



SETTING THE BAR ON INCLUSION

Daniel Ogunyemi
Diversity, Equity, and Inclusion

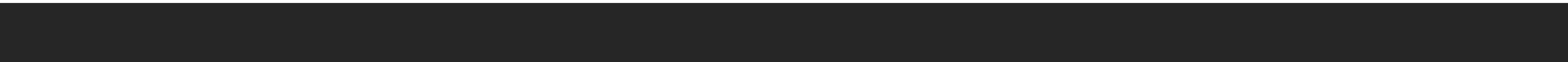
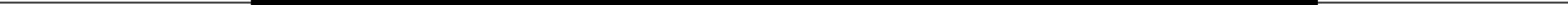
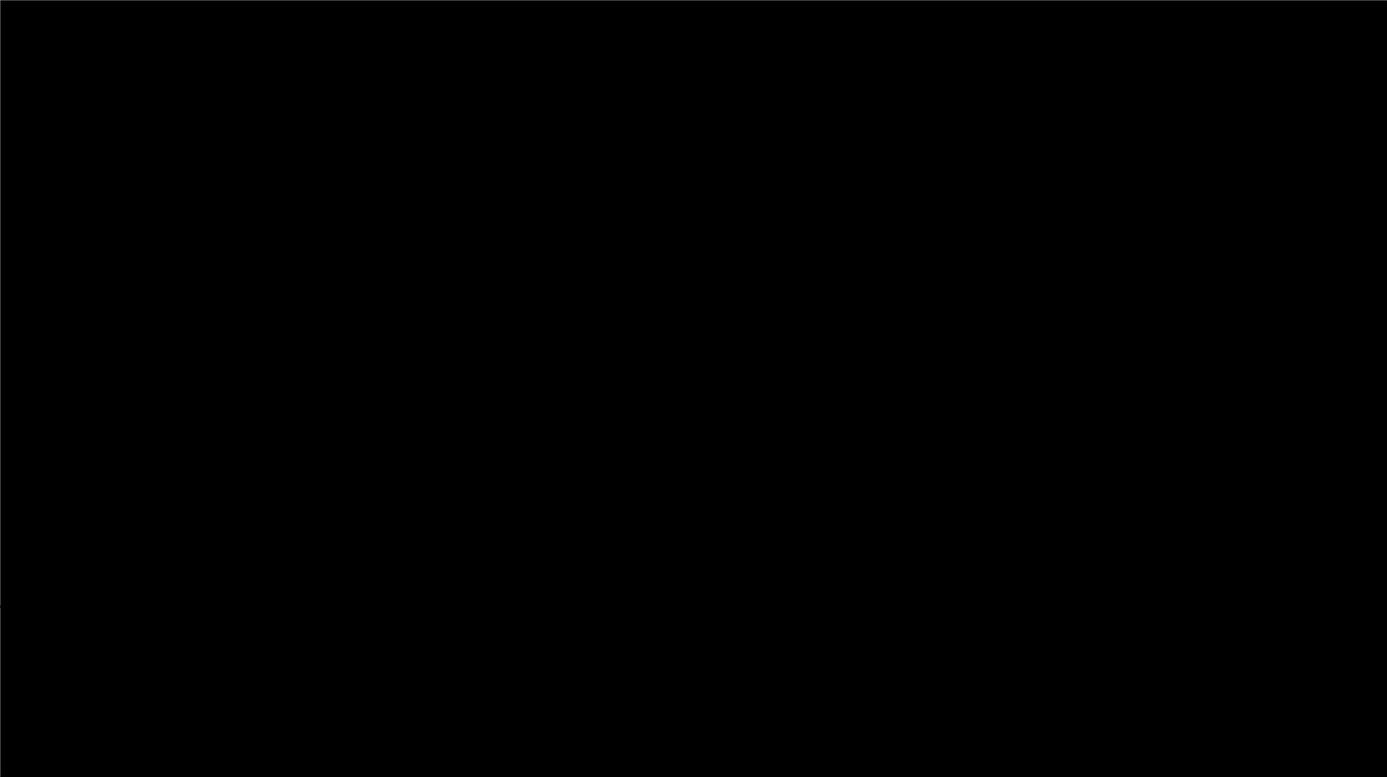
“WE LAY DOWN OUR ARMS SO WE CAN REACH OUT OUR ARMS TO ONE ANOTHER. WE SEEK HARM TO NONE AND HARMONY FOR ALL... THERE IS ALWAYS A LIGHT, IF ONLY WE’RE BRAVE ENOUGH TO SEE IT; IF ONLY WE’RE BRAVE ENOUGH TO BE IT.”

- AMANDA GORMAN, *THE HILL WE CLIMB*

TRAINING VS. EDUCATION

Drs. Amna Khalid and Jeffrey Aaron Snyder (Carleton College)

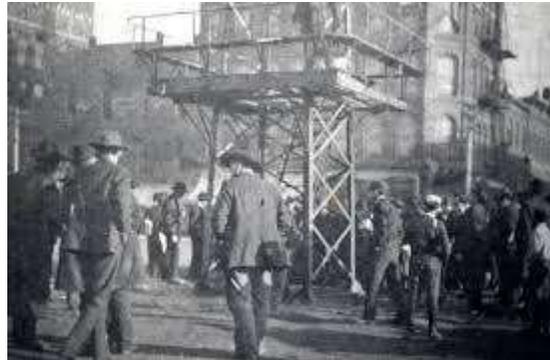
- Training makes assumptions; education challenges them.
- Training is packaged; education cannot be contained.
- Training rewards compliance, education curiosity.
- Training is having to say something, education having something to say.
- Training tells you *what* to think; education teaches you *how* to think.
- Training answers questions; education poses them.
- Training is generic; education all about context.
- Training simplifies the world; education reveals its complexity.
- Training promotes conformity, education independence.
- Training is performative; education is transformative.



1906 LYNCHING ON SPRINGFIELD SQUARE

NEGROES LYNCHED

**Three Are Hanged and Burned
At Springfield, Mo.**



FRED COKER
BORN 1885
HORACE DUNCAN
BORN 1886
DIED APR. 14, 1906
AT REST AT LAST
DEDICATED APR. 14, 1996

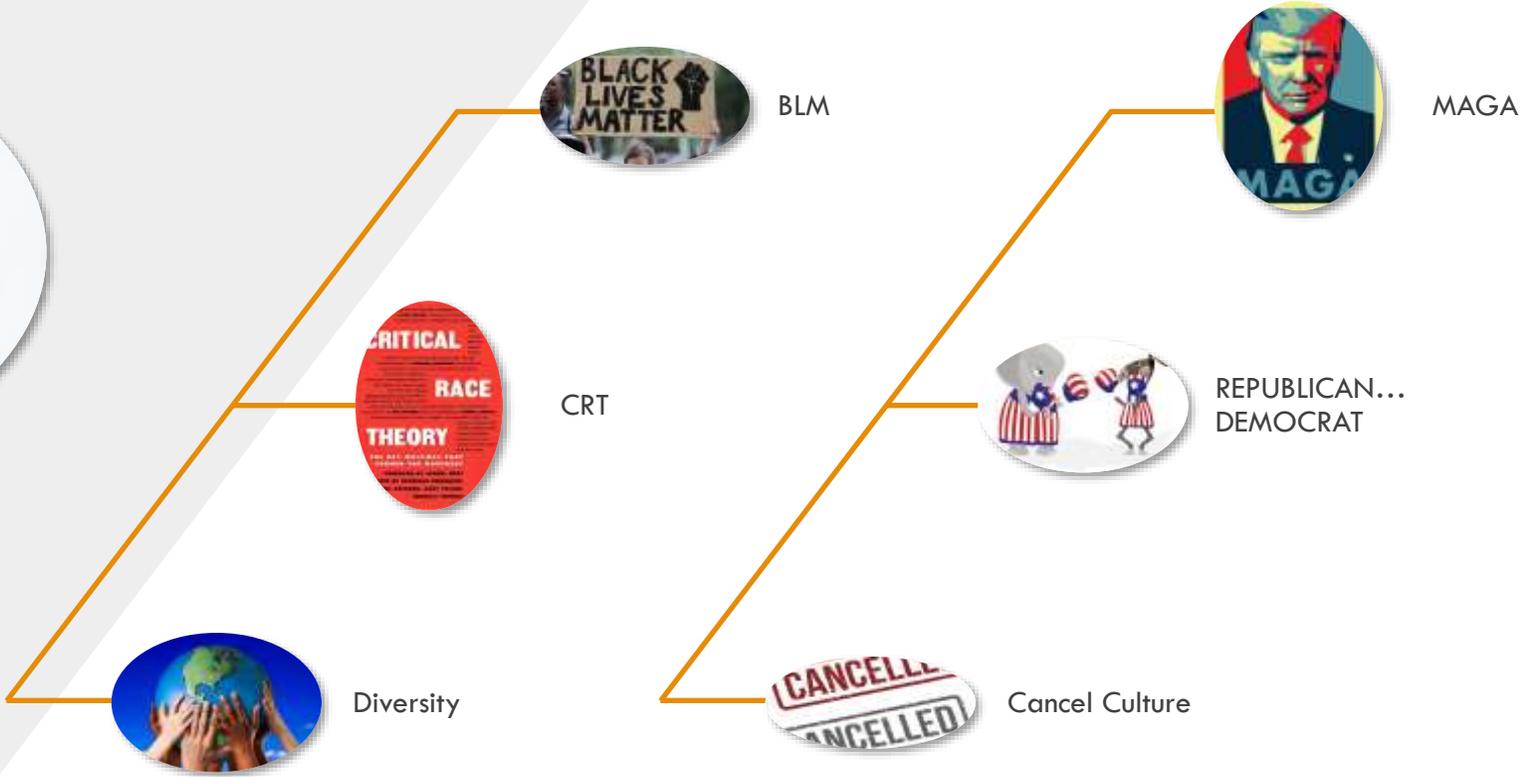


WHAT'S THE DIFFERENCE BETWEEN A GOOD LAWYER AND A BAD LAWYER?



ASSESSMENT

WHAT COMES TO MIND?



THE PROBLEM

Chart 7: Percentage of Women and People of Color at Law Firms — 2020

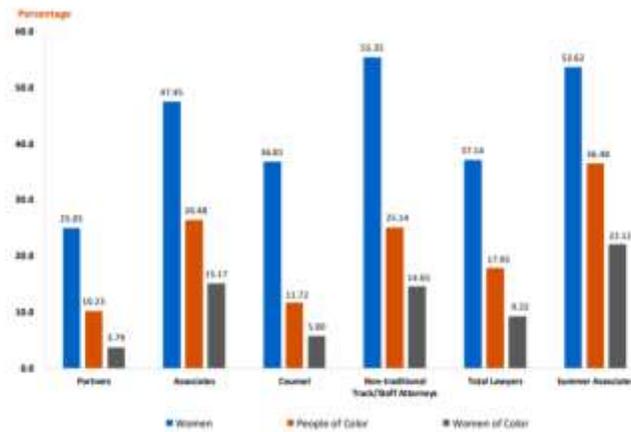


Chart 8: Percentage of LGBTQ Lawyers — 2004-2020

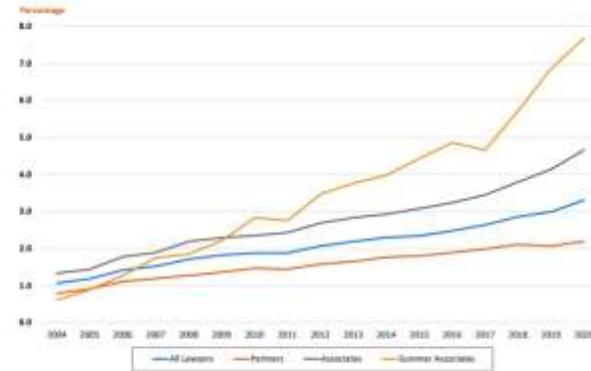


Table 11. Lawyers With Disabilities at Law Firms — 2020

	All Firms		Firms of 250 or Fewer Lawyers		Firms of 251-500 Lawyers		Firms of 501-750 Lawyers		Firms of 751+ Lawyers	
	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total
Partners	207	0.69%	42	0.68%	30	0.60%	19	0.50%	107	0.76%
Associates	276	0.99	24	0.71	34	0.72	16	0.57	202	1.19
Other Lawyers*	119	1.17	15	0.93	14	0.70	14	1.17	76	1.41
All Lawyers	602	0.88	81	0.72	87	0.88	49	0.88	385	1.05

Source: The 2020 NALP Directory of Legal Employers

Notes: Figures for lawyers with disabilities are based on 656 offices/firms reporting counts, including zero, in all lawyer categories. Counts of individuals with disabilities, including zero, cover 68,136 lawyers. Since so few summer associates with disabilities were reported (26 total), they are not included in the table. Because these figures are small and reporting is still somewhat limited, trend information on lawyers with disabilities are not presented.

* Data for counsel and non-traditional track/staff attorneys are combined.

Table 14. Lawyers Who Are Military Veterans — 2020

	All Firms		Firms of 100 or Fewer Lawyers		Firms of 101-250 Lawyers		Firms of 251-500 Lawyers		Firms of 501-750 Lawyers		Firms of 751+ Lawyers	
	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total	# Reported	% of Total
Partners	675	2.05%	52	4.17%	92	2.06%	114	1.76%	73	2.12%	344	1.98%
Associates	477	1.44	14	1.91	36	1.41	68	1.43	47	1.56	312	1.41
Other Lawyers*	366	3.15	14	3.89	34	2.97	54	2.60	40	2.99	224	3.35
All Lawyers	1,518	1.95	80	3.42	162	1.98	236	1.77	160	2.05	880	1.91
Summer Associates	82	1.76	—	—	—	—	—	—	—	—	—	—

Source: The 2020 NALP Directory of Legal Employers

Notes: Figures for military veteran lawyers are based on 656 offices/firms reporting counts, including zero, in all lawyer categories; figures for military veteran summer associates are based on 427 offices/firms with a summer program and reporting counts, including zero. Overall, military veteran counts, including zero, cover 77,726 lawyers and 4,672 summer associates. Because the number of military veteran summer associates is relatively small, these data are not broken out by firm size. Data collection on lawyers who are military veterans only began in 2018; therefore, there is not enough historical data to present trend information within the report.

* Data for counsel and non-traditional track/staff attorneys are combined.

WHERE IS THE BAR?

Missouri Bar



The Missouri Bar is dedicated to fostering diversity and inclusion in the profession. To that end, one of the state bar's seven core strategic goals is that Missouri lawyers reflect the diverse constituencies that they serve, and all members view The Missouri Bar as an inclusive organization where they belong.

MCLE Requirement

Special Committee Lawyers of Color Report 2021

Springfield BAR



To promote legal science and advance justice

American Bar Association



To serve equally our members, our profession and the public by defending liberty and delivering justice

ABA Goal III – to eliminate bias and enhance diversity and inclusion throughout the Association, legal profession, and justice system

<https://www.americanbar.org/groups/diversity/resources/>

WHERE IS THE BAR?

University of Missouri School of Law Institutional Learning Outcome



D. Develop the ability to act as leaders in the profession, in our state, and in promoting justice.

Saint Louis University School of Law



The School of Law is guided by the Jesuit tradition of academic excellence, **freedom of inquiry and respect for individual differences.**

University of Arkansas School of Law

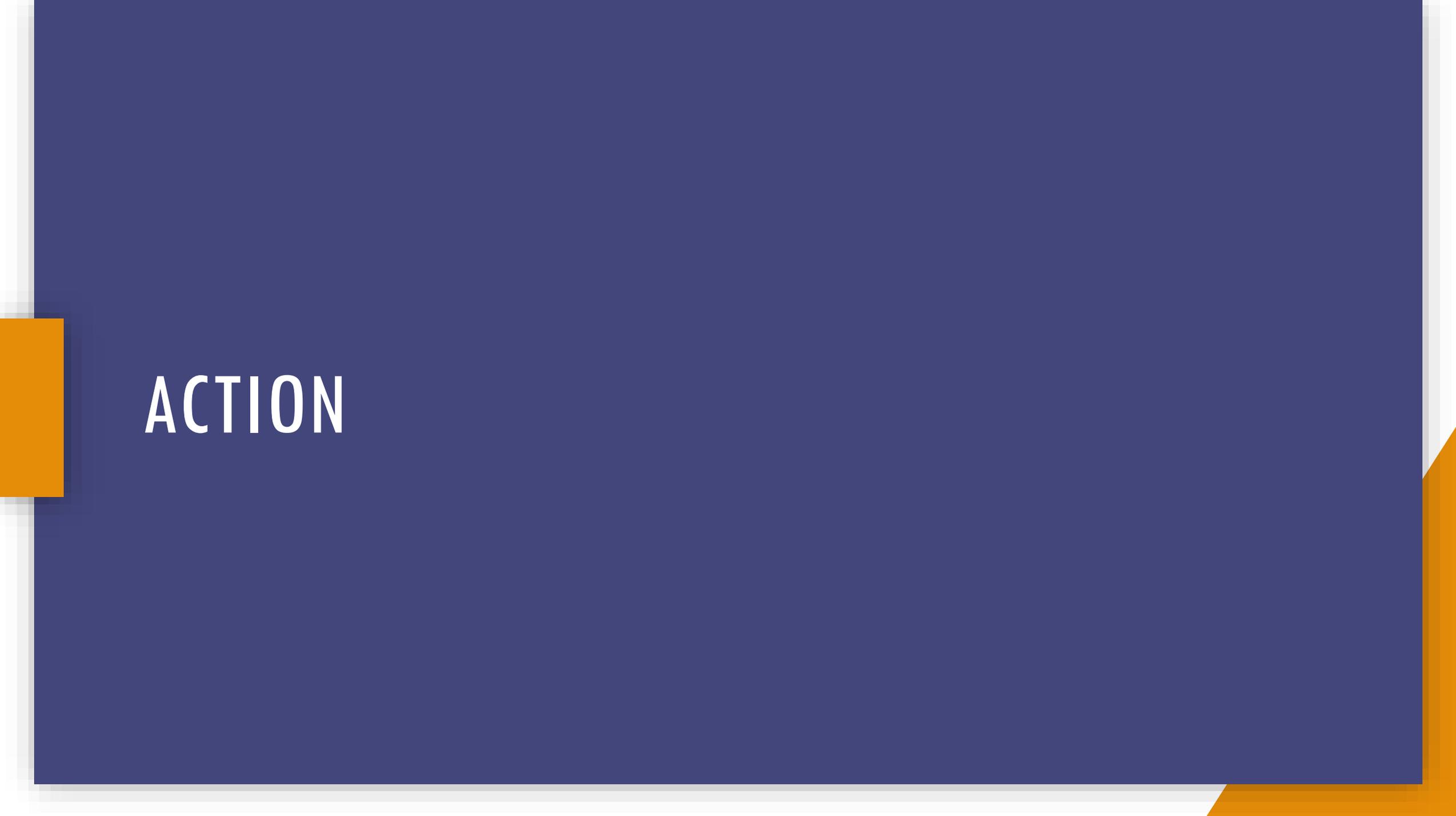


Anti-Racism and Anti-Bias Pledge

To affirm explicitly and in united solidarity our identity as an anti-racist and anti-bias academic unit and law school.

To individually and institutionally explore and examine implicit bias and systemic advantage/oppression such that our anti-racism and anti-bias commitment be reflected in the life and culture of the School of Law through our policies, programs, and practices as we continue to learn about and address racism and oppression.

To develop and implement strategies and best-practices that dismantle racism and oppression within all aspects of our law school and to contribute to the same transformation of the campus where possible.



ACTION

RAISING THE BAR

- Why is it so hard for us to have respectful, engaging dialogue?
- Do you actively seek opportunities to engage with people whom are different (ideas, beliefs, backgrounds) than you?
 - Our brains know what our brains know... and we don't know what we don't know
 - Reinforcement and repetition
- Why are we still in the age of “firsts?”
 - **Intentional** discriminatory acts in our nation's history have led to generations of the effects of these acts
 - Affirmative Action- effective remedy?



RAISING THE BAR

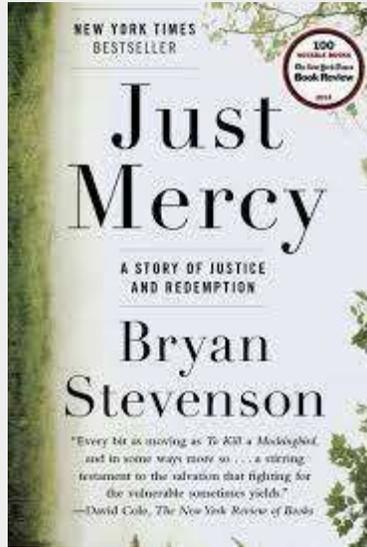
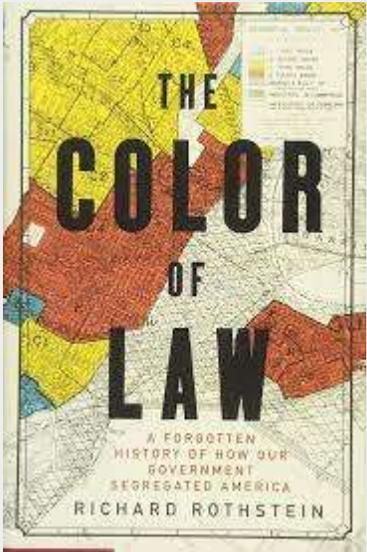
- What does your sphere of influence (resources, books, socialization, etc.) entail?
- How did we get here?
 - Pandemic + Social Unrest + Isolation + Loss + Political Polarization...



MODEL RULES OF PROFESSIONAL CONDUCT - PREAMBLE

- [6] As a public citizen, a lawyer should **seek** improvement of the law, **access** to the legal system, the administration of **justice** and the quality of service rendered by the legal profession. As a member of a learned profession, a lawyer should cultivate knowledge of the law beyond its use for clients, employ that knowledge in **reform of the law** and work to strengthen legal education. In addition, a lawyer should **further the public's understanding of and confidence in the rule of law and the justice system** because legal institutions in a *constitutional democracy* depend on popular participation and support to maintain their authority. **A lawyer should be mindful of deficiencies in the administration of justice** and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. **Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel.** A lawyer should aid the legal profession in pursuing these objectives and should help the bar regulate itself in the public interest.
- [13] **Lawyers play a vital role in the preservation of society.** The fulfillment of this role requires an understanding by lawyers of their relationship to our legal system. The Rules of Professional Conduct, when properly applied, serve to define that relationship.

RESOURCES



BRYAN STEVENSON- 4 RULES FOR ACHIEVING PEACE AND JUSTICE

- Stay proximate to the people you are trying to help
- Change the narrative around the problem you are trying to solve
- Don't lose hope
 - “Hopelessness is the enemy of justice. Injustice prevails where hopelessness persists.”
- Pursuing peace and justice requires doing things that are uncomfortable and inconvenient

A black and white portrait of James Baldwin, looking slightly to the right with a serious expression. He is wearing a light-colored jacket with a fur collar.

“Not
everything
that is faced
can be
changed,
but nothing
can be
changed
until it is
faced.”

—James Baldwin



History, despite its wrenching pain,
cannot be unlived, but if faced with
courage, need not be lived again.

— *Maya Angelou* —

AZ QUOTES



DIVERSITY, EQUITY, AND INCLUSION

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