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Study reveals new findings on ethnicity in legal field

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Asian-Americans have surpassed Latinos as the second largest minority group among lawyers, a new study from the Institute for Inclusion in the Legal Profession says.

Among some highlights in a wide-ranging study are:

- When people lie about their race or ethnicity to get into law school, the group they are most likely to choose to lie about is being American Indian.
- Asian-Americans are more likely than any other group to enter private practice, including whites.
- One can no longer assume in a law firm that a black partner will mentor a black associate or that a black associate will want a black partner as mentor.

The institute's report is a 148-page book that includes statistics, essays on diversity issues and a roundup of some successful diversity programs.

Included, for example, are programs at The Chicago Bar Association; also Wildman, Harrold, Allen & Dixon LLP (which just merged with Edwards, Angell, Palmer & Dodge LLP to form Edwards, Wildman, Palmer LLP); Schiff, Hardin LLP; the Chicago Committee on Minorities in Large Law Firms; and The John Marshall Law School.

The report's editor-in-chief, Elizabeth Chambliss, a professor at New York Law School, called it the "inaugural issue" of this type of publication.

The statistics show that in 2009, blacks were still the largest minority group in the legal profession with 4.7 percent of America's lawyers. Asian-Americans made up 4.1 percent and Latinos made up 2.8 percent.

In 2000, Latinos had been the second largest minority group among lawyers at 3.3 percent. Asian-Americans were third then at 2.3 percent.

But the study says the raw number of Asian-American lawyers more than doubled between 2000 and 2009, while the number of Latino lawyers increased only slightly.

Among women lawyers, a consistent pattern has developed since the mid-1990s. Women are less likely than men to enter private practice and business and more likely

to begin their careers in public interest jobs, the study says.

And women are more likely than men to have judicial clerkships.

The study makes some observations about American Indian law students and lawyers.

"The number of Native Americans enrolled in law schools, while miniscule, may actually overstate the number entering the profession because law school applicants may falsely represent themselves as Native American to gain admission," said Lawrence R. Baca, former three-time president of the National Native American Bar Association.

The IILP study says American Indians comprised only 0.8 percent of all law students in the 2008-2009 school year.

But Baca said this may overstate the situation because of misrepresentations on law school applications.

He said his own, separate study, which is quoted in the IILP report, showed that American Indian lawyers increased by only 228 in raw numbers between 1990 and 2000. But in that same decade, "law schools reported graduating 2,497 American Indian students."

"That's what so shocking," he said. "It can only be explained by my assertion that half of all (American) Indian law students nationally aren't actually Indians. They are 'box checkers,'" people who lie by checking the Native American box on an application.

"It might be that 65 percent of all those law students who claim to be Indian are not Indian."

Baca used the terms Native American and American Indian interchangeably.

He said law schools should require applicants who claim to be American Indian to name their tribe and supply their "enrollment number" in that tribe.

Or, he said applicants who are American Indian but don't have an enrollment number — like Baca — should supply a letter from an official of their tribe verifying they are American Indian.

Among the successful diversity programs the IILP report cites is "Bridges," begun by the Diversity Committee at Schiff, Hardin.

"Bridges" is a very short description of employees, lawyers or staff, that tells "three things that very few people at the firm know

about you, and that you don't mind them knowing about you," said Felice Bressler Rose, a partner and member of the Diversity Committee.

One of these snippets about an employee is sent as an e-mail to the entire firm once or twice a week, she said. "It's meant to be a 10-second read."

When it was first proposed, people wondered who would want to participate. But she said, "it caught on really quickly. It's one of our most coveted programs."

About 200 people have volunteered to be profiled in this way and more are volunteering.

The program is "a way to create bridges across offices" and even within offices to connect people, Rose said.

As a firm, Schiff, Hardin seeks to encourage four types of diversity among employees, said Rose and partner Thomas P. White. The four types are: gender; race, ethnicity and national origin; sexual orientation; and geographic.

Sarah L. Olson, a Chicago partner at the firm that this month became Edwards, Wildman, Palmer, said the firm in Chicago three times a year has a lunch meeting that highlights an ethnic group.

The lunch meeting draws a standing room only crowd in the largest conference room that seats 100 people.

A community or cultural leader of that group from outside speaks as well as someone from the law firm who is a member of the same group.

The speakers tell the history of that group in America, how the group came to Chicago and some of its features. The Edwards, Wildman, Palmer member of the group tells how his or her own family came to Chicago.

The lunch features catered food from that ethnic group. Arts, crafts and clothing for that group are shown and music is played.

So far, "the firm has examined the history and culture of the Greek, African-American, Mexican-American, Polish, Swedish, Puerto Rican and Italian communities in Chicago," she said.

Olson said: "If you don't understand the background and culture of different communities in Chicago, how do you speak well to a jury that's composed of those communities?"