

Diversity News - December 2010

WSBA's Commitment to Diversity:

"To advance and promote diversity, equality, and cultural understanding throughout the legal community..."

Here's **what's happening** in the world of diversity (from the WSBA perspective). If you have any questions, please feel free to email me at chachdw@wsba.org.

New Stuff

December 10-11 Board of Governors Meeting in La Conner, WA. To view the complete BOG book, please go to <http://www.wsba.org/info/bog/december2010bogbook.htm>. In order to try and highlight the areas that directly pertain to diversity, here is my cheat sheet:

- P. 10 – Agenda
- p. 30 – Executive Director's Report
 - p. 32 - Demographics and Licensing Counts
 - p. 34 – Executive Director Correspondence – Letter from Chief Barbara Madsen re: bias in the justice system
- p. 68 – Proposed Amendments to GR12 re: WSBA Release of Information to the Public
- L-18 (Late Materials) – Proposed Amendments to GR12
- p. 78 - Washington State Bar Foundation Annual Report
 - no materials – Update re: WSBF License Form Proposed Opt-out contribution
 - p. 86 - Proposed Amendment to Bylaws re: Increasing number of Trustees
- L-64 – Update on Racial Bias in the Justice System Roundtable
- p. 231 – Report from WSBA Leadership Institute

The next BOG meeting is **January 27-28** in Olympia, WA. The BOG book deadline for materials is **January 12, 2010**.

Congratulations to Alexando Kirigan! The 2010 JD Candidate from Indiana University Mauer School of Law has accepted the 2011 Goldmark Equal Justice Internship award at Seattle Community Law Center's Disabled Homeless Advocacy Project.

Several of Washington's Minority Bar Associations have changed or are about to change leadership, see <http://www.wsba.org/minority+bar+associations.htm>. We offer our Congratulations to our new and soon-to-be Presidents:

Thuy Bich Nguyen Leeper and Judge Kenneth Kato, ABAW
Eric de los Santos, FLOW
Fé Lopez, LBAW
Aravind Swaminathan, SABAW
Ty Ho, VABAW

As well as a sincere **THANK YOU** to the outgoing Presidents, for their dedication and commitment to minority attorneys in Washington state:

Michele Wong, ABAW
Abigail Daquiz, FLOW
Patricia Lally, LBAW
Rajiv Sarathy, SABAW
Huyen-Lam Nguyen-Bull. VABAW

Ensuring the promise of "Equal Justice Under Law," by *George Critchlow*. Mark Niles and Kellye Y. Testy. Washington State's three law schools are collaborating through a new "race and the Criminal Justice System Task Force" that incorporates members of the justice system and the community. The deans of the three schools discuss the challenges and importance of ensuring equal justice under the law.
http://seattletimes.nwsources.com/html/opinion/2013611965_guest07critchlow.html

Dems Roll Out DREAM Act No. 5, by *Scott Wong*. Senate Democrats have introduced their fifth version of the DREAM Act this year in a bid to tackle concerns from critics and win support from a handful of moderate lawmakers from both parties.
<http://www.politico.com/news/stories/1210/45844.html#ixzz16zgQFzyK>

Military Can Manage 'Don't Ask' Repeal, by *Karen Parrish*. The military can deal effectively with allowing openly gay servicemembers in its ranks, leaders of a working group that studied the issue for the Defense Department told the Senate Armed Services Committee today. <http://www.defense.gov/news/newsarticle.aspx?id=61926>

Minus Kagan, Supreme Court Lets DADT Policy Remain in Place, posted by *Tony Mauro*. In a brief order on Friday, the Supreme Court denied a motion that was aimed at allowing a worldwide ban on enforcement of the Don't Ask, Don't Tell policy on gays in the military to take effect. <http://legaltimes.typepad.com/blt/2010/11/minus-kagan-supreme-court-lets-dadt-policy-remain-in-place.html>

On September 23, 2010, the WSBA Board of Governors adopted a resolution opposing legislation imposing upon individuals a duty to prove immigration status.

<http://www.wsba.org/info/bog/resolution+re+county+law+library+funding.htm>

Ensuring the promise of "Equal Justice Under Law," by *George Critchlow, Mark Niles and Kellye Y. Testy*. Washington state's three law schools are collaborating through a new "Race and the Criminal Justice System Task Force" that incorporates members of the justice system and the community. The deans of the three schools discuss the challenges and importance of ensuring equal justice under the law.

http://seattletimes.nwsourc.com/html/opinion/2013611965_guest07critchlow.html

Together with the Minority Bar Associations and Washington law schools, the WSBA has compiled information on all legal mentorship programs offered within Washington State. Attorneys and students, especially those of color, who could benefit from having a professional mentor or mentee, are encouraged to utilize the table summarizing available programs. To access the table, please see the attached document in this email.

Legal Info of Interest

In Memoriam: *The University of Washington School of Law sadly announces the death of Paul Steven Miller, the esteemed Henry M. Jackson Professor of Law and an international expert in disability and employment who served two U.S. presidents, Barack Obama and Bill Clinton.*

http://www.law.washington.edu/News/Articles/Default.aspx?YR=2010&ID=Paul_Miller_Obit

Are Young Women Turning Their Backs on Law School?, by *Ann Farmer*. Despite a surge in law school applicants during this recession, the number of women applying to law school continues to lag behind men.

http://www.abanet.org/women/perspectives/enews/spring10/enews_spring10_lawschoolapps.html

Arguments on Preemption and Religion Offer Red Meat to the Justices, by *Marcia Coyle*. The Supreme Court, in separate arguments on Wednesday, waded into two difficult parts of the Constitution that traditionally have divided the justices: religion and preemption.

<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202474369838&src=EMC-Email&et=editorial&bu=National%20Law%20Journal&pt=NLJ.com-%20Daily%20Headlines&cn=20101104NLJ&kw=Arguments%20on%20preemption%20and%20religion%20offer%20red%20meat%20to%20the%20justices>

Covington and Its 'Staff Attorney Ghetto'?, by *David Lat*. Sorry we're late to the party on this HuffPo post, bearing the provocative title "Law Firm Segregation Reminiscent of Jim Crow." <http://abovethelaw.com/2008/03/covington-and-its-staff-attorney-ghetto/>

Deaf Lawyer to Head FCC's Disability Rights Office, posted by Jenna Greene. Gregory Hilbok has been named the new head of the Federal Communications Commission's Disability Rights Office - the first time a person with a disability has headed the office.
<http://legaltimes.typepad.com/blt/2010/11/deaf-lawyer-to-head-fccs-disability-rights-office.html>

Decline in Law Firm Diversity Blamed on a Few 'Bad Actors', by Karen Sloan. The ranks of women and minority attorneys at U.S. law firms declined last year, according to a number of recent surveys, but the numbers don't tell the full story.
<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202474600719&src=EMC-Email&et=editorial&bu=National%20Law%20Journal&pt=NLJ.com-%20Daily%20Headlines&cn=20101109NLJ&kw=Decline%20in%20law%20firm%20diversity%20blamed%20on%20a%20few%20'bad%20actors>

Discrimination is the Well-Documented Cause of Racial Disparity in Prison, by Nicole Gaines. Two Washington Supreme Court justices suggested recently that more African Americans are in prison because they commit more crimes. Guest columnist Nicole A. Gaines lays out the documented evidence that racial discrimination accounts for the disparity.
http://seattletimes.nwsourc.com/html/opinion/2013296639_guest30gaines.html

Dissecting and healing biases in Washington's courts, by Chief Justice Barbara Madsen. Washington state Supreme Court Chief Justice Barbara Madsen talks about what is — and isn't — true about bias in the state courts. She also lays out the work the courts have done to remedy ethnic and gender biases and to break down barriers to justice.
http://seattletimes.nwsourc.com/html/opinion/2013358328_guest07madsen.html

Diversity Issues to Consider Before you Accept Your Offer, by Elie Mystal. There are two ways to make diversity mean something to Biglaw partners.
[http://abovethelaw.com/2010/11/diversity-issues-to-consider-before-you-accept-your-offer/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed:+abovethelaw+\(Above+the+Law\)](http://abovethelaw.com/2010/11/diversity-issues-to-consider-before-you-accept-your-offer/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed:+abovethelaw+(Above+the+Law))

Duquesne Hit with Third Bias Claim in 2010, by Karen Sloan. The discrimination lawsuits filed by faculty at Duquesne University School of Law are piling up.
<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202474772848&src=EMC-Email&et=editorial&bu=National%20Law%20Journal&pt=NLJ.com-%20Daily%20Headlines&cn=20101112NLJ&kw=Duquesne%20hit%20with%20third%20bias%20claim%20in%202010>

Have Law Firm Structural Changes Created a 'Pink Ghetto'? Study Raises the Question, by Debra Cassens Weiss. A new survey suggests that women lawyers have not benefited from structural changes in the nation's largest law firms that created "nuanced stratifications" of lawyers.
http://www.abajournal.com/weekly/article/have-law-firm-structural-changes-created-a-pink-ghetto-study-raises-the-question?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email

HNBA Praises California Supreme Court for Upholding Fee Waiver for All Students, posted by HNBA. The Hispanic National Bar Association (HNBA) commends the California Supreme Court for upholding state law, which provides a waiver for out-of-state tuition fees at public California colleges and universities for students who have completed three years at a California high school and graduated with a high school diploma, regardless of immigration status. <http://www.hnba.com/hnba-praises-california-supreme-court-for-upholding-fee-waiver-for-all-students/>

Immigrants Could Be Whacked by New Muni Court Policy, by Nina Shapiro. Yakima Municipal Court has adopted a new sentencing policy for petty criminals that will likely result in many more immigrants being deported. <http://www.seattleweekly.com/2010-11-03/news/immigrants-could-be-whacked-by-new-muni-court-policy/>

Korematsu Center Joins Amicus Brief in Support of Marriage Equality, posted by Robert S. Chang. The School of Law's Fred T. Korematsu Center for Law and Equality joined twelve other organizations, including the Asian American Justice Center and the Mexican American Legal Defense and Education Fund, on an amicus brief before the 9th Circuit United States Court of Appeals in support of marriage equality. <http://www.law.seattleu.edu/x8729.xml>

Korematsu Center Launches Two Book Projects; Eighteen Prominent Scholars Join as Non-resident Korematsu Faculty Fellows, posted by Robert S. Chang. Seattle University School of Law's Fred T. Korematsu Center for Law and Equality announced two multi-year book projects: the "After Race" Project and the Intergroup Conflict and Cooperation Project. [http://www.law.seattleu.edu/Documents/korematsu/bookprojectpressrelease%20\(2\).pdf](http://www.law.seattleu.edu/Documents/korematsu/bookprojectpressrelease%20(2).pdf)

Number of Women Lawyers Hit Five-year Low at NLJ 250 Firms, by Leigh Jones. The percentage of women partners and associates working at NLJ 250 law firms this year fell to its lowest point since 2006. <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202474835550&src=EMC-Email&et=editorial&bu=National%20Law%20Journal&pt=NLJ.com%20Legal%20Times%20Afternoon%20Update&cn=20101112ft&kw=Number%20of%20Women%20Lawyers%20Hit%20Five-Year%20Low%20at%20NLJ%20250%20Firms>

Preparing to Step Down, Laurence Tribe Announces Major Access to Justice Initiatives, posted by Jeff Jeffrey. Laurence Tribe, who is leading the Obama administration's effort to enhance access to justice for poor and middle-class Americans, announced several initiatives this morning that are designed to increase the number of individuals who have access to a lawyer when facing complex legal problems. <http://legaltimes.typepad.com/blt/2010/11/preparing-to-step-down-laurence-tribe-announces-major-access-to-justice-initiatives.html>

Prop 8 Judge to Teach at UC-Berkeley, by Karen Sloan. U.S. District Judge Vaughn Walker, noted for striking down California's voter-approved ban on same-sex marriage, will teach at the University of California, Berkeley School of Law following his retirement

at year's end.

<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202474785056&src=EMC-Email&et=editorial&bu=National%20Law%20Journal&pt=NLJ.com-%20Daily%20Headlines&cn=20101112NLJ&kw=Prop%20%20judge%20to%20teach%20at%20UC-Berkeley>

Recession Blamed for 'Historic' Decline in Law Firm Diversity, by Karen Sloan. There's no getting around it: Law firm diversity took a hit during the past year after a long period of steady, if small, gains.

<http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202474435391&src=EMC-Email&et=editorial&bu=National%20Law%20Journal&pt=NLJ.com-%20Daily%20Headlines&cn=20101105NLJ&kw=Recession%20blamed%20for%20'historic'%20decline%20in%20law%20firm%20diversity>

Should Law Firms be Ordered to Diversify?, by Vivia Chen. Minorities haven't had much success pressing for it; neither have bar associations or clients.

<http://thecareerist.typepad.com/thecareerist/2010/11/diversity-news.html>

Some Question Racial Comments by 2 Wash. Justices, Associated Press. Two Washington Supreme Court justices stunned some participants at recent meeting when they made comments suggesting that racial bias plays no significant role in the criminal justice system, The Seattle Times reported Friday.

http://seattletimes.nwsourc.com/html/localnews/2013234254_apwajusticesracialcomments1stdwritethru.html

Task Force on Race and the Criminal Justice System, Seattle University School of Law, Korematsu Center. The first meeting of the Task Force on Race and the Criminal Justice System took place on November 4, 2010, at Seattle University School of Law. The meeting was convened by the Honorable Steven C. Gonzalez, Chair of the Washington State Access to Justice Board and King County Superior Court judge, and by Robert S. Chang, Professor of Law and Director of the Fred T. Korematsu Center for Law and Equality at Seattle University School of Law.

http://www.law.seattleu.edu/Centers_and_Institutes/Korematsu_Center/Race_and_Criminal_Justice.xml

Wiggins Finally Prevails in State Supreme Court Race, Unseating Sanders, by Steve Miletich. Bainbridge Island attorney Charlie Wiggins has been elected to the state Supreme Court, unseating incumbent Richard Sanders after a tight race in which Sanders effectively conceded on Friday.

http://seattletimes.nwsourc.com/html/localnews/2013420236_supremecourt13m.html

Diversity Opportunities

Note: For job opportunities, please see <http://www.wsba.org/jobs/default.htm>.

Seattle University School of Law's 2011 Post-Graduate Social Justice Fellowships

Justice in Action Fellowship and the Leadership for Justice Fellowship. Each fellowship will support the legal work of a law graduate at a qualified host organization on an approved social justice project. The fellow will work with the Access to Justice Institute to develop, offer and oversee student opportunities. Fellowship applicants must be a Seattle University School of Law student eligible to graduate in December 2010 or May 2011.

If an organization is interested in hosting a Fellow, please contact Access to Justice Institute <<mailto:tanj@seattleu.edu>> which will post notice of the opportunity. If you have any questions, please contact Diana Singleton, Director, Access to Justice Institute at singletond@seattleu.edu or 206-398-4168.

Opportunity for Service: Washington State Access to Justice Board

Two positions are opening up on the Access to Justice Board (ATJ Board)—the terms start in May 2011. If you have a demonstrated commitment to equal justice principles, please join us. One of the positions may be filled by either an attorney or non-attorney, and the other must be filled by an attorney. Appointments are made by the Washington State Supreme Court upon nomination of the Washington State Bar Association Board of Governors.

Application deadline is December 17, 2010. Please send a letter of interest and résumé to: Allison Durazzi, staff liaison to the ATJ Board Nominating Committee by email (preferred) allisond@wsba.org or by post: Washington State Bar Association, 1325 Fourth Ave., Ste. 600, Seattle WA 98101-2539

SYLAW Part-Time Executive Director

Street Youth Legal Advocates of Washington (SYLAW) seeks an Executive Director who is committed to advancing the legal rights of homeless youth and who has a strong background in fund development, as well as program development and implementation.

Please submit materials as soon as possible—first priority to résumés submitted before January 10, 2010. SYLAW will review applications on a rolling basis and may interview candidates in December.

Submit materials to Erin Shea McCann: erinmccann@syLaw.org

For more information visit www.sylaw.org

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Upcoming Events

Please see the Diversity Calendar for upcoming events at <http://www.wsba.org/wsbadiversity.htm> and send any events that you would like posted to Jennifer Carter at jenniferc@wsba.org.

1. **December 14, 2010.** MAMAS Monthly Brown Bag Lunch. Holiday Dessert Social with Guest Speaker Sarah Jackson. Noon to 1 p.m. at K&L Gates. RSVP through Big Tent if member or by email to joanne.hepburn@klgates.com.
2. **January 14, 2010.** King County Bar Association's annual Rev. Dr. Martin Luther King, Jr. luncheon. Noon to 1:15 p.m. at the Sheraton Seattle Hotel. For more information, visit www.kcba.org.
3. **January 27-28, 2010.** BOG Meeting, Olympia, WA.
4. **January 28, 2010.** Latina/o Bar Association of Washington 19th Annual Awards Gala. From 5:30 to 8:30 p.m. at the Seattle Waterfront Marriott. See www.lbaw.org/Default.aspx?pagelid=665666 for more information.

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Thank you!