

**Oregon State Bar**  
**Special Open Session of the Board of Governors**  
**January 5, 2018**  
**Minutes**

President Vanessa Nordyke called the meeting to order at 11:10 a.m. on January 5, 2018. The meeting adjourned at 11:55 a.m. Members present from the Board of Governors were John Bachofner, Whitney Boise, Chris Costantino, Eric Foster, John Grant, Rob Gratchner, Guy Greco, Michael Levelle, Eddie Medina, Tom Peachey, Per Ramfjord, Kathleen Rastetter, Michael Rondeau, Traci Rossi, Kerry Sharp, and David Wade. Not present were Colin Andries, Liani Reeves, and Julia Rice. Staff present were Helen Hirschbiel, Amber Hollister, Dawn Evans, Susan Grabe, Jonathan Puente, Dani Edwards, Catherine Petrecca, and Camille Greene. Also present was Jennifer Nicholls, ONLD Chair.

**1. Call to Order**

**2. Swearing In**

Ms. Nordyke swore in new board members Whitney Boise, John Grant, Michael Rondeau, and David Wade. Colin Andries was not present.

**3. Adopt BOG Areas of Focus for 2018**

Ms. Nordyke presented the 2018 areas of focus for board approval and thanked past-president, Mr. Levelle for his work. **[Exhibit A]**

**Motion:** Mr. Peachey moved, Mr. Gratchner seconded, and the board voted unanimously in favor of adopting the areas of focus for 2018.

**4. Final Diversity Action Plan**

Mr. Puente presented the final Diversity Action Plan for board approval. Ms. Nordyke asked Mr. Puente to outline the goals that would affect the BOG's future actions. Mr. Puente pointed out Goal 2 Strategy 2 Actions 2.2.1 and 2.2.2. Ms. Nordyke pointed out Action 2.3.1 and asked Ms. Nicholls how the Diversity Action Plan would affect the ONLD. Ms. Nicholls stated that the ONLD retreat this weekend will include a review of the plan. **[Exhibit B]**

**Motion:** Mr. Bachofner moved, Mr. Rondeau seconded, and the board voted unanimously in favor of approving the final Diversity Action Plan.

**5. Other**

Ms. Rastetter emphasized the importance of the short legislative session and the consumer protection package and encouraged the board to use their talking points when engaging with members. She also said the bar was asked to take a position on an ABA proposal to not allow non-unanimous verdicts. Oregon and Louisiana are the only two states that currently allow non-unanimous verdicts in criminal cases. The Public Affairs Committee recommends that the the board give it authority to look into the proposal further and take a position consistent with

the bar's mission and Keller and present that position to the board for ratification at its next meeting.

**Motion:** Mr. Wade moved, Mr. Peachey seconded, to allow the committee to look at it further, take action, and come back to the board for ratification. Mr. Grant suggested the committee consult with the Criminal Law Section. Mr. Levelle stated that the African-American community is affected by the non-unanimous vote and described it as institutional racism. Ms. Grabe stated it is a higher-level justice system issue. Mr. Peachey asked if there was proposed resolution in the Oregon Legislature now. Ms. Rastetter answered "no." Mr. Peachey recommended the possibility of bringing this to the House of Delegates in the future. The motion passed unanimously.

## **6. Statement on White Nationalism and Normalization of Violence**

Ms. Hirschbiel pointed out the Washington State Bar Association's statement and the draft statement from the Oregon State Bar. The Advisory Committee on Diversity and Inclusion will look at this draft statement and advise the board. She encouraged the board to submit feedback to her or Mr. Puente on this draft statement. **[Exhibit C]**

## **7. Closed Sessions – see CLOSED Minutes**

A. Executive Session (pursuant to ORS 192.660(1)(f) and (h)) - General Counsel/UPL Report

**Motion:** Mr. Ramfjord moved, Mr. Bachofner seconded, and the board voted unanimously to approve the Unlawful Practice of Law's recommendation to initiate an action to seek a civil injunction against Lara Dubuque and A-1 Quality Paralegal (UPL Case No. 2016-27).

## **8. Good of the Order (Non-action comments, information and notice of need for possible future board action)**

Mr. Bachofner encouraged board members to reach out to members in their region for HOD delegate and BOG member positions.

**Oregon State Bar  
Board of Governors Meeting  
January 5, 2018  
Special Executive Session Minutes**

Discussion of items on this agenda is in executive session pursuant to ORS 192.660(2)(f) and (h) to consider exempt records and to consult with counsel. This portion of the meeting is open only to board members, staff, other persons the board may wish to include, and to the media except as provided in ORS 192.660(5) and subject to instruction as to what can be disclosed. Final actions are taken in open session and reflected in the minutes, which are a public record. The minutes will not contain any information that is not required to be included or which would defeat the purpose of the executive session.

A. Unlawful Practice of Law Litigation

Ms. Hollister informed the board that the Unlawful Practice of Law committee is an entity now appointed by the Oregon Supreme Court. She then asked the board to decide whether to approve the initiation of a lawsuit as recommended by the Unlawful Practice of Law committee in UPL Case No UPL Case No. 2016-27.

## OSB Board of Governors

### STATUTORY CHARGE

The OSB Board of Governors (BOG) is charged by the legislature (ORS 9.080) to “at all times direct its power to the advancement of the science of jurisprudence and the improvement of the administration of justice.”<sup>1</sup> The Oregon State Bar (OSB) is also responsible, as an instrumentality of the Judicial Department of the State of Oregon, for the regulation of the practice of law.<sup>2</sup> As a unified bar, the OSB may use mandatory member fees only for activities that are germane to the purposes for which the bar was established.<sup>3</sup>

### MISSION

The mission of the OSB is to serve justice by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice.

### STRATEGIC FUNCTIONS

The BOG has translated the statutory charge and mission into five core functions that provide overall direction for OSB programs and activities:

#### FUNCTION #1 – REGULATORY BODY

**GOAL:** Protect the public by ensuring the competence and integrity of lawyers.

#### FUNCTION #2 – PARTNER WITH THE JUDICIAL SYSTEM

**GOAL:** Support and protect the quality and integrity of the judicial system.

#### FUNCTION #3 – PROFESSIONAL ORGANIZATION

**GOAL:** Promote professional excellence of bar members.

#### FUNCTION #4 – ADVOCATES FOR DIVERSITY, EQUITY AND INCLUSION

**GOAL:** Advance diversity, equity and inclusion within the legal community and the provision of legal services

#### FUNCTION #5 – CHAMPIONS FOR ACCESS TO JUSTICE

**GOAL:** Foster public understanding of and access to legal information, legal services, and the justice system.

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<sup>1</sup> Webster's Dictionary defines jurisprudence as the "philosophy of law or the formal science of law." "The administration of justice" has been defined in case law variously as the "systematic operation of the courts," the "orderly resolution of cases," the existence of a "fair and impartial tribunal," and "the procedural functioning and substantive interest of a party in a proceeding."

<sup>2</sup> The OSB's responsibilities in this area are clearly laid out in the Bar Act, ORS Chapter 9.

<sup>3</sup> In *Keller v. State Bar of California*, 499 US 1,111 SCt 2228 (1990), the US Supreme Court held that an integrated bar's use of compulsory dues to finance political and ideological activities violates the 1st Amendment rights of dissenting members when such expenditures are not "necessarily or reasonably incurred" for the purpose of regulating the legal profession or improving the quality of legal services.

## **FIDUCIARY ROLE**

In order to advance the mission and achieve its goals, the BOG must ensure that the OSB is effectively governed and managed, and that it has adequate resources to maintain the desired level of programs and activities.

### **AREAS OF FOCUS FOR 2018**

1. Follow-up on Futures Task Force items
  - a. Develop charge and plan for RPC 5.4 Committee.
  - b. Consider recommendations of Paraprofessionals Implementation Committee
  - c. Receive reports on progress of other items and identify action items as appropriate.
  - d. Consider recommendations of Committee on Alternative Pathways to Becoming a Lawyer.
2. Continue review of new lawyer programs and adopt changes as appropriate.
  - a. Consider recommendations for changes to the New Lawyer Mentoring Program.
  - b. Seek feedback from ONLD regarding survey results and alternative governance models.
  - c. Consider adding ex-officio member to section executive committees
3. Evaluate potential forms of revenue and cost-savings for 2019 budget and beyond.
4. Implement Diversity Action Plan items identified for 2018.

Oregon State Bar

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# 2018-2020 Diversity Action Plan



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**Helen Hirschbiel**  
Chief Executive Officer

## MESSAGE FROM THE CEO

The mission of the Oregon State Bar is to serve justice by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice. Oregon State Bar leadership has long understood that this mission cannot be accomplished without a diverse bench and bar that is fully committed to a fair, inclusive, and equitable justice system. The challenge remains, as always, how to realize this mission.

My goal is to bring an equity and inclusion lens to all that we do at the Oregon State Bar—in our operations, for the public, and for the members. Our efforts to that end began with the development of this plan and will continue as we implement the plan over the next three years. We expect this work to be challenging, and we know we will need to continue to refine our approach, seek feedback, and embrace new lessons as we go. But I am confident that this plan is an important step forward.

I want to thank Jonathan Puente and Lucy Taylor for their excellent leadership throughout this strategic planning process. And I want to commend and thank the many bar staff leaders, specialty bar leaders, members of the Board of Governors and Advisory Committee on Diversity and Inclusion, all of whom have demonstrated their commitment to the bar's diversity, equity, and inclusion work by spending many hours thinking deeply and discussing openly how we can bring about the type of systemic change in the Oregon State Bar that will allow us to fully achieve the OSB mission.





**Vanessa Nordyke**  
2018 President



**Michael Levelle**  
Immediate Past-President

## MESSAGE FROM THE BOARD OF GOVERNORS

The Oregon State Bar plays many roles, but first and foremost it exists to protect and serve the public by creating an effective, fair, and accessible justice system.

In 1973, the members of the OSB, in their collective wisdom, recognized a vital truth: that Oregon's justice system could never fully realize that vision of full equity unless the system itself reflected the cultural richness and diversity of all those touched by it, and until all lawyers and all clients trusted that it was fair and free of barriers.

After nearly five decades of progress since the creation of what is now the Diversity & Inclusion Department, that vital truth seems ever more relevant today, even as we still strive toward the ideal system it envisioned.

This Diversity Action Plan continues that progress, providing a framework for the next three years. It reflects nearly a year of work incorporating input by bar leaders throughout the OSB and its many community partners.

Most importantly, it reaffirms that the OSB as an institution remains fully focused on creating a justice system that serves every Oregonian, including those from traditionally underserved or marginalized communities.

We offer our thanks and congratulations to those whose commitment to inclusion, equity, and access to justice has moved us consistently forward for decades. We also invite every bar member to join in this work, which remains as vital today as it was when the OSB first committed to it.

Finally, we look forward to our continued progress toward that ideal vision of a justice system that is accessible to all, welcoming of all, and trusted by all.

# OVERVIEW

## OSB DIVERSITY AND INCLUSION DEFINITION

Diversity and inclusion means acknowledging, embracing, and valuing the unique contributions our individual backgrounds make to strengthen our legal community, increase access to justice, and promote laws and creative solutions that better serve clients and communities. Diversity includes, but is not limited to, age, culture, disability, ethnicity, gender and gender identity or expression, geographic location, national origin, race, religion, sex, sexual orientation, veteran status, and socioeconomic status. A diverse and inclusive bar is necessary to attract and retain talented employees and leaders; effectively serve diverse clients with diverse needs; understand and adapt to increasingly diverse local and global markets; devise creative solutions to complex problems; and improve access to justice, respect for the rule of law, and credibility of the legal profession.

## DIVERSITY ADVISORY COUNCIL (DAC)

The Diversity Advisory Council (DAC) was formed in 2012 by the Oregon State Bar (OSB) Board of Governors (BOG) and was charged with developing a Diversity Action Plan (DAP) by the end of 2013. The DAC, made up of OSB directors and BOG representatives, developed a three-year DAP that was adopted by the BOG in November 2013. Implementation of the DAP commenced in January 2014 and continued until the end of 2016. The DAC reported on the DAP's implementation progress annually; these implementation reports are available online:

**2014 report:** [www.osbar.org/docs/diversity/DAC2014Implementation.pdf](http://www.osbar.org/docs/diversity/DAC2014Implementation.pdf)

**2015 report:** [www.osbar.org/docs/diversity/DAC2015Implementation.pdf](http://www.osbar.org/docs/diversity/DAC2015Implementation.pdf)

**2016 report:** [www.osbar.org/docs/diversity/DAC2016Implementation.pdf](http://www.osbar.org/docs/diversity/DAC2016Implementation.pdf)

The work of the DAC continued in 2017, when development of the OSB's second three-year DAP began.

## DAC MISSION

To fully achieve the OSB's mission, we must ensure our programs, services, and activities are delivered in an inclusive and culturally responsive manner to our diverse bar and community. The DAC works to promote a systemic, collaborative, and strategic approach to achieve set goals and objectives to enhance the OSB's interest in advancing diversity and inclusion in the bar.

## DAC CHARGE

Promoting access to justice, encouraging respect for the rule of law, increasing the quality of legal services, and developing a diverse and inclusive bar are key components of the OSB's mission and values. The DAC serves in an advisory capacity to the OSB's Chief Executive Officer (CEO). As stewards and agents of the OSB, the DAC is charged with developing a DAP to ensure that the OSB's programs, services, and activities are delivered in an inclusive, culturally competent, and responsive manner to our diverse bar and community. Upon approval of the DAP by the CEO and adoption by the BOG, the DAC is charged with implementation and ongoing monitoring of the DAP, including measuring progress toward achieving goals

and objectives. The DAC also advises the CEO generally on matters related to diversity and inclusion in all aspects of the OSB’s mission.

## **DAC RESPONSIBILITIES**

The DAC’s responsibilities include developing a recommended DAP for the OSB that addresses all of the OSB’s departments and mission areas.

## **AUXILIARY COMMITTEE**

An ad hoc Auxiliary Committee—made up of specialty bar leaders, community stakeholders, and members of the OSB’s Advisory Committee on Diversity and Inclusion (ACDI)—was created during the 2017 planning process, to provide input and feedback as the DAP developed. The work of the Auxiliary Committee will continue during the DAP implementation process, to facilitate ongoing communication between the OSB and its community stakeholders throughout the three-year implementation process.

## **PLAN IMPERATIVES**

Throughout the DAP implementation process, the effectiveness of the strategies and action items for each goal will be reviewed and adjusted as necessary.

The process and criteria for appointment to the DAC will be submitted to the BOG for review.

## **PLAN STRUCTURE**

# **SPHERE OF THE PLAN** (Membership, Public Outreach, Bar Operations)

## **GOAL 1** Each sphere contains goals, designed to help achieve the mission.

**STRATEGY 1** Each goal has a number of strategies – approaches designed to achieve the goal.

**ACTION 1.1.1** Each strategy has been broken down into specific steps (actions) labeled according to the goal and strategy they sit under. (E.g. Action 1.1.1 = Goal 1, Strategy 1, Action 1)

- 2018 (Implementation date)| The target measures for each action are listed here, along with a date for implementation of each target measure. Implementation of certain target measures will be ongoing, as indicated by date ranges. **THE DEPARTMENT RESPONSIBLE FOR CARRYING OUT THE TARGET MEASURE IS LISTED HERE**

## IMPLEMENTATION

All target measures within the DAP have been assigned to a particular department, denoting responsibility for target measure implementation. Ongoing reporting on plan implementation will take place, and formal annual reports will be released. Departments with target measure responsibility:

Accounting	General Counsel
Admissions	Human Resources
CEO	Legal Publications
Continuing Legal Education (CLE) Seminars	Legal Services Program (LSP)
Communications	Member Services
Diversity & Inclusion (D&I)	Oregon Law Foundation (OLF)
Executive Services	Public Affairs
Finance and Operations	

*View depts at [www.osbar.org/osbcenter/staff.html](http://www.osbar.org/osbcenter/staff.html)*

## DAC MEMBERS

**Judith Baker** – Director of Legal Services Programs / OLF Executive Director

**Danielle Edwards** – Director of Member Services; DAC Membership Subcommittee Chair

**Dawn Evans** – Disciplinary Counsel / Director of Regulatory Services

**Susan Grabe** – Director of Public Affairs

**Helen Hierschbiel** – Chief Executive Officer

**Amber Hollister** – General Counsel

**Christine Ford** – Director of Human Resources; DAC Bar Operations Subcommittee Chair

**Linda Kruschke** – Director of Legal Publications

**Karen Lee** – Director of CLE Seminars

**Michael Levelle** – OSB President (2017)

**Kay Pulju** – Director of Communications & Public Services; DAC Public Outreach Subcommittee Chair

**Jonathan Puente** – Director of D&I; DAC Chair

**Liani Reeves** – Board of Governors

**Traci Rossi** – Board of Governors

**Kateri Walsh** – Public Relations Manager

**Rod Wegener** – Chief Financial Officer

## DAC SUPPORTING MEMBERS

**Ralph Gzik** – Oregon New Lawyers Division Member

**Eric McClendon** – Referral and Information Services Manager

**Lucy Taylor** – D&I Internal Coordinator; DAC Co-Chair

**Troy Wood** – Admissions Manager

## AUXILIARY COMMITTEE MEMBERS

**Jacqueline Alarcon** – ACDI member

**Derily Bechthold** – President, Oregon Asian Pacific American Bar Association

**Bryson Davis** – ACDI member

**Angela Franco Lucero** – President, Oregon Women Lawyers

**Claudia Groberg** – ACDI member

**Andrea Montag** – ACDI member

**Jonathan Patterson** – ACDI Secretary; OSB Diversity Section Chair

**Iván Resendiz Gutierrez** – President-Elect, Oregon Hispanic Bar Association; Oregon Minority Lawyers Association board member

**Natasha Richmond** – Assistant Director of Admissions, Lewis & Clark Law School

**Dan Simon** – ACDI Chair

**Yazmin Wadia** – ACDI member

## OSB D&I DEPARTMENT



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# DIVERSITY ACTION PLAN

## MISSION STATEMENT

The Oregon State Bar practices and reflects the values of diversity, inclusion, and equity in its service to the public and its members, as well as in its internal operations.

### Membership

We strive to build and retain a diverse and inclusive bench and bar. We support members reaching their full professional potential by eliminating barriers and creating opportunities in the law.

### Public Outreach

We strive to achieve equitable access to legal services and to generate public awareness about the legal system and bar services among all Oregon communities.

### Bar Operations

We strive to create a welcoming environment where staff feel a sense of community and are fully engaged to achieve the bar's mission.



# OUTLINE

<b>MEMBERSHIP SPHERE</b>	
<b>GOAL 1</b>	<b>Increase and sustain a diverse OSB and bench.</b>
<b>Strategy 1</b>	Identify and gather information on experiences of lawyers from nondominant cultures.
<b>Strategy 2</b>	Ensure the effective retention of diverse bar members, including members from nondominant cultures.
<b>Strategy 3</b>	Encourage, support, and promote diverse bar members, including members from nondominant cultures, in seeking judicial positions.
<b>Strategy 4</b>	Collaborate with and support specialty bars and other organizations to advance diversity, equity, and inclusion in the Oregon legal community.
<b>Strategy 5</b>	Support an effective pipeline of diverse law students, including those from nondominant cultures, who feel sustained, welcomed, and encouraged to practice law in Oregon.
<b>Strategy 6</b>	Increase lawyer engagement in community organizations that encourage individuals from nondominant cultures to pursue legal education.
<b>GOAL 2</b>	<b>Identify and work to eliminate barriers in the legal profession for members from nondominant cultures.</b>
<b>Strategy 1</b>	Increase OSB efforts to educate members on the value of diversity, equity, and inclusion.
<b>Strategy 2</b>	The BOG functions in a way that is open and inclusive of different perspectives and experiences.
<b>Strategy 3</b>	Support an open and inclusive award selection process for all OSB groups.
<b>Strategy 4</b>	Review the admissions process to determine whether all applicants are treated equitably under the admission rules and procedures.
<b>GOAL 3</b>	<b>Enrich the OSB by increasing the diversity of member representation in volunteer and leadership roles.</b>
<b>Strategy 1</b>	Educate OSB member groups on the value of diversity, equity, and inclusion.
<b>Strategy 2</b>	Increase diversity on all OSB self-electing boards and in membership elected positions.
<b>Strategy 3</b>	Encourage diversity of volunteer speakers and planners for CLE events.
<b>Strategy 4</b>	Collaborate with the BOG and Board Development Committee to increase the diversity of lawyer and public member volunteers appointed by the BOG.
<b>Strategy 5</b>	Develop a leadership institute for Oregon lawyers who support the mission of the D&I Department, including lawyers from nondominant cultures.
<b>Strategy 6</b>	Encourage diversity of volunteer editorial review boards and authors for Legal Publications books.
<b>Strategy 7</b>	Evaluate the effectiveness of the New Lawyer Mentoring Program (NLMP) in respect to lawyers from nondominant cultures.

<b>PUBLIC OUTREACH SPHERE</b>	
<b>GOAL 1</b>	<b>Increase representation and legal services to underserved and hard-to-reach communities in Oregon.</b>
<b>Strategy 1</b>	Assess the civil legal needs of low-income Oregonians statewide, including hard-to-reach populations.
<b>Strategy 2</b>	Ensure that the integrated statewide legal aid programs are targeting their services based on the most compelling needs of the client community, including hard-to-reach and diverse populations, including nondominant cultures, in accordance with the OSB LSP Standards and Guidelines.
<b>Strategy 3</b>	Increase pro bono representation of low-income Oregonians and hard-to-reach populations.
<b>Strategy 4</b>	Increase representation through increased funding for the integrated statewide legal aid programs to increase access for low-income Oregonians, including underserved and hard-to-reach communities in Oregon.
<b>GOAL 2</b>	<b>Ensure all Oregonians are able to access the bar's public protection programs.</b>
<b>Strategy 1</b>	Engage in outreach to marginalized communities regarding the availability and purpose of the bar's public protection programs.
<b>Strategy 2</b>	Develop a comprehensive approach for providing English-language learners access to the bar's public protection programs.
<b>Strategy 3</b>	Ensure that the operation of the bar's public protection programs is fair, safe, and welcoming to all.
<b>GOAL 3</b>	<b>Expand availability of public education, outreach, and self-navigation materials for underserved Oregon communities.</b>
<b>Strategy 1</b>	Develop public legal information materials that are accessible to all Oregonians.
<b>Strategy 2</b>	Enhance outreach to underserved communities regarding the Modest Means Program and Lawyer Referral Service.
<b>Strategy 3</b>	Increase issue-based public education, targeting media outlets with legal trends and issues that affect underserved communities.
<b>GOAL 4</b>	<b>Improve the administration of justice to better serve under-represented and marginalized communities.</b>
<b>Strategy 1</b>	Support OSB justice system funding priorities.
<b>Strategy 2</b>	Collaborate with the courts and support the Procedural Fairness in Courts Initiative.
<b>Strategy 3</b>	Support access to justice in the legislative arena.



<b>BAR OPERATIONS SPHERE</b>	
<b>GOAL 1</b>	<b>Bar employees have a high level of diversity and inclusion competence and ownership.</b>
<b>Strategy 1</b>	Provide educational opportunities for OSB employees.
<b>Strategy 2</b>	Ensure managers and directors are held accountable for professional development in relation to diversity, inclusion, equity, and cultural competence.
<b>Strategy 3</b>	Review current OSB language used in relation to diversity and inclusion, and make updates according to current best practices.
<b>Strategy 4</b>	Ensure the OSB bylaws are consistent with the OSB and DAC mission and goals around diversity and inclusion.
<b>GOAL 2</b>	<b>Foster a welcoming and inclusive workplace and accessible programs, services, and Bar Center.</b>
<b>Strategy 1</b>	Acquire an understanding of the bar's workplace culture.
<b>Strategy 2</b>	Use the results of data collection to identify areas for improvement.
<b>Strategy 3</b>	Identify and resolve barriers to the OSB being a welcoming environment for all.
<b>Strategy 4</b>	Continue to identify and resolve barriers to accessibility for persons with disabilities to OSB programs, services, and Bar Center.
<b>GOAL 3</b>	<b>Build a workforce that is diverse and inclusive at every level.</b>
<b>Strategy 1</b>	Collect demographic data as one benchmark for measuring the diversity of applicants and the workforce.
<b>Strategy 2</b>	Ensure that the OSB recruitment process is inclusive and equitable.
<b>Strategy 3</b>	Increase the diversity of applicants for vacant positions at the OSB.
<b>Strategy 4</b>	Explore and use bias interrupters in the hiring process.
<b>GOAL 4</b>	<b>Engage a diverse and inclusive group of contractors, suppliers, vendors, and consultants.</b>
<b>Strategy 1</b>	Develop and implement a process for ensuring consideration of a diverse list of third-party vendors.

# MEMBERSHIP SPHERE

## GOAL 1 Increase and sustain a diverse OSB and bench.

### STRATEGY 1 Identify and gather information on experiences of lawyers from nondominant cultures.

#### ACTION 1.1.1 Conduct climate surveys.

- 2018 | Create climate surveys to identify the barriers and opportunities faced by lawyers from nondominant cultures in Oregon. COMMUNICATIONS
- 2018 | Conduct climate surveys. COMMUNICATIONS
- 2018 | Conduct exit surveys for lawyers from nondominant cultures who leave the state or withdraw from active practice. COMMUNICATIONS

#### ACTION 1.1.2 Facilitate focus groups to gather feedback on member experiences.

- 2019 | Create and conduct focus groups using the information gleaned from the climate surveys. COMMUNICATIONS
- 2020 | Report to bar leadership on the focus group findings. COMMUNICATIONS

#### ACTION 1.1.3 Analyze lawyer fee rates and economic survey data to identify disparities for lawyers from nondominant cultures.

- 2018-2019 | Correlate information gleaned from Action 1.1.1 and Action 1.1.2. COMMUNICATIONS
- 2019-2020 | Use the information gathered to identify issues that warrant addressing. MEMBER SERVICES

### STRATEGY 2 Ensure the effective retention of diverse bar members, including members from nondominant cultures.

#### ACTION 1.2.1 Develop D&I programs and other bar resources to support diverse lawyers who are new to Oregon (“lateral hires”), including lawyers from nondominant cultures.

- 2019 | Use the results from the Goal 1, Strategy 1 surveys and focus groups to identify new program needs. D&I
- 2020 | Expand D&I programming to address lateral hire retention. D&I
- 2020 | Expand D&I programming to address new member retention. D&I

#### ACTION 1.2.2 Conduct outreach with legal employers to determine best practices for retaining lawyer employees from nondominant cultures.

- 2018 | Collect information from legal employers. D&I

- 2019 | Provide revised best practices toolkit to legal employers. **D&I**
- 2020 | Evaluate toolkit and outreach efforts. **D&I**

**ACTION 1.2.3 Develop resources to assist legal employers in creating a diverse workforce.**

- 2018 | Create a business case identifying the benefits of employing lawyers from nondominant cultures. **D&I**
- 2019 | Create resources to assist employers with lateral hire retention programs for lawyers from nondominant cultures. **D&I**
- 2020 | Begin to assess impact and reach of resources. **D&I**

**STRATEGY 3 Encourage, support, and promote diverse bar members, including members from nondominant cultures, in seeking judicial positions.**

**ACTION 1.3.1 Review the bar’s process for obtaining feedback on judicial candidates to ensure it is qualitative in nature and supports the DAC’s mission.**

- 2018 | Modify bar bylaws to eliminate bar polls for judicial selection process. **PUBLIC AFFAIRS**
- 2018 | Survey specialty bars regarding judicial screening process. **PUBLIC AFFAIRS**

**ACTION 1.3.2 Increase outreach to bar members, including members from nondominant cultures, regarding judicial positions.**

- 2018 | Assess notice-of-judicial-vacancy recipient list and webpage placement of notices. **PUBLIC AFFAIRS**
- 2018 | Assess placement of judicial vacancy notice to specialty bars and publications. **PUBLIC AFFAIRS**
- 2018 | Modify judicial appointment recommendations process to assess cultural competency. **PUBLIC AFFAIRS**

**STRATEGY 4 Collaborate with and support specialty bars and other organizations to advance diversity, equity, and inclusion in the Oregon legal community.**

**ACTION 1.4.1 Participate in meetings between specialty bars and OSB leadership to learn about specialty bars’ experiences and perceptions of the OSB as an institution, and of the OSB leadership.**

- 2018 | Work with specialty bars as requested to choose a facilitator and develop agendas. **EXECUTIVE SERVICES**
- 2018 | Provide OSB financial support for facilitating dialogue. **D&I**
- 2018 | Attend the meetings and ensure OSB leadership participation, and follow up as appropriate. **EXECUTIVE SERVICES**

#### **ACTION 1.4.2 Increase BOG awareness and support of the work engaged in by specialty bars.**

- 2018 | Organize a reception in conjunction with a BOG meeting, and invite specialty bars to attend and network with the BOG. **EXECUTIVE SERVICES**
- 2018–2020 | Invite specialty bars to attend and/or submit reports to BOG meetings, to report on their activities and events. **EXECUTIVE SERVICES**
- 2018–2020 | Ensure BOG representation at specialty bar events. **EXECUTIVE SERVICES**
- 2019 | Implement changes to the BOG’s participation in specialty bar work, as agreed on during the facilitated joint leadership meetings. **CEO**

#### **ACTION 1.4.3 Assist specialty bars in promoting their activities and events to OSB leadership and to OSB membership.**

- 2018 | Conduct outreach with specialty bars on the services OSB can provide. **MEMBER SERVICES**
- 2018 | Improve placement and accessibility of specialty bar information on the OSB website. **MEMBER SERVICES**
- 2018–2020 | Invite specialty bars to have a table and to include promotional materials at OSB events to showcase their organizations and recruit members. **MEMBER SERVICES**
- 2019–2020 | Include specialty bar events on the OSB website calendar in accordance with OSB communication guidelines. **MEMBER SERVICES**

#### **ACTION 1.4.4 Increase OSB technical support of specialty bars.**

- 2018 | Explore possibilities for adding information about joining specialty bars to membership fee statement at dues payment/renewal. **ACCOUNTING**
- 2018 | Enhance administrative support provided to specialty bars, such as managing event RSVPs, maintaining membership lists, and distributing event notices. **MEMBER SERVICES**
- 2018 | Update and enhance resource list of OSB services to support specialty bars. **MEMBER SERVICES**
- 2018–2020 | Provide specialty bars free access to OSB membership lists through the public records process. **MEMBER SERVICES**

### **STRATEGY 5 Support an effective pipeline of diverse law students, including those from nondominant cultures, who feel sustained, welcomed, and encouraged to practice law in Oregon.**

#### **ACTION 1.5.1 Increase D&I program effectiveness.**

- 2018 | Analyze current effectiveness based on data, current trends, and known issues. **D&I**
- 2019 | Implement changes to D&I programming based on findings of analysis, to provide opportunities for law and pre-law students, including professional connections, legal experience, and financial support. **D&I**

- 2019 | Formalize D&I program applicant criteria and review the application process to ensure fairness, transparency, and applicant pool reach. **D&I**
- 2020 | Review progress based on implemented changes. **D&I**

**ACTION 1.5.2 Support diverse law students in Oregon, including students from nondominant cultures, through mentorship and community building, to encourage them to practice in Oregon upon graduation.**

- 2018 | Collaborate with Oregon law schools and other partners to create a robust and effective Opportunities for Law in Oregon (OLIO) orientation program. **D&I**
- 2019 | Implement Oregon Council on Legal Education and Admissions to the Bar (OCLEAB) agenda item asking Oregon law schools to report on their diversity trends. **ADMISSIONS**
- 2020 | Review progress based on implemented changes. **D&I**

**STRATEGY 6 Increase lawyer engagement in community organizations that encourage individuals from nondominant cultures to pursue legal education.**

**ACTION 1.6.1 Create awareness in the legal community about existing programs, to encourage individuals from nondominant cultures to pursue legal education.**

- 2018 | Create a list of schools with pre-law programs, high schools with mock trial programs, and other educational organizations with school engagement initiatives. **D&I**
- 2019 | Work with specialty bars, sections, committees, and other bar members to encourage member participation in the programs. **D&I**
- 2020 | Obtain program feedback to evaluate effectiveness and reach. **D&I**

**GOAL 2 Identify and work to eliminate barriers in the legal profession for members from nondominant cultures.**

**STRATEGY 1 Increase OSB efforts to educate members on the value of diversity, equity, and inclusion.**

**ACTION 2.1.1 Review the applicable minimum continuing legal education (MCLE) rules and regulations to determine whether programs approved for access-to-justice credit support the DAC’s mission.**

- 2018 | Identify and develop any changes needed to the MCLE rules and regulations. **D&I**
- 2019 | Secure MCLE Committee and Supreme Court approval of changes to MCLE rules and regulations. **GENERAL COUNSEL**

**ACTION 2.1.2 Sponsor, promote, and encourage elimination-of-bias CLE programming, including implicit bias, equity, systemic racism, institutional racism, etc.**

- 2018 | Deliver programming regarding Oregon Rule of Professional Conduct 8.4. CLE SEMINARS

**ACTION 2.1.3 Promote Legal Employers Toolkit to legal employers.**

- 2018 | Work with the OSB Diversity Section to complete the toolkit. D&I
- 2019 | Distribute the toolkit. D&I
- 2020 | Obtain feedback from toolkit recipients. D&I

**ACTION 2.1.4 Publish articles in the Bulletin related to diversity, equity, and inclusion.**

- 2018 | Develop a pool of potential authors and a publication schedule. COMMUNICATIONS
- 2018 | Develop a process for inviting specialty bars to submit article ideas or written submissions for publication in the Bulletin. COMMUNICATIONS
- 2018 | Consider developing a regular column on diversity, equity, and inclusion. COMMUNICATIONS
- 2019-2020 | Publish articles using the pool and according to the schedule. COMMUNICATIONS

**STRATEGY 2 The BOG functions in a way that is open and inclusive of different perspectives and experiences.**

**ACTION 2.2.1 Task the Board Development Committee with assessing needs and with using the assessment to provide programming for the BOG on diversity, equity, and inclusion.**

- 2018–2020 | BOG members conduct a self-assessment on bias (e.g., implicit bias test from the Harvard Project Implicit [<https://implicit.harvard.edu/implicit/takeatest.html>]). CEO
- 2018–2020 | Include at least one session on implicit bias, institutional racism, or equity principles for BOG members each year. CEO

**ACTION 2.2.2 Adopt a BOG policy to review all bar programs, services, and activities with impact on lawyers from nondominant cultures as a factor for evaluation.**

- 2018 | Policy is reviewed by BOG Policy & Governance Committee and BOG. CEO
- 2018 | Implement the policy and incorporate into BOG orientation materials and online resources. CEO

**STRATEGY 3 Support an open and inclusive award selection process for all OSB groups.**

**ACTION 2.3.1 Encourage transparency in the award nomination and selection processes.**

- 2018 | Develop a policy and nomination form template for section awards. MEMBER SERVICES
- 2019–2020 | Encourage and assist sections and the Oregon New Lawyers Division (ONLD) with promoting their award nomination process to specialty bars. MEMBER SERVICES

**STRATEGY 4 Review the admissions process to determine whether all applicants are treated equitably under the admission rules and procedures.**

**ACTION 2.4.1 Create policies and procedures establishing the appropriate collection and use of demographic data from applicants.**

- 2018 | Review current rules, policies, and procedures to determine best practices for collecting and using demographic data. **ADMISSIONS**
- 2019 | Make changes to policies and procedures as needed, to safeguard data collected from being used or made available for an admission decision related to any particular applicant. **ADMISSIONS**
- 2020 | Make changes to policies and procedures, where necessary, to appropriately collect and use demographic data for statistical analysis. **ADMISSIONS**

**ACTION 2.4.2 Collect data from the OSB Admissions Department, Oregon law schools, and applicants, to identify admissions trends of demographic groups.**

- 2020 | Ask OSB applicants to self-identify as part of the application process. **ADMISSIONS**
- 2020 | Begin to review data in respect to identifying admissions trends by demographic. **ADMISSIONS**

**GOAL 3 Enrich the OSB by increasing the diversity of member representation in volunteer and leadership roles.**

**STRATEGY 1 Educate OSB member groups on the value of diversity, equity, and inclusion.**

**ACTION 3.1.1 Create a benefit statement supporting the value of diversity.**

- 2018 | Seek input from specialty bars and other stakeholders in creating the benefit statement. **MEMBER SERVICES**
- 2018 | Gather baseline data to determine current member involvement in OSB volunteer and leadership roles. **MEMBER SERVICES**
- 2019 | Distribute the benefit statement to bar groups. **MEMBER SERVICES**
- 2020 | Evaluate the effectiveness of these education efforts, based on changes identified in overall volunteer participation. **MEMBER SERVICES**

**STRATEGY 2 Increase diversity on all OSB self-electing boards and in membership elected positions.**

**ACTION 3.2.1 Encourage a diverse pool of candidates for BOG and House of Delegates (HOD) elections.**

- 2018–2020 | BOG members actively encourage diverse members, including members from nondominant cultures, to run for vacant positions on the BOG and HOD (annually). **MEMBER SERVICES**

- 2018–2020 | Encourage specialty and local bars to inform their members of BOG and HOD vacancies, including list serve and website postings. **MEMBER SERVICES**
- 2018–2020 | Encourage specialty and local bars to promote the importance of voting in HOD and BOG elections to their membership. **MEMBER SERVICES**

**ACTION 3.2.2 Increase diversity of member representation on self-electing boards to reflect the diversity of the OSB membership.**

- 2018 | BOG review of ONLD and section bylaws and policies to ensure the election process is transparent and supports equity and inclusion. **CEO**
- 2018 | Meet with sections during the annual meeting process to share the benefit statement (Action 3.1.1) **MEMBER SERVICES**
- 2019–2020 | Include demographic data on membership lists and rosters. **MEMBER SERVICES**

**STRATEGY 3 Encourage diversity of volunteer speakers and planners for CLE events.**

**ACTION 3.3.1 Provide a resource list of specialty bar associations to bar groups planning CLE events.**

- 2018 | Develop a list of specialty bars and include a description of the specialty bars’ mission statements. **CLE SEMINARS**
- 2019 | Incorporate the DAC’s mission and specialty bars list in CLE co-sponsorship guidelines. **CLE SEMINARS**

**ACTION 3.3.2 Look for opportunities to collaborate with specialty bars for CLE events.**

- 2018 | Conduct an inventory of existing bar CLE events that would be suitable for collaboration with specialty bars; evaluate available bar resources that could be used by specialty bars for their events. **CLE SEMINARS**
- 2019 | Create a bar CLE resource guide for specialty bars. **CLE SEMINARS**
- 2020 | Distribute the guide and begin CLE event collaboration with specialty bars. **CLE SEMINARS**

**ACTION 3.3.3 Look for opportunities to diversify the pool of CLE speakers.**

- 2018–2020 | Distribute the Leadership and Volunteer Opportunities CLE Speaker reports to section executive committees annually, with a reminder that the CLE planning committees have this resource and should consider diversity when selecting CLE subject-matter experts. **MEMBER SERVICES**



**STRATEGY 4 Collaborate with the BOG and Board Development Committee to increase the diversity of lawyer and public member volunteers appointed by the BOG.**

**ACTION 3.4.1 Increase outreach to a diverse group of lawyers and nonlawyers, including individuals from nondominant cultures, for OSB volunteer positions.**

- 2018 | Organize an event co-sponsored by the OSB's D&I Department, the BOG, and specialty bars, to explain OSB leadership opportunities, selection processes for OSB volunteer appointments, and application processes for the BOG and HOD. **D&I**
- 2018 | Request that specialty and local bars include a link to the OSB Volunteer Survey on their websites. **MEMBER SERVICES**
- 2018–2020 | Provide notices of volunteer and leadership opportunities to specialty and local bar organizations for distribution to their members and through their respective newsletters, including to community organizations that support individuals from nondominant cultures. **MEMBER SERVICES**

**ACTION 3.4.2 Educate the Board Development Committee members on the need to review appointment recommendations and decisions through an equity lens.**

- 2018–2020 | Conduct an annual review of appointments with focus on demographic and geographic factors. **MEMBER SERVICES**

**ACTION 3.4.3 Ensure the appointment process is efficient and effective and that the BOG has enough member information.**

- 2018 | Board Development Committee reviews and refines internal processes. **MEMBER SERVICES**

**STRATEGY 5 Develop a leadership institute for Oregon lawyers who support the mission of the D&I Department, including lawyers from nondominant cultures.**

**ACTION 3.5.1 Address gaps and barriers to leadership positions within the BOG and specialty bars for underrepresented members of the bar.**

- 2018 | Identify gaps and barriers. **D&I**
- 2019 | Craft a proposed course curriculum. **D&I**
- 2020 | Implement the course. **D&I**

**STRATEGY 6 Encourage diversity of volunteer editorial review boards and authors for Legal Publications books.**

**ACTION 3.6.1 Increase representation of diverse members, including members from nondominant cultures, on Legal Publications editorial review boards and as authors.**

- 2018 | Contact local and specialty bars when recruiting new editorial board members and authors. **LEGAL PUBLICATIONS**

- 2019 | Revise Editorial Review Board Guidelines to strongly encourage editorial review boards to consider diversity in identifying potential authors. **LEGAL PUBLICATIONS**
- 2020 | Evaluate effectiveness of efforts to increase diversity of editorial boards and author pool. **LEGAL PUBLICATIONS**

**ACTION 3.6.2 Include more detailed biographical information and pictures of authors in front matter of books, to showcase diversity involvement.**

- 2018 | Select two publications to include more detailed biographical information. **LEGAL PUBLICATIONS**
- 2019 | Increase the number of publications that include detailed biographical information. **LEGAL PUBLICATIONS**

**STRATEGY 7 Evaluate the effectiveness of the New Lawyer Mentoring Program (NLMP) in respect to lawyers from nondominant cultures.**

**ACTION 3.7.1 Survey new lawyer participants to determine their level of satisfaction with the NLMP.**

- 2018 | Review the existing new lawyer survey and determine whether additional information needs to be gathered. **MEMBER SERVICES**
- 2018 | Modify the survey as necessary and implement for all new lawyers upon program completion. **MEMBER SERVICES**
- 2019 | Use the information gathered to identify issues that warrant addressing. **MEMBER SERVICES**

**ACTION 3.7.2 Increase the pool of diverse mentors participating in the NLMP, including mentors from nondominant cultures.**

- 2018–2020 | Evaluate mentor availability and areas of underrepresentation. **MEMBER SERVICES**
- 2018–2020 | Conduct targeted outreach to ensure adequate availability of mentors from diverse member groups, including nondominant cultures. **MEMBER SERVICES**

**ACTION 3.7.3 Review NLMP database fields to ensure adequate information is available when matches are made.**

- 2018 | Revise NLMP forms as needed. **MEMBER SERVICES**

# PUBLIC OUTREACH SPHERE

**GOAL 1** Increase representation and legal services to underserved and hard-to-reach communities in Oregon.

**STRATEGY 1** Assess the civil legal needs of low-income Oregonians statewide, including hard-to-reach populations.

**ACTION 1.1.1** Conduct planned Civil Legal Needs Study (CLNS) that provides comprehensive information about the legal needs of low-income Oregonians, including hard-to-reach populations.

- 2018 | Gather and analyze CLNS data. OLF
- 2018 | Publish and share CLNS data with a wide range of stakeholders. OLF
- 2018 | Conduct a media campaign to share the results of the CLNS. COMMUNICATIONS

**ACTION 1.1.2** Use the results of the CLNS to inform the legal services provided by the integrated statewide legal aid programs in accordance with the OSB Legal Services Program (LSP) Standards and Guidelines.

- 2019 | Legal aid providers review the results and use these results on an ongoing basis as a factor when setting priorities for legal services and developing access strategies for low-income Oregonians, including hard-to-reach populations. LSP

**ACTION 1.1.3** Use the results of the CLNS to inform the access strategies for low-income and hard-to-reach populations by the Oregon State Bar.

- 2019 | Review the results of the CLNS for possible OSB program changes. LSP
- 2020 | Develop a plan for implementing access strategies. LSP

**STRATEGY 2** Ensure that the integrated statewide legal aid programs are targeting their services based on the most compelling needs of the client community, including hard-to-reach and diverse populations, including nondominant cultures, in accordance with the OSB LSP Standards and Guidelines.

**ACTION 1.2.1** LSP staff conduct the accountability process outlined in the Standards and Guidelines.

- 2018 | Staff, legal aid providers, and the LSP Committee review the current accountability process and make changes as necessary, including incorporating review of effective technology. LSP
- 2018 | Complete the accountability process, and submit a report to the BOG. LSP
- 2019 | Legal aid providers implement recommendations from the 2018 review process. LSP

### **STRATEGY 3 Increase pro bono representation of low-income Oregonians and hard-to-reach populations.**

#### **ACTION 1.3.1 Establish a baseline of current pro bono hours.**

- 2018 | Using the American Bar Association (ABA) survey results and hours reported by OSB Certified Pro Bono Programs, establish a baseline of pro bono hours. LSP

#### **ACTION 1.3.2 Use the results of the ABA pro bono survey to develop strategies that are focused on nondominant cultures and hard-to-reach populations.**

- 2018 | Identify barriers to lawyers doing pro bono work and develop a plan for addressing them. LSP
- 2019 | Implement the plan to address barriers to lawyers doing pro bono work. LSP
- 2020 | Survey OSB membership on pro bono work. LSP

#### **ACTION 1.3.3 Continue to monitor the use of the ABA Free Legal Answers resource.**

- 2018 | Determine whether ABA Free Legal Answers will work as a resource for the OSB. LSP
- 2019 | Implement, if identified as an appropriate resource. LSP

### **STRATEGY 4 Increase representation through increased funding for the integrated statewide legal aid programs to increase access for low-income Oregonians, including underserved and hard-to-reach communities in Oregon.**

#### **ACTION 1.4.1 Use the CLNS to inform banks about the scope of the unmet legal needs of low-income Oregonians to support increased legal aid funding in Oregon.**

- 2018 | Increase Leadership Bank Program interest rate tiers to coincide with Federal Reserve Bank increases. OLF
- 2018 | Incorporate CLNS results into talking points to work with the Oregon Bankers Association and the banking community, to increase interest rates on Interest on Lawyer Trust Accounts (IOLTA) held in Oregon. OLF
- 2019 | Continue to monitor interest rate increases and adjust Leadership Bank Program interest rates as needed. OLF

#### **ACTION 1.4.2 Use the CLNS to inform the legislature about the scope of the unmet legal needs of low-income Oregonians to support increased legal aid funding in Oregon.**

- 2018 | Establish a diverse network of leaders to support relevant issues and trends. PUBLIC AFFAIRS
- 2018 | Meet with justice system partners during the interim period to discuss legislative concepts and funding priorities. PUBLIC AFFAIRS
- 2019 | Present information on access to justice to lawyer-legislators and bar members, to ensure message consistency. PUBLIC AFFAIRS

**ACTION 1.4.3 Conduct media outreach campaign to support funding efforts.**

- 2018 | Develop and execute a CLNS media outreach campaign. COMMUNICATIONS

**ACTION 1.4.4 Explore partnering with the philanthropic community on the importance of funding legal aid to alleviate poverty.**

- 2018 | Work with The Lawyers' Campaign for Equal Justice (CEJ) and legal aid providers to develop a plan to partner with the philanthropic community. OLF
- 2019 | Implement the plan. OLF

**GOAL 2 Ensure all Oregonians are able to access the bar's public protection programs.**

**STRATEGY 1 Engage in outreach to marginalized communities regarding the availability and purpose of the bar's public protection programs.**

**ACTION 2.1.1 Develop relationships with community organizations working in the public protection arena.**

- 2018 | Identify and create a list of potential community partners. GENERAL COUNSEL
- 2019 | Have a discussion with a representative from each identified group. GENERAL COUNSEL

**ACTION 2.1.2 Design and utilize a toolkit for member and public outreach on public protection programs.**

- 2018 | Create program descriptions for public protection programs and collect related application and complaint forms to form a public protection programs toolkit. GENERAL COUNSEL
- 2019 | Discuss and review the toolkit with representatives from community organizations and member representatives. GENERAL COUNSEL
- 2020 | Share the toolkit with targeted audiences. GENERAL COUNSEL

**STRATEGY 2 Develop a comprehensive approach for providing English-language learners access to the bar's public protection programs.**

**ACTION 2.2.1 Develop policy to enable access to programs for persons who speak, read, or write languages other than English.**

- 2018 | Evaluate staffing and other resources in relation to language needs. GENERAL COUNSEL
- 2019 | Write and adopt a policy providing that individuals who file complaints in languages other than English have full access to programs. GENERAL COUNSEL
- 2020 | Develop multilingual complaint/application forms and informational materials for public protection programs. COMMUNICATIONS

**STRATEGY 3 Ensure that the operation of the bar’s public protection programs is fair, safe, and welcoming to all.**

**ACTION 2.3.1 Collect demographic data and feedback from users who access the bar’s public protection programs.**

- 2018 | Explore methods to collect data. COMMUNICATIONS
- 2019 | Collect user demographic data and seek feedback on user experience. COMMUNICATIONS

**ACTION 2.3.2 Analyze demographic data and feedback from users who access the bar’s public protection programs.**

- 2018 | Analyze the data collected. GENERAL COUNSEL
- 2019–2020 | Meet with members, stakeholders, and possible community partners identified in Action 2.1.1, to discuss data and seek additional feedback. CEO
- 2020 | Identify approaches for creating a safer and more welcoming public protection program process. GENERAL COUNSEL
- 2020 | Develop a plan to implement approaches. GENERAL COUNSEL

**ACTION 2.3.3 Coordinate with the work of the Oregon Supreme Court Council on Inclusion and Fairness (OSCCIF).**

- 2018–2020 | Participate in and support the work of the OSCCIF. CEO

**GOAL 3 Expand availability of public education, outreach, and self-navigation materials for underserved Oregon communities.**

**STRATEGY 1 Develop public legal information materials that are accessible to all Oregonians.**

**ACTION 3.1.1 Improve the readability of all OSB public legal information materials.**

- 2018 | Determine the readability/grade level of existing content, and set a target standard (e.g., “Plain English” 8th grade reading level). COMMUNICATIONS
- 2019 | Edit the 30 most accessed topics to meet the new standard. COMMUNICATIONS
- 2020 | Edit the next 30 most accessed topics to meet the new standard. COMMUNICATIONS

**ACTION 3.1.2 Improve access to legal information materials for English-language-learners.**

- 2018 | Present all public information materials online in formats that are compatible with the Google Translate app; post professionally translated materials available to the OSB online. COMMUNICATIONS

- 2019 | Produce professional translation of the 20 most accessed topics in high-demand languages. COMMUNICATIONS
- 2020 | Produce professional translation of the next 20 most accessed topics in high-demand languages. COMMUNICATIONS

**ACTION 3.1.3 Increase availability of legal information provided in video and other nontext formats, featuring diverse presenters, including presenters from nondominant cultures.**

- 2018 | Continue the production of Legal Q&A videos in English, Spanish, and other high-demand languages; produce video introductions for OSB public protection programs in English and Spanish. COMMUNICATIONS
- 2019 | Produce and promote an instructional video for new statewide dissolution forms (petitioner) in English and Spanish, in collaboration with justice system partners. COMMUNICATIONS
- 2020 | Produce and promote instructional videos for other statewide family law forms. COMMUNICATIONS

**ACTION 3.1.4 Increase the availability of legal information materials to people with disabilities and special needs.**

- 2018 | Review online materials for compatibility with screen readers; add captioning for public information videos. COMMUNICATIONS
- 2019-2020 | Continue updating and monitoring of materials. COMMUNICATIONS

**STRATEGY 2 Enhance outreach to underserved communities regarding the Modest Means Program and Lawyer Referral Service.**

**ACTION 3.2.1 Assess current service levels and legal needs of underserved communities.**

- 2018 | Compile internal statistics on the Lawyer Referral Service and Modest Means Program, including calls from English-language learners, languages offered by panelists, and website translations. COMMUNICATIONS
- 2019 | Compare services provided with results of the CLNS to identify underserved communities, and prioritize how the Lawyer Referral Service is meeting their legal needs. LSP

**ACTION 3.2.2 Implement outreach plan to underserved communities, including marketing and coordination with community partners.**

- 2018 | Begin outreach to already identified underserved communities. COMMUNICATIONS
- 2019-2020 | Continue outreach methods and monitor effectiveness. COMMUNICATIONS

**STRATEGY 3 Increase issue-based public education, targeting media outlets with legal trends and issues that affect underserved communities.**

**ACTION 3.3.1 Establish a diverse network of lawyers and bar groups who are leaders in relevant areas of practice.**

- 2018 | Work with select committees, sections, and specialty bars to support justice system issues. PUBLIC AFFAIRS
- 2019 | Develop a framework to continue the discussion and coordinate ongoing efforts. PUBLIC AFFAIRS

**ACTION 3.3.2 Adopt a plan for responding to breaking legal news when it offers an opportunity to educate and enhance awareness of issues affecting underserved communities.**

- 2018 | Work with bar leaders on a media response policy. COMMUNICATIONS
- 2019 | Develop and implement the policy. COMMUNICATIONS

**GOAL 4 Improve the administration of justice to better serve under-represented and marginalized communities.**

**STRATEGY 1 Support OSB justice system funding priorities.**

**ACTION 4.1.1 Develop coalitions and collaborate with justice system partners and bar members to achieve OSB legislative priorities.**

- 2018 | Meet with justice system partners during the interim to discuss legislative concepts and funding priorities. PUBLIC AFFAIRS
- 2019 | Host a Day at the Capitol to motivate members and educate legislative leadership. PUBLIC AFFAIRS
- 2019 | Present information on access to justice to lawyer-legislators and bar members to ensure message consistency. PUBLIC AFFAIRS

**STRATEGY 2 Collaborate with the courts and support the Procedural Fairness in Courts Initiative.**

**ACTION 4.2.1 Develop lunchtime CLE series (Lunch and Learn) at the Capitol for staff and public on implicit bias and procedural justice.**

- 2018 | Conduct a lunchtime CLE on procedural justice. PUBLIC AFFAIRS
- 2019 | Conduct a lunchtime CLE on procedural justice. PUBLIC AFFAIRS
- 2020 | Conduct a lunchtime CLE on procedural justice. PUBLIC AFFAIRS



**ACTION 4.2.2 Determine goals of the OSCCIF regarding data identification and collection.**

- 2018 | Develop a plan on how to best assist. PUBLIC AFFAIRS

**STRATEGY 3 Support access to justice in the legislative arena.**

**ACTION 4.3.1 Collaborate with other organizations to support procedural fairness and justice system reinvestment.**

- 2019 | Host a Day at the Capitol; invite representatives from legal aid, indigent defense services, and coalition partners to participate in events. PUBLIC AFFAIRS

**ACTION 4.3.2 Develop coalitions to support access-to-justice initiatives.**

- 2018 | Meet with coalition partners during the interim to discuss legislative concepts and funding priorities. PUBLIC AFFAIRS

**ACTION 4.3.3 Educate lawyer-legislators, bar members, and coalition partners about the need for legal aid services and indigent defense.**

- 2018 | Host an access-to-justice event with coalition partners. PUBLIC AFFAIRS
- 2019 | Host an access-to-justice event with coalition partners. PUBLIC AFFAIRS
- 2020 | Host an access-to-justice event with coalition partners. PUBLIC AFFAIRS

**ACTION 4.3.4 Pursue consumer protection initiatives**

- 2018 | Pursue consumer protection initiatives related to the Futures Task Force Report ([www.osbar.org/docs/resources/taskforces/futures/FuturesTF\\_Summary.pdf](http://www.osbar.org/docs/resources/taskforces/futures/FuturesTF_Summary.pdf)) PUBLIC AFFAIRS
- 2019 | Achieve progress in consumer protection initiatives in 2019 legislative session. PUBLIC AFFAIRS

**ACTION 4.3.5 Improve resources for self-navigators.**

- 2018–2019 | Support court initiatives of the Futures Task Force. GENERAL COUNSEL
- 2019 | Hold a successful legislative session. PUBLIC AFFAIRS

**ACTION 4.3.6 Use the CLNS to update legislators about the unmet legal needs of low-income Oregonians to support increased legal aid funding.**

- 2018 | Establish a diverse network of leaders, including leaders from nondominant cultures, to support relevant issues and trends. PUBLIC AFFAIRS
- 2019 | Hold a successful legislative session. PUBLIC AFFAIRS

# BAR OPERATIONS SPHERE

**GOAL 1** Bar employees have a high level of diversity and inclusion competence and ownership.

**STRATEGY 1** Provide educational opportunities for OSB employees.

**ACTION 1.1.1** Provide one annual mandatory session focused on inclusion, equity, or cultural competence for all staff.

- 2018 | Identify topic and schedule presenter. HUMAN RESOURCES
- 2019 | Identify topic and schedule presenter. HUMAN RESOURCES
- 2020 | Identify topic and schedule presenter. HUMAN RESOURCES

**ACTION 1.1.2** Provide one annual mandatory session focused on diversity, inclusion, equity, or cultural competence for managers and directors (in addition to the annual all-staff training).

- 2018 | Identify topic and schedule presenter. HUMAN RESOURCES
- 2019 | Identify topic and schedule presenter. HUMAN RESOURCES
- 2020 | Identify topic and schedule presenter. HUMAN RESOURCES

**ACTION 1.1.3** Provide at least one annual cultural awareness day for all employees.

- 2018 | Identify culture to highlight; hold activity. D&I
- 2019 | Identify culture to highlight; hold activity. D&I
- 2020 | Identify culture to highlight; hold activity. D&I

**ACTION 1.1.4** Develop a “tip of the month” feature on the intranet that focuses on information and topics relating to diversity, inclusion, equity, or cultural competence.

- 2018 | Source information and post monthly on intranet. D&I
- 2019 | Source information and post monthly on intranet. D&I
- 2020 | Source information and post monthly on intranet. D&I

**STRATEGY 2 Ensure managers and directors are held accountable for professional development in relation to diversity, inclusion, equity, and cultural competence.**

**ACTION 1.2.1 Update managers' and directors' performance evaluation templates to ensure that diversity and inclusion ownership and competence are included as leadership attributes to be evaluated.**

- 2018 | Review templates, change as necessary, and implement for year. HUMAN RESOURCES
- 2019 | Review templates, change as necessary, and implement for year. HUMAN RESOURCES
- 2020 | Review templates, change as necessary, and implement for year. HUMAN RESOURCES

**ACTION 1.2.2 Encourage managers and directors to identify and participate in external educational opportunities that focus on professional development around diversity and inclusion.**

- 2018 | Discuss diversity and inclusion professional development during performance evaluation. CEO
- 2019 | Discuss diversity and inclusion professional development during performance evaluation. CEO
- 2020 | Discuss diversity and inclusion professional development during performance evaluation. CEO

**STRATEGY 3 Review current OSB language used in relation to diversity and inclusion, and make updates according to current best practices.**

**ACTION 1.3.1 Research best practices around diversity and inclusion language.**

- 2018 | Collate findings into a best-practices report. D&I

**ACTION 1.3.2 Conduct an assessment of OSB language, including pronouns, used on all internal and external materials.**

- 2018 | Identify language and all language locations for updating, using the best-practices report. D&I
- 2019 | Develop a language update implementation plan. D&I
- 2019 | Implement consistent language updates per the implementation plan. D&I

**ACTION 1.3.3 Update OSB staff regarding changes to best-practices terminology and language.**

- 2019 | Include best-practices language updates within the annual staff education session. HUMAN RESOURCES

**STRATEGY 4 Ensure the OSB bylaws are consistent with the OSB and DAC mission and goals around diversity and inclusion.**

**ACTION 1.4.1 Review bylaws and identify bylaws that need to be amended.**

- 2019 | Identify bylaws. GENERAL COUNSEL
- 2020 | Draft and present amendments to the BOG for approval. GENERAL COUNSEL

**GOAL 2 Foster a welcoming and inclusive workplace and accessible programs, services, and Bar Center.**

**STRATEGY 1 Acquire an understanding of the bar’s workplace culture.**

**ACTION 2.1.1 Devise and conduct a workplace culture assessment.**

- 2018 | Conduct a workplace culture assessment and analyze data. HUMAN RESOURCES

**ACTION 2.1.2 Evaluate employees’ reasons for leaving the organization.**

- 2018 | Review exit interview process and implement changes. HUMAN RESOURCES
- 2019 | Develop a method for reviewing and analyzing data. HUMAN RESOURCES
- 2020 | Analyze and evaluate current and historic data. HUMAN RESOURCES

**ACTION 2.1.3 Conduct an internal salary equity assessment.**

- 2019 | Conduct an assessment by a third-party contractor and analyze data. HUMAN RESOURCES

**STRATEGY 2 Use the results of data collection to identify areas for improvement.**

**ACTION 2.2.1 Develop a plan to address areas that need improvement.**

- 2020 | Develop and implement the plan. HUMAN RESOURCES

**STRATEGY 3 Identify and resolve barriers to the OSB being a welcoming environment for all.**

**ACTION 2.3.1 Develop and implement a plan to ensure inclusive restroom access for all employees and visitors.**

- 2018 | Develop the plan and identify needed resources. DBI
- 2019 | Implement the plan. FINANCE AND OPERATIONS

**ACTION 2.3.2 Develop and implement a policy and procedure to create an inclusive environment for gender neutral and transitioning transgender employees.**

- 2019 | Develop a plan and identify needed resources. HUMAN RESOURCES
- 2020 | Implement the plan. HUMAN RESOURCES

**STRATEGY 4 Continue to identify and resolve barriers to accessibility for persons with disabilities to OSB programs, services, and Bar Center.**

**ACTION 2.4.1 Develop and implement a plan to identify and resolve barriers to OSB Center facility.**

- 2018 | Review building user feedback to identify ways to improve building accessibility. GENERAL COUNSEL
- 2019 | Create a plan and identify needed resources to improve building accessibility. GENERAL COUNSEL
- 2020 | Implement the accessibility plan. GENERAL COUNSEL

**ACTION 2.4.2 Ensure OSB websites are compatible with screen readers.**

- 2018 | Create a plan to continue identifying and updating portions of the website that are not accessible to persons utilizing screen readers. GENERAL COUNSEL
- 2019 | Implement the website accessibility plan. GENERAL COUNSEL

**ACTION 2.4.3 Continue to educate bar staff and bar leaders about accessibility.**

- 2018 | Gather feedback and identify areas where bar staff and bar leaders may require additional assistance or education on accessibility issues. GENERAL COUNSEL
- 2019 | Hold bar staff training on accessibility. GENERAL COUNSEL
- 2019 | Develop accessibility guides and recommendations that respond to bar staff and bar leaders' needs. GENERAL COUNSEL
- 2020 | Distribute accessibility guidelines and recommendations to bar staff and bar leaders. GENERAL COUNSEL

**GOAL 3 Build a workforce that is diverse and inclusive at every level.**

**STRATEGY 1 Collect demographic data as one benchmark for measuring the diversity of applicants and the workforce.**

**ACTION 3.1.1 Evaluate the categories currently used by the OSB for measuring staff diversity.**

- 2018 | Assess categories and expand as necessary. HUMAN RESOURCES
- 2019 | Implement revised data collection. HUMAN RESOURCES
- 2020 | Develop and implement system for ongoing review and analysis of data. HUMAN RESOURCES

**ACTION 3.1.2 Investigate options for assessing the diversity of applicants.**

- 2019 | Evaluate electronic application systems. HUMAN RESOURCES

- 2020 | Update application process. HUMAN RESOURCES

## **STRATEGY 2 Ensure that the OSB recruitment process is inclusive and equitable.**

### **ACTION 3.2.1 Assess the current OSB recruitment process.**

- 2018 | Develop a method for assessment. D&I
- 2019 | Conduct the assessment and analyze data. D&I

### **ACTION 3.2.2 Identify areas for improvement and develop a plan for improvement.**

- 2019 | Develop a plan. HUMAN RESOURCES
- 2020 | Implement the plan. HUMAN RESOURCES

## **STRATEGY 3 Increase the diversity of applicants for vacant positions at the OSB.**

### **ACTION 3.3.1 Build relationships with external groups and organizations that are focused on diversity.**

- 2018 | Identify external groups and organizations. D&I
- 2018 | Develop a plan for building relationships with identified organizations that is appropriate to each organization. D&I
- 2019 | Implement the plan. D&I

### **ACTION 3.3.2 Expand outreach to a more diverse pool of potential applicants.**

- 2018 | Evaluate current outreach for job openings to identify gaps. HUMAN RESOURCES
- 2019 | Identify potential resources for additional outreach and their job posting requirements and needs. HUMAN RESOURCES
- 2019 | Incorporate new resources into current advertising plans. HUMAN RESOURCES

## **STRATEGY 4 Explore and use bias interrupters in the hiring process.**

### **ACTION 3.4.1 Incorporate hiring committees into the hiring process.**

- 2018 | Identify opportunities for use of hiring committees. HUMAN RESOURCES
- 2018 | Investigate and experiment with alternative hiring models that incorporate hiring committees. HUMAN RESOURCES
- 2019 | Develop training for hiring committee participants. HUMAN RESOURCES
- 2019 | Identify staff interested in participating on hiring committees and provide training. HUMAN RESOURCES

**ACTION 3.4.2 Create accountability for hiring process decisions.**

- 2018 | Implement a step within the hiring process that requires decision makers to state a reason why they did not choose to take applicants to the next stage. HUMAN RESOURCES
- 2018 | Provide training for managers and directors on bias interrupters. HUMAN RESOURCES

**GOAL 4 Engage a diverse and inclusive group of contractors, suppliers, vendors, and consultants.**

**STRATEGY 1 Develop and implement a process for ensuring consideration of a diverse list of third-party vendors.**

**ACTION 4.1.1 Review the current processes used organization-wide for selecting contractors, suppliers, vendors, and consultants.**

- 2018 | Review and document the process. FINANCE AND OPERATIONS

**ACTION 4.1.2 Create and implement a policy or policies for contracting with third-party vendors that account for the various needs of the organization and consider a diverse vendor pool.**

- 2018 | Develop a diverse list of third-party vendors. FINANCE AND OPERATIONS
- 2019 | Develop a policy. FINANCE AND OPERATIONS
- 2020 | Implement the policy. FINANCE AND OPERATIONS

# GLOSSARY

## ACRONYMS

<b>ABA</b>	<b>American Bar Association</b>
<b>ACDI</b>	<b>Advisory Committee on Diversity and Inclusion, Oregon State Bar</b>
<b>BOG</b>	<b>Board of Governors, Oregon State Bar</b>
<b>CEO</b>	<b>Chief Executive Officer, Oregon State Bar</b>
<b>CEJ</b>	<b>The Lawyers' Campaign for Equal Justice</b>
<b>CLE</b>	<b>Continuing Legal Education</b>
<b>CLNS</b>	<b>Civil Legal Needs Study</b>
<b>DAC</b>	<b>Diversity Advisory Council</b>
<b>DAP</b>	<b>Diversity Action Plan</b>
<b>D&amp;I</b>	<b>Diversity &amp; Inclusion Department, Oregon State Bar</b>
<b>HOD</b>	<b>House of Delegates, Oregon State Bar</b>
<b>IOLTA</b>	<b>Interest on Lawyers Trust Accounts</b>
<b>LSP</b>	<b>Legal Services Program</b>
<b>MCLE</b>	<b>Minimum Continuing Legal Education</b>
<b>NLMP</b>	<b>New Lawyer Mentoring Program</b>
<b>OCLEAB</b>	<b>Oregon Council on Legal Education and Admissions to the Bar</b>
<b>OLF</b>	<b>Oregon Law Foundation</b>
<b>OLIO</b>	<b>Opportunities for Law in Oregon</b>
<b>ONLD</b>	<b>Oregon New Lawyers Division</b>
<b>OSB</b>	<b>Oregon State Bar</b>
<b>OSCCIF</b>	<b>Oregon Supreme Court Council on Inclusion and Fairness</b>

## TERMS AND CONCEPTS

There may be multiple definitions of the words or terms below; the following definitions characterize how the DAC has defined them for the purposes of this plan.

### **Benefit statement**

A statement summarizing and demonstrating the advantages and values of a particular approach or initiative.

### **Bias interrupters**

Tactics and approaches for disrupting personal biases, including implicit biases.



**Culture**

The system of shared beliefs, values, customs, behaviors, and artifacts that are held by specific social or other groups and that are transmitted from generation to generation.

**Cultural awareness**

Knowledge, understanding, and appreciation of different cultures.

**Consumer protection initiatives**

Measures currently under development that will be implemented to help protect the public in light of the changing legal services market.

**Cultural competence**

The ability to interact effectively with people of different cultures. Cultural competence comprises four components: (a) awareness of one's own cultural worldview, (b) attitude toward cultural differences, (c) knowledge of different cultural practices and worldviews, and (d) cross-cultural skills. Developing cultural competence results in an ability to understand, communicate with, and effectively interact with people across cultures. Cultural competence is a developmental process that evolves over an extended period.<sup>1</sup>

**Diversity**

The differences between us that make us individual and unique. Diversity includes, but is not limited to, age, culture, disability, ethnicity, gender and gender identity or expression, geographic location, national origin, race, religion, sex, sexual orientation, veteran status, and socioeconomic status.

**Dominant culture**

The dominant culture is the group or groups within society that possess power, influence, authority, and control over other groups, cultures, or factions of society on a systemic and institutional level, to the detriment and suppression of nondominant cultures.

**Equity**

Ensuring that all individuals and groups have fair access to the same opportunities and resources by identifying and eliminating barriers that face underrepresented groups, by acknowledging ingrained and systemic structural biases in society and striving to address these disparities.

**English-language learners**

People who speak, read, or write in languages other than English, people who are not fluent in English, or both.

**Equity lens**

Analyzing processes and systems to identify causes of disparate impact and inequity.

**Hard-to-reach communities**

Includes those with limited English-language skills, homeless people, farmworkers, immigrant workers, communities with a distrust and fear of government agencies, and senior citizens.

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1 Source: Diversity, Equity and Inclusion Terms, University of Houston Center for Diversity and Inclusion, [https://www.uh.edu/cdi/diversity\\_education/resources/pdf/terms.pdf](https://www.uh.edu/cdi/diversity_education/resources/pdf/terms.pdf)

**High-demand languages**

Languages most frequently spoken or requested by members of the public who contact the OSB for public services, as determined through ongoing tracking of these inquiries and requests.

**Implicit bias**

Unconscious stereotyping or unconscious attitudes toward specific groups of people that impact our behavior, actions, perceptions, or understanding.

**Inclusion**

Creating an environment that is welcoming, safe, and supportive for any individual or group by acknowledging, embracing, and valuing the unique contributions our individual backgrounds offer.

**Lateral hires**

Lawyers who have joined the OSB from states or locations other than Oregon. In the context of this DAP, the term "lateral hire" is not specific to sideways career movement.

**Low-income Oregonians**

For the purpose of statewide legal aid services, households with incomes at or lower than 125% of the federal poverty level. This would be \$30,750 for a household of four in 2017. Another way to look at it is that people in single-person households who makes minimum wage in Oregon would be ineligible for legal aid because they are over income.

**Marginalized communities**

Communities subjected to social exclusion and thus disadvantaged or prevented from participating in or benefiting from societal systems and processes.

**Nondominant cultures**

Groups that are historically underrepresented, politically, socially, and/or economically.

**OSB public protection programs**

OSB programs including the lawyer disciplinary process, the unlawful-practice-of-law complaint process, the fee-dispute resolution program, the client security fund, and malpractice coverage.

**Specialty bars**

Professional organizations of lawyers whose missions are generally focused on advancing diversity, equity, and inclusion in the legal profession (also known as "affinity bars"). [www.osbar.org/diversity/index.html#specialtybarssections](http://www.osbar.org/diversity/index.html#specialtybarssections)

**Underserved communities**

Low-income and other communities that lack access to or the ability to afford legal services.



## Statement on White Nationalism and Normalization of Violence

As the United States continues to grapple with a resurgence of white nationalism and the normalization of violence and racism, the Oregon State Bar remains steadfastly committed to the vision of a justice system that operates without discrimination and is fully accessible to all Oregonians. As we pursue that vision during times of upheaval, it is particularly important to understand current events through the lens of our complex and often troubled history. The legacy of that history was seen this year in the streets of Charlottesville, and in the attacks on Portland's MAX train. We unequivocally condemn these acts of violence.

We equally condemn the proliferation of speech that incites such violence. Even as we celebrate the great beneficial power of our First Amendment, as lawyers we also know it is not limitless. A systemic failure to address speech that incites violence emboldens those who seek to do harm, and continues to hold historically oppressed communities in fear and marginalization.

As a unified bar, we are mindful of the breadth of perspectives encompassed in our membership. As such, our work will continue to focus specifically on those issues that are directly within our mission, including the promotion of access to justice, the rule of law, and a healthy and functional judicial system that equitably serves everyone. The current climate of violence, extremism and exclusion gravely threatens all of the above. As lawyers, we administer the keys to the courtroom, and assist our clients in opening doors to justice. As stewards of the justice system, it is up to us to safeguard the rule of law and to ensure its fair and equitable administration. We simply cannot lay claim to a healthy justice system if whole segments of our society are fearful of the very laws and institutions that exist to protect them.

In today's troubling climate, the Oregon State Bar remains committed to equity and justice for all, and to vigorously promoting the law as the foundation of a just democracy. The courageous work done by specialty bars throughout the state is vital to our efforts and we continue to be both inspired and strengthened by those partnerships. We not only refuse to become accustomed to this climate, we are intent on standing in support of and solidarity with those historically marginalized, underrepresented and vulnerable communities who feel voiceless within the Oregon legal system.