main component looked at, efforts to hire diverse attorneys will not be adequate.” – *lesbian Latina*

Hiring Patterns

Respondents were asked to indicate whether, to the best of their knowledge, the number of diverse attorneys in their organization has increased or decreased since they joined the organization. Not surprisingly, respondents who had been with their organization for many years were more likely to respond that the number of diverse attorneys increased as compared to respondents who had recently joined their organization. However, even though the attorneys

“Our hiring practices are based solely on whether or not an applicant meets our experience, educational and work ethic requirements. We would never consider recruiting an applicant based on diversity just as we wouldn’t recruit an applicant based on lack of diversity.” – *Heterosexual, white female*

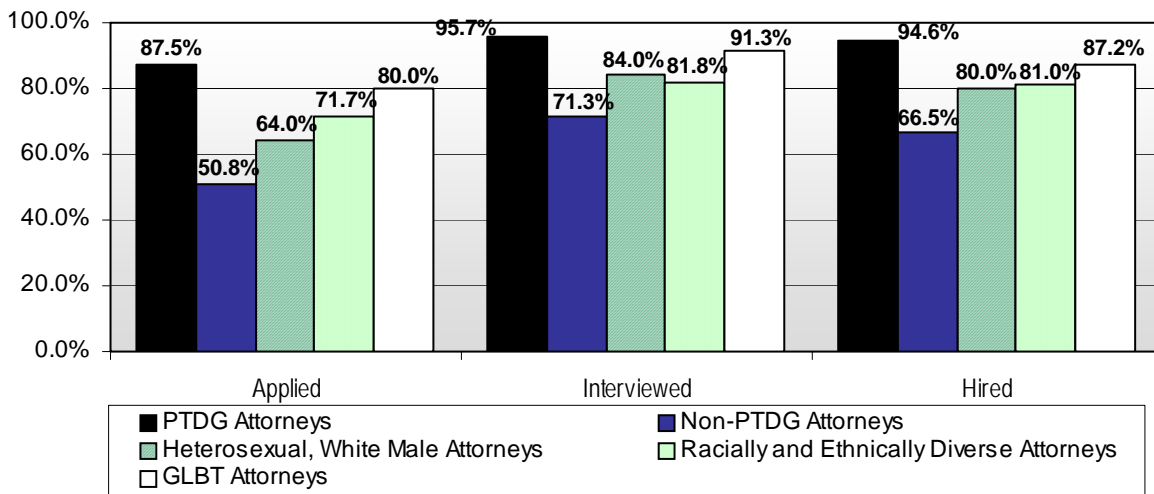
from PTDG organizations had a shorter average tenure at their current positions, 59.3% of them responded that the number of diverse attorneys increased, compared to only 29.4% of attorneys at non-PTDG organizations.

Nationally, minority attorneys have had a small but steady increase in the legal profession over the past 20 years. However, with the exception of Asian-American attorneys, their representation in the law

has not kept pace with their presence in the U.S. population (Dinovitzer et al., 2004, p. 63). From 1990-2005, minority representation in the legal profession increased from 2.1% to 9.7% (Goal IX, 2006, p. 8). Additionally, although minorities comprised nearly 10% of all attorneys nationwide in 2004, it was nearly the same percentage as it was in 2000 (Chambliss, 2004, p. 62). The slight increase in the number of minorities in the legal profession over this time period was due in large part to the increase of minority women attorneys representing over half of the recent growth in the numbers of minority attorneys (Chambliss, 2004, p. 63) Overall, however, minority representation in the legal profession is significantly lower than most other professions, including accountants and auditors (20.8%), physicians and surgeons (24.6%), and higher education teachers (18.2%)(Chambliss, p. 62).

When specifically asked about whether diverse attorneys have applied for jobs, been interviewed, and been hired, the respondents from PTDG organizations responded in the affirmative more often. As seen in **Chart 6.4**, 87% of respondents from PTDG organizations reported that diverse attorneys applied for positions at their organization, and among those respondents from PTDG organizations who reported diverse applicants, 95.7% reported interviewing the diverse applicants and 94.6% reported hiring them. In contrast, only 50.8% of respondents from non-PTDG organizations reported receiving applications from diverse attorneys, and of those whose organizations received applications, only 71.3% interviewed the diverse applicants, and 66.5% hired the diverse applicants.

Chart 6.4. Percent who reported diverse applicants have applied, been interviewed, and been hired by their organizations. Attorneys from PTDG firms were significantly more likely to report that GLBT and racially and ethnically diverse applicants have submitted applications, been interviewed, and been hired by their organizations.



“In its recruiting, the firm seems to seek out diverse attorneys who meet the criteria established for non-diverse attorneys. In effect, recruiting diverse attorneys means finding those diverse attorneys who are most like their white counterparts in the organization.” – *heterosexual, Hispanic male in a PTDG organization*

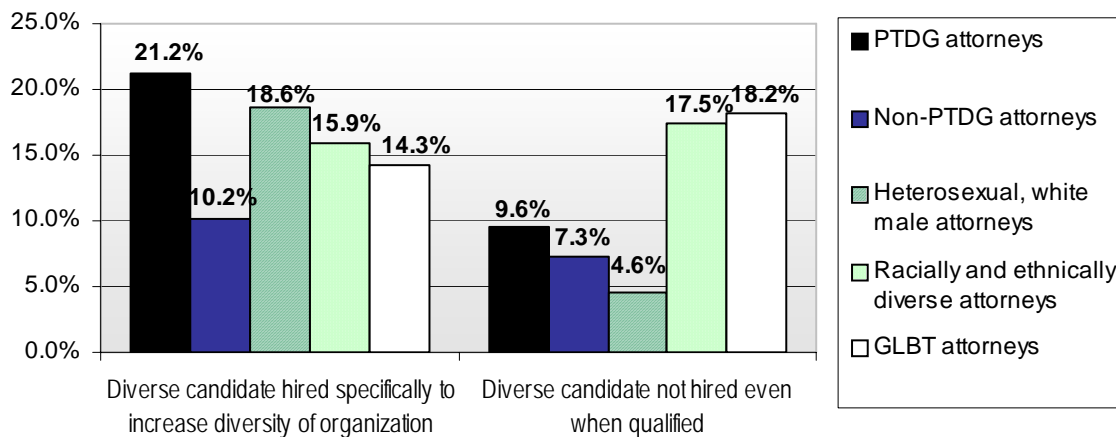
A Minnesota survey approached hiring practices in a different way. They asked firms how often attorneys of color were included in the groups deciding on new law graduates to hire and deciding on lateral associate and partner hires. Seventy percent of firms included attorneys of color in the first type of hiring, and 67% in the second type. When the same question was asked of other legal employers outside of law firms,

attorneys of color were only included in 8% of organization hiring practices regarding new law school graduates and 31% for lateral and supervisory attorneys (2005 Self-Audit, 2006, p.41)

GLBT attorneys were more likely than heterosexual, white male attorneys or racially and ethnically diverse attorneys to report that diverse attorneys (GLBT or racially and ethnically diverse) applied to their organizations, and then were interviewed and hired. A consistent theme in open-ended responses was the “invisibility” of GLBT diversity in the hiring process, which was also the case in Minnesota where both GLBT and heterosexual attorneys agreed that sexual orientation was not considered part of the diversity discussion at work (2005 Self-Audit, 2006, p. 28). The higher reporting from GLBT respondents on whether diverse attorneys applied to their organization, and the higher percentage who do not believe recruitment efforts are adequate, may indicate a greater awareness of the other GLBT members in their organization, rather than a greater number of diverse applicants in their organizations.

“Diversity won't happen until/unless the [PTDG firms] do some significant lateral hiring to diversify their upper levels. Otherwise, there is no motivation and inadequate mentoring for young diverse attorneys....I think too much effort focuses on recruiting the new associates and not enough on diversifying from the top down.” – *heterosexual, Asian female*

Chart 6.5. Perceptions of the reasons that diverse candidates are hired and not hired. Twice as many attorneys in PTDG organizations reported that diverse candidates were hired specifically to increase diversity in the organization as attorneys in other organizations.



As seen in **Chart 6.5**, the respondents from PTDG organizations reported more frequently than any other type of respondent that their organization hired a diverse candidate specifically to increase diversity in the organization. Heterosexual, white males were the next most likely

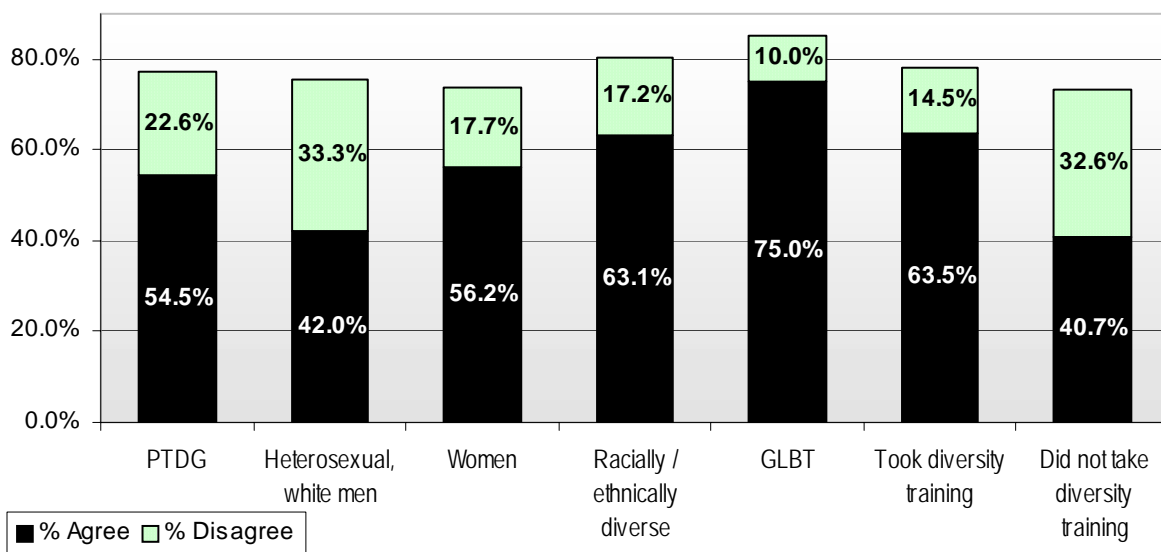
group to report this as a reason for hiring a diverse candidate. Racially and ethnically diverse and GLBT respondents were three to four times more likely than heterosexual, white males to report that their organization passed up a qualified diverse candidate to hire an equally qualified, non-diverse candidate. This finding is supported by several other studies conducted by bar associations and other interested groups. In Nebraska, a group of minority attorneys believed that they must be more qualified than their white colleagues to be hired (Nebraska, 2003, p. 121). Overall results in this Colorado study, however, indicated that the majority of respondents either disagreed or strongly disagreed with the statement that minority attorneys need better qualifications than white lawyers to be hired by their organization (ibid., p. 120).

The differing perceptions may indicate dissatisfaction with hiring processes from both perspectives, with heterosexual, white men concerned that diverse candidates are being hired for reasons other than their qualifications and diverse attorneys concerned that diverse candidates are not being hired for reasons other than their qualifications. However, it is important to keep in mind that the majority of respondents answered no to both questions.

Training and Hiring

Among respondents from PTDG organizations, over fifty percent agreed or strongly agreed that all attorneys in the organization should be trained to understand the needs of diverse groups. As **Chart 6.6** shows, heterosexual, white men were the least likely to agree that training is needed, with 42% agreeing or strongly agreeing, while GLBT attorneys were the most likely to agree, at 75%. Ninety percent of respondents who agreed that all attorneys in the organization need to be trained on diversity issues also agreed that attorneys who conduct interviews need to be trained specifically on the cultures of diverse applicants.

Chart 6.6. All attorneys in my organization should be trained to understand the needs of specific diverse groups. Attorneys who have taken diversity classes were significantly more likely than their peers who have not taken classes to agree that all attorneys should be trained to understand the needs of specific, diverse groups.



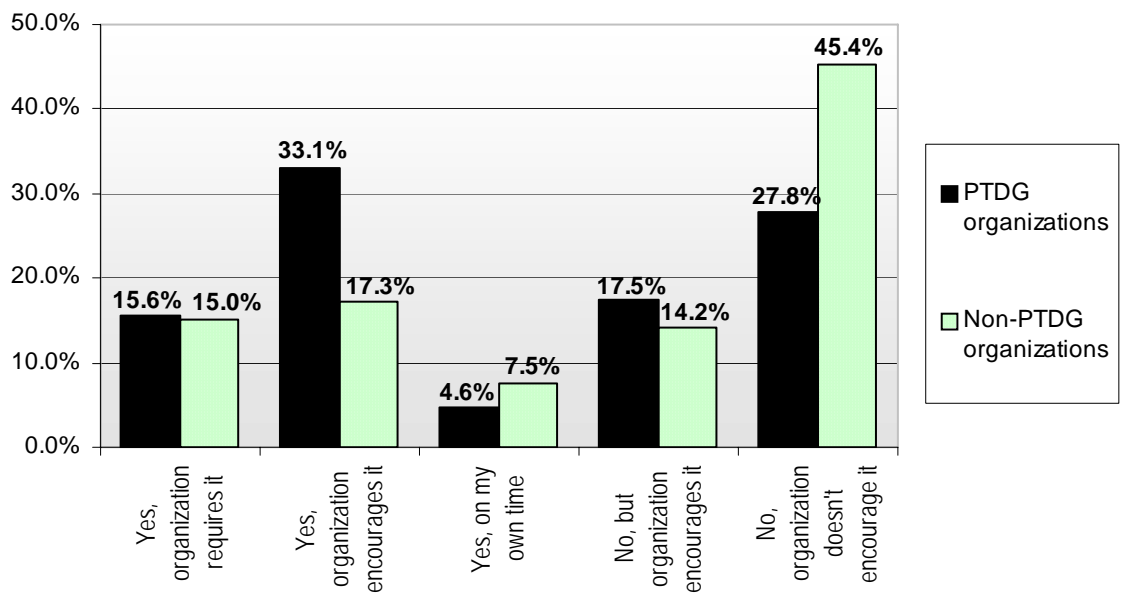
Respondents who had been through a diversity training agreed or strongly agreed 63.5% of the time that interviewers should be trained to understand the cultures of specific groups, compared to only 40.7% of attorneys who had not been through a diversity training class.

“I think recruiting outreach efforts are important, but I don't understand how the ‘cultures’ or ‘needs’ of “specific diverse groups” would figure in job interviews or in the workplace. The ‘diverse attorneys’ whom I interviewed and worked with were all well-qualified professionals who didn't require any special treatment. I think they would have been insulted by it.” – *heterosexual, white female*

The importance of interviewers being trained to understand diversity issues is highlighted by a report on Colorado hiring practices that found interview performance and personal attributes as the top two characteristics that private firms, government, and non-profits consider when hiring new attorneys. Such personal criteria may be affected by any cultural disconnects between interviewers and interviewees (Colorado Institute of Public Policy, 2005).

Only 43.7% of respondents had taken a diversity training class, an important finding given the difference in how those who have and have not taken trainings viewed the need for future training efforts. Shown in **Chart 6.7**, of those who had taken a diversity training class, 32.7% were required to take it by their organization and 53.1% were encouraged by their organization. Among all the attorneys who took the survey, those from PTDG organizations were no more likely to be required to take a diversity training (15.6%), but they were twice as likely as their peers from other organizations to be encouraged to take the training (33.1% compared to 17.3%). Perhaps more telling, 27.8% of the respondents from PTDG organizations reported that their organization does nothing to encourage attorneys to take diversity trainings, while 45.4% of respondents from other organizations reported the same.

Chart 6.7. Percent who have taken diversity training classes and the extent of organizational support. One quarter of respondents from PTDG organizations reported that their organization does not encourage diversity training classes, compared to nearly half of respondents in other organizations.



“[We should] provide training on cultural differences so that the differences can be considered when working with diverse attorneys to produce more productive working relationships. Cultural differences result in different approaches to assignments, working relationships, etc. that can be negatively perceived. By understanding cultural differences, productive relationships and work environments can be created that eliminate any bias due to cultural misunderstanding.” – *heterosexual, Native American male in a PTDG organization*

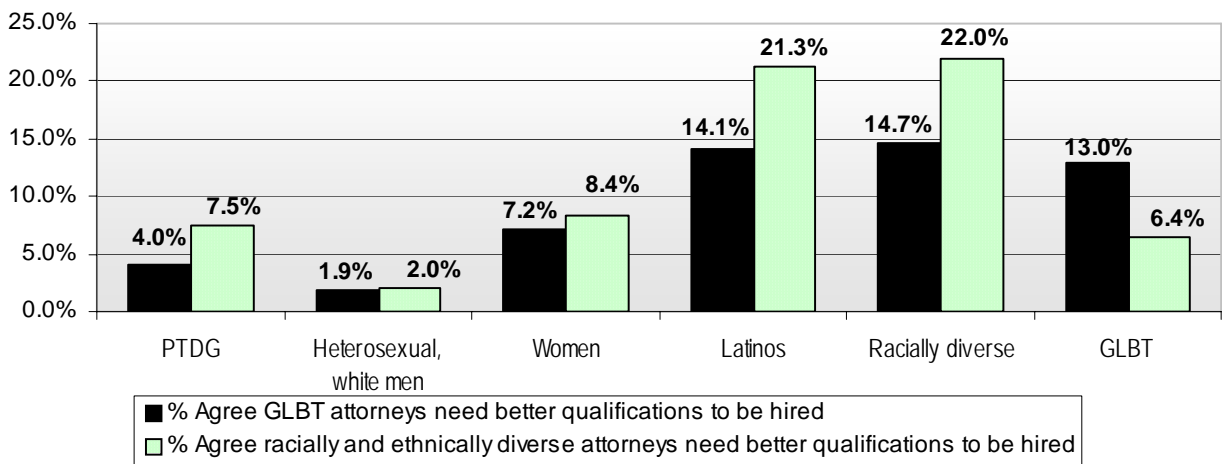
Colorado’s findings on diversity training indicated slightly higher participation rates than Nebraska, where 38% of respondent attorneys stated that they had participated in multicultural training, with 20.2% reporting that their employer either required or encouraged their participation. A majority of respondents in Nebraska also indicated that additional training would be advisable with minority bar members ranking it as ‘very important’ and white bar members ranking it as ‘somewhat important’ (Nebraska, 2003, p. 122).

Qualifications in Hiring

When asked whether racially and ethnically diverse and GLBT attorneys need better qualifications than non-diverse attorneys to be hired, over 65% of respondents disagreed or strongly disagreed. Of the 46 attorneys who agreed or strongly agreed that diverse applicants need better qualifications, all but six attorneys were either racially or ethnically diverse, GLBT, or female. Despite the low numbers responding that better qualifications are needed, the answers were so overwhelmingly from diverse respondents that the findings were statistically significant for each of the diverse groups. **Chart 6.8** explores this striking difference in more detail.

“Since supervising attorneys have the power and most at our government office do not care about valuing diversity or have any training, they are not even aware that they tend to hire those that look like them (white male).” – *lesbian Latina*

Chart 6.8. Percent who agreed that diverse attorneys need better qualifications than other attorneys to be hired. Although most respondents did not agree that diverse attorneys need better qualifications, those who did agree were overwhelmingly from diverse backgrounds.

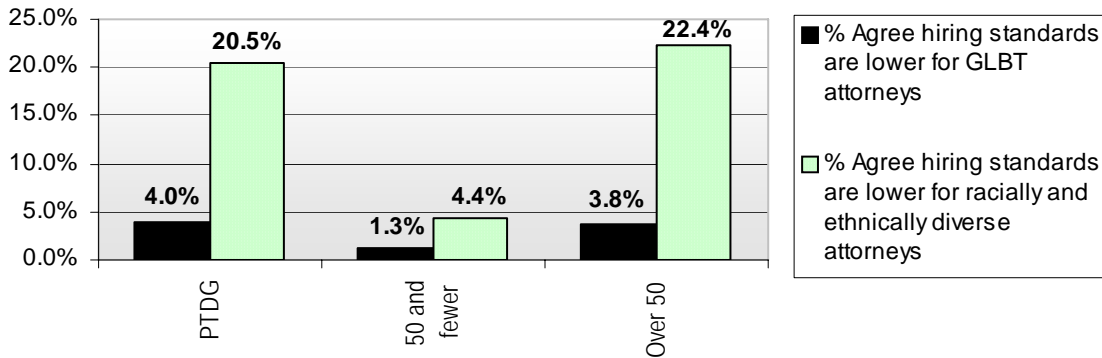


Two more statements reversed the issue and asked respondents to agree or disagree that hiring standards are lower for diverse attorneys, first racially and ethnically diverse attorneys

and then GLBT attorneys. Once again, the vast majority of respondents did not agree with the statements, as can be seen by the low percentages of agreement in **Chart 6.9**. Little difference was found between the responses of diverse attorneys and white attorneys, but significant differences were found based on organization size.

As many of the PTDG organizations are larger law firms, the responses from attorneys employed by those organizations match the responses by attorneys employed by larger firms. Most of the respondents who agreed that diverse applicants, particularly racially and ethnically diverse applicants, were held to lower standards were from organizations employing more than 50 attorneys. As will be explored in Chapter 7, the larger firms and PTDG organizations have implemented more of the best practices related to recruiting and retaining diverse attorneys. The perception that higher standards are lower for diverse respondents may be connected to the implementation of these practices.

Chart 6.9. Percent who agreed that hiring standards are lower for diverse attorneys than for other attorneys. Though most attorneys did not agree that hiring standards are lower, of those that do, the majority were in organizations employing more than 50 attorneys.



Summary of Recruitment Findings

Respondent’s perceptions of recruitment practices and their adequacy differed sharply, largely based on diverse status or employment in a PTDG organization:

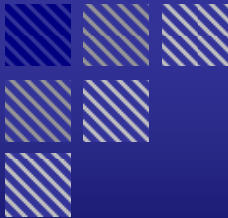
- Respondents from PTDG organizations reported far more recruitment efforts specifically aimed at diverse attorneys than respondents from other organizations. They were also more likely to agree that their organization’s recruitment efforts were adequate;

[The Colorado Bar Association should] “assist organizations with the development and implementation of Best Practices for recruiting and retention of diverse attorneys.” – *heterosexual, Latino male*
- Respondents from PTDG organizations reported more frequently that diverse candidates have been hired specifically to increase diversity, and that diverse candidates have applied, and been interviewed and hired by their organization;
- Racially and ethnically diverse and GLBT attorneys responded to the majority of the recruitment questions in very different ways from heterosexual, white men. Diverse respondents largely did not agree that recruitment efforts were adequate, which was opposite to the response from heterosexual, white men;

- GLBT attorneys were more likely to report that insufficient efforts are being made to recruit GLBT attorneys, but were also more likely to report that diverse attorneys (GLBT or racially and ethnically diverse) have applied, and been interviewed and hired by their organization. This may indicate they are more aware of the “hidden” GLBT attorneys, rather than suggesting their organizations are more diverse;
- Respondents who have taken a diversity training class were more likely to agree that other attorneys need to take such classes, including attorneys responsible for interviewing applicants; and
- Respondents from large firms were more likely to perceive hiring practices to be biased in favor of racially and ethnically diverse attorneys, while respondents with diverse backgrounds were more likely to perceive hiring practices to be biased against diverse applicants.

Overall, the perceptions of diverse and non-diverse attorneys were dramatically different, as were the responses to open ended questions. Many issues remain to be addressed in the area of recruitment, including addressing the disconnect between the non-diverse attorneys who believe diversity efforts are not needed or have gone too far and diverse attorneys who believe current recruitment efforts are not adequately addressing diversity.

.....
“It is extremely difficult for individual attorneys to show how subtle (and sometimes not so subtle) an organizational culture can be, so discouraging, isolating, and offensive. Please provide some training options, as training seems like the only option to open eyes and ears that have remained closed too long. A training that can show how beautiful/talented different colors can be.” – *heterosexual, multi-racial female in a PTDG organization*
.....



Chapter 7: Retention Findings

Recruitment efforts are an important part of diversifying the legal profession, but retention issues can undermine the best recruitment practices. Survey respondents in Colorado described retention issues like job satisfaction, reasons for staying and leaving their organizations, and best practices like mentoring in very similar ways to national studies and studies in other states. Although the majority of all respondents were satisfied with their positions, and generally satisfied with different diversity-oriented practices in their organization when such practices were present, diverse respondents were more likely to be dissatisfied with their job and the diversity efforts in their organization and more likely to be seeking to leave their current position.

Job Satisfaction

“Great recruitment has not led to retention and promotion.” – *heterosexual, Native American female in a PTDG organization*

Nationally, most lawyers are satisfied with the decision to become lawyers, regardless of diverse status. Racially and ethnically diverse attorneys express the highest levels of satisfaction when asked about the substance of their work and the lower levels when asked about social and power dimensions of their workplace, with the exception of Asian Americans who expressed the lowest level of satisfaction with the substance of their work (Dinovitzer, et al., 2004). In Colorado, as **Chart 7.1** shows, the pattern is much the same. Eighty-two percent of the responding attorneys were either very satisfied or satisfied with their current professional position. Racially or ethnically diverse attorneys (including Latinos and any non-white respondents) were significantly less likely to be satisfied,

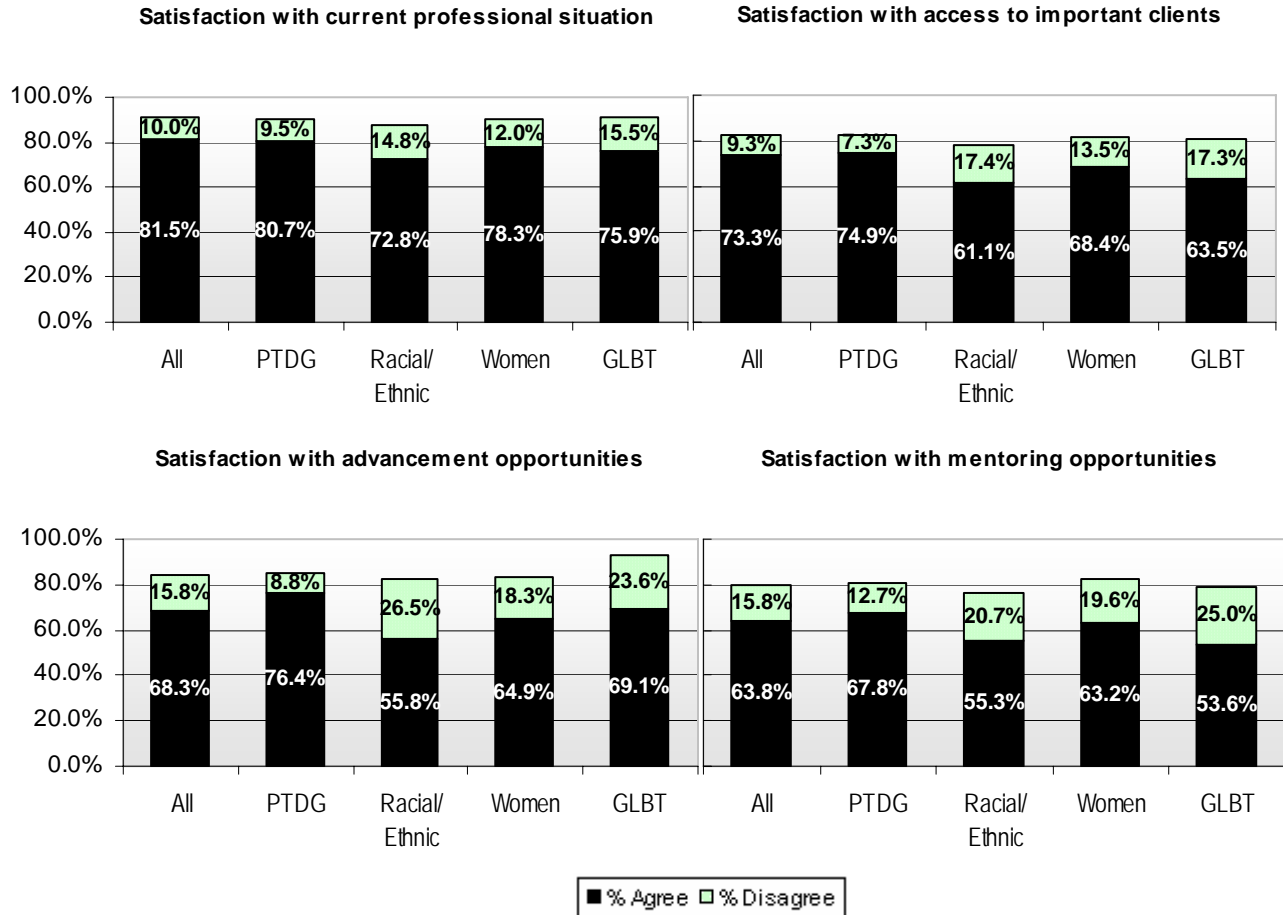
but even with their lower rates of satisfaction, 73.3% still reported that they were either very satisfied or satisfied with their current professional position.

“Our culture does not yet promote ‘openness’ among GLBT attorneys, with the result that the GLBT attorneys are not fully integrated socially (because they do not bring their partners to firm events, etc.).” – *heterosexual, white female in a PTDG organization*

Similar to national findings, questions that go into more detail on job satisfaction show distinct differences between diverse and non-diverse attorneys.

In Colorado, the racially and ethnically diverse attorneys were significantly more likely to be dissatisfied with their overall professional position as well as the complexity of their work, access to clients, advancement opportunities, and mentoring opportunities. They resembled the general population of respondents the least in their satisfaction with opportunities for advancement, where 13% fewer rated their satisfaction level as very satisfied or satisfied, and 10% more reported they were dissatisfied with their access to clients. Gay, lesbian, bisexual, and transgender (GLBT) attorneys were significantly less satisfied with the complexity of their work, their access to clients, and their advancement opportunities. Women were significantly less satisfied with their access to clients, advancement opportunities, and mentoring opportunities. The disparities in diverse attorneys’ satisfaction with their opportunities for advancement mirror the findings in Nebraska, where white attorneys (76.8%) were found to be more satisfied with their opportunity for advancement than minorities (61.0%) (Nebraska, 2003).

Chart 7.1. Satisfaction with professional situation.* Overall, the majority of respondents were satisfied with their professional situation. However, racially and ethnically diverse, GLBT, and female attorneys had lower levels of satisfaction in specific professional areas.



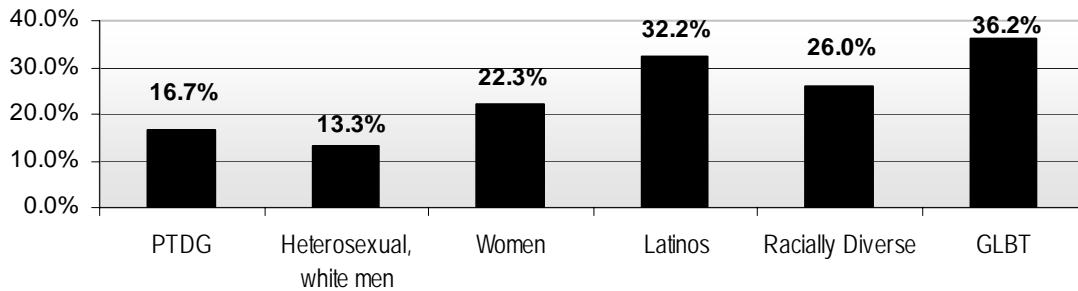
* Racially and ethnically diverse respondents are grouped into one category to increase readability of the information. The responses of Latinos and racially diverse attorneys were not significantly different from one another.

The attorneys employed by the Colorado Pledge to Diversity Legal Group (PTDG) organizations reported significantly higher satisfaction with the complexity of their work and advancement opportunities, as compared to all other attorneys answering the survey. The general theme of the satisfaction findings was that diverse attorneys and women had lower levels of satisfaction in many areas of their professional situation, and attorneys in the PTDG organizations had higher levels of satisfaction in some areas of their professional situation. Additionally, satisfaction with advancement, mentoring, and challenging work helped to explain over 68% of the variation in overall job satisfaction, suggesting that addressing these specific areas will meaningfully contribute to addressing overall job satisfaction.

Reasons for Staying

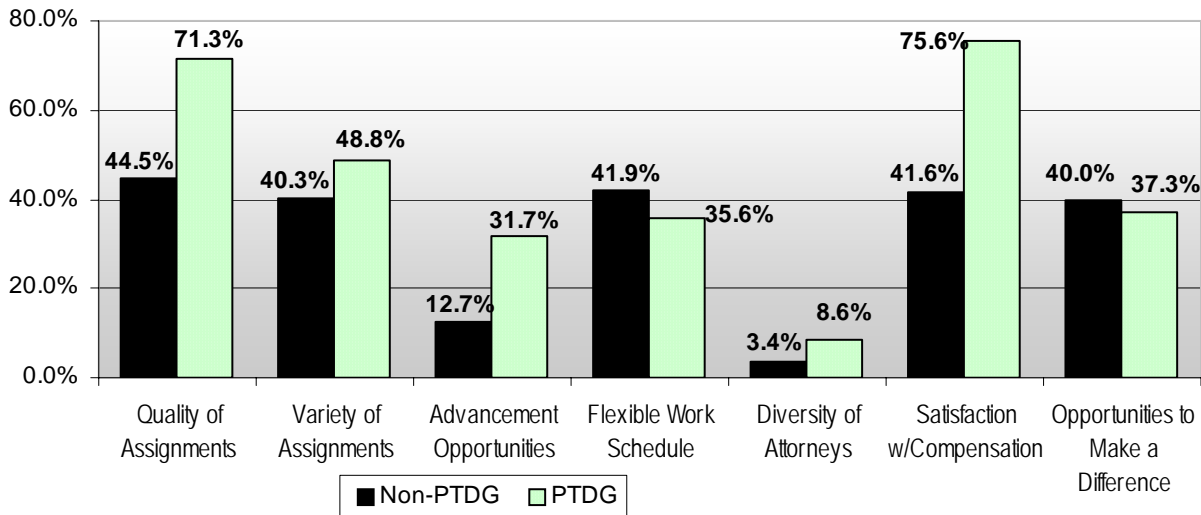
Nationally, African Americans, Latinos, and Asians are all more likely than whites to report that they are already looking for another position or intend to remain in their current position less than a year (Dinovitzer et al., 2004). In Colorado, attorneys who are racially and ethnically diverse or GLBT were also significantly more likely than all attorneys participating in the survey to report that they are currently pursuing other job opportunities or planning to stay at their current organization for two years or less. Seen in **Chart 7.2**, where 21.4% of all attorneys reported that they were planning to stay in their organizations less than two years, 30.5% of GLBT attorneys and 26.7% of racial and ethnically diverse attorneys reported that they were planning to stay with their organizations less than two years.

Chart 7.2. Percent currently seeking other employment. Racially and ethnically diverse, GLBT, and female attorneys were significantly more likely to be seeking other employment.



For those intending to stay in their jobs, the reasons for remaining were largely the same for diverse and non-diverse respondents. However, for respondents from the PTDG organizations, they were significantly more likely to select every reason for staying except for flexibility of work schedule and the opportunity to make a difference, as can be seen in **Chart 7.3**. Many respondents wrote in additional reasons for staying, such as being a partner or owner of the organization, the short commute, the congenial work environment, and nearing retirement.

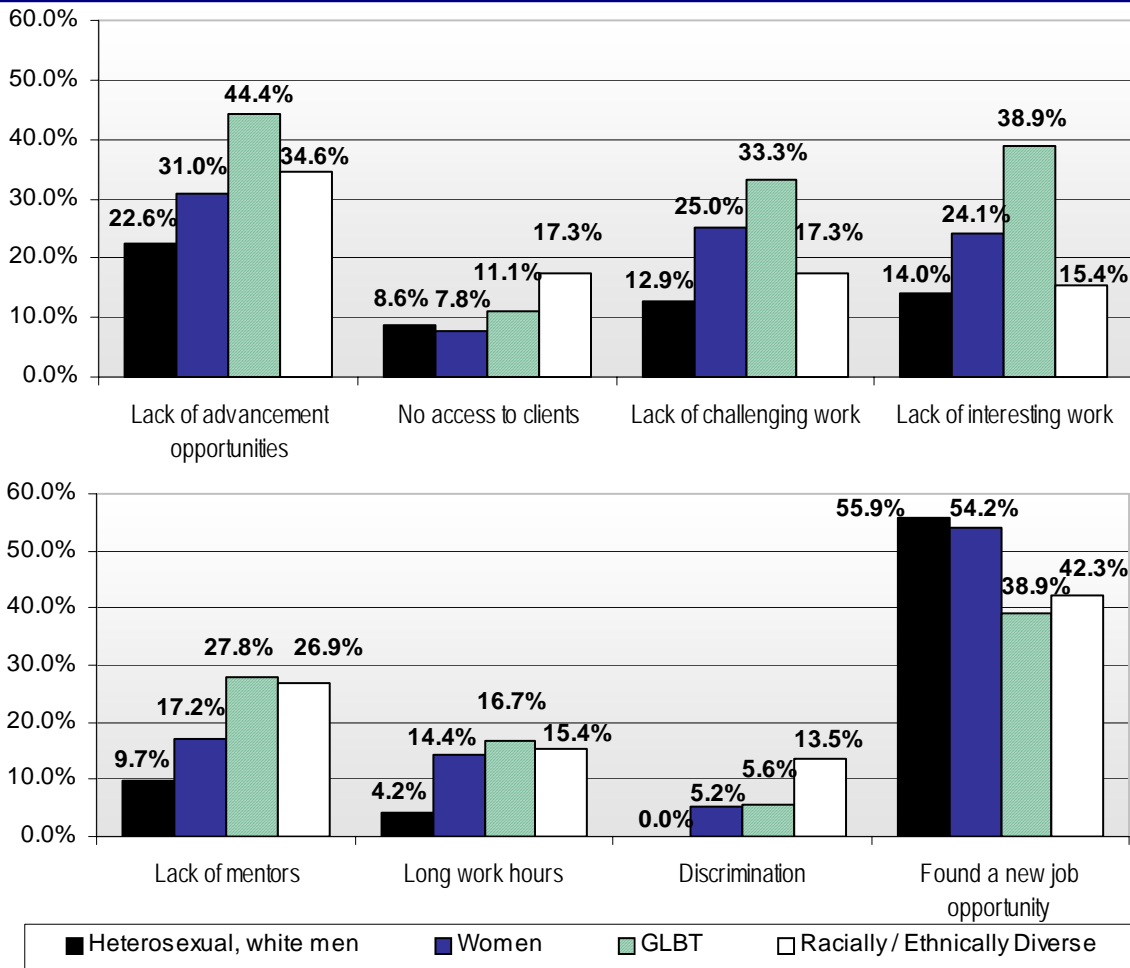
Chart 7.3. Reasons for staying at current position. Attorneys from PTDG organizations were more likely to list almost every reason for staying with their current position.



Reasons for Leaving

Only 270 respondents to this study answered questions related to a previous organization and position they held within the past five years. Those that did respond were asked about their reasons for leaving the organization. **Chart 7.4** compares the reasons offered by racially and ethnically diverse, GLBT, and female attorneys against the percentages for heterosexual, white male attorneys. Despite the very small numbers of respondents, racially and ethnically diverse attorneys were significantly more likely to report a lack of access to clients, lack of mentors, and experiencing discrimination as reasons for leaving their previous position. GLBT attorneys were significantly more likely to report a lack of interesting work as the reason they left their previous position. Women were significantly more likely to report a lack of access to clients, long work hours, and a new job opportunity as their reason for leaving.

Chart 7.4. Reasons for leaving a previous position.* Racially and ethnically diverse respondents were significantly more likely to report that they left previous positions due to lack of access to clients and mentors and experiencing discrimination.



* Latino and racially diverse attorneys are grouped into racially/ethnically diverse due to the small number of total respondents to these questions.

These reasons for leaving are confirmed by other states' studies focused on diversity in the legal profession. For example, according to the Minnesota study, 33% of attorneys of color

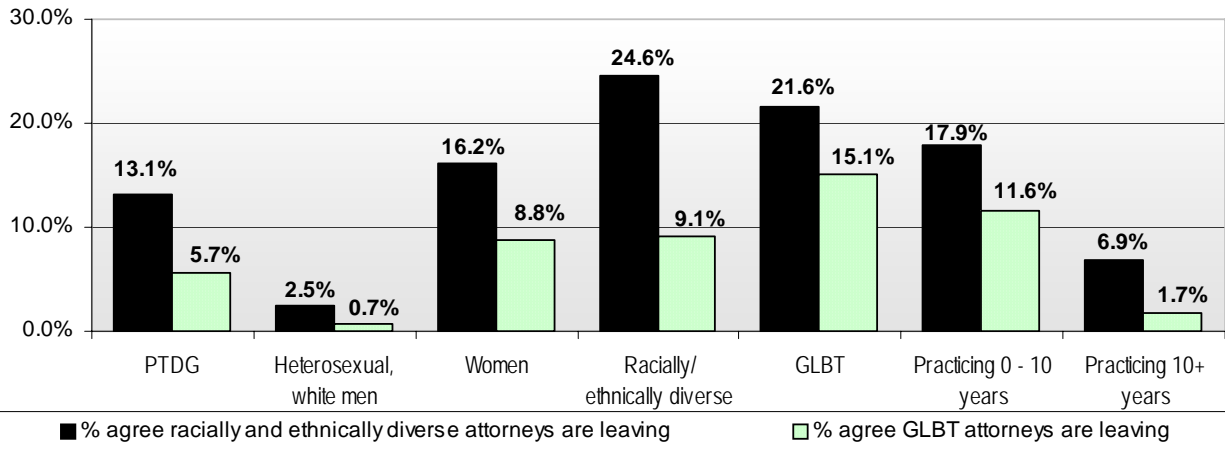
believed that attorneys of color received less desirable work assignments compared to 12% of white attorneys with 46% of all attorneys reporting that there was no difference in the assignment of work. Further, 52% of attorneys of color believed that white attorneys had more opportunities to develop mentor relationships while 54% of white attorneys and 32% of attorneys of color believed there was no difference. As to sexual orientation, 45% of GLBT attorneys and 30% of heterosexual attorneys agreed that GLBT attorneys received less favorable work assignments (2005 Self-Audit, 2006).

In Nebraska, almost half of the minority attorneys reported having difficulty accessing networks important to their career. A similar disparity was found as to access to mentoring networks by minority attorneys (Nebraska, 2003). Minority attorneys also responded (44.4%) that African American, Hispanic, and Native American attorneys receive fewer fee-generating appointments than do white attorneys (7.5%). Nearly one-third of minority attorneys also reported that minority lawyers are assigned less complex tasks than their white counterparts (ibid.).

“My firm does a great job recruiting diverse attorneys for entry-level jobs, but a very poor job in retention and promotion. [We have] a ‘band-aid’ approach to diversity in which we maintain minimal numbers, but have fewer diverse partners than firms less than half our size. It’s humiliating and demoralizing and the senior diverse associates see it and are leaving because they do not feel supported for partnership.”
 – heterosexual, Native American female in a PTDG organization

In addition to diverse respondents leaving organizations for different reasons than non-diverse respondents, they also had different perceptions of the rates at which diverse attorneys are leaving their organization. When asked to agree or disagree with two separate statements about whether racially and ethnically diverse and GLBT attorneys are leaving their organizations because the climate is not conducive to their wanting to stay, diverse attorneys were seven times more likely to agree than heterosexual, white males. As **Chart 7.5** shows, attorneys who have been practicing for 10 years or less were also much more likely to agree that diverse attorneys are leaving their organizations than attorneys practicing more than 10 years. The type of firm was not related to respondents’ answers, indicating that the problems leading to diverse attorneys leaving exist in both public and private organizations.

Chart 7.5. Diverse attorneys are leaving the organization because the climate is not conducive. Racially and ethnically diverse, GLBT, and female attorneys were much more likely to report that diverse attorneys are leaving the organization.



The overall results of the questions on job satisfaction, reasons for staying, and reasons for leaving a previous job indicate that racially and ethnically diverse, GLBT, and female attorneys were less satisfied with their current positions, less likely to stay in those positions, and more likely to leave positions due to a lack of access to clients and advancement opportunities. Racially and ethnically diverse attorneys also reported discrimination as a retention issue at significantly higher rates than other respondents.

Other Retention Issues

In addition to reporting reasons for staying and leaving and job satisfaction, survey respondents were asked about a wide variety of issues related to their experience in their organization. As noted above, lack of advancement opportunities was cited by many respondents as a reason they left a previous position. In their current positions, 58.1% of respondents strongly agreed or agreed that they were adequately informed of their organization’s requirements for promotion, including partnership. Although racially and ethnically diverse, GLBT, and female attorneys were all significantly less likely to strongly agree or agree with the statement, it may not be a consequence of their diverse status. As was noted in the chapter on demographics, racially and ethnically diverse attorneys, as well as GLBT attorneys, are more likely to have recently entered the legal profession. Regardless of diverse status, attorneys who have been practicing law for less than 10 years were much more likely to disagree that they have been adequately informed of requirements for promotion.

“The problem is that a few individuals (‘bad apples’) can have an impact on the culture for the firm as a whole (especially when in positions of power with respect to hiring/advancement, etc). The firm’s main problem is its failure to establish a zero tolerance policy and to do a better job of deciding who should be in a position to make hiring/compensation decisions, etc.” – *heterosexual, white female in a PTDG organization*

When survey respondents were asked if their organization takes sincere steps to advance racially and ethnically diverse attorneys, most agreed or strongly agreed (61.7%), but far fewer agreed or strongly agreed when the same question was asked with regards to GLBT attorneys (47.0%). With regards to GLBT attorneys, respondents were much more likely to answer that they did not know, or neither agreed or disagreed (40.2%) compared to the percent of respondents answering the same in regards to racially and ethnically diverse attorneys (25.4%). Overall, diverse attorneys were significantly less likely to believe that their organizations take sincere steps to advance diverse attorneys.

Among attorneys in private law firms, 74.6% of partners agreed that their organization takes sincere steps to advance racially and ethnically diverse attorneys, and 43.3% agreed with regards to GLBT attorneys. In contrast, as

“It is widely known that supervisors share social events with non-diverse attorneys more than diverse attorneys. It sends a message of exclusion. Who is likely to really get the inside tips for promotion? The social buddies.” – *heterosexual, Latina*

Chart 7.6 shows, only 46.8% of associates agreed that their organization takes sincere steps to advance racially and ethnically diverse attorneys, and 40.5% agreed with regards to GLBT attorneys. In a related finding, attorneys with more than ten years of experience were, like partners, significantly more likely than newer attorneys to agree that their organization takes sincere steps.

When respondents were asked if they felt included in social or business networking events, or sought out by partners or senior attorneys to work on high quality, significant assignments; over 70% strongly agreed or agreed with both statements. Racially and ethnically diverse, GLBT, and female attorneys were all significantly less likely to strongly agree or agree with the

statement. However, similar to the question on requirements for promotion, including other factors in the analysis decreased the importance of race, ethnicity, GLBT status, and gender. Instead, agreement with access to networking events and high quality assignments was most related to role in the organization and having graduated in the top quartiles of one’s law school class.

Chart 7.6. Organization takes sincere steps to advance diverse attorneys. Respondents were more likely to disagree that their organization takes sincere steps to advance GLBT attorneys than to advance racially and ethnically diverse attorneys.

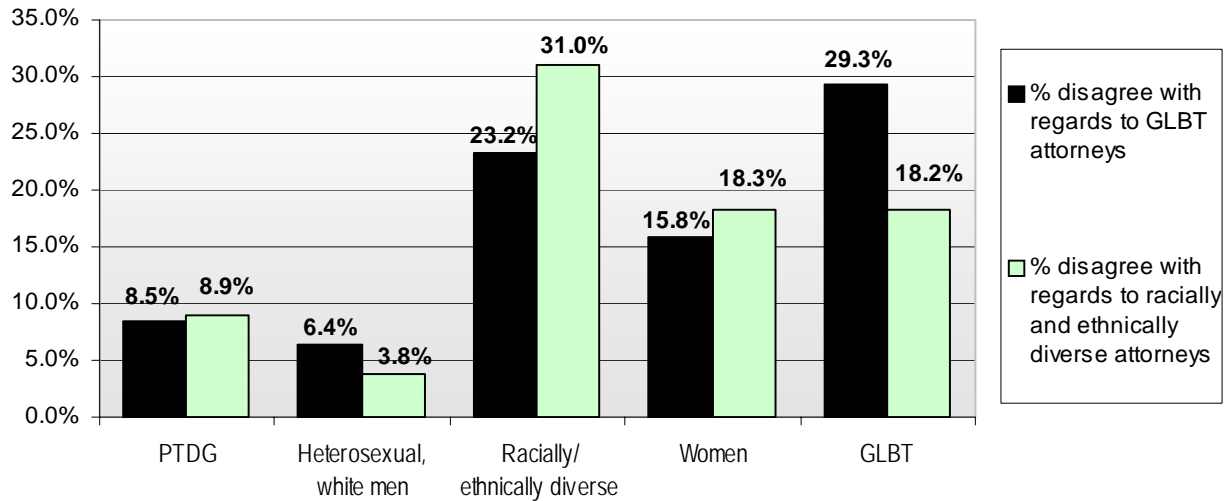
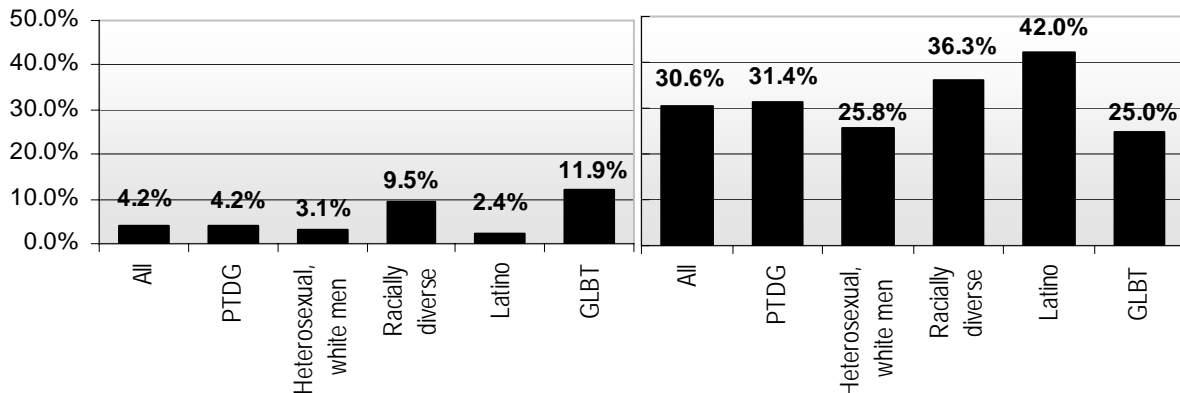


Chart 7.7. Diverse attorneys do not receive the privileges that other attorneys receive. Few respondents indicated that GLBT attorneys do not receive privileges, but nearly 1/3 of respondents indicated racially and ethnically diverse attorneys do not receive privileges.

Percent who agree GLBT attorneys do not get privileges

Percent who agree racially and ethnically diverse attorneys do not get privileges



In addition to asking individual respondents about their own access to things like networking events and high quality assignments, respondents were asked about how diverse respondents in general fare in these areas in their organization. When asked if racially and ethnically diverse

respondents receive privileges that other attorneys do not, with privileges defined as such things as promotions, networking opportunities, training, mentoring, client contact, and fee-generating assignments, very few attorneys agreed or strongly agreed (8.6%), as seen in **Chart 7.7**.

Similarly, when the same question was asked with regards to GLBT attorneys, only 3.3% agreed they receive privileges that others do not. However, when the reverse statements were presented to survey participants, they were much more likely to agree. Among all survey respondents answering the question, 30.6% agreed or strongly agreed that racially and ethnically diverse attorneys do not receive privileges in their organization that non-diverse attorneys do. The survey respondents were far less likely to agree or strongly agree (4.2%) with the same statement made in regards to GLBT attorneys.

.....
• “My organization talks a lot about being
• committed to diversity but doesn't really
• do anything to make that happen...white
• male partners still socialize, mentor, and
• promote advancement of white male
• associates. There are too few diverse
• partners to make a difference for the
• diverse associates that come through our
• office.” -- *heterosexual, white female in a
• PTDG organization*
.....

GLBT attorneys were no more likely than heterosexual, white men to agree that racially and ethnically diverse attorneys do not receive privileges, but they were more than twice as likely to agree that GLBT attorneys do not receive privileges, with 11.9% of respondents agreeing or strongly agreeing as compared to 2.8% of heterosexual respondents. The same was not true of racially and ethnically diverse attorneys, who were more likely to agree or strongly agree with both statements, related to racially and ethnically diverse attorneys and GLBT attorneys.

Advancement and compensation have been identified as key retention issues in other diversity studies as well. Nationally, minorities comprise 9.7% of all lawyers in law firms, but only 4% are partners. Since 1999, minority representation among partners has increased only 0.7%. Minorities are also under-represented in corporate top-level positions, with only 4.3% of corporate general counsel positions being held by minority attorneys (Chambliss, 2004). In New York City, despite the diversity of the population, only 2.1% of Asian-Americans are partners at participating law firms followed by Hispanics at 1.4%, and African Americans at 1.2% (Law Firm Diversity Benchmarking Report, 2006). A specific minority subgroup, minority female attorneys, are almost totally excluded from top-level private sector positions nationwide and only slightly better represented in the public sector. Although the public and private distinction for minority women is not substantial, overall, minority representation in upper-level positions in the public sector was found to be substantially higher than in the private sector (Chambliss, 2004).

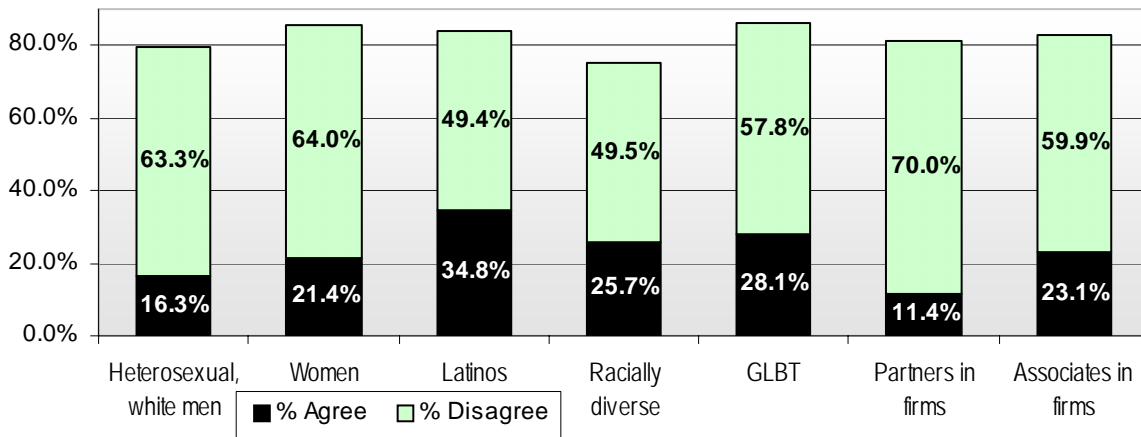
The lack of minority partners is not a consequence of historical hiring patterns alone. The majority of new partner promotions in New York City continue to be white and male. While firms were found generally to hire diverse incoming classes, attrition continued to erode the representation of women and minorities at the partnership level (Law Firm Diversity Benchmarking Report, 2006).

Similarly, Minnesota found that attorneys of color had not advanced to the same degree as their white counterparts, representing only 2% of equity partners in 2005. When asked, 81% of white attorneys and 46% of attorneys of color responded that they believed that there was no difference in terms of promotion opportunities, and 65% of white attorneys and 36% of GLBT attorneys reporting the same chance of promotion as heterosexual attorneys. Attorneys of color were also found to be disproportionately underrepresented on important committees that decide compensation matters and partnership selection. As to compensation, decisions were made by groups comprised of 84% men, 16% women, and 2% attorneys of color (2005 Self-Audit, 2006).

Part of the process of advancing in many legal organizations is the performance evaluation. When asked about formal performance evaluations, 65.9% of all respondents in this study strongly agreed or agreed that their formal evaluations and informal feedback fairly address their actual work performance. However, only 51.3% reported that those performance evaluations lead to advancements in their position, including such things as more challenging work, promotions, and bonuses. Racially and ethnically diverse, GLBT, and female attorneys were not significantly more likely to agree or disagree with these statements. Variation in response was more related to the type of organization the respondent is currently employed by than any other factor.

One area where racial and ethnic diversity resulted in significantly less agreement is whether the respondent feels isolated in his or her current position. As seen in **Chart 7.8**, only 16.3% of heterosexual, white men strongly agreed or agreed that they feel isolated in their current position, compared to 34.8% of Latinos and 25.7% of racially diverse respondents. GLBT status, size of organization, and whether or not the respondent works for a PTDG organization were not significantly related to the experience of isolation. However, among respondents working in corporate or law firm organizations, their role in the organization was significantly related to their sense of isolation. Partners in the firm were much less likely to report that they feel isolated (11.4%) as compared to associates (23.1%) and other attorneys on staff (26.2%).

Chart 7.8. Sense of isolation in present position. Racially and ethnically diverse respondents were significantly more likely to report that they feel isolated in their current positions. Partners were the least likely to strongly agree or agree with this statement.



Diversity and Inclusiveness Best Practices

Specific best practices have been identified nationally to address the types of retention problems explored above. The practices include having diversity committees, formal philosophies on diversity and inclusiveness, clear messages from CEOs, tying

“I know many of the small number African-American attorneys working in Denver firms. They are each under considerable pressure, because of their limited number. They are asked to serve on every committee, they know they serve as role models, etc. In addition to their workload and professional commitments, they carry a greater daily burden than other attorneys.” – *heterosexual, white male in a PTDG organization*

compensation to diversity efforts, and having mentoring programs for diverse attorneys. The survey sought to understand both the prevalence of such practices and the perceptions of their effectiveness. Of the 856 respondents who answered the questions regarding their organizations' formal philosophy, 48% agreed or strongly agreed that their organization has a formal philosophy on diversity and inclusiveness that goes beyond an anti-discrimination statement. As can be seen in **Chart 7.9**, attorneys in PTDG organizations were significantly more likely to agree or strongly agree and racially and ethnically diverse and GLBT attorneys were significantly more likely to disagree or strongly disagree. When asked whether that formal philosophy included language related to GLBT issues, 40% of the 852 respondents who answered the question were not sure or answered that it was not applicable, likely because their organization had no formal philosophy. Attorneys in PTDG organizations were significantly more likely to report whether GLBT was included in the formal philosophy, as were GLBT attorneys, with both groups reporting relatively similar levels of agreement and disagreement.

Chart 7.9. Formal philosophy. While the majority of respondents reported that their organization has a formal philosophy on diversity issues (chart on the left), less than half of the respondents reported that the philosophy includes GLBT (chart on the right).

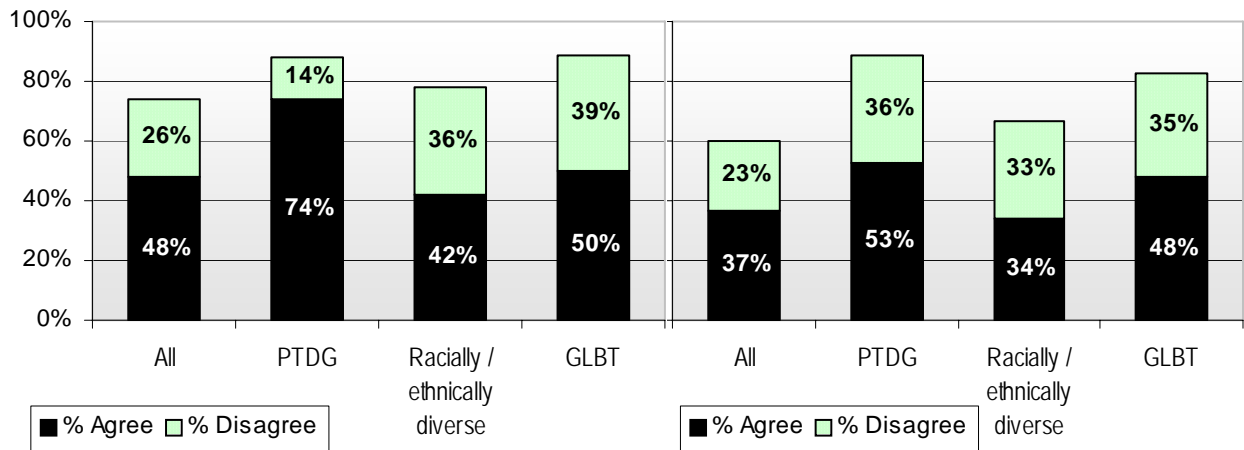
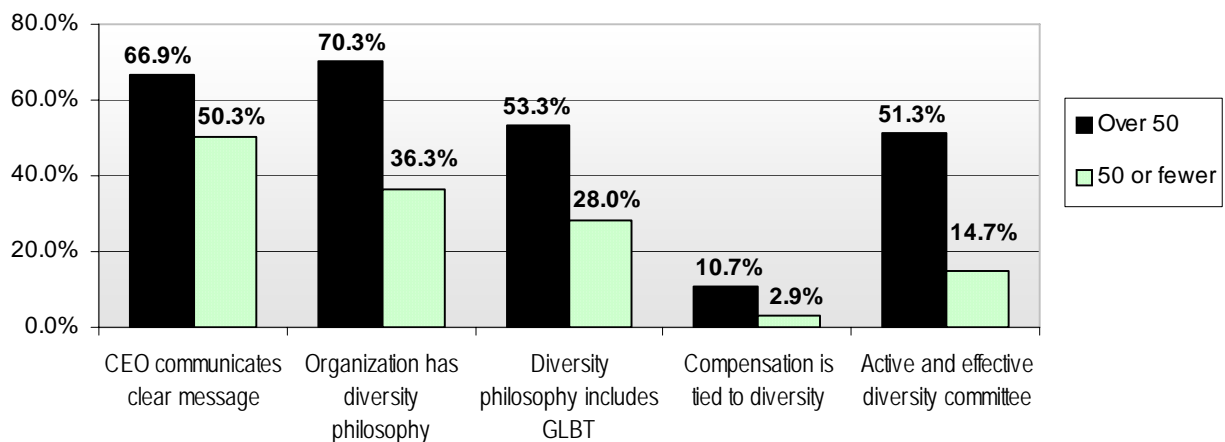


Chart 7.10. Diversity efforts in small and large organizations. Organizations with over 50 attorneys were significantly more likely to have diversity best practices in place.



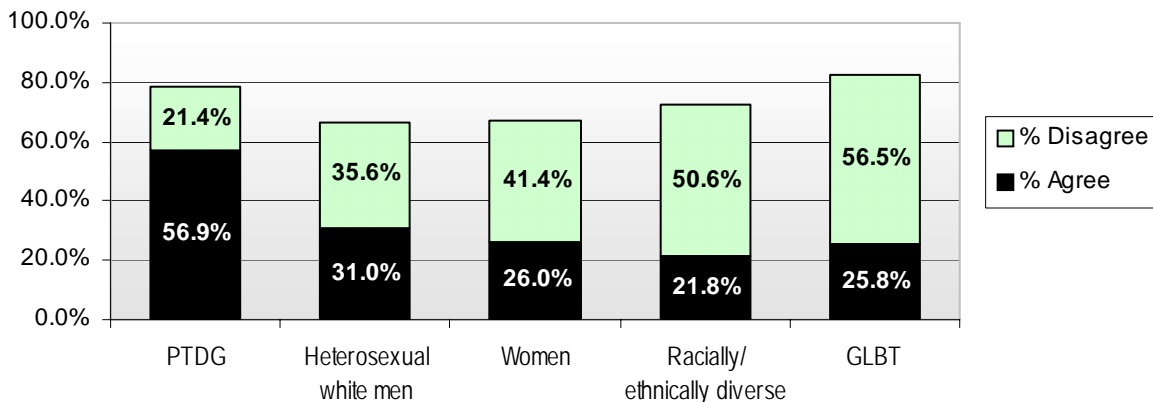
The majority of respondents (58%) reported that diversity efforts are not tied to compensation. Attorneys from the PTDG organizations were significantly less likely to disagree with the statement that their organization ties diversity efforts to compensation, but they were not more likely to agree. Rather, respondents were often uncertain of the policies. As explored in **Chart 7.10**, respondents from organizations with over 50 attorneys on staff were significantly more likely to report that their organization ties compensation to diversity efforts in some way. They were also significantly more likely to report that their organization has a formal philosophy on diversity and inclusiveness, that the philosophy includes GLBT, that the CEO communicates a clear message on diversity, and the organization has an effective diversity committee.

Perceptions that the organization’s CEO communicates a clear message on diversity issues, that the organization has a clear philosophy, and that compensation is tied to efforts to increase diversity were related to many other issues. For example, respondents who agreed that their organization’s CEO communicates a clear message were significantly more likely also to report that the number of diverse attorneys in their organization has increased since they joined, that their organization makes sincere efforts to retain diverse attorneys once hired, and that their organization has more than one diverse attorney on staff. In general, these findings suggest the importance of multiple diversity efforts occurring within an organization, as respondents were most likely to agree that their CEO was communicating clearly when the practices of the organization reflected a positive attitude toward diversity and inclusiveness issues.

“It is an insult to me to continually ask me to sit on diversity committees but not on substantive committees. Fortunately I have found legal organizations outside my employment organization that have allowed me to flourish but these activities tend to be treated like extracurricular activities which do not in any impact my work, my level of compensation, etc.”
 – *heterosexual, Latina*

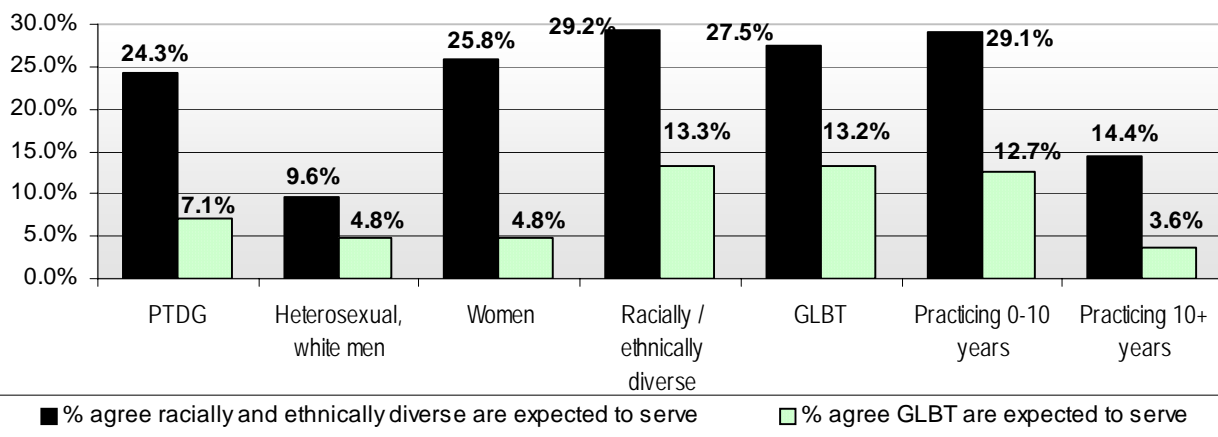
The attorneys surveyed were asked to describe the diversity committees in their organization. Overall, 27.6% of attorneys agreed or strongly agreed that their organization has an active and effective diversity committee, while 38.7% disagreed or strongly disagreed. Shown in **Chart 7.11**, racially and ethnically diverse respondents were more likely to disagree with this statement, as were GLBT respondents. Attorneys from the PTDG organizations were significantly more likely to agree that their organization has an active and effective diversity committee.

Chart 7.11. Active and effective diversity committees. Attorneys from PTDG organizations were significantly more likely to agree that their organization has an active and effective diversity committee.



As shown in **Chart 7.12**, when asked who was expected to serve on diversity committees and committees on issues like recruiting and community outreach, racially and ethnically diverse, female, and PTDG respondents were all more likely than heterosexual, white males to agree that racially and ethnically diverse attorneys are expected to serve on such committees. The most powerful predictor that a respondent would report that diverse attorneys are expected to serve on these committees was whether the respondent was Latino and the second most powerful predictor is whether the respondent was a partner in their organization. Years practicing was also an important predictor, with respondents practicing 10 years or fewer agreeing or strongly agreeing nearly twice as often as respondents who have practiced more than 10 years.

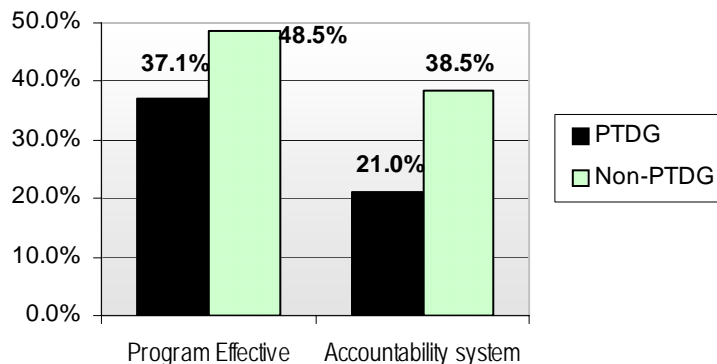
Chart 7.12. Serving on committees. Respondents were more likely to report that racially and ethnically diverse attorneys are expected to serve on diversity, recruitment, and community outreach committees than non-diverse or GLBT attorneys.



Mentoring Programs as a Best Practice

Two hundred and ten respondents employed by a PTDG organization (69.8% of all PTDG respondents) reported their organization has a formal mentoring program. In contrast, only 99 respondents from other organizations reported the presence of a mentoring program (20.9% of respondents from other organizations). Shown in **Chart 7.13**, less than half of the respondents who reported the presence of a formal mentoring program answered that the program was effective (40.4%) or had an adequate accountability system in place (26.5%).

Chart 7.13. Mentoring program effectiveness and accountability systems. Attorneys from PTDG organizations were significantly less likely to agree their organization’s mentoring program was effective or had an adequate accountability system.



Not surprisingly, respondents from PTDG organizations were the most likely to be formally assigned as mentors, with 39.9% of respondents either currently mentoring someone or having been a mentor in the past. In contrast, attorneys from other organizations were more likely to

.....
“Retention is a tougher issue than hiring in law firms. There is great reluctance to provide special mentoring or other support for diverse associates.” – *heterosexual, white female in a PTDG organization.*
.....

be informal mentors, with 41.7% reporting that they are currently an informal mentor and only 20.9% ever having been a formal mentor. Similarly, where 49.7% of respondents not in PTDG organizations have never had a mentor and only 4.3% currently have a formally assigned mentor, only 31.4% of PTDG respondents have

never had a mentor and 22.9% currently have a formally assigned mentor. The vast majority of respondents (91.9%) were happy with their mentors, with no significant difference between diverse and non-diverse respondents or PTDG respondents and the other respondents.

Respondents were asked to share the reasons their mentor was assigned to them. Only two respondents reported that their diverse status was a reason for the assignment of a specific mentor. Instead, respondents indicated such things as shared specialties, personal choice by themselves or the mentor, availability of the mentor, and personalities. However, assignment may be occurring for other reasons, as out of 443 individuals who have mentors, 25 reported that they did not know how the assignments were made, they were made randomly, or they were made by default.

The respondents were asked to provide information about their mentor, including the mentor’s diverse status. The numbers on assignment of mentors by diverse status were insufficient to draw any statistically significant conclusions. However, they may indicate a pattern

.....
“While I have indicated that the firm is committed to recruiting ethnically diverse attorneys, this commitment really only seems to come from the attorneys who are themselves ethnically diverse. They also do their best to mentor the new recruits, but this can only accomplish so much if other people are biased.” – *lesbian, white in a PTDG organization*
.....

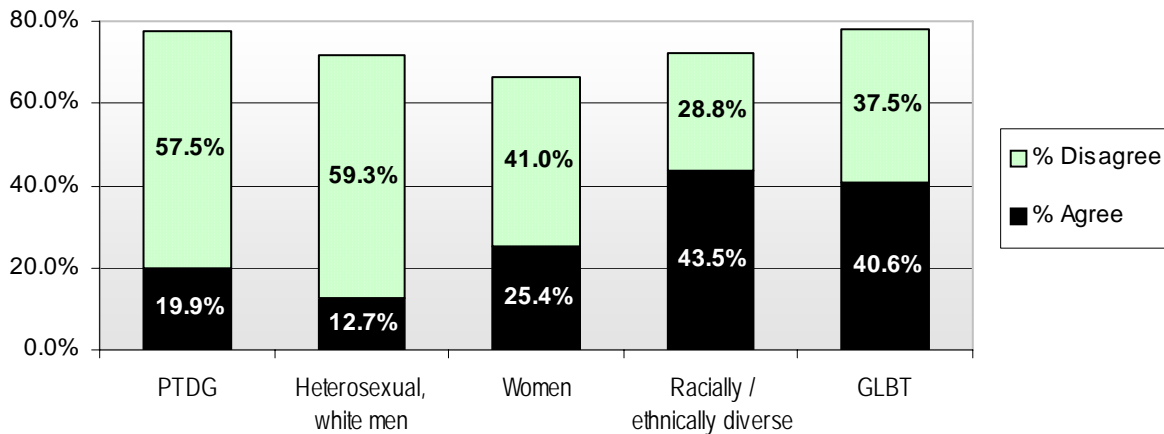
that is the opposite of what many respondents claimed regarding whether diverse status plays a role in assigning mentors. The nine respondents who identified their mentors as African American and seven who identified their mentors as Asian American were all diverse themselves, either by race, ethnicity, GLBT status, or gender. Of the fourteen respondents who identified their mentors as Latino, only four were heterosexual, white men and seven were Latino. The one respondent who identified her mentor as Native American is a Latina. Of the ten respondents who indicated their mentors were GLBT, only two were heterosexual, white men and five were GLBT. Total, out of 41 diverse mentors, only 6 were mentoring heterosexual, white men (14.6%). Over four hundred respondents identified their mentors as non-diverse and these respondents represented all types of attorneys, diverse and non-diverse.

When diverse attorneys only were asked whether there were individuals in their organization who they could identify with for mentoring purposes, most said yes. Seventy-three percent reported that there are non-diverse individuals and 51.8% reported there are diverse individuals in their organization who they identify with for mentoring purposes. The diverse respondents from organizations with more than fifty attorneys were more likely to report that there are diverse individuals they identify with for mentoring purposes (72.1%). The diverse respondents from organizations with more than fifty attorneys and respondents from PTDG organizations were more likely to report that there are non-diverse individuals with whom they identify in their organization for mentoring purposes (82.1% for both).

Are all of these best practices enough?

Overall, 20.9% of respondents reported that their organization is not doing enough to address diversity and inclusiveness issues. The strongest predictor of respondents agreement that their organization is not doing enough was whether or not the respondent has witnessed or experienced discrimination on the basis of race and ethnicity in their organization. The second strongest predictor was the respondents' race and ethnicity: white respondents were less likely to agree that their organization is not doing enough. Employment by a PTDG organization was also related to whether a respondent believes their organization is doing enough, with over 57% of PTDG attorneys reporting their organization is doing enough, compared to only 41.4% of attorneys in other organizations. However, as **Chart 7.14** shows, 19.9% of respondents from PTDG organizations reported that their organization is not doing enough, a very similar percentage to the overall responses.

Chart 7.14. Percent who agreed and disagreed that their organization is not doing enough to address diversity and inclusiveness. Racially and ethnically diverse, GLBT, and female attorneys as well as PTDG attorneys were all significantly more likely than heterosexual, white men to report that their organization is not doing enough.



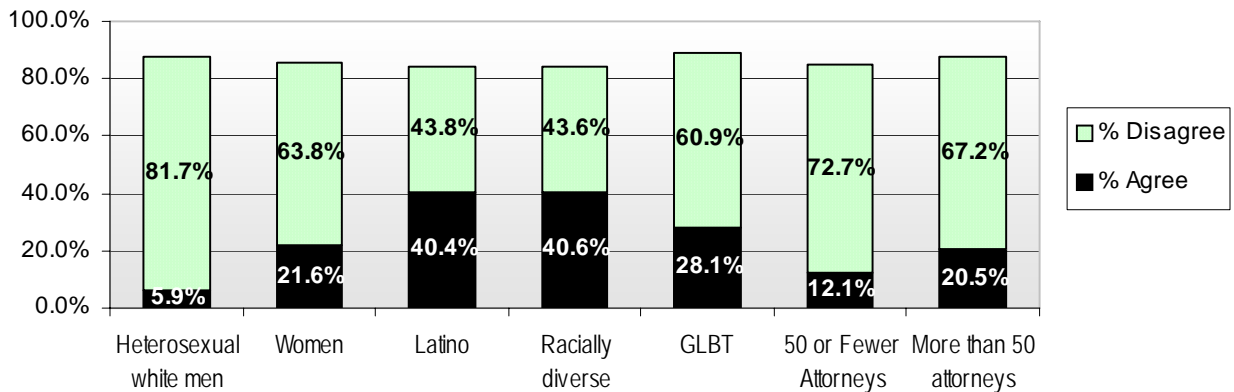
The similarity is interesting in part because attorneys from PTDG organizations reported with significantly greater frequency the presence of mentoring programs, formal philosophies, CEOs who share their commitment to diversity, and other best practices. If the best practices are successful, one would expect far fewer PTDG respondents to agree that not enough is being done to address diversity and inclusiveness in the workplace. The almost 20% of PTDG respondents who still believed their organizations were not doing enough may be the result of a lack of best practices in their specific organizations or a lack of successful implementation of the best practices, or even a result of their increased awareness of diversity issues as a result of the proactive efforts of their organizations.

Other important factors in whether a respondent believed enough is being done to address diversity and inclusiveness in their organization are two of the best practices: whether compensation is tied to diversity efforts and whether the CEO communicates a clear message regarding diversity and inclusiveness. Interestingly, when compensation is tied to diversity efforts, respondents were more likely to report not enough is being done. The opposite pattern was found for whether a CEO communicates a clear message. Whether the organization has a diversity committee did not contribute significantly to whether a respondent believes their organization does enough to address diversity and inclusiveness issues.

Discrimination in the Legal Profession

Respondents were asked if they have witnessed or experienced discrimination based on racial and ethnic diversity or GLBT diversity. Overall, as shown in **Chart 7.15** and **Chart 7.16**, 15.5% witnessed or experienced discrimination based on racial and ethnic diversity and 9.7% based on GLBT diversity. A close relationship exists between the two types of discrimination. Over 80% of the variance in responses to whether a respondent has witnessed or experienced discrimination on the basis of GLBT status can be explained by whether respondents have witnessed or experienced discrimination on the basis of racial and ethnic diversity. This suggests that awareness of one type of discrimination increases awareness of the other. However, the results showed dramatic differences between the perceptions of different diverse groups. Racially and ethnically diverse respondents were significantly more likely to strongly agree or agree that they have witnessed or experienced discrimination based on racial and ethnic diversity and GLBT diversity. In contrast, GLBT respondents were only significantly more likely to strongly agree or agree that they have witnessed or experienced discrimination based on GLBT diversity. Women were also more likely to agree on both types of discrimination.

Chart 7.15. Witnessed or experienced discrimination on the basis of racial and ethnic diversity. Racially and ethnically diverse respondents and women were the most likely to strongly agree or agree that they have witnessed or experienced this type of discrimination.



Respondents from PTDG organizations were not significantly more likely to agree or disagree that they have witnessed or experienced discrimination, but respondents from organizations with over 50 attorneys on staff were more likely to strongly agree or agree.

When diverse respondents only were asked to agree or disagree with three different statements that asked whether discrimination occurred in very specific ways due to their diverse status, most disagreed. **Chart 7.17** does not go into detail by racial and ethnic group, but the results indicated that Latino respondents were slightly more likely to agree with all three statements, and GLBT respondents were slightly less likely to agree.

Diverse respondents from larger organizations were twice as likely to agree that others in their organization perceive them as less qualified, with 23.1% from organizations with over 50 attorneys to only 10.9% from organizations with 50 attorneys or less. The same pattern was found with large and small firms when respondents were asked whether their colleagues are less forgiving of their mistakes due to their diverse status, with 24.4% from organizations with over 50 attorneys to only 10.9% from organizations with 50 attorneys or less. Other factors that relate to the likelihood that a respondent reported discrimination of any of the three types

include gender, with diverse women slightly more likely to report discrimination, and the quartile in which the respondent graduated, with top quartile respondents less likely to report discrimination of all three types.

Chart 7.16. Witnessed or experienced discrimination on the basis of GLBT status. Racially and ethnically diverse, GLBT, and female respondents were the most likely to strongly agree or agree that they have witnessed or experienced this type of discrimination.

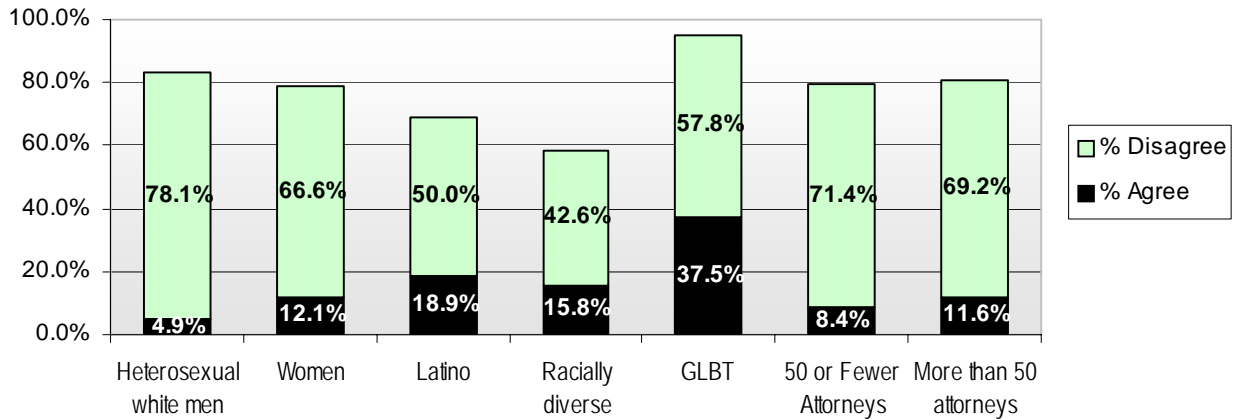
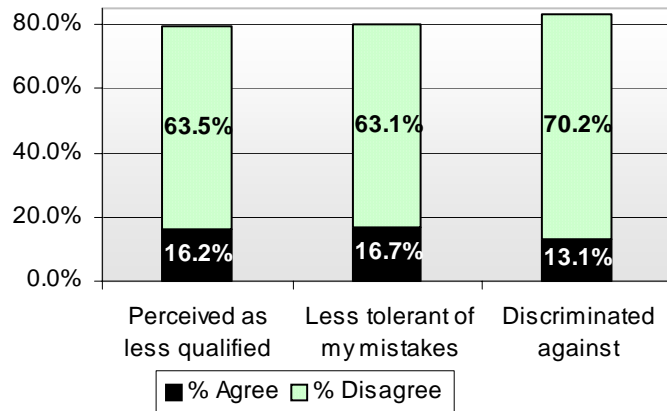


Chart 7.17. Percents of diverse attorneys who agreed and disagreed with three types of discrimination based on diverse status. The majority of attorneys did not report that they experienced any of these three types of discrimination.



Minnesota also found differing perceptions of racial bias in the workplace between attorneys of color and white attorneys. Seventy-seven percent of attorneys of color reported racial bias in the legal workplace as a major or moderate problem, while 73% of white attorneys perceived it as a minor or non-existent problem. As to sexual orientation, 23% of heterosexual attorneys believed that GLBT attorneys were treated differently from heterosexual attorneys in the practice of law. Additionally, 84% of GLBT attorneys reported bias in the workplace as a major or moderate problem compared to 67% of heterosexual attorneys reporting it as a minor or non-existent problem. Four percent of GLBT attorneys reported that they had been physically threatened by a co-worker or employee and another 16% reported that they had been verbally harassed in the workplace. Forty-nine percent of all of the attorneys that responded have heard or observed

.....
 “Retention is an issue. My organization sponsors a diversity retreat... which is tremendously useful. The problem is that I don't see many senior associates and partners at the retreat.” – *diverse attorney, additional information withheld to protect anonymity*

harassment directed towards a co-worker due to their sexual orientation (2005 Self-Audit, 2006).

The diverse attorneys responding to this survey described the emotional outcomes of discrimination in stark terms, such as “isolated and ostracized,” “extremely upsetting,” and “draining.” The consequences of the discrimination they experienced ranged from affecting their self-esteem to reinforcing “some deeper sense of misgiving and mistrust”.

Diverse Attorneys and Their Clients

The open-ended questions asked of diverse attorneys at the end of the survey revealed an issue that was not otherwise addressed in the survey: discrimination and bias from clients. Racially and ethnically diverse and GLBT respondents described discrimination from clients as a consequence of racist beliefs and a lack of exposure to diverse attorneys. As one respondent described it, “because the firm’s clients had no experience with diverse attorneys or personnel, there was an assumption that I was not qualified and needed more close supervision.” Respondents provided many examples of discriminatory actions resulting from clients’ discomfort with diverse attorneys, such as being removed from a case, more closely supervised than non-diverse colleagues, subjected to racist and homophobic jokes and comments, and excluded from social events with clients who were uncomfortable with their diverse status. Colorado attorneys are not the only ones to experience discrimination from their clients. According to the Minnesota study, 32% of GLBT attorneys report having lost a client or potential client within the past five years due to their sexual orientation and 14% were unsure of whether their GLBT status played a role in losing a client (2005 Self-Audit, 2006).

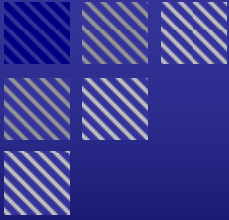
Summary of Retention Findings

Racially and ethnically diverse, GLBT, and female attorneys are not experiencing the same legal climate as their non-diverse peers. Throughout this chapter, the dissatisfaction and discrimination they experience indicates that despite the best efforts of organizations implementing best practices, many problems remain. For example:

- Racially and ethnically diverse attorneys were more likely to be dissatisfied with their overall professional position as well as the complexity of their work, access to clients, advancement opportunities, and mentoring opportunities. They were also more likely to report a lack of access to clients and mentoring opportunities, and experiencing discrimination as the reasons for leaving a prior position within the past five years;
- GLBT attorneys were less satisfied with the complexity of their work, their access to clients, and their advancement opportunities. GLBT attorneys were also more likely to report the lack of interesting work as the reason they left their previous position;
- Both racially and ethnically diverse and GLBT attorneys were more likely than other respondents to report that they were currently pursuing other job opportunities or planning to stay at their current organization for two years or less;
- Female attorneys reported being less satisfied with their access to clients, advancement opportunities, and mentoring opportunities than other respondents. Women were also more likely to report a lack of access to clients and a new job opportunity as their reason for leaving a prior position, and less likely to report long work hours and discrimination;

- Most respondents agreed or strongly agreed that their organization has taken sincere efforts to advance racially or ethnically diverse attorneys, but far fewer agreed or strongly agreed with their organization's efforts with regard to GLBT attorneys;
- Racially and ethnically diverse attorneys reported feeling isolated;
- Despite the fact that PTDG organizations have in place many of the best practices cited nationally for retaining attorneys, it is unclear from survey results as to their effectiveness as diverse respondents in PTDG organizations exhibited many of the same dissatisfactions as those outside PTDG organizations; and
- Discrimination for diverse respondents went beyond colleagues and includes clients, an area that none of the best practices currently addresses.

Overall, the majority of respondents were satisfied with their positions, and generally satisfied with different diversity oriented practices in their organization when such practices were present. However, diverse respondents were found to be more likely to be dissatisfied with their job and the diversity efforts in their organization and more likely to be seeking to leave their current position. The best practices currently in place may be excellent first steps, but the survey results indicate that continued and perhaps expanded efforts are needed to successfully retain diverse attorneys.



Chapter 8: Conclusion

Achieving greater diversity in Colorado's legal profession is challenged by pipeline, recruitment, and retention issues. If diverse students are not attending and succeeding in law school, it will be difficult to recruit young, diverse lawyers. If recruitment mechanisms rely heavily on networking, diverse lawyers may not learn about job opportunities that could help their advancement in the legal profession. If attorneys responsible for hiring are not aware of and committed to diversity issues, the hiring practices may not enable organizations successfully to expand the diversity of their attorneys. If retention practices do not address discrimination, both open and covert, diverse attorneys will continue to have lower levels of satisfaction and greater desire to leave for other positions. Diversity in Colorado's legal profession requires addressing the multiple issues that underlie the disparities in the numbers, positions, incomes, and satisfaction levels between diverse and non-diverse attorneys. Achievement of inclusiveness in the legal profession, which goes beyond compositional diversity, requires a cultural shift for legal organizations and the profession as a whole.

As noted by respondents, best practices are being used by many organizations, particularly those participating in the Colorado Pledge to Diversity Legal Group (PTDG). The practices, such as a formal philosophy regarding diversity, CEOs expressing commitment to diversity, mentoring programs, and diversity committees, were somewhat related to the perceptions of diverse and non-diverse respondents that their organizations are doing enough to address diversity and inclusiveness issues. However, more than any best practice, witnessing and experiencing discrimination in the workplace was the factor most likely to result in a respondent not feeling their organization is doing enough. The best practices need not only to focus on recruiting and retaining diverse attorneys, but also on decreasing incidents of discrimination, overt and covert. Such change may require a cultural shift within the legal profession, accomplished through training or other practices, and must recognize the role that discrimination by clients plays in the experience of a diverse attorney.

The three working groups of the Deans' Diversity Council have an opportunity to use the survey results to guide their efforts in pipeline, recruitment, and retention of diverse attorneys. The experience and expertise of the participants on these working groups are vital to developing concrete action steps for meaningful improvements to the opportunities and experiences of diverse attorneys in Colorado. Through such things as the September 2007 Conference on Diversity, the Deans' Diversity Council, and the PTDG itself, Colorado has the structures in place to take this information and make meaningful changes to address challenges facing diverse students and attorneys, as well as the legal profession throughout the state.



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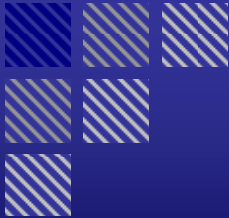
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Appendix B: Methodological Notes

In the following pages, a table is displayed for each chart in chapters four through seven. Additional information is included for multivariate analysis where needed. Each table is labeled with the chart name and number it carries in the body of the report. The tables indicate statistical significance as follows: one star (*) indicates that the finding is significant at the .10 level; two stars (**) indicate that the finding is significant at the .05 level.

Multivariate analyses are included, with references to the page in the text where the results are discussed.

The total numbers in each chart differ for two reasons. First, many questions were only asked of respondents who answered previous questions to “qualify” them for a specific track of questions. For example, questions related to whether GLBT attorneys in their office receive privileges were only asked of respondents who indicated there were one or more GLBT attorneys in their office. Second, the survey did not require an answer for the vast majority of questions. Thus, many survey respondents skipped one or more questions while taking the survey.

Chapter 4: Demographics of Survey Respondents

Appendix Table for Chart 4.1. Survey respondents’ years in the legal profession by demographic groups. (Page 14) Heterosexual, white men were significantly more likely to have been in the legal profession for 20+ years, while GLBT attorneys were the most likely to be in their first two years of practice.

	PTDG	Heterosexual, white Men	Women	Latino	Racially Diverse	GLBT
	(n =307)	(n =397)	(n =415)	(n =102)	(n =117)	(n=74)
20+ years	29.3%**	57.2%**	25.3%**	27.5%**	21.4%**	21.6%**
10 - 20 years	28.3%**	24.9%**	29.6%**	21.6%**	26.5%**	24.3%**
6 - 10 years	12.4%**	7.6%**	17.1%**	15.7%**	17.1%**	17.6%**
2 - 6 years	18.9%**	5.5%**	17.8%**	22.5%**	18.8%**	21.6%**
0 - 2 years	11.1%**	4.8%**	10.1%**	12.7%**	16.2%**	14.9%**

Appendix Table for Chart 4.2. Attorneys’ types of organizations, excluding attorneys in PTDG organizations. (Page 15) Heterosexual, white men were significantly more likely to be employed in private law firms, while women and racially and ethnically diverse attorneys were more likely to be employed in government sector organizations and least likely to be in a solo practice.

Appendix B: Methodological Notes

	Heterosexual, white men	Women	Latino	Racially diverse	GLBT
	(n=397)	(n=203)	(n=45)	(n=59)	(n=34)
Public Sector	57.9%**	48.8%**	44.1%**	50.4%	53.2%
Non-profit	15.6%**	11.8%**	9.8%**	13.7%	13.2%
Private - Solo Practice	6.8%**	10.6%**	4.9%**	11.1%	8.9%
Private - Law Firm	12.6%**	20.2%**	29.4%**	11.1%	16.5%
Corporate	1.5%**	3.1%**	1.0%**	5.1%	2.1%
Other	5.5%**	5.5%**	10.8%**	8.5%	6.1%

Appendix Table for Chart 4.3. Type of position within firms by demographic group. (Page 16) Heterosexual, white men were three times more likely to be partners in their firms than GLBT attorneys and twice as likely as women and racially and ethnically diverse attorneys.

	Heterosexual, white Men	Women	Latino	Racially Diverse	GLBT
	(n=230)	(n=203)	(n=45)	(n=59)	(n=34)
Partner	66.5%**	33.0%**	24.4%**	33.9%**	17.6%**
Associate	22.2%**	57.1%**	71.1%**	62.7%**	67.6%**
Other	11.3%**	9.9%**	4.4%**	3.4%**	14.7%**

Appendix Table for Chart 4.4. Percent graduating within each law school quartile.† (Page 16) Respondents from PTDG organizations were the most likely to have graduated in the top 25% of their class and racially and ethnically diverse respondents were the least likely.

	PTDG	Heterosexual, white Men	Women	Latino	Racially Diverse	GLBT
	(n=303)	(n=390)	(n=411)	(n=96)	(n=112)	(n=73)
Top 25%	74.6%**	55.4%*	55.2%	30.2%**	39.3%**	63.0%
Top 50%	18.2%**	32.1%*	28.7%	31.3%**	31.3%**	21.9%
Top 75%	2.6%**	7.9%*	8.0%	17.7%**	13.4%**	9.6%
Other	2.0%**	3.1%*	3.9%	10.4%**	7.1%**	0.0%

† Percents do not add up to 100% due to some respondents marking “not applicable” for this question.

Appendix Table for Chart 4.5. Organization size. (Page 17). Diverse respondents reported employment by large and small organizations in similar percentages to non-diverse respondents.

	PTDG	Heterosexual, white male	Women	Latino	Racially diverse	GLBT
	(n=304)	(n=317)	(n=348)	(n=87)	(n=94)	(n=58)

Appendix B: Methodological Notes

50 or Fewer	31.3%**	66.2%	62.6%	59.8%	59.6%	69.0%
Over 50	68.8%**	33.8%	37.4%	40.2%	40.4%	31.0%

Appendix Table for Chart 4.6. Percent in each income category by demographic groups. (Page 18) Attorneys in PTDG organizations report higher incomes than any other group. GLBT attorneys were the least likely to be in the highest income brackets.

	PTDG	Heterosexual, white men	Women	Latinos	Racially Diverse	GLBT
	(n=293)	(n=370)	(n=411)	(n=101)	(n=112)	(n=73)
\$0 - \$99,999	11.9%**	28.4%**	44.5%**	34.7%**	37.5%	49.3%**
\$100,000 - \$199,999	51.2%**	41.4%**	43.6%**	56.4%**	50.9%	42.5%**
\$200,000 - \$499,999	28.7%**	25.1%**	9.7%**	5.0%**	9.8%	6.8%**
\$500,000+	8.2%**	5.1%**	2.2%**	4.0%**	1.8%	1.4%**

Multivariate analysis for p. 18: Income

A step-wise multiple regression was conducted to determine the best linear combination of variables for predicting respondents' incomes. The final model has seven predictors and an adjusted *R* squared value of .590, meaning the model explains 59.0% of the variance in income. The seven variables significantly predicted the respondent's agreement, $F(7, 671)=137.8$, $p<.001$, with all seven variables contributing significantly to the prediction at the $p<.05$ level. The beta weights, presented in Appendix Table B1, suggest partnership in the organization contributes the most to predicting income, and years in law, employment by a PTDG organization, and corporate job type also contribute highly to this prediction.

Appendix Table B1. Multiple regression analysis summary for multiple variables predicating income.

Variable	B	SEB	β
Role in organization recoded into a partnership binary	1.80	.140	.43**
Employment by a PTDG organization	-.91	.150	-.23**
Years in law	.34	.034	.30**
Job type recoded into corporate binary	1.36	.204	.20**
How many members of your organization in the seven-county metro area are licensed attorneys?	.13	.035	.13**
Job type recoded into private firm binary	.46	.161	.11**
Gender	-.29	.102	-.07**

Notes: $R^2 = .590$, $F(7, 671)=137.8$, $p<.001$

** $p < .05$

Appendix Table for Chart 4.7. Percent in each income category by demographic groups, specific to respondents from PTDG organizations. (Page 19) Income disparities by diverse status existed within the PTDG organizations, similar to the broader population of respondents surveyed.

	All (n =293)	Heterosexual, white men (n =122)	Women (n =129)	Latino (n =32)	Racially Diverse (n =42)	GLBT (n =20)
\$0 - \$99,999	11.8%	7.4%**	18.6%**	15.6%†	9.5%†	20.0%†
\$100,000 - \$199,999	51.2%	40.2%**	57.4%**	71.9%†	69.0%†	65.0%†
\$200,000 - \$499,999	28.7%	41.0%**	18.6%**	9.4%†	16.7%†	10.0%†
\$500,000+	8.2%	11.5%**	5.4%**	3.1%†	4.8%†	5.0%†

† insufficient numbers to determine significance

Chapter 5: Pipeline Findings

Appendix Table for Chart 5.1. First in family to obtain a degree. † (Page 22). White and Asian respondents were least likely to be the first individuals in their families to obtain undergraduate and graduate degrees.

	White (n =814)	Asian (n =46)	Indian / Alaskan Native (n =29)	Black / African American (n =34)	Hispanic (n =102)	GLBT (n =74)
Undergraduate	21.3%**	17.4%**	34.5%**	41.2%**	48.0%**	24.3%
Graduate	44.1%**	28.3%**	62.1%**	54.5%**	71.0%**	45.9%
Law degree	75.6%	78.7%	96.6%	75.8%	88.2%	74.3%

† Respondents are broken out by specific racial categories in this chart and the next one (Chart 5.2) to show differences more clearly. However, please note that the total number of respondents in each category is too low to determine statistical significance by racial group.

Appendix Table for Chart 5.2. Knew a lawyer before going to law school. (Page 23). Over half of all attorneys knew a lawyer before going to law school, with the exception of Native American attorneys.

White (n =813)	Asian (n =46)	Indian / Alaskan Native (n =29)	Black / African American (n =33)	Hispanic (n =101)	GLBT (n =74)
73.4%	67.4%	44.8%	72.7%	73.7%	71.6%

Appendix Table for Chart 5.3. Method of learning about jobs. (Page 23). More attorneys learned about their positions through friends and colleagues than by any other means.

Appendix B: Methodological Notes

Family	Friend / Colleague	Networking	Advertisement	Recruited	Career services	Internship	Professor	Started firm	Cold calling	Hired headhunter	Promoted to legal position	Other
(n =23)	(n =305)	(n =166)	(n =145)	(n =165)	(n =98)	(n =62)	(n =15)	(n =54)	(n =23)	(n =8)	(n =16)	(n =56)
2.0%	26.8%	14.1%	13.7%	14.5%	8.5%	5.5%	1.3%	4.6%	2.0%	0.7%	1.4%	5.0%

Appendix Table for Chart 5.4. Significant differences in methods of learning about jobs. (Page 24). PTDG organizations were significantly more likely to directly recruit or use law school career services to advertise positions.

	Networking	Advertisement	Recruited	Law school career services
PTDG (n=307)	16%	6%**	21%**	21%**
Heterosexual, white men (n=397)	17%**	10%**	14%	6%**
Women (n=416)	13%*	14%*	13%	12%**
Racially/ethnically diverse (n=197)	12%	12%	14%	12%**
GLBT (n=75)	20%	15%	12%	8%

Chapter 6: Recruitment Findings

Appendix Table for Chart 6.1. Special efforts made to recruit diverse attorneys. (Page 26)
A significantly higher percentage of attorneys in PTDG organizations reported that special efforts are underway in their organizations to recruit diverse attorneys.

	Outreach to diverse law schools	Summer internships / clerkships for diverse law students	Scholarships for diverse law students	Participation in specialty bars and organizations	Pay dues for diverse bar association	Participation in diversity sponsored job fairs	Encourage networking with diverse bar	No efforts made
	(n=246)	(n=324)	(n=105)	(n=238)	(n=190)	(n=224)	(n=225)	(n=157)
PTDG (n=307)	62.2%	85.0%	31.3%	60.9%	50.5%	57.7%	51.5%	0.7%
Other orgs (n=621)	8.9%	10.1%	1.4%	8.2%	5.6%	7.6%	10.8%	25.0%

Appendix Table for Chart 6.2. Percent who agreed and disagreed that sufficient efforts are being made to recruit racially and ethnically diverse attorneys. (Page 28) Racially and ethnically diverse attorneys were significantly more likely to disagree that sufficient efforts are being made.

	PTDG (n=306)	Heterosexual, white men (n=326)	Women (n=367)	Latinos (n=91)	Racially diverse (n=101)	GLBT (n=64)
% Agree	69.0%**	60.8%**	45.8%**	34.6%**	37.1%**	52.7%**
% Disagree	13.7%**	13.4%**	26.4%**	41.0%**	38.2%**	34.5%**

Appendix Table for Chart 6.3. Percent who agreed and disagreed that sufficient efforts are being made to recruit GLBT attorneys. (Page 28) GLBT and racially and ethnically diverse attorneys were significantly more likely to disagree that sufficient efforts are being made.

	PTDG (n=304)	Heterosexual, white men (n=319)	Women (n=363)	Latinos (n=90)	Racially diverse (n=99)	GLBT (n=64)
% Agree	40.6%**	39.5%**	26.4%**	20.6%**	18.3%**	33.3%**
% Disagree	18.3%**	21.8%**	31.4%**	48.5%**	40.8%**	46.3%**

Appendix Table for Chart 6.4. Percent who reported diverse applicants have applied, been interviewed, and been hired by their organizations. (Page 30). Attorneys from PTDG firms were significantly more likely to report that diverse applicants have submitted applicants, been interviewed, and been hired by their organizations.

	PTDG Attorneys (n=304)	Non-PTDG Attorneys (n=445)	Heterosexual, white male Attorneys (n=314)	Racially and ethnically diverse Attorneys (n=159)	GLBT Attorneys (n=55)
Applied	87.5%**	50.8%**	64.0%**	71.7%*	80.0%**
Interviewed	95.7%**	71.3%**	84.0%**	81.8%	91.3%
Hired	94.6%**	66.5%**	80.0%	81.0%	87.2%

Appendix Table for Chart 6.5. Perceptions of the reasons that diverse candidates are hired and not hired. (Page 31). Twice as many attorneys in PTDG organizations reported that diverse candidates were hired specifically to increase diversity in the organization as attorneys in other organizations.

Appendix B: Methodological Notes

	PTDG Attorneys	Non-PTDG Attorneys	Straight, White Male Attorneys	Racially and Ethnically Diverse Attorneys	GLBT Attorneys
	(n=274)	(n=265)	(n=221)	(n=54)	(n=42)
Diverse candidate hired specifically to increase diversity of organization	21.2%**	10.2%**	18.6%	15.9%	14.3%
	(n=73)	(n=245)	(n=130)	(n=63)	(n=22)
Diverse candidate not hired even when qualified	9.6%	7.3%	4.6%	17.5%**	18.2%**

Appendix Table for Chart 6.6. All attorneys in my organization should be trained to understand the needs of specific diverse groups. (Page 32) Attorneys who have taken diversity classes were significantly more likely than their peers who have not taken classes to agree that all attorneys should be trained to understand the needs of specific, diverse groups.

	PTDG	Heterosexual, white men	Women	Racially/ethnically diverse	GLBT	Took diversity training	Did not take diversity training
	(n=306)	(n=324)	(n=366)	(n=173)	(n=65)	(n=362)	(n=455)
% Agree	54.5%	42.0%**	56.2%**	63.1%**	75.0%**	63.5%**	40.7%**
% Disagree	22.6%	33.3%**	17.7%**	17.2%**	10.0%**	14.5%**	32.6%**

Appendix Table for Chart 6.7. Percent who have taken diversity training classes and the extent of organizational support. (Page 33) One quarter of respondents from PTDG organizations reported that their organization does not encourage diversity training classes, compared to nearly half of respondents in other organizations.

	Yes, organization requires it	Yes, organization encourages it	Yes, on my own time	No, but organization encourages it	No, organization doesn't encourage it
	(n=115)	(n=178)	(n=48)	(n=117)	(n=289)
PTDG organizations	15.6%**	33.1%**	4.6%**	17.5%**	27.8%**
Non-PTDG organizations	15.0%**	17.3%**	7.5%**	14.2%**	45.4%**

Appendix Table for Chart 6.8. Percent who agreed that diverse attorneys need better qualifications than other attorneys to be hired. (Page 34) Although most respondents did not agree that diverse attorneys need better qualifications, those who did agree were overwhelmingly from diverse backgrounds.

Appendix B: Methodological Notes

	PTDG	Heterosexual, white men	Women	Latinos	Racially diverse	GLBT
	(n=306)	(n=326)	(n=367)	(n=91)	(n=101)	(n=65)
% agree GLBT attorneys need better qualifications to be hired	4.0%	1.9%**	7.2%*	14.1%**	14.7%**	13.0%**
% Agree racially and ethnically diverse attorneys need better qualifications to be hired	7.5%**	2.0%**	8.4%*	21.3%**	22.0%**	6.4%**

Appendix Table for Chart 6.9. Percent who agreed that hiring standards are lower for diverse attorneys than for other attorneys. (Page 35) Though most attorneys did not agree that hiring standards are lower, of those that do, the majority were in organizations employing more than 50 attorneys.

	PTDG	50 and fewer	Over 50
	(n=223)	(n=389)	(n=211)
% Agree hiring standards are lower for GLBT attorneys	4.0%**	1.3%*	3.8%*
	(n=264)	(n=411)	(n=259)
% Agree hiring standards are lower for racially and ethnically diverse attorneys	20.5%**	4.4%*	22.4%*

Chapter 7: Retention Findings

Appendix Table for Chart 7.1. Satisfaction with professional situation. (Page 38) Overall, the majority of respondents were satisfied with their professional situation. However, racially and ethnically diverse, GLBT, and female attorneys had lower levels of satisfaction in specific professional areas.

Current professional situation	All	PTDG	Racial/Ethnic	Women	GLBT
	(n=942)	(n=306)	(n=165)	(n=351)	(n=58)
Satisfied / Very Satisfied	81.5%	80.7%	72.8%**	78.3%	75.9%
Dissatisfied / Very Dissatisfied	10.0%	9.5%	14.8%**	12.0%	15.5%

Access to important clients	All	PTDG	Racial/Ethnic	Women	GLBT
	(n=933)	(n=305)	(n=165)	(n=349)	(n=57)
Satisfied / Very Satisfied	73.3%	74.9%	61.1%**	68.4%**	63.5%*
Dissatisfied / Very Dissatisfied	9.3%	7.3%	17.4%**	13.5%**	17.3%*

Appendix B: Methodological Notes

Advancement opportunities	All	PTDG	Racial/ Ethnic	Women	GLBT
	(n=884)	(n=297)	(n=159)	(n=333)	(n=55)
Satisfied / Very Satisfied	68.3%	76.4%**	55.8%**	64.9%*	69.1%*
Dissatisfied / Very Dissatisfied	15.8%	8.8%**	26.5%**	18.3%*	23.6%*

Mentoring opportunities	All	PTDG	Racial/ Ethnic	Women	GLBT
	(n=859)	(n=283)	(n=153)	(n=326)	(n=56)
Satisfied / Very Satisfied	63.8%	67.8%	55.3%**	63.2%**	53.6%
Dissatisfied / Very Dissatisfied	15.8%	12.7%	20.7%**	19.6%**	25.0%

Appendix Table for Chart 7.2. Percent currently seeking other employment. (Page 39) Racially and ethnically diverse, GLBT, and female attorneys were significantly more likely to be seeking other employment.

	PTDG	Heterosexual, white men	Women	Latinos	Racially Diverse	GLBT
	(n=305)	(n=315)	(n=349)	(n=87)	(n=96)	(n=58)
Seeking other employment	16.7%	13.3%**	22.3%*	32.2%**	26.0%*	36.2%**

Appendix Table for Chart 7.3. Reasons for staying at current position. (Page 39) Attorneys from PTDG organizations were more likely to list almost every reason for staying with their current position.

	Quality of Assignments	Variety of Assignments	Advancement Opportunities	Flexible Work Schedule	Diversity of Attorneys	Satisfaction w/ Compensation	Opportunities to Make a Difference
	(n=519)	(n=481)	(n=213)	(n=441)	(n=57)	(n=593)	(n=448)
Non-PTDG	44.5%	40.3%	12.7%	41.9%	3.4%	41.6%	40.0%
PTDG	71.3%**	48.8%**	31.7%**	35.6%**	8.6%**	75.6%**	37.3%

Appendix Table for Chart 7.4. Reasons for leaving a previous position. (Page 40) Racially and ethnically diverse respondents were significantly more likely to report that they left previous positions due to lack of access to clients and mentors, and experiencing discrimination.

Appendix B: Methodological Notes

Top Chart	Lack of advancement opportunities	No access to clients	Lack of challenging work	Lack of interesting work
	(n=85)	(n=33)	(n=58)	(n=62)
Heterosexual, white men	22.6%**	8.6%	12.9%**	14.0%**
Women	31.0%	7.8%	25.0%	24.1%
GLBT	44.4%	11.1%	33.3%	38.9%*
Racially / ethnically diverse	34.6%	17.3%*	17.3%	15.4%

Bottom Chart	Lack of mentors	Long work hours	Discrimination	Found a new job opportunity
	(n=47)	(n=58)	(n=11)	(n=157)
Heterosexual, white men	9.7%**	4.2%**	0.0%**	55.9%**
Women	17.2%	14.4%**	5.2%	54.2%**
GLBT	27.8%	16.7%	5.6%	38.9%
Racially / ethnically diverse	26.9%**	15.4%	13.5%**	42.3%

Appendix Table for Chart 7.5. Diverse attorneys are leaving the organization because the climate is not conducive. (Page 41) Attorneys who have been practicing less than 10 years, diverse attorneys, and women were much more likely to report that diverse attorneys are leaving the organization.

	PTDG	Heterosexual, white men	Women	Racially/ ethnically diverse	GLBT	Practicing 0 - 10 years	Practicing 10+ years
	(n=295)	(n=249)	(n=305)	(n=149)	(n=51)	(n=258)	(n=410)
% agree racially and ethnically diverse attorneys are leaving	13.1%**	2.5%**	16.2%**	24.6%**	21.6%*	17.9%**	6.9%**
	(n=281)	(n=224)	(n=284)	(n=127)	(n=63)	(n=238)	(n=370)
% agree GLBT attorneys are leaving	5.7%	0.7%**	8.8%**	9.1%*	15.1%**	11.6%**	1.7%**

Multivariate analysis for p. 43: I am included in social or business networking events with clients and/or colleagues inside or outside the organization in the same way as my peers.

Appendix B: Methodological Notes

A step-wise multiple regression was conducted to determine the best linear combination of variables for predicting how strongly respondents agree they are included in networking events. The final model has three predictors and an adjusted R squared value of .064, meaning the model explains only 6.4% of the variance in respondents' agreement with the statement. The three variables significantly predicted the respondent's agreement, $F(3, 664)=16.3$, $p<.001$, with all three variables contributing significantly to the prediction at the $p<.05$ level. The beta weights, presented in Appendix Table B2, suggest partnership in the organization contributes the most to predicting agreement on being included in networking events.

Appendix Table B2: Multiple regression analysis summary for multiple variables predicating how strongly respondents agree they are included in networking events.

Variable	<i>B</i>	<i>SEB</i>	β
Role in organization recoded into a partnership binary	-.38	.086	-.17**
Gender	.27	.082	.13**
Ethnicity: Latino or non-Latino	.29	.127	.09**

Notes: $R^2 = .064$, $F(3, 664)=16.3$, $p<.001$

** $p < .05$

Multivariate analysis for p. 43: I am regularly sought out by partners or senior attorneys to work on high quality, significant assignments.

A step-wise multiple regression was conducted to determine the best linear combination of variables for predicting how strongly respondents agree they are sought out for high quality, significant assignments. The final model has two predictors and an adjusted R squared value of .053, meaning the model explains only 5.3% of the variance in respondents' agreement with the statement. The two variables significantly predicted the respondent's agreement, $F(2, 660)=19.58$, $p<.001$, with both variables contributing significantly to the prediction at the $p<.05$ level. The beta weights, presented in Appendix Table B3, suggest partnership in the organization contributes the most to predicting agreement that they are sought out for high quality, significant assignments.

Appendix Table B3: Multiple regression analysis summary for multiple variables predicating how strongly respondents agree they are sought out for high quality, significant assignments.

Variable	<i>B</i>	<i>SEB</i>	β
Role in organization recoded into a partnership binary	-.37	.08	-.18**
In what quartile did you graduate?	.14	.038	.14**

Notes: $R^2 = .053$, $F(2, 660)=19.58$, $p<.001$

** $p < .05$

Appendix Table for Chart 7.6. Organization takes sincere steps to advance diverse attorneys. (Page 43) Respondents were more likely to disagree that their organization takes sincere steps to advance GLBT attorneys than to advance racially and ethnically diverse attorneys.

Appendix B: Methodological Notes

	PTDG	Heterosexual, white men	Racially / ethnically diverse	Women	GLBT
	(n=294)	(n=249)	(n=149)	(n=304)	(n=51)
% disagree with regards to GLBT attorneys	8.5%**	6.4%**	23.2%**	15.8%**	29.3%**
	(n=281)	(n=224)	(n=127)	(n=284)	(n=63)
% disagree with regards to racially and ethnically diverse attorneys	8.9%**	3.8%**	31.0%**	18.3%**	18.2%**

Appendix Table for Chart 7.7. Diverse attorneys do not receive the privileges that other attorneys receive. (Page 43). Few respondents indicated that GLBT attorneys do not receive privileges, but nearly 1/3 of respondents indicated racially and ethnically diverse attorneys do not receive privileges.

	All	PTDG	Heterosexual white men	Racially diverse	Latino	GLBT
		(n=296)	(n=250)	(n=87)	(n=78)	(n=51)
% agree racially and ethnically diverse attorneys do not receive privileges	30.6%	31.4%	25.8%**	36.3%*	42.0%*	25.0%
		(n=281)	(n=224)	(n=77)	(n=66)	(n=62)
% agree GLBT attorneys do not receive privileges	4.2%	4.2%	3.1%	9.5%*	2.4%	11.9%**

Appendix Table for Chart 7.8. Sense of isolation in present position. (Page 45). Racially and ethnically diverse respondents were significantly more likely to report that they feel isolated in their current positions. Partners were the least likely to strongly agree or agree with this statement.

	Heterosexual, white men	Women	Latinos	Racially diverse	GLBT	Partners in firms	Associates in firms
	(n=319)	(n=364)	(n=89)	(n=101)	(n=64)	(n=263)	(n=212)
% Agree	16.3%	21.4%*	34.8%**	25.7%**	28.1%	11.4%	23.1%
% Disagree	63.3%	64.0%*	49.4%**	49.5%**	57.8%	70.0%	59.9%

Appendix Tables for Chart 7.9. Formal philosophy. (Page 46). While the majority of respondents reported that their organization has a formal philosophy on diversity issues (first

Appendix B: Methodological Notes

table), less than half of the respondents reported that the philosophy includes GLBT (second table).

Organization has articulated a formal philosophy	All	PTDG	Racially / ethnically diverse	GLBT
	(n=856)	(n=306)	(n=173)	(n=64)
% Agree	48%	74%**	42%**	50%*
% Disagree	26%	14%**	36%**	39%**

Formal Philosophy includes GLBT	All	PTDG	Racially / ethnically diverse	GLBT
	(n=852)	(n=304)	(n=172)	(n=63)
% Agree	37%	53%**	34%**	48%**
% Disagree	23%	36%**	33%**	35%**

Appendix Table for Chart 7.10. Diversity efforts in small and large organizations. (Page 46). Organizations with over 50 attorneys were significantly more likely to have diversity best practices in place.

	CEO communicates clear message	Organization has diversity philosophy	Diversity philosophy includes GLBT	Compensation is tied to diversity	Active and effective diversity committee
	(n=815)	(n=816)	(n=812)	(n=820)	(n=811)
Over 50	66.9%**	70.3%**	53.3%**	10.7%**	51.3%**
50 or fewer	50.3%**	36.3%**	28.0%**	2.9%**	14.7%**

Appendix Table for Chart 7.11. Active and effective diversity committees. (Page 47). Attorneys from PTDG organizations were significantly more likely to agree that their organization has an active and effective diversity committee.

	PTDG	Heterosexual, white men	Women	Racially / ethnically diverse	GLBT
	(n=304)	(n=323)	(n=362)	(n=170)	(n=62)
% Agree	56.9%**	31.0%	26.0%	21.8%**	25.8%**
% Disagree	21.4%**	35.6%	41.4%	50.6%**	56.5%**

Appendix Table for Chart 7.12. Serving on committees. (Page 48). Respondents were more likely to report that racially and ethnically diverse attorneys are expected to serve on

diversity, recruitment, and community outreach committees than non-diverse or GLBT attorneys.

	PTDG	Heterosexual, white men	Women	Racially/ ethnically diverse	GLBT	Practicing 0 - 10 years	Practicing 10+ years
	(n=295)	(n=251)	(n=303)	(n=149)	(n=51)	(n=256)	(n=413)
% agree racially and ethnically diverse are expected to serve	24.3%**	9.6%**	25.8%**	29.2%**	27.5%	29.1%**	14.4%**
	(n=279)	(n=224)	(n=280)	(n=126)	(n=62)	(n=236)	(n=368)
% agree GLBT are expected to serve	7.1%*	4.8%	4.8%	13.3%**	13.2%**	12.7%**	3.6%**

Multivariate analysis for p. 48: Racially or ethnically diverse attorneys in my organization are automatically expected to serve on committees dealing with diversity, recruiting, and community outreach.

A step-wise multiple regression was conducted to determine the best linear combination of variables for predicting how strongly respondents agree that racially and ethnically diverse attorneys are expected to serve on committees. The final model has five predictors and an adjusted *R* squared value of .125, meaning the model explains only 12.5% of the variance in respondents' agreement with the statement. The five variables significantly predicted the respondent's agreement, $F(5, 563)=17.2, p<.001$, with all five variables contributing significantly to the prediction at the $p<.05$ level. The beta weights, presented in Appendix Table B4, suggest years practicing law contributes the most to predicting agreement that racially and ethnically diverse attorneys are expected to serve on committees.

Appendix Table B4: Multiple regression analysis summary for multiple variables predicating how strongly respondents agree that racially and ethnically diverse attorneys are expected to serve on diversity, recruitment, and community outreach committees.

Variable	<i>B</i>	<i>SEB</i>	β
Role in organization recoded into a partnership binary	.72	.173	.18**
Years in law	.21	.046	.20**
Ethnicity: Latino or non-Latino	.93	.234	.16**
Quartile	-.28	.073	-.16**

Appendix B: Methodological Notes

Race: White and non-white dichotomy	.44	.218	.08**
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Notes: $R^2 = .125$, $F(5, 563)=17.2$, $p<.001$

** $p < .05$

Multivariate analysis for p. 48: GLBT attorneys in my organization are automatically expected to serve on committees dealing with diversity, recruiting, and community outreach.

A step-wise multiple regression was conducted to determine the best linear combination of variables for predicting how strongly respondents agree that GLBT diverse attorneys are expected to serve on committees. The final model has three predictors and an adjusted R squared value of .113, meaning the model explains only 11.3% of the variance in respondents' agreement with the statement. The three variables significantly predicted the respondent's agreement, $F(3, 520)=23.3$, $p<.001$, with all three variables contributing significantly to the prediction at the $p<.05$ level. The beta weights, presented in Appendix Table B5, suggest GLBT status contributes the most to predicting agreement that GLBT attorneys are expected to serve on committees.

Appendix Table B5: Multiple regression analysis summary for multiple variables predicating how strongly respondents agree that GLBT attorneys are expected to serve on diversity, recruitment, and community outreach committees.

Variable	<i>B</i>	<i>SEB</i>	β
Role in organization recoded into a partnership binary	.87	.194	.20**
Years in law	.17	.051	.15**
GLBT status	-1.52	.279	-.23**

Notes: $R^2 = .113$, $F(3, 520)=23.3$, $p<.001$

** $p < .05$

Appendix Table for Chart 7.13. Mentoring program effectiveness and accountability systems. (Page 48). Attorneys from PTDG organizations were significantly less likely to agree their organization's mentoring program was effective or had an adequate accountability system.

	Program Effective	Accountability system
	(n=613)	(n=608)
PTDG	37.1%*	21.0%**
Non-PTDG	48.5%*	38.5%**

Appendix Table for Chart 7.14. Percent who agreed and disagreed that their organization is not doing enough to address diversity and inclusiveness issues. (Page 50) Racially and ethnically diverse, GLBT, and female attorneys as well as PTDG attorneys were all significantly more likely than heterosexual, white men to report that their organization is not doing enough.

Appendix B: Methodological Notes

	PTDG	Heterosexual, white men	Women	Racially / ethnically diverse	GLBT
	(n=306)	(n=324)	(n=366)	(n=173)	(n=64)
% Agree	19.9%**	12.7%**	25.4%**	43.5%**	40.6%**
% Disagree	57.5%**	59.3%**	41.0%**	28.8%**	37.5%**

Multivariate analysis for p. 50: My organization does not do enough to address diversity and inclusiveness

A step-wise multiple regression was conducted to determine the best linear combination of variables for predicting how strongly respondents agree their organization is not doing enough to address diversity and inclusiveness. A single variable, whether the respondent witnessed or experienced subtle or overt discrimination on the basis of race and ethnicity in their organization significantly predicted how strongly respondents agree their organization is doing enough, $F(1, 724) = 133.05$, $p < .001$, explaining 15.4% of the variance.

Appendix Table B6: Multiple regression analysis summary for whether a respondent has witnessed or experienced subtle or overt discrimination predicating how strongly the respondent agrees or disagrees that their organization is not doing enough to address diversity and inclusiveness.

Variable	<i>B</i>	<i>SEB</i>	β
Witnessing or experiencing discrimination on the basis of race and ethnicity	.40	.034	.39**

Notes: $R^2 = .154$, $F(1, 724) = 133.05$, $p < .001$

** $p < .05$

A second model, with multiple predictive variables, has an adjusted *R* squared value of .219, meaning the model explains 21.9% of the variance in how strongly the respondent agrees their organization is not doing enough to address diversity and inclusiveness. The six variables significantly predicted the respondent's agreement, $F(6, 719) = 34.97$, $p < .001$, with all six variables contributing significantly to the prediction at the $p < .05$ level. The beta weights, presented in Appendix Table B7, suggest that witnessing or experiencing discrimination contributes the most to predicting how strongly respondents agree their organization is not doing enough, and membership in a PTDG organization and diversity efforts being tied to compensation also contribute highly to this prediction.

Appendix Table B7: Multiple regression analysis summary for multiple variables predicating how strongly the respondent agrees or disagrees that their organization is not doing enough to address diversity and inclusiveness.

Variable	<i>B</i>	<i>SEB</i>	β
Witnessing or experiencing discrimination on the basis of race and ethnicity	.34	.034	.34**
Membership in a PTDG organization	.65	.100	.22**

Appendix B: Methodological Notes

Diversity efforts in my organization are tied to compensation in some way	.11	.026	.14**
White and non-white binary	.43	.150	.10**
My organization's CEO/Managing Partner/President/Executive Director clearly communicates a positive vision of diversity and inclusiveness	-.14	.049	-.12**
My organization has articulated a formal philosophy demonstrating its commitment to diversity	.09	.043	.09**

Notes: $R^2 = .219$, $F(6, 719)=34.97$, $p<.001$

** $p < .05$

Appendix Table for Chart 7.15. Witnessed or experienced discrimination on the basis of racial and ethnic diversity. (Page 51). Racially and ethnically diverse respondents and women were the most likely to strongly agree or agree that they have witnessed or experienced this type of discrimination.

	Heterosexual, white men	Women	Latino	Racially diverse	GLBT	50 or Fewer Attorneys	More than 50 attorneys
	(n=323)	(n=365)	(n=89)	(n=101)	(n=64)	(n=512)	(n=302)
% Agree	5.9%**	21.6%**	40.4%**	40.6%**	28.1%*	12.1%**	20.5%**
% Disagree	81.7%**	63.8%**	43.8%**	43.6%**	60.9%*	72.7%**	67.2%**

Appendix Table for Chart 7.16. Witnessed or experienced discrimination on the basis of GLBT status. (Page 52). Racially and ethnically diverse, GLBT, and female respondents were the most likely to strongly agree or agree that they have witnessed or experienced this type of discrimination.

	Heterosexual, white men	Women	Latino	Racially diverse	GLBT	50 or Fewer Attorneys	More than 50 attorneys
	(n=324)	(n=365)	(n=90)	(n=101)	(n=64)	(n=514)	(n=302)
% Agree	4.9%**	12.1%	18.9%**	15.8%**	37.5%**	8.4%	11.6%
% Disagree	78.1%**	66.6%	50.0%**	42.6%**	57.8%**	71.4%	69.2%

Appendix Table for Chart 7.17. Percents of diverse attorneys who agreed and disagreed with three types of discrimination based on diverse status. (Page 52). The majority of attorneys did not report that they experienced any of these three types of discrimination.

	Perceived as less qualified	Less tolerant of my mistakes	Discriminated against
	(n=222)	(n=222)	(n=222)
% Agree	16.2%**	16.7%**	13.1%
% Disagree	63.5%**	63.1%**	70.2%



Appendix C: Survey Questions

Pipeline

- 1) *When did you first consider a career in law?*
[Before high school; During high school; After high school, before undergraduate; During undergraduate; After undergraduate, before graduate school; While in a different graduate program]
- 2) *Are you the first person in your family to obtain an undergraduate degree?*
[Yes; No]
- 3) *Are you the first person in your family to obtain any post-undergraduate degree?*
[Yes; No]
- 4) *Are you the first person in your family specifically to obtain a law degree?*
[Yes; No]
- 5) *Did you know any attorneys before attending law school?*
[Yes; No]
- 6) *How many years have you practiced law?*
[Up to 6 months; 6 months up to one year; Between 1 and 2 years; Between 2 and 4 years; Between 4 and 6 years; Between 6 and 10 years; Between 10 and 20 years; Over 20 years]
- 7) *Which of the following best describes your current employment?*
[Academic; Corporate; Government/Public Sector; Private Practice – Solo practitioner; Private Practice – Law firm; Legal Services; Non-profit; No longer practicing; Other— please specify]

Past Jobs: Many of the same questions were asked about past jobs as about current ones. However, two additional questions were included:

- 8) *When did you leave the job?*
[2002; 2003; 2004; 2005; 2006; 2007]
- 9) *Why did you leave the job? (Please check all that apply.)*
[Not enough opportunities for advancement; Not enough access to important clients; Not enough access to challenging work; Not enough access to work I find interesting; Not enough opportunities for a meaningful mentoring relationship; Excessive work hours; Discrimination on the basis of your diverse status; New opportunity; Other]

Current Jobs

- 10) *How did you find out about the position you currently occupy? Please check all that apply.*
[Family; Friend/Colleague; Professor; Networking; Advertisement; Recruited; Law school career services; Internship while in law school; Other—please explain]
- 11) *What is your role in your organization:*
[Partner; Associate; Of Counsel; Staff Attorney; Administrative; Corporate Legal Department; Faculty; Academic administration; Elected; Appointed; Legal Services; Law Clerk; Government Attorney; Other—please specify]
- 12) *How many members of your organization in the seven county Denver-metro area are licensed attorneys? (Denver, Douglas, Arapahoe, Broomfield, Boulder, Jefferson and Adams).*
[1 – 201+]
- 13) *To the best of your knowledge, how many diverse attorneys are in your organization?*
[1 – 12+]
- 14) *Has your organization increased or decreased the number of diverse attorneys since you joined it?*
[Increased; Decreased; Neither increased nor decreased; Don't know]
- 15) *How long have you been with your current organization?*
[Up to 6 months; 6 months up to one year; Between 1 and 2 years; Between 2 and 4 years; Between 4 and 6 years; Between 6 and 10 years; 10 years or over]
- 16) *At a minimum, I plan to stay at this organization*
(Up to 6 months; 6 months up to one year; Between 1 and 2 years; Between 2 and 4 years; Between 4 and 6 years; Between 6 and 10 years; 10 years or over]
- 17) *While working for your current organization, have you participated in multicultural or diversity education or training?*

[yes – my organization requires it; yes – my organization encourages it ; yes – I did it for my own reasons and on my own time; no – but my organization encourages it ; no – and my organization does nothing to encourage it; no – but my organization has planned a training within the next year]

In general, how satisfied are you in...

[Likert Scale: Very satisfied, satisfied, neither satisfied nor dissatisfied, dissatisfied, very dissatisfied, not applicable]

- 18) *Your present professional situation*
- 19) *In general, how satisfied are you in your opportunities for advancement within the organization*
- 20) *In general, how satisfied are you in your access to networks and the organization's clients that are important to your career*
- 21) *In general, how satisfied are you in the complexity or challenge of your work*

Appendix C: Survey Questions

- 22) *In general, how satisfied are you in opportunities to have a meaningful mentoring relationship within your organization*
- 23) *Why do you stay at your current job? (Please check all that apply)*
[Quality of assignments; Variety of assignments; Opportunity for advancement; Flexible work schedule; Diversity of licensed attorneys in the organization; Satisfactory compensation; Opportunities to make a difference to clients/community; Other—please explain]
- 24) *Are you currently looking for or pursuing other job opportunities?*
[Yes. If yes, why? _____; No]
- 25) *Does your current organization take steps specifically directed at recruiting racially and ethnically diverse attorneys?*
[yes – and the steps are serious; yes – but the steps are not serious; no – but it has been discussed; no; no – because the organization is very diverse and there is no need; don't know]
- 26) *Does your current organization take steps specifically directed at recruiting gay, lesbian, bisexual, and transgender attorneys?*
[yes – and the steps are serious; yes – but the steps are not serious; no – but it has been discussed; no; no – because the organization is very diverse and there is no need; don't know]
- 27) *Which of these are special efforts made by your current organization to recruit diverse attorneys? (Please check all that apply)*

[Outreach to diverse law school organizations; Summer internships or clerkships for diverse law students; Scholarships for diverse law students; Participation/sponsorship of specialty bar organizations and their events; Pay dues for diverse bar association membership for your attorneys; Participation in diversity-sponsored job fairs; Encourage networking with diverse bar associations or other diverse organizations; Other—please specify; No efforts are made; Don't know]
- 28) *In your opinion, are the efforts made by your organization to recruit and hire diverse attorneys adequate?*
[Yes; No. If no, why not? _____; Don't know]

Hiring History Please choose

- [Yes; No; Not sure; or Not applicable]
- 29) *To the best of your knowledge, have any diverse attorneys applied for a position at the organization for which you work in the past five years?*
- 30) *If yes, to the best of your knowledge, have you or your organization interviewed any diverse attorneys in the past five years?*
- 31) *If yes, to the best of your knowledge, have you or your organization hired any diverse attorneys in the last five years?*
- 32) *If yes, to the best of your knowledge, have you or your organization hired a diverse candidate primarily to increase the organization's diversity numbers?*

- 33) *If no diverse attorneys were hired, to the best of your knowledge, were non-diverse applicants hired instead of qualified diverse applicants?*

Hiring Practices *Please choose*

[Yes; No; Not sure; or Not applicable]

- 34) *To be hired by my organization, a racially or ethnically diverse attorney needs better qualifications than other attorneys.*
- 35) *To be hired by my organization, a gay, lesbian, bisexual, or transgender attorney needs better qualifications than a straight attorney.*
- 36) *My organization makes sufficient efforts to recruit and hire racially or ethnically diverse attorneys.*
- 37) *My organization makes sufficient efforts to recruit and hire gay, lesbian, bisexual, and transgender attorneys.*
- 38) *The hiring standards in my organization are lower for racially or ethnically diverse attorneys compared to the hiring standards for other attorneys.*
- 39) *The hiring standards in my organization are lower for gay, lesbian, bisexual, and transgender attorneys compared to the hiring standards for straight attorneys.*
- 40) *All attorneys who interview job applicants in my organization should be trained to understand the cultures of specific diverse groups.*
- 41) *All attorneys in my organization should be trained to understand the needs of specific diverse groups.*

Organizational Culture *Please choose*

[Yes; No; Not sure; or Not applicable]

- 42) *Diversity efforts in my organization are tied to compensation in some way.*
- 43) *My organization's CEO/Managing Partner/President/Executive Director clearly communicates a positive vision of diversity and inclusiveness.*
- 44) *My organization has articulated a formal philosophy (not just a non-discrimination policy) demonstrating its commitment to diversity and inclusiveness.*
- 45) *My organization's formal philosophy demonstrating its commitment to diversity and inclusiveness includes sexual orientation in the definition of diversity.*
- 46) *My organization does not do enough to address various diversity and inclusiveness issues.*
- 47) *My organization has a diversity committee that is active and effective.*
- 48) *I have witnessed (or experienced) subtle or overt discrimination occur on the basis of race and ethnicity in my organization.*
- 49) *I have witnessed (or experienced) subtle or overt discrimination occur on the basis of sexual orientation in my organization.*

Personal Experience *Please choose*

[Yes; No; Not sure; or Not applicable]

- 50) *I have been adequately informed of my organization's requirements to be promoted, including attaining partnership.*
- 51) *I am included in social or business networking events with clients and/or colleagues inside or outside the organization in the same way as my peers.*

Appendix C: Survey Questions

- 52) *I am regularly sought out by partners or senior attorneys to work on high quality, significant assignments.*
- 53) *My formal performance evaluations and/or informal feedback on projects fairly address my actual work performance.*
- 54) *My formal performance evaluations lead to advancements in my position (more challenging work, promotions, bonuses, etc.).*
- 55) *I am fairly compensated in my present position.*
- 56) *I feel isolated or alone in my present position.*

Please read the following series of statements and select the response that best represents your opinion concerning employment and professional opportunities available to attorneys in your organization. How strongly do you agree or disagree with the following statements

[Likert Scale: Strongly Agree; Agree; Neither agree nor disagree, Disagree; Strongly Disagree; No Basis For Knowledge]:

- 57) *My organization takes sincere steps to retain racially or ethnically diverse attorneys once they are hired.*
- 58) *Racially or ethnically diverse attorneys receive privileges in my organization that other attorneys do not receive (e.g. promotions, networking opportunities, training, mentoring, client contacts, fee-generating assignment).*
- 59) *Racially or ethnically diverse attorneys **do not** receive privileges in my organization that other attorneys do receive (e.g. promotions, networking opportunities, training, mentoring, client contacts, fee-generating assignment).*
- 60) *Racially or ethnically diverse attorneys in my organization are fully included in work-related social activities at with other attorneys and clients.*
- 61) *My organization takes sincere steps to advance racially or ethnically diverse attorneys in the organization.*
- 62) *The overall quality of interactions between racially or ethnically diverse people and other people in my organization needs to be improved.*
- 63) *The contributions that racially or ethnically diverse attorneys bring to my organization as a result of their diversity are recognized and valued.*
- 64) *Racially or ethnically diverse attorneys are leaving my organization because the climate is not conducive to their wanting to stay.*
- 65) *Racially or ethnically diverse attorneys in my organization are automatically expected to serve on committees dealing with diversity, recruiting, and community outreach.*

- 66) *My organization takes sincere steps to retain gay, lesbian, bisexual, and transgender (GLBT) attorneys once they are hired.*
- 67) *GLBT attorneys receive privileges in my organization that straight attorneys do not receive (e.g. promotions, networking opportunities, training, mentoring, client contacts, fee-generating assignment).*
- 68) *Straight attorneys receive privileges in my organization that GLBT attorneys do not receive (e.g. promotions, networking opportunities, training, mentoring, client contacts, fee-generating assignments).*
- 69) *GLBT attorneys in my organization are fully included in work-related social activities at with other attorneys and clients.*
- 70) *My organization takes sincere steps to advance GLBT attorneys in the organization.*
- 71) *The overall quality of interactions between GLBT attorneys and straight attorneys in my organization needs to be improved.*
- 72) *The contributions that GLBT attorneys bring to my organization as a result of their diversity are recognized and valued.*

- 73) *GLBT attorneys are leaving my organization because the climate is not conducive to their wanting to stay.*
- 74) *GLBT attorneys in my organization are automatically expected to serve on committees dealing with diversity, recruiting, and community outreach.*

Employment and Professional Opportunities

Please read the following two statements and select the response that best represents your opinion concerning employment and professional opportunities available to attorneys in the seven county Denver-metro area.

[GLBT, R/E Diverse, Non-Diverse, No Difference, No Basis for Judgment]

- 75) *In general, **more** opportunities for positions in your organization are available for attorney who are:*
- 76) *In general, **better** opportunities for positions in your organization are available for attorney who are:*

Mentoring

- 77) *Does your organization have a formal mentoring program?*
[Yes; No; Not Sure; Not applicable]
- a) *In your opinion, is your organization's mentoring program effective?*
[Yes; No; Not Sure; Not applicable]
- b) *Is there an accountability system to reinforce the mentoring program?*
[Yes; No; Not Sure; Not applicable]
- 78) *Are you a mentor to anyone in your organization?*
[Yes, formally; Yes, informally; No, but I have been in the past; No, I have never been a mentor]
- 79) *Do you have a mentor from your organization?*
[Yes, my mentor was formally assigned by my organization; Yes, but not through a formal mentor program; Not currently, but in the past I have had a mentor; No, I have never had a mentor]
- 80) *How was your mentor assigned?*
[Based on similar diverse status; Based on similar specialties; Based on the mentor's choice; Based on my choice; Other—please explain]
- 81) *Is/was your mentor*
[African American; Asian American; Latino/Hispanic; Native American; Gay, Lesbian, Bisexual, or Transgender; Non-diverse]
- 82) *Are you happy with your mentoring relationship?*
[Yes, very happy; Yes, somewhat happy; No, not very happy]
- 83) *Why or why not?*
[Essay]

Demographics

- 84) *Ethnicity: Are you Hispanic or Latino?*
[Yes; No]
- 85) *Race: Please select all that apply*

Appendix C: Survey Questions

[American Indian/Alaskan Native; Black/African American; Asian; Native Hawaiian/Other Pacific Islander; White/Caucasian]

- 86) *Are you Gay, Lesbian, Bi-Sexual, or Transgendered?*
[Yes, and I am out to most or all individuals in my office; Yes, and I am out to a few trusted colleagues in my office; Yes, and I am not out to anyone in my office; No, I am not gay, lesbian, bisexual, or transgendered]
- 87) *Gender:*
[Male, Female, Transgendered]
- 88) *Do you have a disability?*
[Essay]
- 89) *What is your religion?*
[Agnostic; Atheist; Catholic; Protestant; Jewish; Muslim; Hindu; Buddhist; Spiritual; Wiccan; Other—please specify]
- 90) *Age*
[21-30; 31-40; 41-50; 51-60; 61-70; 71+]
- 91) *What law school did you graduate from?*
[University of Colorado; Denver University; Other—please specify]
- 92) *In what quartile did you graduate?*
[Top 25%; Top 50%; Top 75%; Other; Not Applicable]
- 93) *What category best identifies your income in the last calendar year?*
[\$0 - \$14,999; \$15,000 - \$44,999; \$45,000 - \$59,999; \$60,000 – \$74,999; \$75,000 - \$99,999; \$100,000 - \$149,999; \$150,000 - \$199,999; \$200,000 - \$299,999; \$300,000 – \$399,999; \$400,000 - \$499,999; \$500,000+]

Diverse Respondents Only

- [Likert Scale: Strongly Agree, Agree, Neither Agree nor Disagree, Disagree, Strongly Disagree]
- 94) *Because of my diverse background, attorneys in my organization perceive me as less qualified than other attorneys in the organization.*
- 95) *Because of my diverse background, attorneys in my organization are less tolerant if I make mistakes.*
- 96) *Because of my diverse background, I am discriminated against in my organization.*
- 97) *Whether or not there is a formal mentoring program in your organization, are there diverse attorneys in your organization with whom you could identify for mentoring purposes?*
[Yes, racially and ethnically diverse; Yes, GLBT diverse; Yes, both types of diversity; No; Not sure]
- 98) *Whether or not there is a formal mentoring program in your organization, are there non-diverse attorneys in your organization with whom you could identify for mentoring purposes?*
[Yes, No, Not Sure]

- 99) *What could your organization do to make the culture more accepting of diverse attorneys?*
[Essay]
- 100) *What could the Colorado Bar Association do to make the legal profession in Colorado more accepting of diverse attorneys?*
[Essay]
- 101) *Please tell us about particularly illuminating experiences (good and bad) related to your diversity.*
[Essay]