

DIVERSITY IN THE LEGAL PROFESSION

December 2007 Status Report for
**2004 FINAL REPORT AND
RECOMMENDATIONS**

INTRODUCTION

The Member Outreach Committee was formed following The Florida Bar's 2004 Diversity Symposium. Since its inception, the committee has focused on addressing issues in the Diversity in the Legal Profession Report. The report defines diversity and identifies barriers to achieving diversity. It also includes suggestions of action that can be taken to reach the goal of diversifying legal education, [law-related] employment, The Florida Bar and the judiciary by the year 2014. The committee has identified sections, committees, departments and affiliates of the Bar to work with them to achieve the goals outlined in the report.

The report is broken down into sections of the identified critical areas for improvement within the legal profession. The areas identified are Diversity in Legal Education, Diversity in Employment, Diversity in the Bar and Diversity in the Judiciary. This status report provides an update of the work that has been done to investigate the recommendations made in the report. Although some of the recommendations have been considered by the committee, some require further analysis, and still some that the committee has determined The Florida Bar cannot address without changes in policies, such as those that concern sharing information on law school students' exam scores.

Each section of the report is outlined and includes recommendations and the status.

DIVERSITY IN LEGAL EDUCATION

I. Recommendation: Expand the pool of qualified diverse applicants in law school

- Develop and use non-traditional criteria to evaluate potential successful candidates, to include performance in summer conditional programs, work or family responsibilities while attending college, community service, etc.

Status: *The Florida Bar Exam passing score was increased from 131 to 136, effective July 1, 2004. The Student Education and Admissions to the Bar Committee (SEABC) has been unable to access the confidential data on individual test-takers to determine if raising the passing score of the bar exam has had an impact on minority test-takers. The mission of SEABC is to study and make recommendations on law school education and its effectiveness in student ability to pass the bar exam. SEABC encouraged law schools to study the data that is provided by the Florida Board of Bar Examiners and identify trends in their schools.*

After consultation with representatives from the Florida Board of Bar Examiners and The Florida Bar Board of Governors, SEABC proposed to set up an online post-exam survey which would be easy to take and which would collect data about the test-taker's background, exam preparation and other relevant factors. The Florida Board of Bar Examiners has administered the survey three times since February 2006. Results are reviewed by the Florida Board of Bar Examiners and the Florida Supreme Court.

- Expand Summer Conditional programs to provide academic support to diverse students.

Status: *The Florida Bar Young Lawyers Division will be hosting a Pre-Law Conference in 2008 to promote the legal profession to undergraduates, which helps to increase minority applications to law school.*

II. Recommendation: Expand the pool of qualified applicants with disabilities in Law School

- Identify attorneys with disabilities to educate primary and secondary schools on opportunities for persons with disabilities in the legal profession; expand and/or develop Law Day Programs for primary and secondary schools to include attorneys with disabilities; reach out to non-traditional schools that have an emphasis on teaching

students with disabilities and; develop mentoring programs for secondary and college level students.

Status: *The Disability Independence Group (DIG), a non-profit organization, received funding through The Florida Bar Foundation for focus group research for attorneys with disabilities. The focus groups, made up of 15-20 attorneys with disabilities, would serve to inform the Bar of the needs of attorneys. Further, attorneys participating in focus groups (and others) would be encouraged to go into high schools and encourage youth with disabilities to think about careers in the legal profession.*

In May 2006, DIG, with assistance from The Florida Bar and The Florida Bar Foundation, administered an online survey of Florida lawyers with disabilities. The purpose was to gather demographics information, analyze barriers for lawyers with disabilities in their profession, collect information on accommodations and technical assistance; and ultimately, create a forum for the exploration of issues, strategies and recommendations to enhance the participation of attorneys with disabilities in Florida's legal communities, in court and out of court.

The survey included a series of questions regarding law school careers. The barriers mentioned included interaction with the Law School Admissions Council, application for the Law School Admission Test, experiences within the law school admissions process, law school classes, library use and other activities.

The final report was presented to The Florida Bar Board of Governors and has been referred to the Bar's Member Outreach Committee for its review and recommendations.

Recently, DIG received a grant from the Minority Corporate Counsel Association (MCCA) and will be developing and implementing a workshop for graduating law students with disabilities from the 10 Florida law schools. The goals of this project will be to: develop a resource manual for these participants and for law placement staff; to explore replication opportunities; to expand knowledge of rights and responsibilities for law students with disabilities; to expand knowledge of strategies for employment opportunities for lawyers with disabilities throughout the legal system; and to expand knowledge of law placement personnel. Successful completion of this project will contribute to increasing diversity in the legal profession.

- Coordinate these efforts through the Diversity Affairs Officer as well as Bar Sections and Committees such as the Equal Opportunities Law Section and the Center for Professionalism.

Status: *These efforts are being coordinated through the Member Outreach Committee, the Disability Committee of the Equal Opportunities Law Section (which seeks to improve access to legal education, the legal profession, and the judiciary for persons with disabilities) and other appropriate committees.*

- Create publications in different formats such as large print, audio tapes, and Braille to be accessible to potential applicants with disabilities.

Status: *On request, publications and meeting materials are promptly produced to be accessible based on the requesting individual's disability/disabilities. In addition, the goal of The Florida Bar is to increase accessibility and usability for all users of its Web site and has an ongoing review and implementation program.*

III. Recommendation: Support for minorities in bar exam preparation

- Offer programs during the final year of law school to improve skills needed to pass the Bar exam; assist students with disabilities to determine the accommodations required and available for the Bar exam; bar preparation programs should provide instruction and test taking strategies for students with disabilities; the Bar, the Florida Board of Bar Examiners and law schools should work with the bar preparation companies to develop these programs; sponsor bar preparation course scholarships for diverse students with financial needs.

Status: *According to the SEABC, all Florida law schools offer Bar Preparation courses to all of their students. Some have outreach programs specifically targeting minority students. Students with disabilities are encouraged to communicate their required accommodations for classes and the bar exam. Many voluntary bar associations have reported holding bar preparation courses as well. In addition, several voluntary bars have reported programs designed to provide internship placement to qualified minority students during their third year of law school.*

In the absence of data on individual test-takers and access, the SEABC proposes to work with the Florida Board of Bar Examiners with its less sensitive pass/fail data to gain an understanding of what makes a successful test-taker—if such patterns can be determined—and what law schools or the Bar should do to improve student success on the exam.

IV. Recommendation: Monitor the impact of changes in bar exam passage rates for diverse students

- Compile performance data on individual students and release that data, on a confidential basis, to the law school where the student attended; Develop the format for information requests; closely monitor the success rate of these test takers during this increased score period; notify the law schools of the results; make improvements and/or changes in existing programs if necessary; the Diversity Affairs Officer and the Florida Board of Bar Examiners should work closely together on this issue.

Status: *In the absence of data on individual test-takers and access, the SEABC proposes to work with the Florida Board of Bar Examiners with its less sensitive pass/fail data to gain an understanding of what makes a successful test-taker—if such patterns can be determined—and what law schools or the Bar should do to improve student success on the exam. Law schools have been encouraged to study the data that is provided to them by the Florida Board of Bar Examiners and identify trends in their schools.*

V. Recommendation: Increase Minority Job Placement

- Utilize mentor programs to facilitate the transition from law school to law firms; increase the placement of diverse students in internship positions.

Status: *The Annual Minority Mentoring Picnic matches minority law students with mentors at varying stages of their legal career. The Florida Bar through the Member Outreach Committee co-sponsors the picnic each year along with many law firms, judges and voluntary bar associations.*

E-mentoring and diversity training for law school students continues to be done through the Henry Latimer Center for Professionalism.

- Open membership to Bar Sections and Committees to third year law students and waive any fees associated therewith; encourage attendance of and offer financial support to diverse students in all Bar activities.

Status: *Through its Law Student Section, The Florida Bar Young Lawyers Division (YLD) serves as a liaison to Florida's law schools and disseminates information to law students about various programs. In addition, the YLD Diversity Committee is currently compiling a directory of law students with whom it comes in contact at the South Florida and*

Central Florida Mentoring Picnics to assist the Law Schools committee in formulating its Law Student Division and to match mentor/mentee partnerships.

VI. Recommendation: Financial Assistance

- Increase resources to provide financial assistance to eligible diverse students; identify potential scholarship sources and encourage contributions from Florida Bar members and voluntary Bar associations to Florida law schools to support existing scholarships.

Status: *Several voluntary bar associations have reported offering scholarships and internship opportunities to qualified diverse students.*

- Utilize the Young Lawyers Division and other Bar sections to assist the Bar and the law schools in identifying funding sources.

Status: *In effort to identify potential scholarship sources, the SEABC will be submitting a questionnaire to all Florida law schools with regard to minority enrollment and minority scholarships. The committee will follow up with the law schools to monitor any increase and decrease in the number of scholarships offered by Florida law schools.*

VII. Recommendation: Early Childhood Mentoring to Lead to Law School

- Create mentoring programs in secondary schools; provide grants through The Florida Bar to support mentoring programs and activities such as mock trial and debate teams in the high schools.

Status: *The Florida Law Related Education Association, Inc. works to increase diversity in the legal profession by advancing law related education opportunities and programs for Florida students in grades 9-12 and particularly within law magnet schools. Law magnet schools have a law related focus throughout the curriculum. Students are attracted to these schools that have an interest in the law. Many of these schools have courtrooms on campus, forensic labs, and other exciting components such as Law Honor Societies. In 2006, a Title-One school won the statewide high school mock trial competition.*

Law magnet students are an important avenue to increasing diversity in the legal profession as this is where students seriously begin to consider careers in the law. Additional funding is being sought to increase opportunities for these schools and students as well as their teachers.

- Approve pro bono hours for those attorneys who participate in mentoring programs in secondary schools.

Status: *The goal of the Justice Teaching Initiative is to pair a legal professional with every elementary, middle, and high school in the state of Florida. The program aims to benefit students by promoting an understanding of Florida's justice system and laws, developing critical thinking abilities and problem solving skills, and demonstrating the effective interaction of the courts within the constitutional structure. The Board of Legal Specialization and Education (BLSE) approved the Justice Teaching presentations for one hour of CLE credit (a maximum of 5 hours during a three year reporting period).*

VIII. Recommendation: Create a Welcome Environment in Law Schools

- Increase diversity among the faculty, the student body, and in student activities; create a process for the Bar to assist law schools in searching for qualified candidates for open faculty and administrative positions; the Diversity Affairs Officer should create a survey to determine the makeup of the law schools' current faculty and students.

Status: *The SEABC will be surveying Florida law schools to determine the diverse make up of their faculties.*

- Conduct diversity-teaching workshops to improve the classroom experience for all students; the Diversity Affairs Officer together with various sections of the Bar should work with the law schools to create diversity-teaching workshops.

Status: *The "Successful Lawyering in a Diverse Society" workshop is taught by instructors who are certified by the Henry Latimer Center for Professionalism. This workshop is taught at local bar associations, law firms, government law associations and to law school staff when requested. Several university staff have received the "Train the Trainer" instruction and have the capacity to provide diversity training.*

IX. Recommendation: Create Academic Support Programs in Law Schools

- Create programs to identify at risk students; develop programs to assist these students to succeed in law school.

Status: *The SEABC is currently communicating with law schools to determine their method for assisting at risk students.*

DIVERSITY IN EMPLOYMENT

I. Recommendation: Pre-Employment Education for Students

- Create programs and provide training for interview and job search strategies, etc; utilize the Diversity Affairs Officer, Young Lawyers Division as well as the various sections of The Florida Bar to assist in coordinating these programs.

Status: *Through its Law Student Section, The Florida Bar Young Lawyers Division (YLD) serves as a liaison to Florida's 10 law schools, and disseminates information to law students about various YLD and Florida Bar programs on issues including professionalism, mentoring, admission to the bar and transition into the practice of law.*

Several voluntary bar associations have implemented mentoring programs to pair law school students with various legal professionals. Students have the opportunity to ask questions about the practice of law and make connections that they might not otherwise have the opportunity to make.

II. Recommendation: Pre-Employment Education for Employers

- Utilize various experts in the field to create broader hiring criteria; develop a seminar to present data on the success of diverse law firms; convene a meeting of career services personnel and professional recruiters to provide local and regional perspectives on employment barriers; and solicit articles for The Florida Bar News from voluntary bar associations as well as sections and committees of the Bar.

Status: *The 2005 Diversity Symposium focused on the critical area of diversity in legal employment. The one-day event provided a platform for interactive dialogue between corporate entities, law firms, attorneys and judges on the benefits of a diverse workforce in the legal profession. Highlights were placed on diversity as a critical component for competitiveness in the state of Florida, which continues to increase in all categories of diversity—racial, ethnic, gender, lifestyle and ability. The Florida Bar News covered this symposium extensively and continues to publish articles about diversity in employment.*

III. Recommendation: Employers

- Encourage law firms to increase the number of clerkships and internships.

Status: *Many voluntary bar associations have reported sponsoring initiatives that assist in engaging local law firms to commit to reviewing resumes, submitted to the voluntary bar(s), when considering candidates for employment.*

- Conduct diversity training and workshops for employers to create selection criteria; conduct diversity training and seminars for employers to ensure that their work policies do not exclude or limit Attorneys of Diversity; conduct diversity training and seminars for employers for development and implementation of job performance evaluations in order to establish objective criteria that would eliminate bias and recognize the value of diversity.

Status: *The Henry Latimer Center for Professionalism continues to present “Successful Lawyering in a Diverse Society,” a program that educates employers and law students about diversity. The program is presented at local bar associations, law firms, and government law associations when requested.*

Additionally, the center continues to hold “train-the-trainer” sessions to recruit Certified Diversity Trainers to send out to law firms, law schools, voluntary bar associations and other organizations. Recently, the center and other Certified Diversity Trainers have modified this workshop for presentation at the courts.

IV. Recommendation: Voluntary Bar Associations

- Implement summer internship programs through voluntary bar associations.

Status: *Several voluntary bar associations have reported sponsoring minority internship placements. The goal of these programs is to pair qualified minority law students in internships within the legal community. The criteria for many of these internship opportunities includes rank in the top 50 percent of the respected class, involvement and leadership in law school organizations and community service activities. Some voluntary bars offer scholarships upon completing the internship.*

V. Recommendation: Florida Bar

- Visit law schools and meet with minority student groups to promote participation in Bar programs and activities as a law student and after admission to The Florida Bar.

Status: *Through its Law Student Section, The Florida Bar Young Lawyers Division (YLD) serves as a liaison to Florida's 10 law schools, and disseminates information to law students about various YLD and Florida Bar programs on issues including professionalism, mentoring, admission to the bar and transition into the practice of law.*

- Develop programs or conduct seminars that encourage employers to create programs for the placement and advancement of Attorneys of Diversity; encourage fair and equitable treatment in all aspects of personnel management policies of employers without regard to race, color, national origin, gender, sexual orientation or disabilities; Enlighten employers and candidates through speeches, press releases, statistical data, workplace laws and any other related topics affecting Attorneys of Diversity; encourage every attorney to join a voluntary minority bar association.

Status: *The 2005 Diversity Symposium focused on the critical area of diversity in legal employment, using the prompts from the first symposium as a guide. Attendance doubled and the presence of the Chief Justice and many other leaders of the Bench and Bar was outstanding. It showed a true commitment to the issue from every perspective. The one-day event provided a platform for interactive dialogue between corporate entities, law firms, attorneys and judges on the benefits of a diverse workforce in the legal profession. Panelists consisted of representatives of law firms and members of The Bar who have expressed their commitment to diversity, those who have faced challenges in achieving this goal, as well as representatives and general counsels of corporations that have responded to client demands for diversity. Highlights were placed on diversity as a critical component for competitiveness in the state of Florida, which continues to increase in all categories of diversity—racial, ethnic, gender, lifestyle and ability.*

- Educate The Florida Bar's work force regarding diversity issues.

Status: *In 2006, all Florida Bar staff members participated in a Bias Sensitivity Workshop presented by Lowe Tribble & Associates Inc.*

DIVERSITY IN THE BAR

I. Recommendation: Diversity Affairs Officer

- Develop and implement regulations and policies for equal opportunity; submit annual action programs, plans, and accomplishment reports; develop a heightened long-term focus of increasing employment opportunities for attorneys of diversity; assist with outreach programs and education; provide information training to attorneys of diversity.

Status: *A Member Outreach Coordinator staffs the Member Outreach Committee and serves as coordinator of the annual diversity symposium. The Member Outreach Coordinator conducts planning, development and coordination of diversity programs and events, including the annual diversity symposium and collects information to measure and evaluate the effectiveness of a diversity initiative and its components. The Member Outreach Coordinator remains in contact with staff liaisons, program administrators, committee and section chairs and voluntary bar associations to communicate upcoming programs, events and Member Outreach Committee activities.*

The Member Outreach Committee was created and is responsible for analyzing the recommendations from the 2004 Diversity Symposium and establishing a set of priorities for implementation. Some of the recommendations can be implemented by the Bar, while others will be implemented by committees, sections, and/or other organizations. Any new or expanded programs or initiatives must be coordinated through the Program Evaluation Committee, Budget Committee and the Board of Governors itself.

II. Recommendation: Leadership Education

- To increase awareness of the diversity issue and to assist in enhancing participation from diverse segments of the Bar, the Bar President (and other leadership) should: write letters to minority bar newsletters; meet with the minority bar associations statewide;

Status: *Members of the Board of Governors attending the December 2007 board meeting participated in a Diversity Sensitivity Workshop facilitated by Lowe Tribble & Associates, Inc.*

Board members have actively participated in each diversity symposium since 2004, serving as panel moderators and general participants. The

Bar President, President-elect and President-elect designate have held a session at each symposium to provide for open dialogue.

The Florida Bar Board of Legal Specialization and Education (BLSE) through its ongoing strategic communication campaign will seek opportunities to promote the merits of board certification to more diverse Florida Bar members in order to increase diversity in the board certification program. The BLSE's goal is for the diverse board certification lawyer population to meet or exceed Florida Bar diversity membership statistics.

Local voluntary bar associations are the places where most bar leaders get their start. There are more than 200 voluntary bar association in Florida that exist to provide services and programs for individual lawyers in a particular area or specialty or in some instances to complement the activities and functions of The Florida Bar.

The Voluntary Bar Liaison continues to make monthly visits to voluntary bar associations in the state of Florida. During these visits, voluntary bar leadership and members are informed of the resources available to them from the Bar and are encouraged to communicate their needs and activities to the Bar. The liaison also issues the Bar-to-Bar E-News, which communicates voluntary bar information between voluntary bars.

Committee Preference form submission is encouraged, with emphasis being placed on a commitment to identify minority candidates for positions. There are roughly 500 appointments to be made, and typically, the Bar receives about 5,000 requests.

- Examine Bar staff composition and make recommendations for improvement.

Status: *In 2006, all Florida Bar staff members participated in a Diversity Sensitivity Workshop presented by Lowe Tribble & Associates Inc.*

III. Recommendation: Annual Diversity Symposium

- Hold the Diversity Symposium annually; invite wider audiences; encourage attendance by all members of the Board of Governors; create a long-term plan for the Symposiums so that the goal of the Florida Bar mirroring society by the year 2014 is met; implement recommendations contained in this Final Report by including topics in future symposiums.

Status: *The 2004 Diversity Symposium was a day and a half. Attendees were lawyers, judges, law school deans and bar leaders. The first day*

included panel presentations on diversity issues in The Florida Bar, law firms, the judiciary, law schools and the role of the voluntary bar associations. Attendees of the inaugural diversity symposium drafted a report entitled "Diversity in the Legal Profession, Final Report and Recommendations." The report outlined critical areas where there was a need for an increase in inclusion and diversity. These areas include a focus on diversity within legal education, The Florida Bar, legal employment and the judiciary. Key recommendations contained in the report included setting a 10-year goal for having an African-American president of The Florida Bar and having the Bar hire a staff person who would be directly responsible for helping the Bar progress in this area. The report served as a recommended pathway to aid The Florida Bar and others affiliated with Florida's legal profession in developing a plan to increase participation, retention and representation of diverse attorneys in Florida. The 2004 Diversity Symposium was attended by 80 members of the legal profession, most of whom had a long history of involvement with diversity issues.

The 2005 Diversity Symposium focused on the critical area of diversity in legal employment, using the prompts from the first symposium as a guide. Attendance doubled and the presence of the Chief Justice and many other leaders of the Bench and Bar was outstanding. The one-day event provided a platform for interactive dialogue between corporate entities, law firms, attorneys and judges on the benefits of a diverse workforce in the legal profession. Panelists consisted of representatives of law firms and members of the Bar who have expressed their commitment to diversity, those who have faced challenges in achieving this goal, as well as representatives and general counsels of corporations that have responded to client demands for diversity.

The Florida Bar held its third Annual Diversity Symposium on April 28, 2006 in Orlando at the Florida Agricultural & Mechanical University College of Law. Reflecting upon the progress that has been made since the inaugural symposium, the program's theme was titled "A Progress Report on Diversity in Florida's Legal Profession." The nine-hour symposium, which touched on all forms of diversity in the profession, was attended by 176 Bar members, law school faculty and students and others affiliated with the legal profession. The 19-member planning committee directly recruited and successfully identified 22 diverse and distinguished panelists. Representing the Bench, Bar, law schools, law firms and corporations, panelists expressed their commitment to diversity and challenges they have faced in achieving this goal.

The Fourth Annual Diversity Symposium was held at Florida International University College of Law in Miami, Florida. Sponsored by the Equal Opportunities Law Section, the program provided opportunities to break

out of comfort zones, hear different perspectives and meet new people. The symposium featured topics such as Overcoming Obstacles: Lawyers with Disabilities; How to Become a Judge: Experiences from Federal, State and Appellate Judges; Loss of Future Diversity: Declining Minority Enrollment and Low Bar Passage Rate; and Increasing Diversity in Corporate Law Offices and Law Firms: Techniques that Work. The Diversity Symposium requires no registration fees and wheelchair accessible transportation between the hotels and the event was provided at attendees at no cost.

Since the 2006 Diversity Symposium, the planning committees have received an overflow of support from members of the Board of Governors, who willingly served as moderators for the panel discussions.

IV. Recommendation: Expand Mentor Programs

- Develop mentoring programs for Attorneys of Diversity to identify potential future Bar leadership and assist them in attaining leadership positions.

Status: *The Minority Bar Summit, sponsored by the Equal Opportunities Law Section, was held at the Bar's 2005 Midyear Meeting. The event provided information on the appointment process for Bar committees and the Board of Governors; the leadership track of running for the Board of Governors; diversity initiatives and creating opportunities; and reaching out through mentoring programs. Discussion centered on what minority bar members can do to become more involved in The Florida Bar as well as what minority bars expect from participating in the Bar. Similar programs are sponsored by voluntary bar associations and the YLD.*

V. Recommendation: Minority Bar President

- Undertake a commitment to have a minority Bar president within the next ten years.

Status: *Francisco R. Angones became the first Cuban-born president of The Florida Bar when he was sworn in on June 29, 2007.*

VI. Recommendation: Access for Persons with Disabilities

- Ensure that all Bar meetings are fully accessible to people with mobility impairments; utilize sign language interpreters at all Bar seminars and sessions; utilize only facilities that fully comply with ADA standards; modify registration forms to include accommodation requests.

Status: *In order to reduce barriers to participation for persons with disabilities, efforts have been made to ensure that meeting spaces are ADA compliant. Registration forms for Bar meetings and the Annual Diversity Symposium have a space for registrants to indicate accommodation requests.*

In May 2006, the Disability Independence Group, with assistance from The Florida Bar and Florida Bar Foundation, administered an on-line survey of Florida lawyers with disabilities. The purpose was to gather demographics information, analyze barriers for lawyers with disabilities in their profession, collect information on accommodations and technical assistance; and ultimately, create a forum for the exploration of issues, strategies and recommendations to enhance the participation of attorneys with disabilities in Florida's legal communities, in court and out of court. The final report was given to The Florida Bar Board of Governors and has been referred to the Bar's Member Outreach Committee for its review and recommendations.

VII. Recommendation: Bar Wide Diversity Survey

- Gather accurate and reliable statistical information on diversity in the Bar; determine what obstacles exist that prevent or discourage minority lawyers from greater participation in all aspects of The Florida Bar; request that the leadership of the minority Bar associations assist in the completion of the surveys; coordinate survey completion and data collection with the Bar Association Leadership. The Diversity Affairs Officer would head this coordination.

Status: *Immediately following the report of the 2004 Diversity in the Legal Profession, a survey was sent to those members of The Florida Bar who had not previously indicated their race or ethnicity. More than 30,000 surveys were mailed and 9,181 were returned. Currently, of those reporting, The Florida Bar has valid race information for over two-thirds of its membership.*

Further, members of minority bar associations were surveyed to determine how the Bar could help increase their involvement in the work and programs of The Florida Bar. A total of 2,400 surveys were sent out by the Bar to members of minority bars. Additionally, the Bar mailed 2,500 copies of the survey the eight bar associations that preferred to disseminate the survey themselves. A total of 665 surveys were returned. The survey was designed to examine participation in the Bar between different racial, ethnic, gender and age groups.

VIII. Recommendation: Diversity Disciplinary Committees

- Solicit diverse participation in Bar discipline committees; create a plan to notify all members of The Florida Bar of discipline committee openings.

Status: The Florida Bar continues to solicit diverse participation on discipline committees.

IX. Recommendation: Diversity Web Page

- Include a diversity page on Bar's website; Include links to minority Bar associations.

Status: In the Member Services section of Florida Bar's Web site, a diversity page has been added (www.floridabar.org/diversity). The page includes the 2004 Diversity in Legal Profession Final Report and Recommendations, where individual portions of the report can be accessed as well as diversity related resources. There are links to minority voluntary bar associations from The Florida Bar's Web site.

- Develop a diversity pledge for law firms.

Status: The Equal Opportunities Law Section has implemented a Statement of Principles that law firms, agencies, and businesses affirm, agree and support the principles of the Equal Opportunities Law Section.

X. Recommendation: Diversity Resource Database

- Collect existing Bar diversity policies and studies in one place; publicize the existence of the database; create process for access to the database.

Status: The Member Outreach Coordinator collects articles, reports, statistics and other information about national, state and local bar diversity programs and maintains a database of these materials.

XI. Recommendation: The Florida Bar News

- Include more articles about the need for and benefits of diversity in the legal profession.

Status: The Florida Bar News frequently publishes articles related to diversity in all aspects of the legal profession.

XII. Recommendation: Equal Opportunities Law Section

- A concern was raised that the Equal Opportunities and Public Interest Law sections may not always have enough members to maintain their existence under current rules.

***Status:** Neither section has requested a waiver of membership requirements or any rule changes to-date.*

DIVERSITY IN THE JUDICIARY

Status: The Chief Justice issued Administrative Order SC07-12 on April 3, 2007, which mandates the development and implementation of local court diversity and sensitivity awareness programs throughout the state. The Diversity Training Subcommittee of the Supreme Court is developing innovative ideas to make such training experiential as well as educational. The subcommittee is currently exploring various methods of delivering formal diversity training to all judges as well as to court staff throughout the state. Online courses, as well as in-person, "live" seminars and conferences are among the delivery mechanism being considered for education. Each circuit and appellate district in Florida shall complete at least one formal training session by December, 2007. The Henry Latimer Center for Professionalism and other Certified Diversity Trainers have modified this workshop for presentation in Florida courts. It is being utilized by the courts to comply with an order from the Chief Justice regarding diversity training for all Florida courts.

The Chief Justice created the Standing Committee on Fairness and Diversity by Administrative Order in November 2004. The committee was established to advance the State Courts System's efforts to eliminate from court operations inappropriate bias based on race, gender, ethnicity, age, disability, or socioeconomic status. Since its inception, the Standing Committee has been making steady progress toward fulfilling each aspect of its charge.

The Florida Supreme Court has recognized the acute need to make all court facilities in this state accessible to persons with disabilities. Working toward this mandate, the Court Accessibility Subcommittee has an ambitious plan of action. The subcommittee has developed a detailed survey instrument, with the technical assistance of an architect and other professionals who have donated their time and expertise.

Facility accessibility issues in the Florida courts are complex. Courts across the state are engaged in the survey. The surveys are an enormous undertaking that require a substantial allocation of court and county resources to accomplish. Upon the completion of the surveys, each court will develop updated transition plans. Implementation of the transition plans will occur on an ongoing and long-term basis.

During the 2006 session, the Florida Legislature enacted a law that requires state government entities to adhere to the standards set forth in Section 508 of the Federal Rehabilitation Act. Sections 282.601 through 282.606, Florida Statutes, require the judicial branch to ensure that electronic information and technology are accessible to persons with disabilities. These requirements extend to word processing documents,

spreadsheet files, and PDFs, as well as web pages, PowerPoint presentations, videos, audio files, software applications, computer hardware, and self-contained closed products such as telephones, faxes and copy machines. The law became effective July 1, 2006, and applies prospectively to electronic information or information technology developed, competitively procured, maintained, or used by state entities on or after that date. No funding was provided to support implementation of this important legislation. Furthermore, those with technology expertise advise that in some instances the aspirations of the law exceed the current state of technology. Nevertheless, the Florida courts are earnestly working to ensure access to electronic information and technologies.

I. Recommendation: Education on Election Process

- The Bar should fund seminars to be organized by the Equal Opportunities Law Section, which should be aimed at educating minorities and minority bar leaders on the intricacies of the process. The seminars would provide information on fundraising and campaign management as well as applications to the JNC.

Status: *Some minority voluntary bars have held seminars focusing on the judicial election process.*

II. Recommendations: Encouraging Support

- Encourage leaders of minority Bar associations to support qualified diverse candidates from their associations.

Status: *The Florida Bar continuously works with minority voluntary bars to recruit JNC applicants. For example, some minority bars through their judicial committees, encourage members to apply to the JNCs, recruit local members to attend JNC interviews and write letters of recommendation to the Governor.*

III. Recommendation: JNC Applicants

- Increase the number of minority applicants to the JNC; have contact between the Bar and the minority voluntary Bar association leaders to show the Bar's commitment to diversity.

Status: *The Florida Bar continuously works with minority voluntary bars to recruit JNC applicants.*

IV. Recommendation: Board of Governors Support

- Meet with local minority Bar organizations about upcoming

openings in both the elected and appointed seats in each judicial circuit; encourage diverse attorneys to apply for and/or run for these openings.

Status: *The Florida Bar continuously works with minority voluntary bars to recruit JNC applicants.*

V. Recommendation: Revision of JNC Application

- Revise the application for judicial appointment to mirror that of the Governor's application.

Status: *There is now a single application for judicial appointment.*

VI. Recommendation: Financial Disclosure Education

- Provide a more detailed description of the financial disclosure requirement when advertising vacancies.

Status: *Specific action has not been taken on this recommendation.*

VII. Recommendation: Statement to the Governor

- Communicate with the Governor the interest and commitment of the Florida Bar in seeing qualified diverse appointments to open judicial seats.

Status: *The Florida Bar President meets with the Governor annually to discuss judicial appointments and other matters of interest to the profession.*

VIII. Recommendation: JNC Education

- Educate the JNC of the importance of the diversity of community in which they sit.

Status: *Specific action has not been taken on this recommendation.*

IX. Recommendation: Minority Leadership Summit

- The Bar should fund a Minority Leadership Summit to be organized by the Equal Opportunity Law Section with the goal of facilitating contacts between minorities and members of the Bar and JNC Committee members. This seminar may include insight from Bar leaders and JNC members on how to run a successful campaign and the appointment process.

Status: *The Minority Leadership Summit has been discussed by the Special Committee to Study the Diversity Symposium, but has not yet been scheduled.*