

National Task Force in Diversity Committee Meeting

Friday, February 8, 2013 Dial-in Only

Participants

Ken Andrichik
John Bickerman
Chuck Beach
Kathy Bryan
David Burt
Fenimore Fisher
Cassandra Georges
Wendy Hufford

Laura Kaster
Jim Lawrence
Barry Leon
Laurel Malson
Debbie Masucci
Monica Parham
Rick Richardson
Jay Waks

Kathy Bryan began by filling in the group on the positive reaction to the keynote presentation by Verná Myers at the Annual Meeting and thanked the Task Force for their support.

David Burt described his “5 point plan” to promote diversity within DuPont:

1. Develop a short list of qualified diverse neutrals
2. Publish the Commitment to DuPont’s law firm network
3. Publish the diverse list to DuPont’s law firm network
4. Poll the institutions for lists of diverse neutrals
5. Provide the Commitment and discuss the need for diverse neutrals at internal meetings.

The group discussed various ways to promote the Diversity Commitment:

- Mr. Fisher offered to distribute the Commitment to the Office of Administrative Trials and Hearings. He suggested that the cultural training and sensitivity focus of the Judiciary has been effective in promoting diversity in judicial appointments.
- Mr. Richardson offered to distribute the Commitment to the companies involved in the Legal Inclusion Initiative.
- Ms. Masucci offered to involve the ABA through the Spring Conference and website, the New York State Bar event on Diversity in March, and the College of Commercial Arbitrators meeting in October.

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- Ms. Parham offered to involve the MCCA.
- Mr. Waks suggested that the CPR Board and Executive Advisory Committee should have a briefing at the meetings in May and that CPR members should be informed and encouraged to become signatories.
- Ms. Kaster and Ms. Sussman agreed to promote the Commitment through the NYSBA DR Journal.

Ms. Bryan thanked the group and noted that without marketing funding, these “grassroots” efforts are critical to gain more exposure. She agreed to ensure that CPR would issue a Press Release and distribute broadly, but hoped to have a number of signatories first. Mr. Andrichik suggested that the form be modified to include details about CPR and where to send the signed copy.

Ms. Bryan reported on the meeting of the NY City Bar committee where she presented the issue. Concerns with sufficient “supply” of diverse neutrals, ensuring the quality of the neutral, the motivation to find the best for the case, and lack of adequate information on the diverse neutrals presented barriers. She drafted the one page “What You Can Do To Promote Diversity in ADR” in response and solicited comments.

Ms. Masucci encouraged all to review and take the survey drafted by IMI to provide better analysis of the selection criteria. Ms. Bryan agreed to distribute information with the minutes.

Mr. Fisher questioned whether there was any survey data to indicate the views of neutrals about the barriers to selection. A survey conducted by Maria Volpe and Marvin Johnson a number of years ago was referenced.

Mr. Burt asked whether there were differences between gender issues and racial issues, and noted that there were many more females on most lists than racial minorities. Ms. Bryan cited the difference in the number of female vs minority lawyers accounted for some of the difference. Ms. Kaster cautioned that both were disadvantaged groups. Ms. Masucci noted that the ABA had convened a committee to address the gender issue.

Mr. Waks offered to arrange a meeting with the person from Legal Momentum who runs the National Judicial Education program, and Ms. Bryan agreed to participate.

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Ms. Bryan noted that the age of neutrals was also an issue and encouraged the group to seek to promote younger professionals as well as diverse in race and gender. LGBT was also discussed as a disadvantaged sub group that should be supported.

The group discussed the importance of mentoring and some best practices. Ms. Georges offered to lead a subcommittee to address mentoring opportunities in more detail. Mr. Fisher and Mr. Bickerman offered to participate.

The next meeting will be on May 3, 2013 at 10 am EST.

The call concluded at 11:05 am EST.