

Diversity News

A Newsletter of the Washington State Bar Association



The Washington State Bar Association's Commitment to Diversity: "To advance and promote diversity, equality, and cultural understanding throughout the legal community . . ."

June 2011

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

New WSBA Website

The Washington State Bar Association recently launched its new website! Please visit www.wsba.org today. To see the new Diversity webpages, see www.wsba.org/About-WSBA/Diversity.

Congratulations to Seattle attorney Michele Radosevich, who was elected by the Board of Governors as the 2011–2012 president-elect on June 3. She will take office as WSBA president in September 2012. <http://bit.ly/jbqc9e>

Congratulations to our new Governors-elect, who will be sworn in at the WSBA Annual Meeting & Awards Banquet on September 22, 2011:

- **Brian Kelly** – 3rd District
- **Vernon Harkins** – 6th District
- **Dan Ford** – 7th East District
- **Bill Viall** – 8th District
- **James Armstrong** – At-large

Racial Disproportionality in Washington's Child Welfare System?

In 2009, the legislature directed the Washington State Institute for Public Policy to study the effects of the implementation of Family Team Decision Making (FTDM) on racial disproportionality. The Institute's report presents findings on the effects of implementing FTDM in Washington on the likelihood that children are removed from home and, if placed in foster care, the time to permanent placement.

Minority Bar Association Newsletters

For additional diversity news, check out some recent Minority Bar Association newsletters. For more information on the Minority Bar Associations of Washington, visit www.wsba.org/Legal-Community/Minority-Bar-Associations. We would also like to apologize to Washington Women Lawyers for unintentionally omitting their publication from our previous notice highlighting MBA newsletters.

- Asian Bar Association of Washington: <http://bit.ly/gECFIN>
- The Cardozo Society: <http://bit.ly/jXhKkC>
- Latina/Latino Bar Association of Washington: <http://bit.ly/gAjizx>
- South Asian Bar Association of Washington: <http://bit.ly/mgrREt>
- **Washington Women Lawyers: <http://bit.ly/kITWT2>**

Legal Info of Interest

“1st Circuit: Inmate with Gender Identity Disorder is Entitled to Treatment,” by Sheri Qualters. Court finds corrections officials acted with deliberate indifference to inmate’s medical needs, in violation of Eighth Amendment. <http://bit.ly/lz8mzQ>

“A New View of Embracing Diversity in Washington: Study Finds Multiple-Minority Status Matters,” by Sarah Leyrer, Jacqueline Walker, Marc A. Perez, and Michelle D. Raiford. The conclusions of a diversity study conducted by the 2010 class of the WSBA Washington Leadership Institute. <http://bit.ly/IDOUmN>

“ABA Tells Congress the Immigration System Is in Crisis, Needs More Resources,” by Debra Cassens Weiss. Immigration enforcement has “increased exponentially” in the last 10 years, creating burdens for courts straining to keep up with the caseloads, an ABA representative told Congress on Wednesday. <http://bit.ly/mtzHTZ>

“A Pioneering Woman Lawyer,” by Barbara Babcock. In a career full of firsts, Clara Foltz founded the movement for a public defender and worked for women’s equal rights. <http://bit.ly/lrdg3P>

“Blind Win Easier Access to Law School Application Process,” by Karen Sloan. After two years of legal wrangling, the Law School Admission Council and the National Federation of the Blind have reached a settlement — with the help of the Justice Department — over the accessibility of the website nearly every U.S. law school uses to accept student applications. <http://bit.ly/mAK61p>

“Chipotle Loses Disabled-access Case,” by Bob Egelko. The U.S. Supreme Court turned away an appeal by Chipotle Mexican Grill on Monday and left intact a federal appeals court ruling in San Francisco that said a nearly 4-foot barrier in a waiting line denied wheelchair users the right to see the food they were ordering. <http://bit.ly/i7YXXb>

“Cinemark Theaters to Install Devices for the Deaf,” by Bob Egelko. Cinemark, the nation’s third-largest movie chain, said Tuesday it will install closed-captioning equipment for the deaf and hard of hearing in all its theaters in California by mid-2012, settling a disability-rights lawsuit in Alameda County. <http://bit.ly/jlfgUQ>

“Clement Leaves King & Spalding to Continue Same-Sex Marriage Litigation,” posted by David Ingram. Former U.S. solicitor general Paul Clement is resigning from King & Spalding in protest after the law firm’s request today to withdraw from lawsuits about the Defense of Marriage Act. <http://bit.ly/eshpbj>

“EEOC Thwarted in Bid to Expand Jobs for the Deaf,” by Amanda Bronstad. A portrait studio in Littleton, Colo., won summary judgment on May 9 against the U.S. Equal Employment Opportunity Commission in a case involving a deaf employee. <http://bit.ly/klvnuU>

“Gay Immigrants Allege Human Rights Abuses at ICE Detention Centers,” posted by Jenna Greene. Immigrant advocates today filed 13 complaints with the Department of Homeland Security alleging civil and human rights abuses of lesbian, gay, bisexual, and transgender immigrants being detained pending removal proceedings. <http://bit.ly/ge1ant>

“Immigration Advocates Pan Obama Administration’s Reform Efforts,” posted by Jenna Greene. Immigration advocates bemoaned the Obama administration’s failure to pass comprehensive immigration reform legislation and “ferocious” emphasis on enforcement at a panel today at American University’s Washington College of Law, warning that it could cost the president reelection in 2012. <http://bit.ly/kFlbz8>

“Increased scrutiny for LL.M.s,” by Karen Sloan. New hurdles, options for foreign-trained attorneys. <http://bit.ly/jvuszk>

“Judge Approves \$1.25B Settlement in Black Farmers’ Class Action,” posted by Mike Scarcella. A federal judge Friday granted preliminary approval of the \$1.25 billion class action settlement involving allegations of discrimination against black farmers. <http://bit.ly/kNt765>

“Judge Approves \$760M Native American Class Action Settlement,” posted by Mike Scarcella. A federal judge in Washington today approved a \$760 million settlement in a class action that Native American farmers and ranchers brought over discrimination claims tied to government loan processing. <http://bit.ly/j3zaUq>

“Katyal Speaks of SG ‘Mistakes’ in Japanese Internment Cases,” posted by Tony Mauro. In an unusual statement posted on the Justice Department’s blog, Acting Solicitor General Neal Katyal on Friday spoke of the “mistakes” made by a long-ago predecessor in defending the U.S. government’s World War II Japanese-American internment program before the Supreme Court. <http://bit.ly/jhkpBf>

“New deans at Loyola, South Carolina and Kansas,” by Karen Sloan. María Pabón López, Robert Wilcox, and Stephen Mazza are all among the new law dean announcements coming fast and furious as the academic year draws to a close. <http://bit.ly/hrL9C5>

“New Largest Minority-Owned Law Firm Snags Yoss Remnants,” by Brian Baxter. The nation has a new largest minority-owned law firm. <http://bit.ly/lnVluK>

“North Carolina’s Death Row Inmates Let Statistics Back Up Bias Claims,” by Anna Stolley Persky. In North Carolina, statistics don’t just tell a story; they can let a death row inmate challenge his conviction. <http://bit.ly/fODN5r>

“SD Judge Faces Potential Removal Over Alleged Rude and Racist Remarks and Use of the ‘Bird,’” by Martha Neil. For the first time in its 121-year history, the top court of South Dakota is to hold a hearing later this month to decide whether to remove a sitting judge from the bench. <http://bit.ly/he08YI>

“Senators Confirm Former ACLU Lawyer for Judgeship,” posted by David Ingram. The U.S. Senate voted today to confirm Edward Chen to the federal district bench in the Northern District of California, ending a debate that had revolved around Chen’s past work on polarizing civil liberties cases. <http://bit.ly/kcpeEq>

“Study: In-House Women of Color Face Obstacles, but Feel Empowered,” by Shannon Green. Corporate Counsel Women of Color, a nonprofit organization that fosters diversity in Fortune 1000 law departments, has announced a report on how women of color are faring in those companies. <http://bit.ly/jJcdbm>

“Supreme Court Upholds Arizona Immigration Law; Chief Justice Is PC with Terminology,” by Debra Cassens Weiss. The U.S. Supreme Court has upheld an Arizona law penalizing businesses that hire undocumented immigrants by revoking or suspending their business licenses. <http://bit.ly/jnyX8d>

“What About an Immig-Corps?” by Stacy Caplow. We need a structured program for recent law graduates to provide legal services to poor, unrepresented immigrants while developing skills and knowledge to improve the level of competency of the immigration bar for the long haul. http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202495171618&What_about_an_ImmigCorps

“Women Making ‘Remarkable’ Gains in Law School Deanships,” by Karen Sloan. Women made a strong showing in recent law school dean searches, accounting for about 40% of the deans named in recent months. <http://bit.ly/iQx5q7>

New Feature: Legislative Matters of Interest

We are excited to bring a new feature to the Diversity Newsletter – Legislative Matters of Interest. We will provide details regarding bills being discussed in the state legislature pertaining to minority and diverse interests.

Readers might find the following two bills that passed of particular interest: **Engrossed Second Substitute House Bill 1267 (E2SHB 1267) and Substitute Senate Bill 5023 (SSB 5023)**. E2SHB 1267 was introduced at the request of the WSBA, and it primarily proposed to 1) amend the Uniform Parentage Act, especially as it relates to establishing gender-neutral terminology and expressly referencing state-registered domestic partners in specific provisions; and 2) authorizing intended parents to enter into a surrogacy contract with a woman, subject to various requirements and establishing rights and responsibilities for all parties, and permitting the intended parents to compensate the woman (in excess of medical expenses). The Uniform Parentage Act amendments passed, but the surrogacy provisions failed to pass the Senate floor. The full text of the original proposal, the bill that passed and was signed by the Governor, and non-partisan bill reports summarizing the legislation can be found at <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=1267&year=2011>.

A separate bill of interest, **SSB 5023**, was introduced at the request of the Attorney General to address problems identified by the Attorney General's Office surrounding the unauthorized practice of law with respect to immigration-related legal services. SSB 5023 creates civil and criminal penalties for non-attorneys who attempt to provide those immigration-related services that require the assistance or supervision of an attorney. The bill also asks the Supreme Court's Practice of Law Board to evaluate certain issues, including the specific services non-attorneys may provide to immigrants, and has been asked to submit its report to the Legislature by December 1, 2011. This bill, and related nonpartisan bill reports, can be found at <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=5023&year=2011>.

Opportunities

Note: For job opportunities, please see www.wsba.org/About-WSBA/Careers.

Civil Legal Aid Oversight Committee

Application Deadline: Open until filled

The Access to Justice Board seeks letters of interest from individuals interested in being considered for appointment by the Washington State Supreme Court to the Civil Legal Aid Oversight Committee established by RCW 2.53.010. The bipartisan Civil Legal Aid Oversight Committee is responsible for overseeing the activities of the Office of Civil Legal Aid (OCLA), reviewing the performance of the OCLA Director and making recommendations to the Legislature, the Supreme Court and the Access to Justice Board on matters relating to the delivery of state-funded civil legal aid services. Non-attorneys as well as attorneys are welcome to apply. There are two positions opening; for more information, visit www.wsba.org/atj.

WSBA – Public Service Training Specialist

Application Deadline: Open until filled

This position builds upon a new program which addresses our strategic goal to enhance the culture of service within our membership. Accordingly, the position develops training programs to meet the training and development needs of attorneys providing reduced-fee and/or pro bono legal services, primarily focused on service delivery to the statewide Moderate Means (reduced-fee) and pro bono legal service programs. The position works with a team of instructional designers in consultation with the Public Service Program Manager, the Access to Justice Program Manager, Access to Justice/Alliance for Equal Justice community and faculty in identifying viable delivery methodologies in order to develop, produce, and deliver high-quality skill-building programming and resources. Training delivery formats will include: interactive, remote, and independent online learning; live event and seminars, and the progressive development of a learning management system that opens up skills building opportunities for all members. Coordination with various stakeholders and internal staff is expected in order to enhance the overall delivery of education to our membership.

For more information or to apply, please see <https://home.eease.adp.com/recruit2/?id=536333&t=1>.

Washington State Bar Foundation – Board of Trustees

Application deadline: June 30, 2011

The Washington State Bar Foundation's mission is to provide financial support for WSBA programs that promote diversity within the legal profession and enhance the public's access to and understanding of the justice system. The WSBA Board of Governors is seeking to fill five positions on the Washington State Bar Foundation Board of Trustees, three of which are open to WSBA members.

To learn more about time and financial commitments, please contact Megan McNally, Director of Development, at meganm.foundation@wsba.org, or (206) 727-8272.

To be considered, please submit a cover letter and résumé by email to foundation@wsba.org.

Upcoming Events

June 21: King County Washington Women Lawyers 2011 Judicial Appreciation Luncheon. Please join KC-WWL as it honors Washington's judges and those who advocate for women and minorities at this special annual event. For more event information, please see www.kcwwl.org.

July 22–23: Board of Governors meeting, Ocean Shores.

To be added to the list serve to receive *Diversity News*, please contact Jennifer Carter at jenniferc@wsba.org.