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Message from President Anthony Gipe

In the past year we have made significant progress on diversity, inclusion, and cultural competency – at the Board level and in the WSBA as a whole. We set out this year to have a conversation about persistent problems in diversity and inclusion, to educate the members on cultural competency, and to discuss what leadership role WSBA is best able to play in this field.

As part of that discussion, we have had monthly columns in NWLawyer (usually multiple columns every issue) from historically underrepresented members of the profession who weigh in on topics affecting them and the inclusivity of the WSBA. As I have spoken around the state on the topic on at least a monthly basis, I can see attorneys engaging in these debates with new energy, and they are hungry to start getting to the substance of the solutions.

Also, we concluded Phase II of WSBA Research. The original Membership Study in 2012 provided a wealth of data about members, especially our minority members. The new phase of data has energized the dialogue further by providing a detailed example of intersectional forces at work within our diversity communities as the boundaries between discrete groups begin to blur. As noted in our Intersectionality Report, “intersectionality takes an expansive view of what it means to be human within the context of intersecting oppressions such as race, class and gender. While much diversity discussion focuses on a single type of difference (such as race) intersectionality emphasizes the multiplicity of identity.”

At the Board level we have conducted multiple diversity training seminars for the Board of Governors that have been well received. These included an excellent session on “Implicit Bias in Decision Making” and how to combat it. This session was so successful that the Board asked to see more such trainings in the future, and the Bar has been asked to provide versions of this training around the state for allies and other stakeholders and partners.

Finally, we have been engaging the Board in an open dialogue about what diversity means for the WSBA and what goals we are striving to achieve. These generative discussion topics were started in June and continued in September. The product of these discussions is to set some policy goals for the Board that will help chart the next series of initiatives. This discussion is intended to continue into the next year, by focusing on some discrete diversity and inclusion issues in discussion at regular BOG meetings.

I do not want our progress this year to suggest that we have reached all the goals we set out in the WSBA Diversity and Inclusion Plan, but we have made meaningful progress. What remains for WSBA is to identify the specific problems that persist and how WSBA can best help tackle them, and to continue to support our partners in the minority bar associations, local and specialty bars, and other key allies to promote the idea that our profession needs to be ready for the diverse future that is around the corner.
Message from Executive Director Paula Littlewood

I am excited and proud of WSBA diversity and inclusion efforts. Our board, staff, and volunteers are collectively participating in efforts to increase equity and accessibility. Our “Inside – Out” approach continues to govern our efforts and support our commitment to congruency; we strive to walk our talk – utilizing research and member feedback to evaluate programs, services, and member benefits. We have seen an increase in diversity among WSBA-CLE faculty, extended our diversity and inclusion outreach from three to nine locations outside of Seattle, and expanded our dialogue to include implicit bias in decision and policy making. As the profession continues to experience cultural shifts, WSBA’s guiding principles of diversity, equality, and cultural understanding throughout the legal community remain relevant and provide a solid foundation for our work. We recognize our unique role within the legal community and will continue to engage in and support efforts that ensure a competent and qualified legal profession.

Diversity Time Line

1990  The Board of Governors created the WSBA Committee for Diversity.
2001  WSBA bylaws amended to create three at-large seats on the Board of Governors to improve diversity across multiple dimensions.
2003  WSBA established diversity as one of its nine strategic goals.
2004  WSBA created its first staff position dedicated to diversity. WSBA Leadership Institute (now the Washington Leadership Institute, or WLI) founded to develop and prepare minority and traditionally underrepresented attorneys for future Bar leadership.
2006  The Board of Governors established a new BOG Diversity Committee to focus on the development, review, and integration of WSBA diversity policies within the organization.
2007  WSBA established five guiding principles, one of which was “diversity, equality, and cultural understanding throughout the legal community.”
2011  Landmark WSBA Membership Study conducted to understand the composition of the legal profession and factors influencing retention within Washington’s legal community.
2012  WSBA disseminates Membership Study results and uses the report to further dialogue across the profession.
2013  The Board of Governors adopted the first WSBA Diversity and Inclusion Plan. Diversity Specialist position created to focus on WSBA’s internal diversity efforts supporting staff and volunteers. BOG Diversity Committee and Committee for Diversity merged as WSBA Diversity Committee charged with supporting the implementation of the Diversity and Inclusion Plan.
2015  WSBA Diversity Research Literature Review and WSBA Diversity and Intersectionality Report completed.
The Foundation for the Journey

Mission

The Washington State Bar Association’s mission is to serve the public and the members of the Bar, ensure the integrity of the legal profession, and to champion justice.

Guiding Principles

The WSBA will operate a well-managed association that supports its members and advances and promotes:

- Access to the justice system
- Diversity, equality, and cultural understanding throughout the legal community
- The public’s understanding of the rule of law and its confidence in the legal system
- A fair and impartial judiciary
- The ethics, civility, professionalism, and competence of the Bar

2013-2015 Strategic Goals

- Prepare and equip members with problem-solving skills for the changing profession.
- Foster community with and among members and the public.
- Promote equitable conditions for members from historically underrepresented backgrounds to enter, stay and thrive in the profession.
- Support member transitions across the life of their practice.

“We know from our Minority and Justice Commission study on perceptions of justice that people of color feel the justice system is not fair. We also know from our studies about the unmet legal needs in Washington that many people, particularly women, feel locked out of the justice system. It is the responsibility of the bench and bar to ensure an accessible system that works for everyone. The WSBA has heeded these studies and findings and is taking the issues of diversity and inclusion seriously. I am proud to be a judge and lawyer in Washington, where the legal profession is willing to look at itself critically and rise to meet the challenges that we know exist for our profession.”

– Chief Justice Barbara A. Madsen, Washington Supreme Court
Reflections on Our Journey

WSBA’s inside-out philosophy holds that a significant inward focus is the best foundation for impacting diversity, inclusion, and equity in the legal profession. Investing in the personal development of cultural competency and awareness for WSBA staff and volunteers positively impacts how decision making, member engagement, and bar services are approached and implemented.

Building our culture

WSBA has made significant strides in the last year with our staff and volunteers [Bar leaders]. We have worked hard to establish the culture and norms that will result in a more inclusive and equitable environment for all. To begin, we established a common language and a shared understanding around the diversity-related terms we use regularly by finalizing and sharing our Diversity Dictionary with staff and volunteers. We followed up by developing a Culture of Inclusion Philosophy which elucidates how a truly inclusive culture would look and feel within the organization. These two tools support an environment [among both staff and volunteers] where the difficult topics of diversity, inclusion, and equity are discussed openly and authentically, with depth and intention. In addition to our monthly Continuing the Conversation series, in which we have candid conversations about a variety of topics related to diversity and inclusion, we offered several training opportunities to staff this year, including the workshop, The Importance of Language and Ally Skills and a day-long training, Race: The Power of an Illusion. Targeted training to organizational leadership was offered to the Executive Management Team, Operational Management Team, and the Board of Governors on setting the course of the organization, establishing priorities, and equitable decision making.

Bar leadership

It is also indicative of change and progress that this year we had the most diverse Board of Governors ever with a majority of the members coming from one or more historically underrepresented community. A diverse board is a key indicator of progress with regard to our diversity and inclusion efforts and one achieved with intention. Board recruitment now includes direct outreach to alumni of the Washington Leadership Institute, events targeted to invite dialogue between past board members and prospective board members, and informational calls and webinars targeted to members of Washington’s Minority Bar Associations. These institutional actions have helped to move the dial from “notice” to “invitation,” fostered a greater feeling of welcome and inclusion, and created seats at the table for those who are underrepresented in the leadership of the profession.

We continue to reach out to educate, support, and collaborate with Bar leaders of WSBA’s 31 standing boards, committees, and councils, and our 28 practice sections. We are making inroads that help foster a more diverse and inclusive space within WSBA entities. In addition to attending meetings and talking one-on-one with leadership, activities this year have included:

- Presentations to Supreme Court-created boards, including the Washington State Access to Justice Board, the Mandatory Continuing Legal Education Board, and the Law Clerk Board.
- A conference call for section leaders titled Developing a Culture of Inclusion.
- At the request of the sections, and for the first time, we provided sections with the section membership diversity demographics, giving them a sense of the composition of each section’s membership and providing a baseline against which to measure future efforts. Please see Appendix A for a table of the 2015 Section Diversity Demographics.

“... the dialogue for our department [a multi-racial mix] to speak freely about diversity and race issues. We have become much closer and more comfortable with each other and it has been a great benefit for our department.”

– Sherry Mehr, WSBA Paralegal
Continuing to build on last year’s collaboration with the WSBA Continuing Legal Education Committee and Diversity Committee to implement opportunities for increased diversity among WSBA-CLE faculty.

CLE faculty diversity

Because WSBA is one of the biggest providers of CLE seminars in Washington, who our members see as faculty sends a message about what WSBA values. Since 2013, WSBA has focused a concerted effort on increasing diversity among WSBA-CLE faculty, beginning with a clear message that we are interested in raising new voices, and we have nearly doubled the percentage of faculty who identify as people of color (from 7.85 percent to 15.24 percent).

“...I was pleased to see that the WSBA’s priorities aligned with mine, that they valued diversity and dedicated time and staff to exploring the current issues. What I didn’t realize until it was happening – and what I am most grateful for now – is how it makes me a more compassionate and effective listener and advisor, in my work with members.”
– Charity Anastasio, WSBA Practice Management Advisor

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<td>2015</td>
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*Calculations are based on faculty who have reported their race. For 2013, 78.72% responded, for 2014, 74.40% responded, and for 2015, 69.78% responded.*

Tools and Resources

- Diversity Dictionary
- Culture of Inclusion Philosophy
- Section diversity demographics

Continuing the Conversations

- Variety of diversity-related topics including:
  - Implicit Bias & Decision Making
  - Access & Ability
  - Age & Ageism
  - The Pitfalls of Color Blindness
  - Intersectionality

Staff Training

- The Importance of Language and Ally Skills — 57 staff attended
- Race: The Power of an Illusion — 43 Staff attended

Volunteers

- Presented diversity and inclusion tools at Fall Section Leaders meeting and the Committee Chairs meeting
- Provided “Developing a Culture of Inclusion” conference call for Section leaders
- Training for the Board on equity and equitable decision making
Research

WSBA strongly believes that having a diverse, inclusive, and representative Bar is essential to serving the public, ensuring the integrity of the legal profession, and championing justice. As WSBA continues to examine its role in advancing inclusion within the profession, one area that consistently stands out is research. WSBA is uniquely positioned to reach members statewide. Providing data on the demographics and experience of members has become a hallmark of WSBA research efforts.

WSBA released the 2015 WSBA Diversity Research Project Literature Review in March. This report summarized key findings from widely cited studies and articles about diversity within the legal profession and the challenges marginalized communities face within it. The review of the literature also integrates key findings from the 2012 WSBA Membership Study. This report is part of WSBA’s ongoing effort to understand and respond to the conditions that exist for all lawyers in the state. The report emphasizes the need for the Bar’s continued commitment to identifying opportunities for collaboration, partnership, and support aligned with its unique position within the legal profession. The findings highlight the ways that the experience of Washington attorneys mirrors those in other jurisdictions, thus underscoring the prevalence and persistency of the challenges underrepresented populations face in the profession.

The research provided us with key findings such as “21% of WSBA members identify as having a disability or impairment. These members also experience social barriers at a rate higher than all other underrepresented groups. 12% of WSBA members identify as racial and ethnic minorities. These members report the highest frequency of professional barriers among all the diversity groups.”

The 2015 WSBA Intersectionality Report was conducted to help WSBA develop richer ways of thinking about issues of diversity and equity. One way to develop this understanding is to utilize an intersectional approach, which evaluates the ways in which varied dimensions such as race, class, and gender are interrelated and influence attorneys’ experience within the profession. The report was released in September 2015 and the findings made available to WSBA members at-large, staff, board, volunteers, law schools, and the courts. This research is important to our partnerships and collaborations as the profession continues to strive for inclusivity.

Partnerships and collaborations

The WSBA Diversity and Inclusion Plan contains three overarching objectives: Research, Education, and Partnerships. Partnerships and collaborations are integral to building relevant, sustainable relationships within the greater legal community. Partnering with organizations seeking opportunities to advance diversity and inclusion within the profession is key to building momentum and ensuring progress. WSBA continues to cultivate what has been a very fruitful relationship with all three Washington law schools. These partnerships utilize shared resources to support the onboarding of law students into the profession. WSBA works closely with students and staff through each school’s center for professional development to review and provide input on 1L diversity fellowship applications and mock interviews. For more than a decade, WSBA has hosted a summer reception for incoming students of the Seattle University School of Law Academic Resource Center. The Academic Resource Center (ARC) is a nationally recognized program whose primary purpose is “to support the diverse and non-traditional students and those admitted through the Access Admission Program so they adjust, succeed, and excel in law school and beyond.” Collaboration with the Center sprang from the foresight of Shahzad Qadri, an ARC alumnus who was serving on the WSBA Committee for Diversity at the time. WSBA recruits attorneys from a wide array of practice areas and settings to mentor the students during the course of the event. This provides a favorable atmosphere for students to ask practicing attorneys what to expect in law school and the profession.

WSBA champions a broad range of inclusion efforts across the broader profession. The WSBA provides the Washington Initiative for Diversity with office space in kind, executive-level participation on its Board, in-kind advertising and sponsorship of its events, including the annual Legal Executives Summit and the Judicial Institute, a day-long closed program for racial and ethnic minority attorneys expressing interest in the judicial pipeline. It is important to note that the Judicial Institute is the recipient of the 2015 WSBA Excellence in Diversity Award. WSBA stands behind the statewide diversity.
Building Momentum: WSBA’s Journey Through Change

conference hosted by the Washington State Minority Bar Association Collaboration Project by providing monetary sponsorship each year through its foundation.

Washington state boasts 18 Minority Bar Associations (MBAs). These volunteer bar associations provide an essential function in the legal profession, meeting the unique needs of its representative populations through a myriad of efforts. While these associations are vital to the practice of law, their resources are often limited. WSBA supports the incredible efforts of these associations by hosting community networking events around the state to help connect and raise awareness among WSBA staff, volunteers, the local community, and MBAs. This particular effort creates the space for community and relationship building and cross-cultural dialogue. This year WSBA hosted nine events and extended its reach to Bellingham, Vancouver, Bremerton, Olympia, and Spokane. These outreach events focus on bringing WSBA presence and MBA information to outlying areas and inviting the participation of local members. The WSBA governor from the representative district, a representative of the WSBA Diversity Committee, and WSBA staff are on hand to present information and answer member questions.

This year WSBA worked with the Board of Industrial Insurance Appeals to host an Administrative Law Judge Information Session. The goal of the session was to increase awareness and accessibility through a broader outreach effort. Topics covered the judicial appointment process, the work of an administrative judge, and the benefits of serving on the bench.

**Education and training**

WSBA continues to host rich educational offerings focused on examining best practices with the goal of reducing bias, increasing interpersonal skills, and supporting professional development. The Achieving Inclusion CLE series brought together subject matter experts to highlight and examine current, important issues in the legal profession. The three-part, 90-minute webcast series covered Working Effectively with Interpreters in the Courtroom, Effective Representation of Transgender Clients, and Creating an Inclusive Workplace for Attorneys with Disabilities. The series was concluded with a full-day seminar by nationally recognized expert Kimberly Papillon titled Neuroscience, Decisions, and the Law. The Legal Lunchbox Series continues to be used as a means to deliver education in a more accessible format to a broader audience across the state. This webcast series dishes up free 90-minute monthly CLEs as a benefit to WSBA members. This series is our most popular web-based programming, which averages online attendance of 1,600 participants, and is one tool for advancing the goals of the Diversity and Inclusion Plan. In 2015, the Legal Lunchbox series has featured speakers recruited in partnership with MBAs and topics such as Addressing Bias in the Legal Profession.

The WSBA Law Office Management Assistance Program (LOMAP) has taken steps to intentionally diversify its library collection, ensuring members have access to a wide array of perspectives, experiences, and insights on the legal profession. LOMAP offers professional assistance and support to lawyers regarding practice management, with web and print resources specific to the challenges facing lawyers throughout their careers, from starting out to winding down. Areas include business development and marketing, trust account management, and maximizing legal technology. Diversification of the profession has multiple access points. LOMAP staff is sensitive to the changing

"The diversity training that Robin Nussbaum provides is a valuable complement to the boards’ work. It builds awareness and unity within the board and develops the skills they need as ambassadors of the WSBA and the profession.”

– Talia Clever, LPO Program and Law Clerk Program Lead
Building Momentum: WSBA's Journey Through Change

profession and the results of WSBA research identifying barriers to success, opportunity, and advancement. The LOMAP library is a great resource for inclusion advocates and members at-large seeking understanding and insight in overcoming and addressing barriers to success within the legal profession. LOMAP also presented Practice Transition Opportunity programming that covered issues of diversity and inclusion in compensation plans and addressed concerns of the seasoned lawyer.

WSBA continues to make strides within the community by providing online resources and tools to WSBA members and legal organizations. Fact sheets highlighting membership demographics and best practices for the recruitment and retention of underrepresented groups have been developed and are available online. Online accessibility is an important vehicle to promoting the work of equity and justice. Providing online resources to WSBA members creates increased accessibility and supports the larger goal of cultural competency. WSBA works to support the Alliance for Equal Justice and the Racial Justice Equity Initiative to address issues of bias, inequity, and accessibility through jointly building a statewide infrastructure providing training and education to build awareness and competency around these issues.

Numbers of Individuals Reporting Membership in Underrepresented Groups*

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<th>Group</th>
<th>Number of Members</th>
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<td>Women Attorneys</td>
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<td>Attorneys of Color</td>
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<td>LGBTQ Attorneys</td>
<td>489</td>
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<td>Attorneys with Disabilities</td>
<td>501</td>
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</table>

*Total WSBA membership is approximately 37,000

Bumps Along the Road

The journey to equity is a long and bumpy road with many steep climbs. Although the WSBA is committed, there will, of course, be barriers to overcome. In this work we are attempting to create a paradigm shift. This journey includes not only transforming how we think, but also addressing embedded systems and institutions—practices which have been in effect so long that sometimes it is difficult to even see where they may be contributing to inequity. Other times it is just difficult to remove the old system and replace it. There are times when progress is excruciatingly slow. Yet the problem we are trying to address is complex and deeply rooted. When we allow ourselves some perspective, we can see that even little changes are progress and should be celebrated. We are also trying to impact issues with no easy, or even clear, answers. As we attempt to think of new and creative ways to address diversity, inclusion, and equity, we will find some endeavors successful and some that don’t accomplish what we need. We believe it is better to have tried something and failed than to have maintained the status quo.

The Journey Forward: What’s Next?

In the coming year WSBA will focus on institutionalizing systems to support efforts around our CLE faculty diversity initiative with the intention of continuing to significantly impact the racial diversity of our WSBA CLE speakers. In addition, we will work closely with WSBA Section leaders to facilitate their continued participation in efforts to diversify speakers at Section seminars. In our ongoing effort to develop the cultural competency and awareness of WSBA staff and volunteers to positively impact
how decision making, member engagement, and bar services are approached and implemented, we will maintain our staff training and Continuing the Conversation programs. We will also expand the Continuing the Conversation model to be available to Section leadership. Internally, WSBA will begin applying an equity toolkit to our policies, practices, and procedures as we review for equity and inclusion.

WSBA recognizes the need to broaden and deepen the inclusion dialogue across the state. Additional locations such as Bellevue, Tri-Cities, and Yakima will be added to the community networking/educational events. We are committed to responding to the needs of the legal community, which intersect with our commitment to diversity and inclusion. One approach underscoring this commitment is an investment in responding to the leadership requests of Minority Bar Association leaders. WSBA will be offering a Nonprofit Governance Workshop for WSBA members who have a commitment to serving on the board of a small bar association.

WSBA research provides members with data that is rich with statistical information. Conclusions inferred from the data help to inform programming and outreach. One of the most exciting efforts on the horizon will be working our way across the state to discuss the data with underrepresented groups and allies. The goal is to hear and share the stories related to the research with the broader Washington legal community.

We have many great efforts to look forward to over the next year. We are refining our partnerships with all three law schools; 1L diversity programming is crucial to assisting law students at the beginning of their careers in the legal profession. We are excited about collaborating with the law schools to educate, empower, and encourage 1L’s to address and overcome barriers to success. All three law schools have agreed that a targeted and strategic discussion around bias in the profession and the importance of mentorship is a crucial milestone in the educational pipeline. We will be extending an invitation to members at-large to learn more about “intersectionality” through small group discussions, peer learning events, and town hall discussions.

WSBA is an institution making progress on the continuum of inclusion. The way is not always clear, progress is often slow, but we are committed, invested, and always seeking opportunities to learn.

**WSBA Diversity Committee**

The Washington State Bar Association’s Diversity Committee works to support and implement the WSBA’s Diversity and Inclusion Plan; support historically underrepresented groups to enter and stay in the profession; and works to raise awareness in the community building coalitions through collaborative relationships on the benefits of diversity through the continued use of the membership study.

**Diversity Committee Members**

- Erik Bakke
- Oscar Chaves, co-chair
- Cynthia Chen-Weller
- Tsering Cornell
- RaShelle Davis
- William Elsinger
- Governor Elijah Forde
- Lionel Greaves
- Sunny Hong
- Governor Andrea Jarmon
- Navjot Kaur
- Governor Jerry Moberg
- Amy Rimov
- Miles Russell
- Hon. Tanya Thorp
- Governor Karen Denise Wilson, co-chair

“The WSBA’s Diversity Program brings innovation and passion to the work of promoting diversity and inclusion in the legal profession. The Program has proven to be an invaluable asset as my office works towards creating and maintaining an inclusive work environment.”

- Erika Uhl, Deputy Attorney General
Closing thoughts from Oscar Chaves, Co-Chair, WSBA Diversity Committee

Freedom is one of the most highly regarded bases of our country. We sing of it in our National Anthem: “The land of the free and the home of the brave!” I note that the chorus of our country sung out with the inclusion of new voices this last year. We heard those voices come up through the tragedy and rage of racial frustration and through the celebratory cheers at same-sex marriages throughout the country. Those voices have reawakened conversations about the American definition of equal access to freedom and, perhaps more to the point, equity.

This is the setting in which the WSBA Diversity Committee has worked to support the implementation of the WSBA Diversity and Inclusion Plan. The setting has fueled a deeper level of discussion within the Committee and the Committee’s work with the legal community. Through those ongoing discussions, we became introspective about how we approach activities in support of the WSBA’s inclusion efforts. The discussion allowed us to mature our efforts to address the issues surrounding diversity and inclusion. While there is much more work that needs to be done, I feel the WSBA Diversity Committee members, with their level of engagement and unending energy, and our legal profession can take on the tasks that lie ahead: to assure that we can all have a chance to sing bravely of the same freedom.

“Working with the WSBA has shown me that WSBA is serious about addressing inclusion in the legal community. It is comforting to know that the Bar is always working for the benefit of the various MBAs.”

– Shamim Mohandessi, President, Middle Eastern Legal Association of Washington
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* For LGBT and disability data, we only record "yes" answers.
** New/young lawyers numbers reflect the total percentage of all members; all other categories reflect the percentage of lawyers who responded.
For more information, contact:

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