



OREGON LEGAL COMMUNITY CLIMATE ASSESSMENT SUMMARY REPORT

Findings from Quantitative and Qualitative Climate Research Through a
Diversity, Equity and Inclusion Lens

Introduction

In 2018 the OSB contracted with KGR+C llc (Kno-Why.Com), a Portland-based research and consulting firm, to conduct a comprehensive survey of the climate within Oregon's legal community, with an emphasis on lawyers who are not part of the dominant culture. Our goal was to gain a thorough understanding of the current culture while identifying opportunities to enhance and extend our efforts to create a fully inclusive and equitable bar.

Phase one was an online survey developed with input from numerous stakeholders and fielded from May through July of 2019. Survey invitations were sent to 3,357 OSB members, including all members who had previously self-identified as people of color, LGBTQAI2+ or experiencing disability. A total of 379 bar members completed the survey.

Phase two was a series of focus groups to discuss themes from the survey findings. Each group consisted of a different cohort of respondents: LatinX, Black, Asian/Pacific Islander, LGBTQAI2+ and people with disabilities. (Response rates for Veterans and Native American/Alaska Native lawyers were too small for conventional significance testing possibly reflecting their populations within the profession.)

Introduction

KGR+C (KnoWhy) researchers used the focus group conversations to center the meaning and implications of findings for each group in their lived experiences. Their report combines quantitative highlights of the online survey with qualitative comments from the focus group to present a picture of the law practice climate for the five non-dominant cohorts listed above. The report also includes suggestions for addressing specific diversity/equity/inclusion gaps and enhancing the overall climate for law practice in Oregon.

Abbreviations used in this report include: API (Asian/Pacific Islander), POC (person of color), PWD (person experiencing disability), and LGBTQIA2+ (umbrella term for Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex, Asexual, Two-Spirit and other non-majority gender identities and sexual orientations). The term “microaggression” was defined in the survey instrument as “subtle, intentional or unintentional insults, negative remarks or behaviors relating to race, ethnicity, gender, gender identity, disability and age at work and/or in the larger community.”

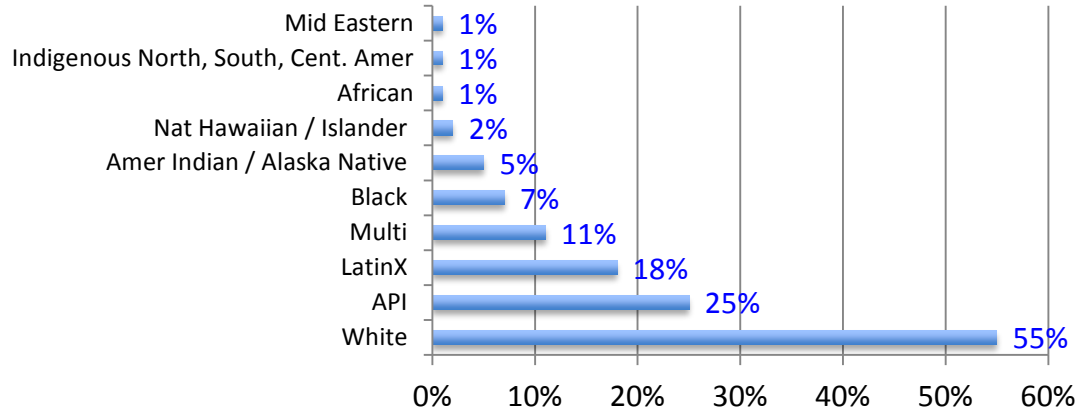
Additional statistical reporting from the existing data sets is planned, but may be limited by the need to maintain confidentiality. For more information contact Kay Pulju at kpulju@osbar.org.

Methodological Overview

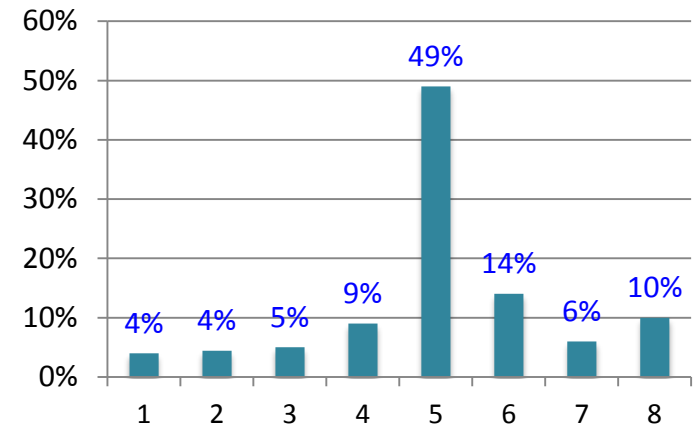
- Phase 1: Survey developed collaboratively, with feedback sought from over 50 affinity group stakeholders
 - Online, web-based, 16 mins (avg.)
 - Invitations sent to 3,357 OSB members, including all members who had self-identified as people of color, LGBTQAI2+ or experiencing disability
 - 524 opened invite, 379 completed survey
 - Fielded May → July 2019
- Phase 2: Focus Groups
 - Discuss survey themes
 - Center the meaning and implication of findings for each group in their lived experiences (only for groups with adequate response numbers)
 - Explore ways to close DEI gaps and enhance the climate overall
 - 5 groups of OSB member respondents
 - LatinX, Black, API, LGBTQAI2+, PWDs
 - 2-hour sessions fielded September → October 2019

Quantitative Sample Characteristics

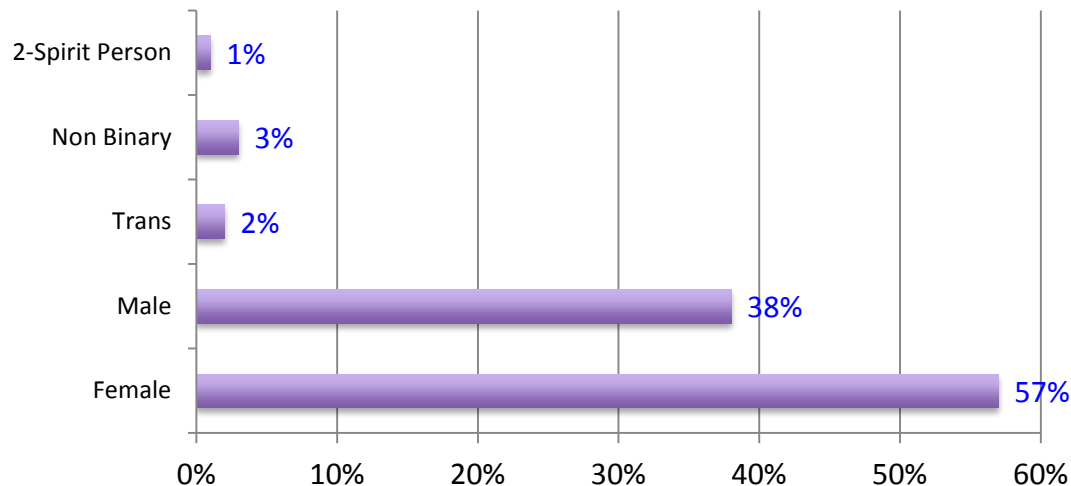
Race/Ethnicity



OSB Region

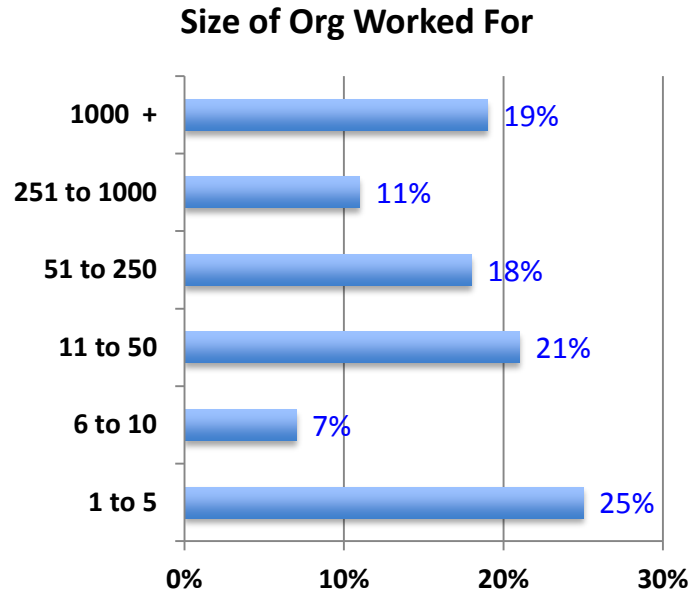


Gender ID



- Average age: 46 (range 26-84)
 - 49 yrs old for dominant culture
 - 43 yrs old for non-dominant
- Admitted OSB: 15 years (avg)
 - 18 yrs dominant culture
 - 13 yrs non-dominant culture
- **23%** LGBTQAI2+ identified
- **15%** identify as PWD/disabled
- **7%** are veterans

Quantitative Sample Firmagraphics



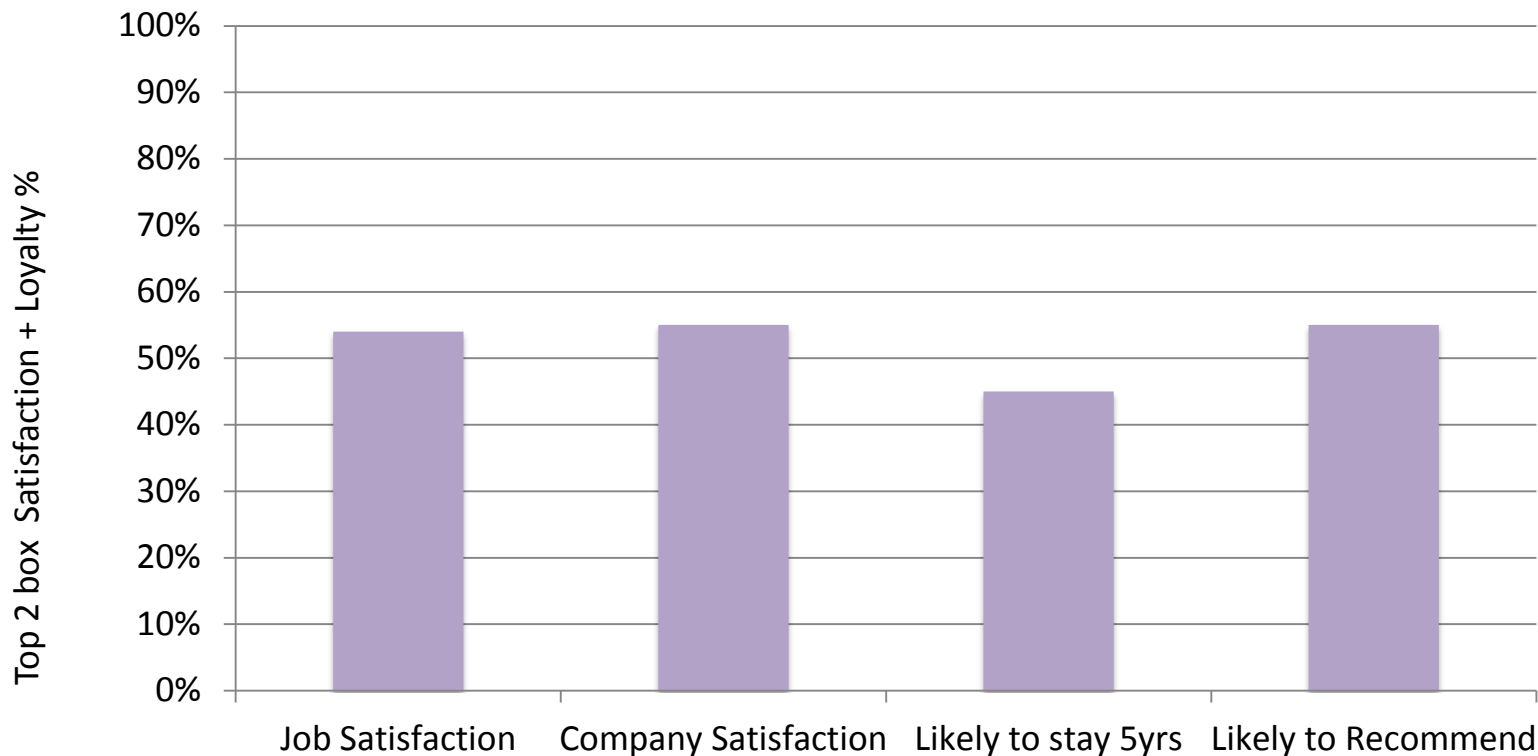
Legal "Sector" (pick best label)	Avg.	Dom Culture	Non-Dom
Academia /Education	3%	2%	3%
Solo Practice	11%	17%	7%
Private Practice	33%	29%	35%
Federal Government	4%	5%	3%
State Government	15%	13%	16%
Corp In-House Counsel	8%	9%	7%
Nonprofit/Legal Aid	8%	6%	9%
Judge/Hearings Officer	5%	5%	6%
Public Defense	3%	6%	1%
Other	11%	9%	12%

20 Different Areas Law Represented, Including:

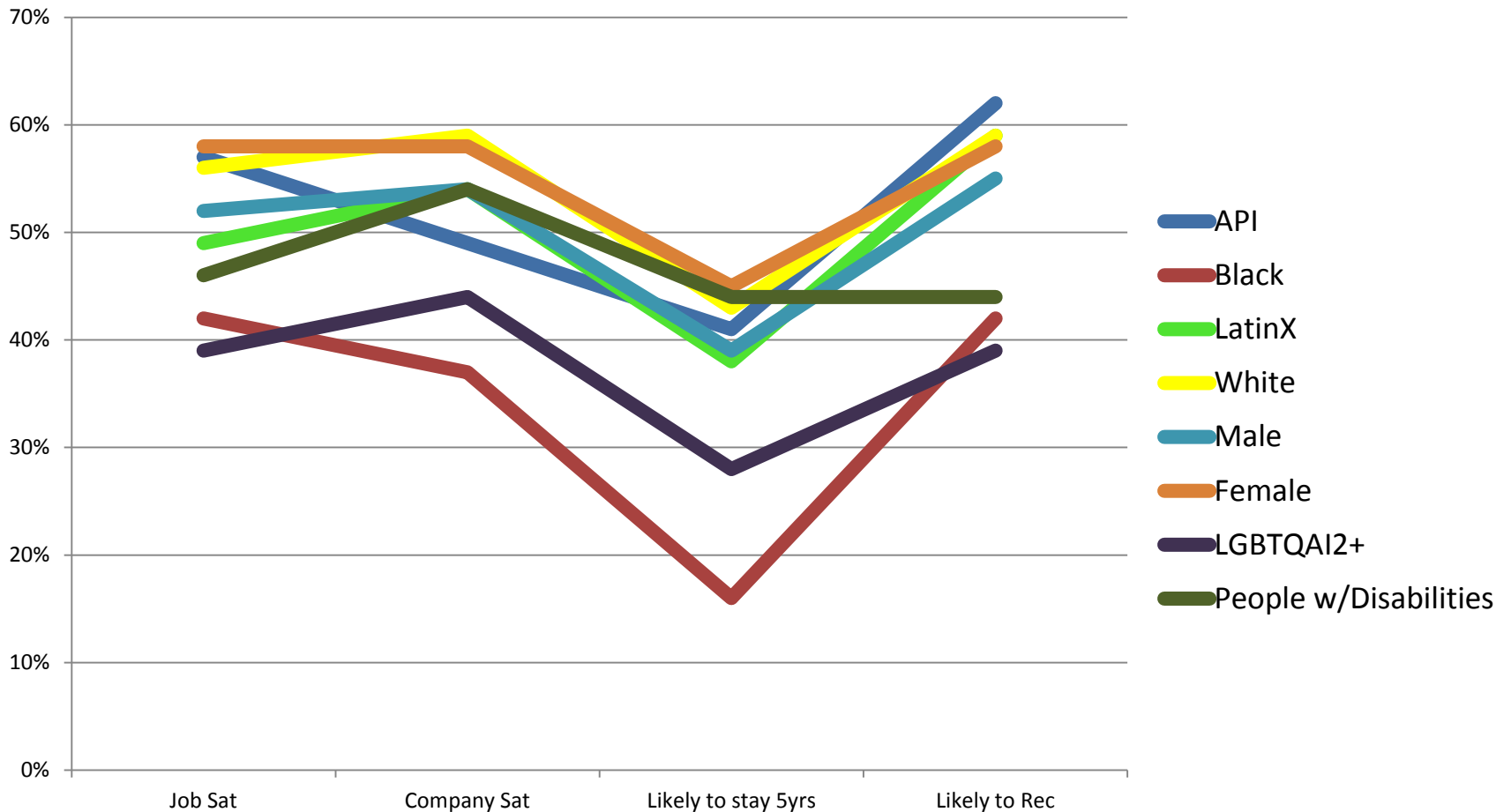
- Business/Corp Law (25%)
- Employment/Labor Law (19%)
- Civil Litigation (17%)
- Administrative Law (15%)
- Real Estate/Land Use (15%)
- Family Law (14%)
- Estate Planning (14%)
- Criminal Defense (10%)
- Personal Injury (9%)
- Intellectual Property (7%)

Standard Workplace Metrics Suggest A Challenging Climate for OSB Members

Only 26% of members scored in the top-2 box across all 4 items - suggesting that only about a quarter of OSB members feel highly satisfied, safe and established

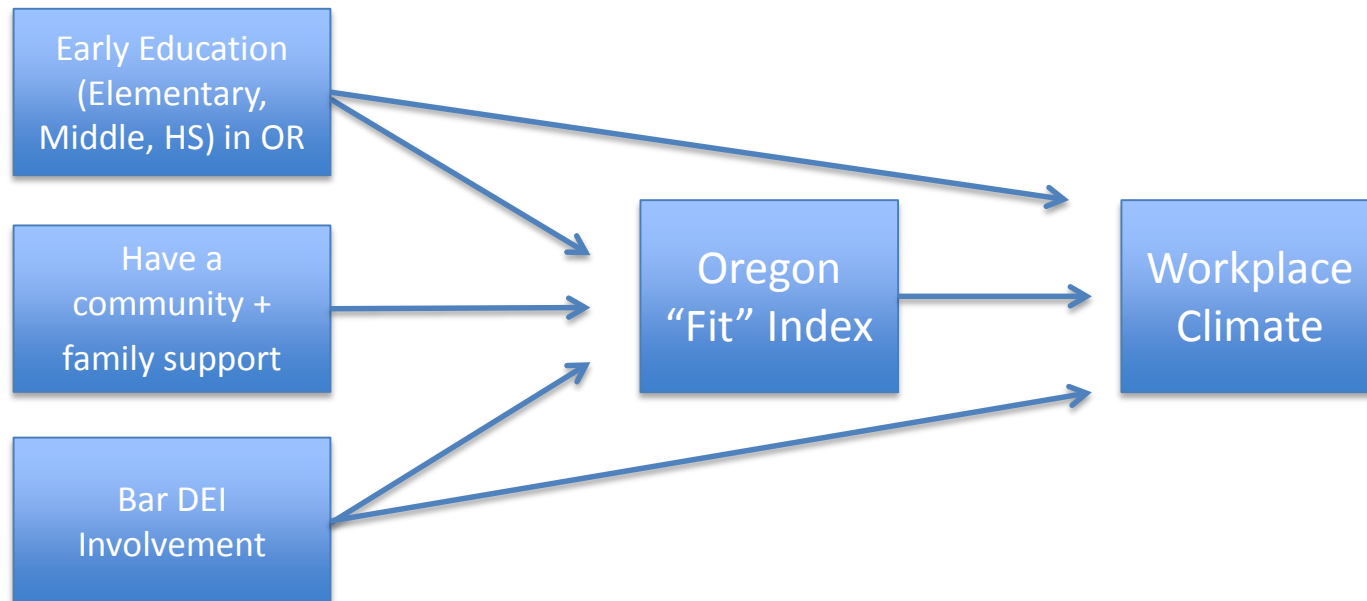


Satisfaction + Loyalty Differ by Group, Suggesting Meaningful Differences in Lived Experiences



OSB Involvement Can Help Level the Playing Field

- While many exogenous, non-work-related factors disproportionately impact non-dominant members, affecting their perceptions of their “fit” in Oregon, involvement with OSB D&I programs and affinity bars can help make up some of the differences
 - Regression analytics suggest OSB DEI involvement can provide some of the social and communal benefits that in-state history and living in supportive community provides



All pathways with a solid arrow are significant and positive

How This Research Centers Non-Dominant Experiences

“Standard” Approach

- Captures general trends, but misses the nuances and differences between groups
- Looking **ACROSS** the population provides solutions weighted towards the biggest groups. For the OSB membership, this approach would significantly overweight the dominant culture, obscuring all the differences between groups we’re observing and leaving those needs largely unmet

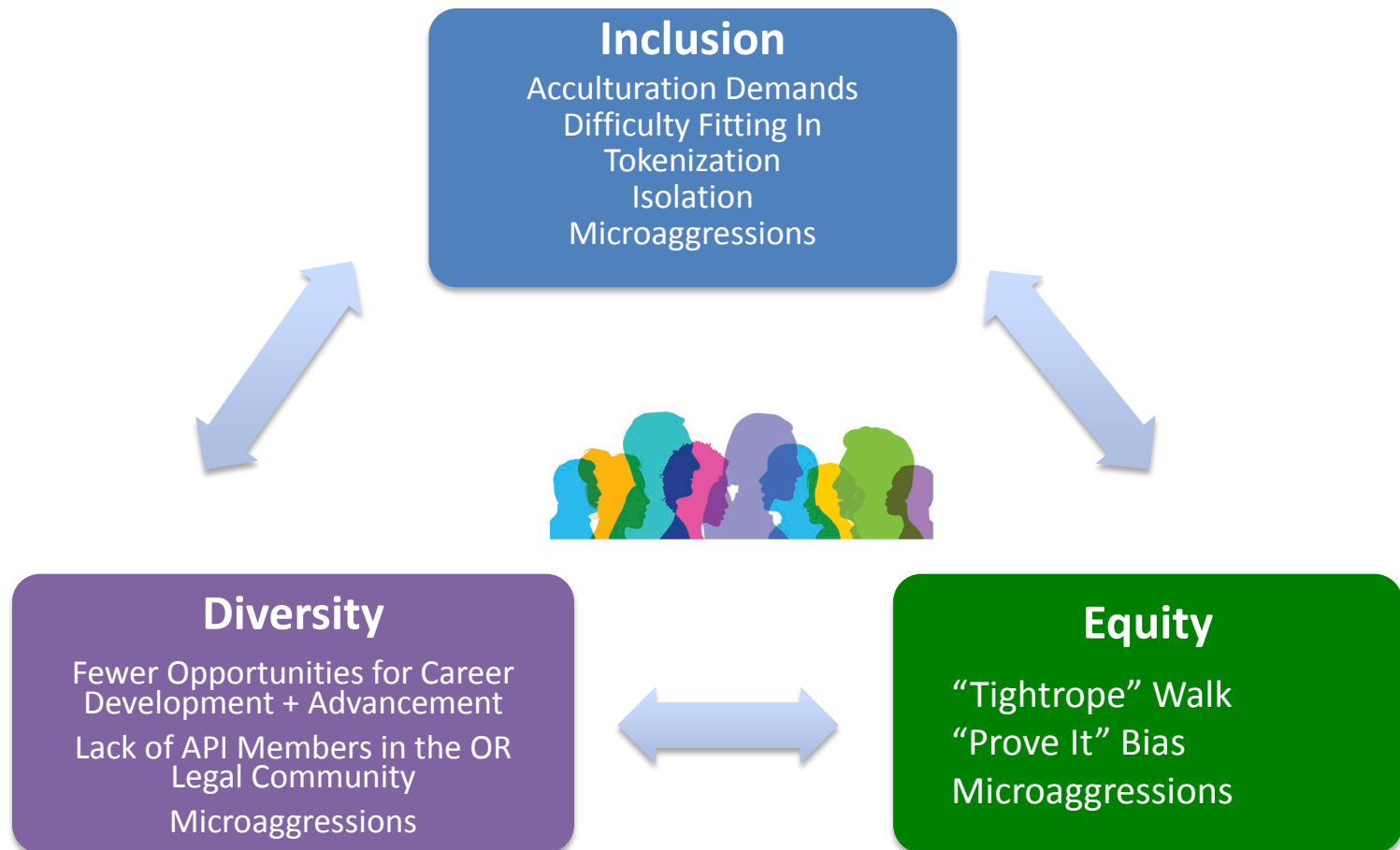
Diversity & Inclusion Approach

- Looking **WITHIN** each group (with sufficient N) will allow us to center each group’s lived workplace experiences, and show us:
 - What is important to each group in the workplace
 - Which of those factors is a strength and weakness for each group
 - Each group’s beliefs about the workplace, and the shared experiences that appear linked to identity

API OSB Members

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Inclusion Challenges Emerge Prominently in API Bar Members' Lived Experiences



Isolation Challenges Are Prominent Across Many Aspects of Worklife

- Isolation and tokenization are connected in API members' experiences
- API members feel unheard when speaking up individually, and wonder if "representing community" is a requirement of being seen
- API members with greater difficulty "blending in" feel excluded from work social events, networking, and career development opportunities

14% of us are still excluded from networking opportunities, and it's higher if you can't "blend in"

Only 29% of us had mentors who "looked like me"

Only 14% of us work with people who "are like me"



"...tokenization – I've felt that a lot. I have often been the only non-White person, basically now I've just come to expect it."

"Portland wants people to be in a group and they don't want to deal with one person...you can be the representative of your community only if you are part of an established group."

"... maybe that's why I'm not recognized, because I don't have an army behind me."

"I'd know things are getting better by changes in behavior such as actually calling me by my name; including me in personal conversations when I'm visible and within earshot; and, not pointing out my ethnic difference as a point of conversation."

API Members Struggle with High Acculturation Demands



- API members feel the demand to blend in and hide parts of themselves

“I clearly don’t pass for White, but when you’re in the room and just expected to go along with everything and be the same as everybody else, it does feel like you forget things...”

“...because I am social-justice oriented, people have said ‘she has very leftist politics but she keeps them out of her work.’”

- “Portland nice” adds to this dynamic, limiting the ways in which members can challenge any issues in their workplaces

“Those of us who are a little more strident... are perceived as problem children.”

API Members Frequently Experience “Prove It” and “Tightrope” Biases

API members are under a greater burden to prove competence, while simultaneously monitoring their own behaviors to avoid triggering the stereotypes of others

“Prove it” Bias

45% of us have to consistently provide evidence of competence and expertise - far more than others do



“Tightrope” Bias

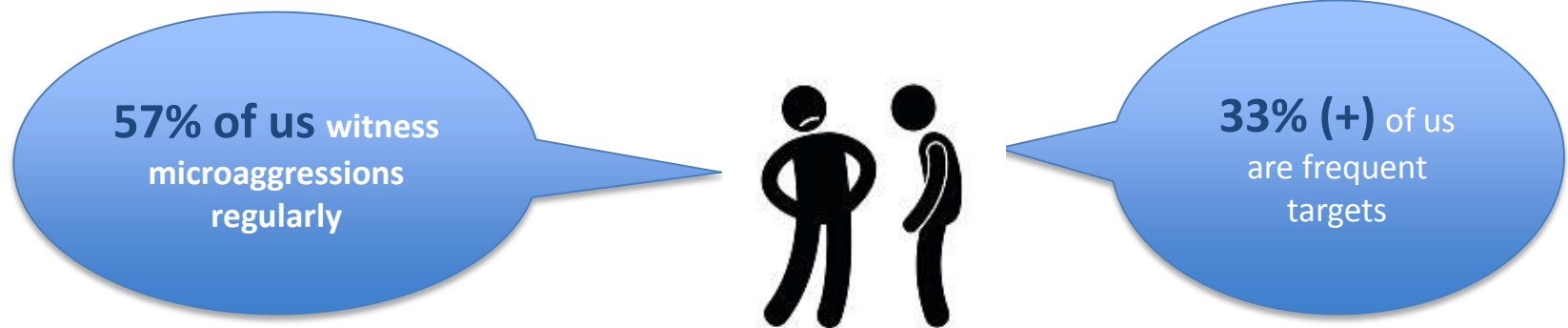
As if that’s not enough, we have to make sure we don’t activate THEIR stereotypes of us! **40%** of us report monitoring and changing our behaviors to avoid activating the prejudices of others

“Yes, they’re [friendly] but it comes out in more subtle ways... other attorneys underestimate you and try to take advantage of you... so you have to work harder to show that you are level with them, so that they can respect you when you’re dealing with them...”

Seeing a difference between their isolation and others’ ability to fit in adds to their perception of “prove it” bias

“There are a lot of mediocre White male attorneys who seem perfectly comfortable being judged on how well they get along with other attorneys and judges rather than on the effectiveness of their legal work. I sense they know that POCs have to work harder to get where they are and feel defensive.”

API Members Witness + Are Often Targets of Microaggressions... perhaps even more than reported



While fairly high already, these figures may be underreported. In focus groups some API members expressed reluctance to ascribe race-based motives to many potentially “microaggressive” behaviors

“Sure, it happens a lot. But I never know if it’s about power, or what the item/event is about. So is that a microaggression then or something else?”

“My reaction to the microaggression slide data was envy. I remember learning what people meant by microaggression and feeling upset that that had a name because I feel like ‘that’s just life. That’s just everyday.’ ... The realization process of ‘No, that’s not everyday for everyone and it has a name because it’s unusual, even if it’s happening to me all of the time’... I’m surprised by how low that number is.”

API Members' Suggestions for the OSB

- Change OSB outreach to connect with the many populations encompassed in the category of API

"PIs are a small percentage of the world population, but a significant minority group in Oregon. That fact seems unrecognized in OSB efforts to build community or conduct outreach."

- Continue and increase engagement about DEI, because the importance of this conversation is still questioned; OLIO has been particularly successful as an entry point
- Increase possibilities for networking that reach across different levels of power (e.g., judges, law firm partners) in the legal system

API Members' Suggestions for the OSB

- Encourage firms to increase hiring of POCs and create minority internships; also encourage firms to combat “prove it” bias, particularly around promotions, so it is clear that promotions are earned and not a result of tokenization
- Good mentorship has been invaluable and has felt like “luck,” but finding a “good fit” is critical and needs improvement in the OSB program so it does not feel like lip service

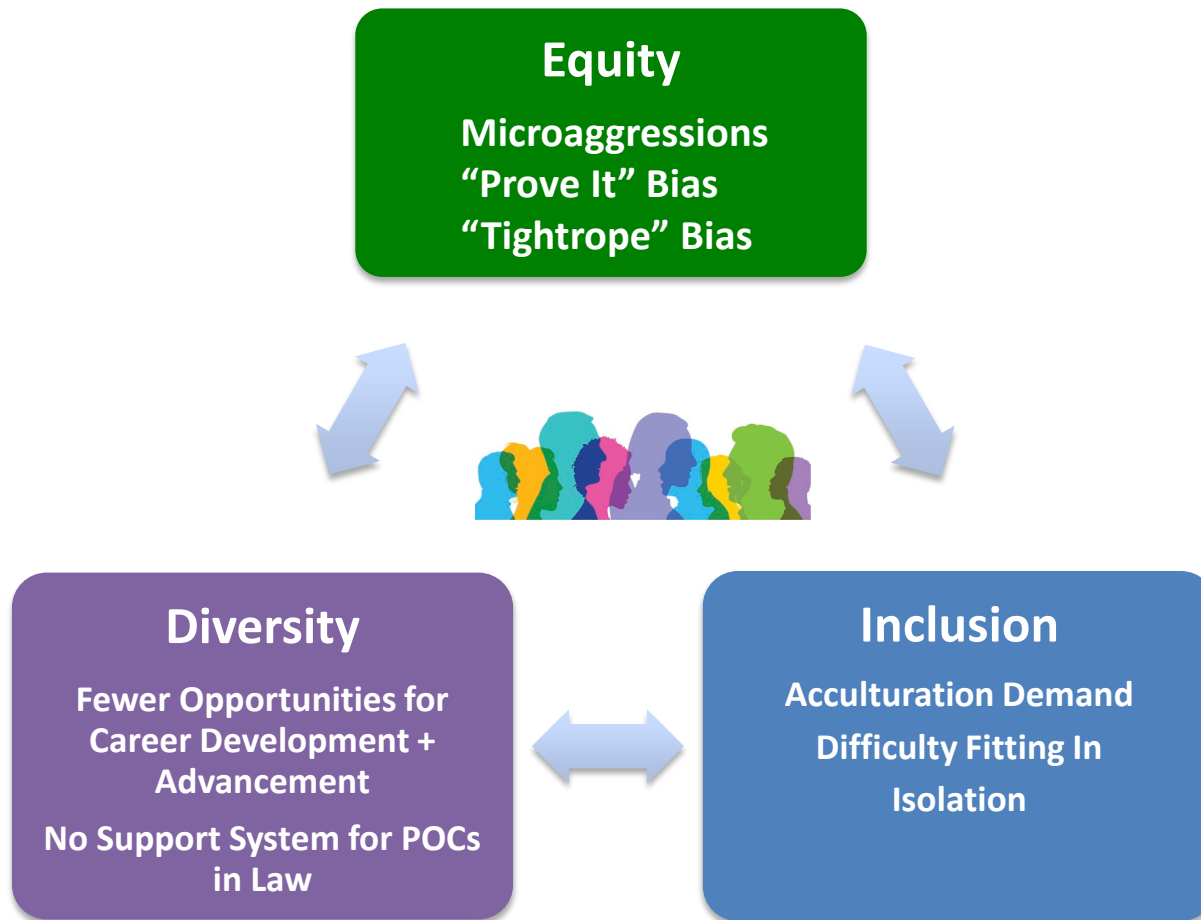
“There are some really helpful and older lawyers that I’ve run into... who have taken POCs under their wings, but want to stay behind the scenes. They don’t want to be known or noticed or seen as such.”

- More judges of color, more promotions for DEI-focused individuals, and equal access to representation for clients would be indications of culture improvement

Black OSB Members

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Frequent, ongoing equity issues in a system struggling with diversity have a powerfully negative impact on Black OSB Members



Portland's "Masked Racism" is Connected to a High Percentage of Microaggressions

- Black members describe racism in Portland as being either deliberate or a result of well-intentioned ignorance
- Portland/Oregon "nice" contributes to Black members questioning their own perceptions of microaggressions
- Black members discussed different preferences for Oregon's implicit racism versus the explicit and overt racism they experienced in other cities

84% witness microaggressions on a regular basis



63% are frequent targets

"The problem is not only that they think they're super liberal and progressive... but they don't know that they're not super liberal. They're not aware of the actions where they in fact deep within think that Black folks are inferior - that they're not as capable as others ... that's the part that it's hard to grasp and hard to get folks to see. It's not true for everyone, but there's enough of it..."

"It is marked with pleasantries... culturally here it's not appropriate to be an outright aggressive racist person. It would kind of go against the idea of a very friendly, extremely liberal, progressive place...[in other more metropolitan places] the expectation was that we would be in these spaces...[not so much] here

"That as a person of color, and particularly as an African American we spend our day ... [second-guessing ourselves about] what is perceived and what is real."

Black OSB Members Experience Widespread “Prove It” and “Tightrope” Biases

“Masked racism” manifests in frequent questioning of Black members’ positions of authority across legal settings and increases the salience of underlying prejudice

“Prove it” Bias

58% of us have to consistently provide evidence of competence and expertise to others



“Tightrope” Bias

And we have to make sure we don’t activate THEIR stereotypes of us! **47%** of us feel required to constantly monitor and change our behaviors to avoid activating the prejudices of others

“...here [in Oregon as opposed to the East Coast] there’s no expectation of seeing black people in these positions...that is, that masked pleasantries over an underlying belly of ‘Why are you here?’ I’m surprised you’re here;’ ‘I’m surprised to see you in a position that maybe garners more authority over my position.’ ‘How’d you get in the room?’ ‘Who invited you?’”

Black Members Pressured to “Go Along to Get Along”



58% of us feel we have to blend in to be successful

Only 11% of us work with people who are like us

47% of us have been told to “tone it down”

37% of us feel we need to change who we are in order to fit in

42% of us have been criticized for not trying hard enough to fit in

32% of us believe that anyone who is “different” will experience problems fitting in

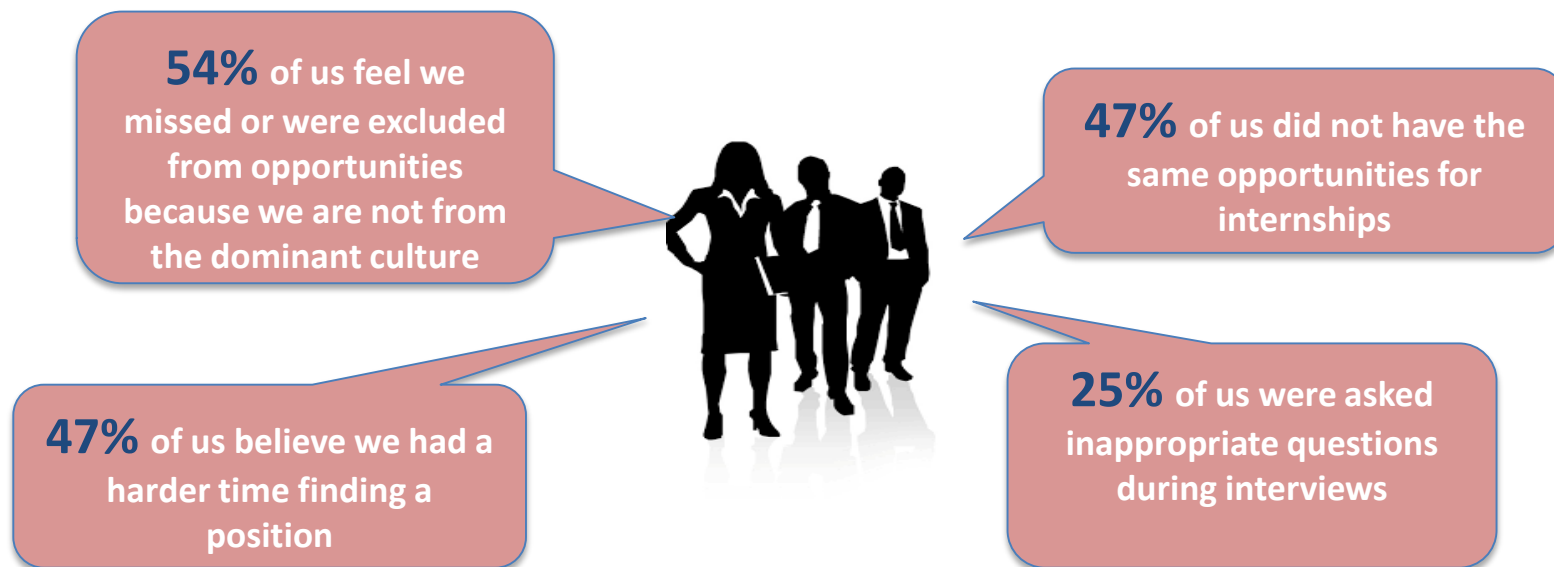
Only 37% of us find it easy to fit in with colleagues + classmates

Isolation and pressures to acculturate foster alienation and further isolation

“[They] don’t mind it if we’re maybe meeting a quota or if you are more aligned with the culture here (e.g., outdoorsy) ... it helps if you seem more aligned with ‘you can get along with us’ ... and when you aren’t it’s kinda like ‘gosh, you’re not that friendly’”

“A lot of people will stand and watch ... you come here and everybody else is trying to go along to get along. When they see something happening, everybody smiles like nothing happened...”

Lack of Inclusion + Equity Is Connected to Missed Opportunities and Potential



Importantly, this is being discussed as an ongoing, generational issue that should be actively addressed to prevent it from overwhelming the next generation of Black attorneys in Oregon.

“What I have wondered is ‘What else would’ve been out there for me? What have I missed from growing up Black here?’”

“What does the support system look like for those new attorneys of color? You just don’t have the support system... that’s more of a strain and I see that my White colleagues don’t have to deal with that at all.”

Black Members' Suggestions to the OSB

- Keep the conversation going. Don't be thwarted by growing pushback over "sensitivity training" and resentment
- Provide volunteer training for empowering members from non-dominant cultures to interrupt microaggressions; also explicitly note that the need for change lies with the system, and that the burden of change – including educating offender(s) – is not theirs alone to bear

"Can the bar teach skills to learn how to deal and process [microaggressions]... learning how to protect yourself so you can get into the practice of catching it, stopping it, fixing it and moving on? So you're not carrying it into the office, home with you ... it's part of our mental health, part of our emotional intelligence, so I'd like the bar to empower us - give tools to be like 'look this is how you can deal with it, this is how you can process it' because we're attorneys, we protect the rights of others... how can the bar teach us to be advocates for ourselves?"

Black Members' Suggestions to the OSB

- Build on the success of OLIO carefully and mindfully, as opening it to all nondominant groups has decreased the feeling of safety; microaggressions have been committed by specific individuals

“Being upfront and being direct about keeping people away from the places that we try to build as safe spaces is a tangible thing that can be done and could actually have an impact.”

- Provide a book and CLE to *“do discrimination cases – a useful tool, instead of sensitivity training -- and stop trying to make people something they’re not.”*

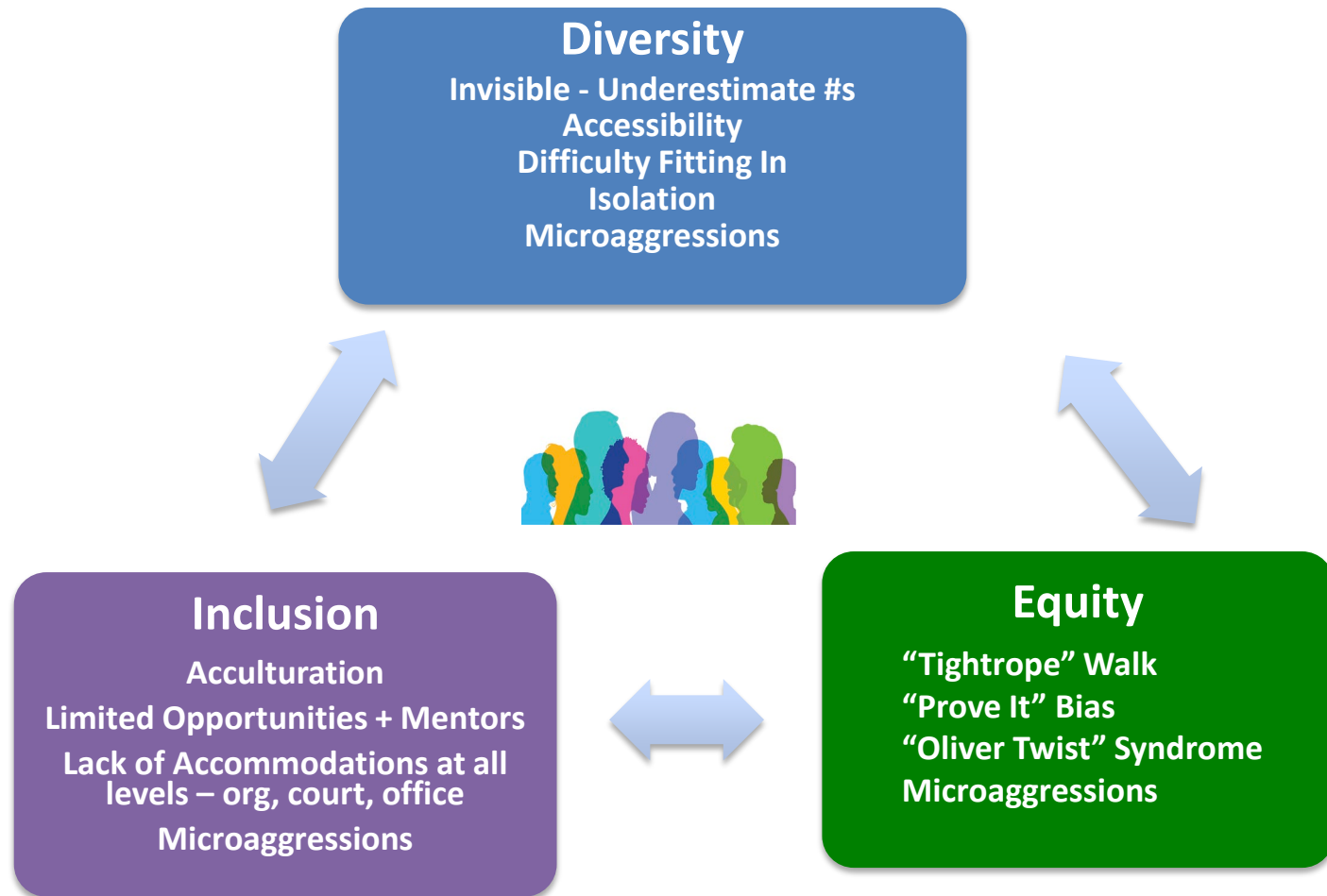
Black Members' Suggestions to the OSB

- Address “lip service” happening in Oregon firms by emphasizing the importance of putting sufficient resources behind DEI work
 - **KGR+C editorial note: This is vital. Failure to do so, at best, undermines the good intentions and efforts of those seeking change, and, at worst, builds genuine distrust and disillusionment with the system.**
- Reach out to and learn from other organizations actively working on improving DEI
- Help foster community outside of the legal system (e.g., socials, mixers, CLEs with other organizations) that are more casual and lively in tone

OSB Members with Disabilities

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Diversity Challenges Are Prominent in PWD Bar Members' Lived Experiences + Drive Inclusion + Equity Concerns



Invisible Disabilities and the Hidden-Disabled Lead to Underestimates of the Disabled OSB Member Population

Invisible Disabled

- Many disabled people, by some estimates over 70%, live with “invisible disabilities,” ones with no obvious external indicators. These include physical, sensory and mental disabilities. To those with invisible disabilities, being identified as a PWD is a choice, often compared to the decision to “come out” in the LGBTQAI2+ community -- especially for those who by nature of intersectionality identify with both groups. It is highly anxiety-provoking, socially challenging and both professionally and personally risky

“I hid who I was and what I needed for as long as I could. Eventually, I had to choose between being thought of as “lazy” or having a poor work ethic, or being seen as unable to do my job and a less qualified lawyer.”

KGR+C note: Multiple PWD-group invitees backed out of the groups because they were afraid to be known as disabled, even among other disabled lawyers

Hidden Disabled

- Disabled OSB members choose/are indirectly forced to work in smaller, more flexible and less conventional settings -- 40% work in small orgs (n=1-5) and 50% work in orgs with fewer than 10 employees, which is twice the rate of abled lawyers in small orgs

“I love working from home. I don’t have to explain why I need to lay down mid-day or why I can’t make it in to the office. I don’t need to ask permission all the time.”

“I started out in litigation. I really liked it, but I had to make a change. I couldn’t always hear the Judge or the opposing counsel. Most judges wouldn’t let me get closer, even the ones with hearing aids! When one did, the opposing counsel would ask questions, make objections or motions I couldn’t see so I didn’t know what was going on. And I was afraid to ask. I was afraid I was hurting my clients.”

“My first interview was with a great firm. I was really excited. When I got to the office, there was no ramp. And the office I was going to was up a flight of stairs. I didn’t think they were so great after that.”

PWDs Climate D&I Concern: Microaggressions

Despite the fact that most PWDs work alone or in very small orgs in environments selected to maximize flexibility and accommodations, they experience frequent microaggressions

PWDs experience both interpersonal and physical structural microaggressions that point to diversity challenges, such as architectural choices and lack of viable accessibility options, making PWDs unwelcome -- these spaces were not built with them in mind, nor retrofitted to suit them

63% witness
Microaggressions
on a regular
(monthly+) basis



43% (at least)
are frequent
targets

"It's constant. From getting the job to keeping it to everything in between."

"I used to have a couch in my office. I used it to lay down every few hours. My employees used to ask about 'nap time' and when they could use it too."

"We have to deal with the people and the places. You can't go into court without [microaggressions] at every turn. No parking. Or someone is in the one space or across it. Uncomfortable seats. Rules about when you can eat and where, and most without enough time. Just getting into the building can be trying."

"I feel really bad for my disabled clients."

PWDs Climate D&I Concern: Strong Tightrope and Prove It biases

52% of PWD bar members who work outside of solo or very small firms must continually prove their competence (“prove it” bias). Almost half, irrespective of where they work, feel forced to avoid triggering the prejudices of others (“tightrope” bias)

“Prove it” Bias

35% of us have to consistently provide evidence of competence and expertise. This climbs to **52%** for those of us working with 10+ others



“Tightrope” Bias

And we have to make sure we don’t activate THEIR stereotypes of us!

48% of us – no matter where we work - report monitoring and changing our own behaviors to avoid activating the prejudices of others

“It’s hard. I can do twice as much in less time as anyone else, and the second I need a break or have to take a rest, people think I’m lazy or irresponsible.”

“I know that some days, it’s better if I just stay home. I can’t take the questions all the time.”

“It’s exhausting pretending everything is great. But if they know what’s going on I’ll spend all my time helping them feel better about it and I won’t get anything done.”

PWD members believe widespread DEI issues make it challenging to work in most environments

55% of us feel we have to blend in to be successful

61% of us have been told to “tone it down”

37% of us have been criticized for not trying hard enough to fit in



Only **29%** find it easy to fit in with colleagues + classmates

24% of us feel we need to change who we are in order to fit in – and change isn't our choice

14% of us in small firms – **44%** in larger ones - believe that anyone who is “different” will experience problems fitting in, and only **26%** of us believe other PWDs would fit in

Isolation and pressures to fit in lead many PWDs to restructure their work lives

“We all have to make that choice. Do we work in a place that works for us [with our disabilities] with people who get it and probably have some of their own, or do we work in a big place like we imagined coming out of law school?”

“I used to go to the parties. But I couldn't function the next day. So do I skip, and be called disengaged and uninterested, or go and get called lazy? Or just leave it altogether.”

“Work with someone who looks like me? No. They met their number and they can barely handle me!”

“I got tired of asking for things all the time... can I work from home; can I take the morning off for some medical thing, can I take that day off for treatment? I felt like Oliver Twist begging for bits of gruel.”

The pressure to work in isolation – and the lack of any formal specialty bar or affinity group structure – leaves many PWDs struggling for opportunities and guidance

63% of us missed out on opportunities due to our disabilities

55% of us found it more difficult to find a position



Only 33% of us work with people who are like us, and fewer for those in larger firms

61% of us could not find a mentor like us

41% of us were asked inappropriate questions in our job or internship interview

“There’s next to nothing in place for PWDs. This gathering [the focus group] is bringing more of us together than we’re used to! We’re too small for a specialty bar. They have one for disability law, but not for disabled lawyers.”

“The next generation of law students is going to graduate, and then what... are they going to come here? There’s no disabled mentors, nobody to help them network or figure out how to fit in, nobody to show them the ropes who has dealt with anything similar. There’s fewer physical accommodations than in larger cities, less access... why come?”

“We have to make PWDs feel more welcome and valued. That starts with the Judges. If they don’t promote [DEI] then nobody else will do it.”

Disabled OSB Member Suggestions for the OSB

- Create an **accessible** PWD affinity bar ... that makes it safer and easier for PWDs to be recognized and get the accommodations they need in court, at work and throughout the system

“We should have an affinity bar of our own. We need a group to come together. This is too hard, and it’s getting harder. We have to help the ones who are coming next.”

Disabled OSB Member Suggestions for the OSB

- Increase *genuine* accessibility and disability accommodations throughout the courts at least ... and while you're at it, get PWDs to set the standards for "accessible" and "reasonable accommodations"

"I get it. A lot of it is old and hard to retrofit. But even when they can do more, they don't. It's all abled-design with a ramp slapped on it but it's up to code, which was established by people without disabilities based on what they thought we needed... and we are supposed to feel grateful."

"Those seats hurt. Sit for an hour and you can be in trouble."

"Courtroom sound is terrible. Echoes are awful. Hearing aids don't work well in there. Nobody cares unless it's the judge."

"30 minute break? The only accessible bathroom is two flights down, and I have to take two elevators to get there."

"Even when they have ramps, half of them are too steep. Or you have to maneuver in ways a powered chair won't go."

"I'd have to beg for breaks. It wasn't my choice! But I needed to be able to function."

Disabled OSB Member Suggestions for the OSB

To get necessary accommodations for PWDs and enhance the climate of Diversity, Equity + Inclusion, start with the judges

- As champions of DEI

“It all comes from there. If the judges don’t buy into it, it’s not going to get done. If they push for it - as a group and not just the individuals who are already doing it, but as a group - a lot can change for the better. Everyone will follow.”

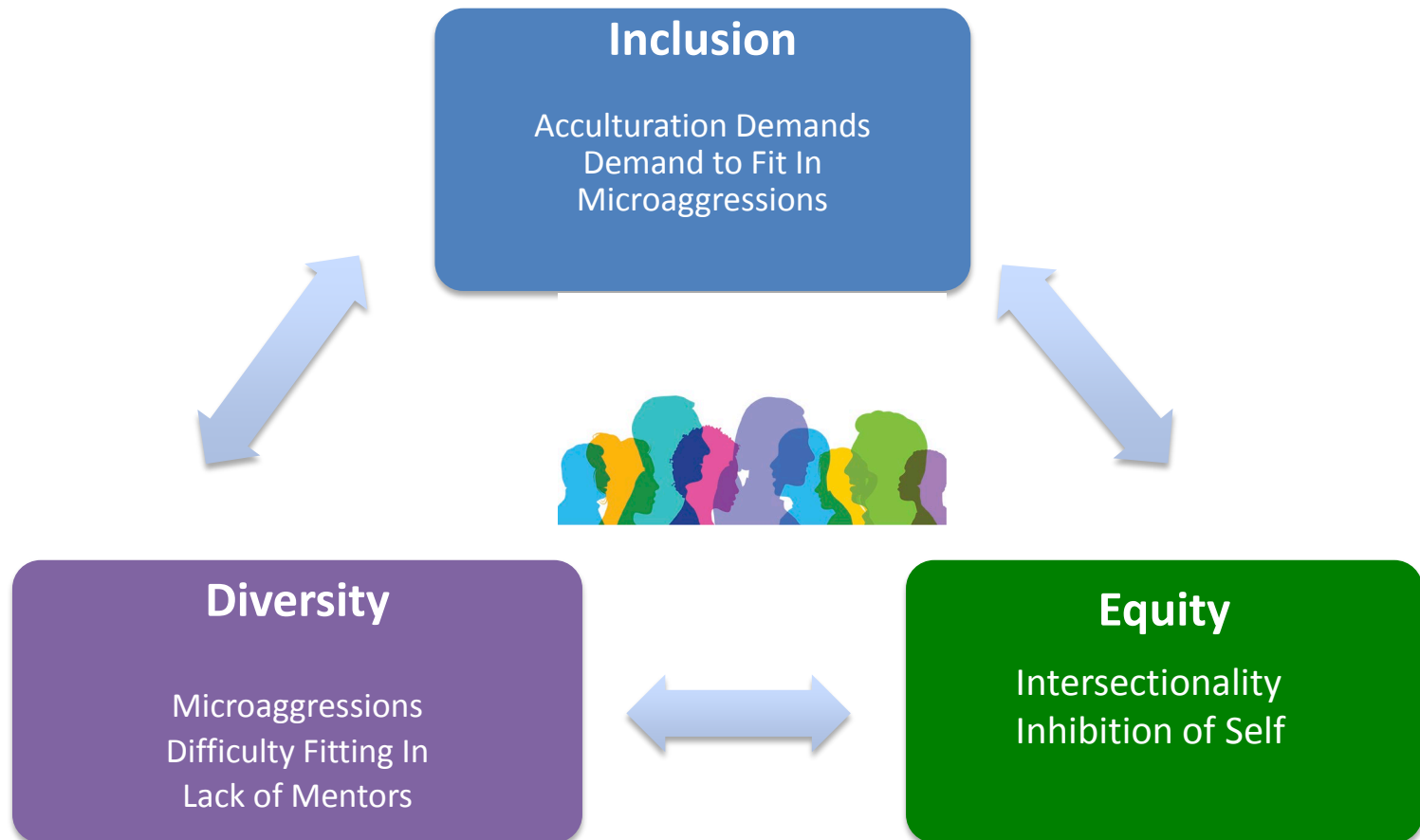
- As targets for DEI Training

“The judges really need some diversity and inclusion training. More than anyone, they need it. They’re literally judging people they need to understand better. They’re working with people from all different backgrounds. They’re mostly old cis white men. They need to be trained.”

LGBTQAI2+ OSB Members

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Inclusion Challenges are Prominent in LGBTQAI2+ Bar Members' Lived Experiences



Diversity, Salience + Intersectionality in the LGBTQAI2+ Community Contribute to Vastly Different Experiences

The Lived Experiences of LGBTQAI2+ bar members is extremely varied, depending, in part, on:

- Intersectional factors like Race/Ethnicity or Gender, Age
- "Salience/recognize-ability" as being non-normative
- Geography in state

62% witness
microaggressions on a
regular basis



22%* are
frequent targets

It appears to be much higher for some members of the LGBTQAI2+ community - for example, over **75%** of the Trans population are targets (N=6)

"I think the other people that might be marginal are also people that present...more gender fluid...it's fine to be gay, but it's not fine to be different."

Conformity Demands are Strong Inhibitors, Making the Choice to “Come Out” Difficult

64% of us believe we
have to blend in to be
successful

31% of us believe we
are criticized for not
trying hard enough
to fit in



Less than half (45%)
of us have had
“mentors like me”

38% believe that if you’re
“different” you’ll have trouble
in the workplace

- There is nothing simple or standard about making the choice to “come out,” even though the cost of *not* coming out is high

“Hiding is...exhausting. You have to build the way you communicate with people at work around the idea of concealing your identity. You end up spending your time at work focused on how you hide yourself from other people ... passing is always harder.”

“The interesting thing about being LGBTQAI2+ is that there's always, you know, people coming out and at different times of life too.”

- Pressures regarding this decision for Oregon attorneys differ across contexts

“[In court,] you're always hired to do one thing and that is to represent someone else... it's always the lawyer's job to be transparent. When we're not transparent, we sort of fail the client in that way.”

“If you're arguing to a very conservative court, I suspect if you want to have them hear you, you've got to blend in a little bit or at least be somewhere within the range of their consciousness so you're not going to be jarring to them...that's a part of the culture we live in.”

“Whereas in the office [where I'm worried that my identity may cost me promotions and affect my daily life], that's more of where I was concerned about, ‘Can I be out, can I be me...I want to talk to my colleagues. I want to be able to be me. Not a soul-less being.’”

- Knowing about other LGBTQAI2+-identified and successful attorneys, especially as mentors, could have a profound impact

“If I had had a gay mentor early on, it would have really mattered. I think I was dating my now [partner in marriage] for three years before I even knew successful gay attorneys [in my workplace] existed. It could have been sooner I think.”

LGBTQAI2+ Members' Suggestions for the OSB

- Provide additional social opportunities for LGBTQAI2+ members

“Well, you know, this whole thing of networking, I think is really key for LGBTQAI2+ people. Having the opportunity to interact with others who are facing similar problems and figuring out ways to deal with them.”

“There's always new people to bring along and there's always people in the process of coming out. I guess what I'm trying to say is providing that social opportunity for LGBTQ+ lawyers I think is really important.”

LGBTQAI2+ Members' Suggestions for the OSB

- Provide possibilities for connection that account for people possibly wanting to keep their LGBTQAI2+ identities confidential.

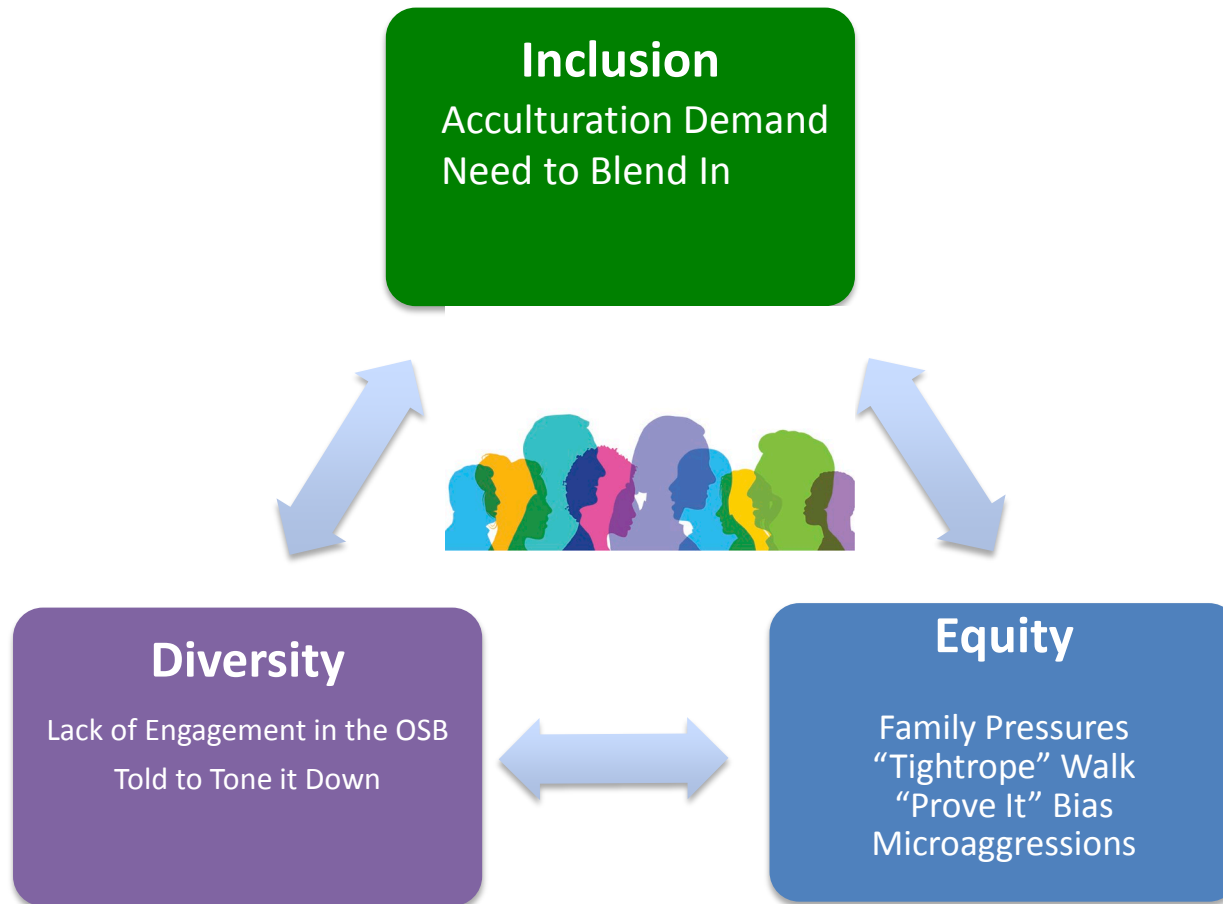
Specifically, LGBTQAI2+ attorneys suggested sharing contact information, a photograph (to speak to questions of the intersectionality and gender identity of the contact), and workplace information for several designated OGALLA members on the website, with an assurance of confidentiality for those who want it.

“If there's a non-discrete and discreet way to offer people who just aren't out yet and are concerned about it, to talk to other LGBTQAI2+ lawyers in a way that's not going to make them feel like, ‘If I do this, I'm now on the radar of other people.’ Because that was my biggest thing was like, ‘Oh God, I go do something that's gay or something, now everyone's going to know.’”

LatinX OSB Members

CENTER THE PEOPLE

Inclusion Challenges Emerge Prominently in LatinX Bar Members' Lived Experiences



LatinX Members Feel Pressure to Conform to Workplace Expectations

“Prove it” Bias

38% of us have to consistently provide evidence of competence and expertise

68% of us believe we need to blend in at our workplaces



“Tightrope” Bias

And we have to make sure we don't activate THEIR stereotypes of us!

51% of us report monitoring and changing our behaviors to avoid activating the prejudices of others

“They wouldn't expect you to be as smart is the feeling I would get, or as competent.”

“I often get the, ‘Are you a paralegal or a legal assistant?’ A lot. I get asked that a lot.”

LatinX Members Feel Strong Isolation and Acculturation Demands

Only 23% of us work with people who are like us

25% have been excluded from networking opportunities



Only 25% of us have “had mentors like me”

32% of us have been told to “tone it down”

“I always felt a little bit out of place. And even today, today I feel a little bit out of place [in my worklife] because I’m typically the only one that looks like me.”

“I did not grow up in this kind of world. And it can be frustrating, especially when I was a younger lawyer. It was hard because people would see you and they wouldn’t expect you.”

“Clearly, there’s some issues here, especially around mentorship. And if we are not developing these connections and giving people what they need in order to succeed in Oregon, the profession as a whole, we’re going to lose these people. And that’s not going to be good for anyone.”

LatinX Members Witness + Are Often Targets of Microaggressions



- While some LatinX members shared stories of microaggressions, members also discussed reluctance to attribute behaviors to race-based motives

"I struggle with the idea of microaggressions. I'm not a fan of the idea. I understand the explicit racism and some of the difficulty that I find with it, and I find it in my own moments of discomfort, is when I know that I can't accurately evaluate when it's microaggression and when it's just people doing what people do."

LatinX OSB Member Engagement is a Challenge

Only 17% of us are active volunteers with the OSB



- Focus group attendance was small and homogenized across family-of-origin socioeconomic status, but diverse across gender and practice area. LatinX attorneys believed the small size [of focus group attendance] was reflective of LatinX bar member lack of engagement overall

“It is incredibly difficult to get people to participate meaningfully in what we do.”

- LatinX attorneys attributed a general lack of engagement in the OR LatinX community to immigration status and generational experiences of class and education in the U.S.

“I think the Latino community is really recent immigrants. We come from countries with an inherent distrust of institutions. So the idea of organizing your group and putting together an entity just isn’t bred into our bones.”

“If you don't see your parents participate in that sort of stuff, you don’t get it.”

“I'm hoping that, as our children and our progeny start to move away from [being recent immigrants] and become educated and more aware of the situation, I'm hoping that we'll become better organized and more supportive. “

Family is Prominent in LatinX Member Experiences

- Family was a motivator for LatinX members to succeed, despite challenges

“To me it's, you know what, honestly it's fear of disappointing my family. They invested a lot in me. A lot. They sacrificed a lot...it was tough for them and so I am not going to disappoint them. And I also have a lot of personal drive and I'm not going to disappoint myself. And frankly I'm not going to let these things, microaggression or color, define who I am or tell me what I can and cannot do.”

- Yet, the very structures and systems of law feel alienating from families

“As you acquire education and power, you become further and further removed from intimate family spaces like the Latino family space.”

“I think the LatinX culture has really strong family values and connections to intimately familiar oral and friendship relationships...And I think there's aspects of legal culture that are really caustic to those. One of the things that I missed is being close to my family. In some of these legal cultures, it's just like you are going to work 70-80 hours a week for 5-7 years and that's just the way it is.”

LatinX Members' Suggestions for the OSB

- Continue with the OSB's current efforts; OLIO is a highlight in the OSB's EDI efforts, remembered as a reason members stayed in Oregon and a means for making close connections

"I would say that, in positive reflection on the experience in Oregon, when I came here as a student and going to the Oregon Hispanic Bar Association and stuff, I was really impressed because having come from a place with a far larger Latino community, the types of organizations there in terms of building networks of Latinos was nowhere near as strong."

- Sponsoring more casual, relaxed events would help foster genuine connections in the LatinX community

"The Latino legal community needs to get really close and connected."

LatinX Members' Suggestions for the OSB

- Make a connection between the OSB and the OHBA -- Providing such opportunities for personal connection is particularly helpful for letting mentorships and other connections happen organically
- Simply increasing the number of available jobs is critical to keeping attorneys in Oregon
- Job retention is also critical; targeted support, such as a mentorship, for individuals that are considering leaving the profession would likely be impactful

“There has to be more energy...on communities of color...start with jobs, and secondarily engage with proactive mentors. Identify the people that don’t wait for the new attorney of color to email them.”

- Mentorships that are within mentees’ current workplaces would help build meaningful relationships, increasing their impact and chances of success.

Summary
Common Themes
Quantitative “next steps”

WRAP-UP

Summary

- OSB members of all groups wrestle with a challenging work climate... but non-dominant groups struggle disproportionately with workplace satisfaction and loyalty
- Group-focused analyses suggest that:
 - Each non-dominant group faces a shared set of DEI challenges, although often to different degrees
 - The meaning and implications of those challenges, even if quite similar in magnitude, are different for each group -- requiring accommodations that are rooted in the needs, goals and lived experiences of each
- Regression analytics suggest that OSB DEI efforts and engagement are helpful, increasing the sense of “fit” in Oregon as a whole, and improving workplace climate both directly and through an increased sense of belonging

Common Themes + Interests Arose Across Focus Groups

- Members voiced the importance of **disaggregating groups** because clustering into groups like “API” or “LatinX” ignores tremendous variability, and results in treatment of disparate cultures as similar
- Generally, more seasoned members differed from newer members in their **approach to DEI change** -- while seasoned members were either disillusioned or focused on how members from both dominant and non-dominant cultures need to “meet in the middle,” newer members emphasized the importance of those from the dominant culture learning and changing
- Interest in **comparing findings** to other states + national data (though such comparable data do not exist)
- Interest in seeing data broken out **intersectionally** (e.g., Black women)

Potential Lenses/Next Steps for Additional Quantitative Analysis

Suggestions for next steps, depending on OSB and stakeholder priorities, some of which may be possible with the existing data sets and some of which would require additional data collection.

1. Further exploration of the role and effectiveness of OSB programs, looking at:
 - Level or degree of member engagement
 - Effectiveness of specific programs, e.g., OLIO and scholarships
 - Analysis of unmet needs to determine which groups are being best served
2. Additional reporting on existing data sets:
 - Women
 - Men
 - Gender Identities
 - All people from dominant cultures; all people from non-dominant cultures
 - Multi-ethnic
 - Women from non-dominant cultures
 - Belief systems
 - Impact of intersectionality on “fit index” (for groups with sufficient numbers)

Potential Lenses/Next Steps for Additional Quantitative Analysis

3. Additional employment analytics:
 - Organization size, sector, location, areas of law practiced
 - Organization size, sector, location, areas of law practiced
 - Position type/Seniority, years in practice, years in Oregon
4. Additional research to address groups whose response rates were too low for significance testing:
 - American Indian/Alaska Native
 - Veterans
 - Intersectionality among multiple groups