

Oregon  
State  
Bar

# DIVERSITY

# **ACTION**

2021-2023

# PLAN



# Oregon State Bar Diversity Action Plan 2021-2023

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# A Message from the OSB Board of Governors and CEO

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We are pleased to present the 2021–2023 Oregon State Bar Diversity Action Plan, and we commit to prioritizing this work at every level of leadership.

The development of this plan began in 2020, during a year of upheaval in our state and nationally, which spurred much introspection within the legal profession about matters of systemic racism and inequities in our justice system that impact our clients and our colleagues in profound ways. As this dialogue continues, the bar must work to move beyond discussion and lead the change within our profession, within constitutional bounds.

The bar’s statutory mission is to serve the public interest by:

- (a) Regulating the legal profession and improving the quality of legal services;
- (b) Supporting the judiciary and improving the administration of justice; and
- (c) Advancing a fair, inclusive and accessible justice system.

ORS 9.080(1).

As in years past, this Diversity Action Plan is designed to further this important mission while remaining within the bounds of the United States Supreme Court’s decision in *Keller v. State Bar of California*.

Because the bar has elected to be “*Keller* pure,” the bar takes positions only on matters that are germane to the bar’s statutory mission. If the wording of the plan is at all unclear, it should be read with this principle in mind.

While some may wish the bar to make a bolder statement or to invest resources to support broader change, as a strong proponent of the rule of law, the bar must continue to abide by constitutional mandates. But, as illuminated by this plan, neither can the bar be silent: the bar’s statutory mission itself requires us to serve the public interest, which can be

accomplished only with diversity, equity, and inclusion (DEI) principles and values informing of all of our work.

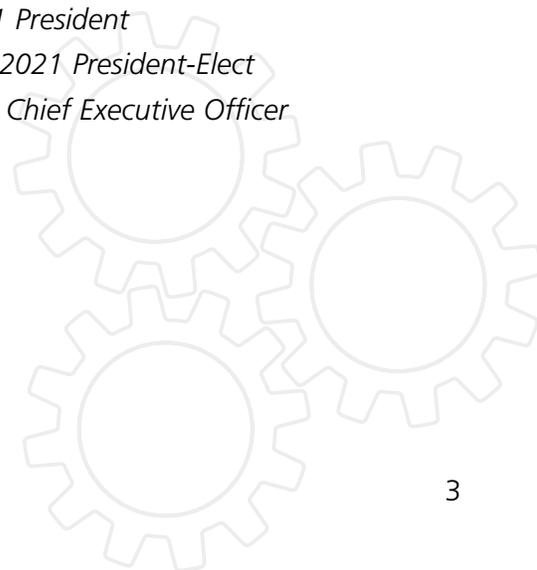
This is the third cycle of the OSB’s Diversity Action Plan. Looking back to the first two iterations will show a foundation of learning and an increasing elevation of the centrality of this work to the bar and its mission. We hope that this new plan, adopted by the Board of Governors in July 2021, reflects that the work is at a new state of maturity, and is ever-increasing our movement from learning to action.

The 2021–2023 plan would not have reached this stage without the contributions of numerous voices from throughout the state’s legal community, including affinity bars, participating OSB sections, and the courts. Sharing their legal and lived experiences helped the bar focus on the significant work that still needs to be done to further the bar’s mission.

We hope you will examine the details of this plan and engage with us as we implement the change that it calls for. We invite your counsel on the issues presented here, as our own growth — as individuals and as an institution — will continue throughout the life of this plan.

Finally, we are gratified to engage in this effort with a bar that has consistently recognized the need to serve the public in a manner that engenders trust and faith in our profession and its role in the judicial system.

David Wade, *2021 President*  
Kamron Graham, *2021 President-Elect*  
Helen Hierschbiel, *Chief Executive Officer*



# OVERVIEW

## OREGON STATE BAR MISSION, FUNCTION, AND GOALS

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In light of its statutory mission, the Oregon State Bar is committed to serving justice and the public interest by promoting respect for the rule of law, by improving the quality of legal services, and by increasing access to justice.

To achieve its mission, the bar's functions are to:

- **Regulate the Legal Profession and Improve the Quality of Legal Services**
- **Support the Judiciary and Improve the Administration of Justice**
- **Advance a Fair, Inclusive, and Accessible Justice System**

## DIVERSITY ACTION PLAN MISSION STATEMENT

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The purpose of this plan is to set forth proactive realistic goals that effect systemic change – and provide transparency and accountability for those goals in the Oregon State Bar – that value, serve, engage, and build trust with a diverse community of the public, legal profession, and OSB staff, in order to advance equity in and access to the justice system.

## DIVERSITY ACTION PLAN

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The Oregon State Bar (OSB) Diversity Action Plan (DAP) is structured around a three-year development and implementation cycle. The first plan cycle and implementation was from January 2014 through December 2016; the second plan cycle and implementation covered 2018 through 2020. Planning for the current DAP (2021–2023) began in February 2020. This was quickly sidelined the next month by the coronavirus pandemic, which resulted in the sudden shift to 100% remote work and

unexpected furlough of bar staff. Planning for the current DAP resumed in August 2020, delaying the plan completion until summer 2021. Please see the Appendix for links to past implementation reports.

The 2021–2023 DAP goals, strategies, and actions were developed by forming staff subcommittees that focused on the three aspects of the bar's mission: regulating the legal profession and improving the quality of legal services; supporting the judiciary and improving the administration of justice; and advancing a fair, inclusive, and accessible justice system. The DAP's mission-focused goals, strategies, and actions are the bar's roadmap for ensuring that OSB programs, services, and activities are responsive, inclusive, culturally proficient, and measurable for an increasingly diverse bar serving diverse clients with diverse needs.

Throughout the current DAP cycle, the implementation and effectiveness of strategies and action items for each goal will be reviewed and assessed by the Diversity Advisory Council. Changes and adjustments may be necessary in response to changes in law, legislation, resources, and the legal profession.

# CONTRIBUTORS

## DIVERSITY ADVISORY COUNCIL

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In 2012, the OSB Diversity Advisory Council (DAC) was formed to make recommendations to the OSB Chief Executive Officer (CEO) for the CEO's development of the Diversity Action Plan. The OSB's CEO, chief officers, and senior staff compose the DAC. External input regarding the DAP is sought from auxiliary stakeholders representing a diverse range of perspectives from the Oregon legal community. Multiple meetings were held throughout the 2021–2023 plan's development. The CEO presented the DAP mission and goals for approval by the OSB Board of Governors (BOG) at its April 16, 2021 meeting.

In addition to developing the 2021–2023 DAP, the CEO has charged the DAC with implementing the DAP's strategies and action items, reviewing and measuring progress toward achieving the goals, and publishing those results as annual implementation reports.

Every OSB department or program is represented on the DAC and will be engaged in implementing the DAP (\* indicates a subcommittee chair or co-chair):

- **Judith Baker\***, Chief Access to Justice Officer and Oregon Law Foundation Executive Director, including Legal Services Program and Referral and Information Services;
- **Nik Chourey**, Deputy General Counsel and ADA Coordinator
- **Courtney Dippel**, Disciplinary Counsel
- **Danielle Edwards**, Director of Member Services, including Oregon New Lawyers Division and New Lawyer Mentoring Program
- **Christine Ford**, Director of Human Resources
- **Gonzalo Gonzalez**, Chief Technology Officer
- **Hugo Gonzalez Venegas**, Diversity & Inclusion External Coordinator

- **Susan Grabe\***, Director of Public Affairs
- **Helen Hirschbiel**, Chief Executive Officer
- **Amber Hollister\***, General Counsel, including Client Assistance Office, Disciplinary Board, and Minimum Continuing Legal Education (MCLE)
- **JB Kim**, Director of Diversity & Inclusion
- **Karen Lee\***, Chief Equity and Professional Development Officer, including Continuing Legal Education (CLE) Seminars and Legal Publications
- **Jonathan Puente**, Director of Diversity & Inclusion (Former)
- **Kateri Walsh**, Director of Communications
- **Mike Williams**, Chief Financial Officer, including Operations
- **Troy Wood**, Regulatory Counsel, including Admissions

## DAP AUXILIARY STAKEHOLDER ORGANIZATIONS AND REPRESENTATIVES

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Participation from diverse members of Oregon's legal community was crucial to the development of the DAP. Through a series of listening sessions, the auxiliary stakeholders provided input to help the bar carry out its mission and functions through the 2021–2023 DAP. The DAC appreciated their time and contributions and valued their insight and experience. Special thanks to Carlotta Alverson, a member of the OSB Advisory Committee on Diversity & Inclusion, for her assistance with the Glossary terms.

### Oregon State Bar Board of Governors (BOG)

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- **David Wade**, 2021 President
- **Kamron Graham**, 2021 President-Elect

## Auxiliary Stakeholders

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- **Carlotta Alverson**, Member, OSB Advisory Committee on Diversity & Inclusion (ACDI) and Oregon New Lawyers Division (ONLD)
- **Alexis Baello**, Member, Oregon Filipino American Lawyers Association (OFALA)
- **Stanton Gallegos**, Board Member, Oregon Hispanic Bar Association (OHBA)
- **Terisa Page Gault**, Secretary, OSB Disability Law Section
- **Ekua Hackman**, President, Oregon Chapter – National Bar Association (OCNBA)
- **Tomás Hernandez**, Chair, OSB Advisory Committee on Diversity & Inclusion (ACDI)
- **Rebecca Ivanoff**, Advisory Member, OSB Diversity Section
- **Corin La Pointe-Aitchison**, Chair, OSB Indian Law Section
- **May Low**, Board of Directors, Oregon Women Lawyers (OWLS)
- **Aruna Masih**, Vice President, South Asian Bar Association of Oregon (SABA Oregon)
- **Chase Morinaka**, Co-Chair, Oregon Minority Lawyers Association (OMLA)
- **Gretel Ness**, Treasurer, Oregon Filipino American Lawyers Association (OFALA)
- **Samantha Ratcliffe**, Board Member, Oregon Hispanic Bar Association (OHBA)
- **Iván Resendiz Gutierrez**, Co-Chair, Oregon Minority Lawyers Association (OMLA)
- **Sheeba Roberts**, Board of Directors, Oregon Women Lawyers (OWLS)
- **Peter Sabido**, President, Oregon Filipino American Lawyers Association (OFALA)
- **Maxine Tuan**, President, Oregon Asian Pacific American Bar Association (OAPABA)
- **Yazmin Wadia**, Chair, OSB Diversity Section
- **Emery Wang**, Member, Oregon Chinese Lawyers Association (OCLA)

## Oregon Supreme Court Council on Inclusion & Fairness (OSCCIF)

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- **Valerie Colas**, Access to Justice Counsel for Equity, Diversity, and Inclusion

For information about auxiliary stakeholder organizations, please refer to the Appendix.





## Regulate the Legal Profession and Improve the Quality of Legal Services

**Mission:** Create goals, strategies, and action items that improve the quality of legal services and protect the public.

**Goal 1: Utilize an equity lens to identify, study, and recommend regulatory changes to address inequities in existing bar regulation.**

**Strategy 1:** Increase system transparency in existing regulatory processes and evaluation of new regulatory proposals.

- **Action 1.1.1:** Identify avenues for providing public notice and opportunity to comment on proposed regulatory changes. (GCO, CEO [co-leads] 2021)
- **Action 1.1.2:** Implement notice-and-comment changes. (GCO [lead]; Communications [support] 2021–2022)
- **Action 1.1.3:** Explore additional methods to solicit engagement from members of the public on OSB regulatory proposals. Seek input from stakeholders on the outreach approach. (Communications, Public Affairs [co-leads]; EPD [support] 2022–2023)
- **Action 1.1.4:** Develop additional channels to proactively engage members of the public on OSB regulatory proposals that impact the delivery of legal services. (Communications, Public Affairs [co-leads]; EPD [support] 2022–2023)

**Strategy 2:** Evaluate how a lawyer's cultural competence and knowledge of diversity, equity, and inclusion (DEI) principles are part of the ethical duty of competence, and recommend related changes or new guidance.

- **Action 1.2.1:** Work with the Legal Ethics Committee to examine ORPC 1.1 and determine whether the rule should be amended to recognize that the duty of competence includes knowledge and understanding of cultural competence and DEI principles. (GCO [lead] 2022)
- **Action 1.2.2:** Evaluate whether to draft a Formal Legal Ethics Opinion or propose a rule change. (GCO [lead] 2022)
- **Action 1.2.3:** Recommend the adoption of a new Legal Ethics Opinion or an amendment to the ORPCs to the BOG. (CEO, GCO [co-leads] 2023)

**Strategy 3:** Implement a paraprofessional licensing program to expand legal services while maintaining public protection at the direction of the Oregon Supreme Court.

- **Action 1.3.1:** Engage diverse stakeholders in the development of a program for regulation of paraprofessionals. (CEO, Communications, Public Affairs [co-leads] 2021)
- **Action 1.3.2:** Develop proposed rule changes that enable paraprofessional licensing of applicants from diverse communities. (CEO, Public Affairs, Admissions, GCO [co-leads]; EPD [support] 2021)
- **Action 1.3.3:** Present proposed rule amendments to the BOG and the Oregon Supreme Court for review and adoption. (CEO, RCO, GCO [co-leads] 2021–2022)
- **Action 1.3.4:** Present any additional necessary legislative changes for program implementation for review and enactment. (Public Affairs [lead] 2022–2023)

- **Action 1.3.5:** Implement operational changes in bar licensing and regulatory programs for paraprofessionals. (Admissions, DCO, GCO [co-leads] 2022–2023)
- **Action 1.3.6:** Develop key performance indicators to measure whether the program increases access to justice and enables admission of applicants from diverse communities. (Admissions [lead] 2023)

**Strategy 4:** Evaluate and recommend options for alternatives to traditional legal education and bar examination to increase equity in bar admissions, while continuing to focus on public protection.

- **Action 1.4.1:** Review admission policies and seek stakeholder feedback. (Admissions [lead]; Communications, EPD [support] 2021–2023)
- **Action 1.4.2:** Evaluate the current bar exam pass score and seek stakeholder feedback. (Admissions [lead]; Communications [support] 2021)
- **Action 1.4.3:** Evaluate alternatives to the bar exam and seek stakeholder feedback on the bar exam. (Regulatory Services [lead]; Communications [support] 2021)
- **Action 1.4.4:** Evaluate alternatives to the law school education system and seek stakeholder feedback. (Admissions [lead]; Communications [support] 2022)
- **Action 1.4.5:** Present proposed rule changes to the Oregon Supreme Court for review and consideration. (Admissions [lead] 2021–2023)

**Strategy 5:** Create a Board of Bar Examiners (BBX) subcommittee to determine a process for addressing concerns about past admission applicants who received an adverse character and fitness recommendation from the BBX, which may have been the result of historic discriminatory processes or actions.

- **Action 1.5.1:** Establish a BBX subcommittee. (Admissions [lead] 2021)
- **Action 1.5.2:** Consider whether a new process is required, and if so, draft proposed rules. Seek feedback from stakeholders. (Admissions [lead]; Communications, EPD [support] 2022–2023)
- **Action 1.5.3:** Draft and submit any recommended rule changes for the Oregon Supreme Court’s review. (Admissions [lead] 2022–2023)
- **Action 1.5.4:** Publish information about the new process. (Admissions, Communications [co-leads] 2023)

**Strategy 6:** Evaluate and identify ways to assess the impact of the disciplinary system on lawyers, clients, and complainants from diverse backgrounds.

- **Action 1.6.1:** Identify available data to evaluate the prior impact of the disciplinary system on lawyers from diverse backgrounds for a specified time period. (DCO, Member Services [co-leads] 2021)
- **Action 1.6.2:** Identify any gaps in data and create a strategy to gather and evaluate additional data. (DCO, EPD, Member Services [co-leads]; CTO [support] 2021–2022)
- **Action 1.6.3:** Implement data collection changes. (DCO, Member Services [co-leads]; CTO [support] 2022)
- **Action 1.6.4:** Evaluate the frequency and types of past disciplinary referrals to the State Professional Responsibility Board for lawyers from diverse backgrounds. (DCO [lead] 2023)
- **Action 1.6.5:** Evaluate the frequency and types of past discipline for lawyers from diverse backgrounds. (DCO [lead] 2023)

- **Action 1.6.6:** Report results to stakeholders and evaluate reports for inclusion in the 2024–2026 DAP. (DCO, CEO [co-leads]; Communications [support] 2023)

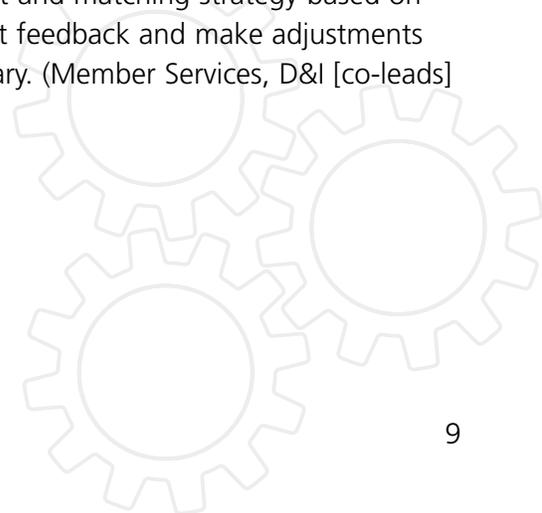
**Strategy 7:** Continue to identify and implement procedural-fairness best practices in the disciplinary system.

- **Action 1.7.1:** Implement use of a Spanish-language call group designed to increase availability of the bar’s public protection programs, and publish existing multi-language complaint forms on the bar website. (Communications, CAO, CTO [co-leads] 2022).
- **Action 1.7.2:** Survey disciplinary system users to determine whether the disciplinary system is perceived as fair, safe, and accessible, and how the process might be improved. (Communications, CAO, DCO, Adjudicator [co-leads] 2023)
- **Action 1.7.3:** Develop a plan to implement additional procedural-fairness best practices within the disciplinary system and other public protection programs. (Communications, CAO, DCO, Adjudicator [co-leads]; GCO [support] 2023)

**Strategy 8:** Recruit a diverse pool of volunteers for appointment, and candidates for election, to bar regulatory boards and committees.

- **Action 1.8.1:** Evaluate member demographic questions and response options and implement any necessary changes. (D&I, Member Services, CTO [co-leads] 2021)
- **Action 1.8.2:** Develop and deploy a strategy to increase member demographic self-reporting. (D&I, Communications, Member Services [co-leads] 2022)

- **Action 1.8.3:** Evaluate whether self-reporting increased and determine if adjustments are necessary. (D&I, Communications, Member Services [co-leads] 2023)
- **Action 1.8.4:** Evaluate the diversity of current regulatory volunteers and barriers to participation, such as recruitment strategies, the availability of remote participation, board participation requirements, and appointment and election processes. (Member Services [lead]; DCO, GCO, Regulatory Services, CEO [support] 2021–2023)
- **Action 1.8.5:** Develop a strategy to recruit a diverse pool of volunteers on regulatory boards and committees. (Member Services [lead]; DCO, Regulatory Services, GCO, CEO [support] 2022)
- **Action 1.8.6:** Inform membership regarding the existing makeup of the BOG and HOD during the election and recruitment process. (Member Services [lead] 2021–2022)
- **Action 1.8.7:** Develop resources to enable New Lawyer Mentoring Program (NLMP) participants to request specific mentors based on individual participant needs. (Member Services, EPD [co-leads]; GCO [support] 2021)
- **Action 1.8.8:** Evaluate the NLMP enrollment and matching process and modify as needed to support effective matching for all participants. (Member Services [lead]; D&I [support] 2022)
- **Action 1.8.9:** Evaluate results of the NLMP enrollment and matching strategy based on participant feedback and make adjustments as necessary. (Member Services, D&I [co-leads] 2023)



**GOAL 2: Improve the quality of legal services by promoting lawyers' knowledge and application of DEI principles in their legal practices and in bar programs.**

**Strategy 1:** Create additional legal practice resources and CLE programs designed to improve the quality of legal services.

- **Action 2.1.1:** Review existing access to justice CLE programs and develop high-quality programming to meet member educational needs. (CLE Seminars, D&I [co-leads] 2022)
- **Action 2.1.2:** Develop OSB CLE programs for new Oregon lawyers to reflect updated access to justice MCLE Rules and Regulations. (CLE Seminars, D&I [co-leads] 2022–2023)
- **Action 2.1.3:** Provide specific bar-sponsored legal ethics education on the requirements contained in ORPC 8.4(a)(7). (CLE Seminars, GCO [co-leads] 2022–2023)
- **Action 2.1.4:** Develop a fair and transparent bar award nomination and selection framework and promote it to sections. (Member Services, D&I [co-leads] 2022)
- **Action 2.1.5:** Recommend and provide access to at least one annual CLE session for the BOG, committee members, section leaders, and staff liaisons designed to highlight the role of DEI in increasing the quality of legal services. (Member Services, EPD, CEO [co-leads] 2021–2023)

**Strategy 2:** Implement strategies to support increased diversity of volunteers engaged in improving the quality of legal services, including sections, committees, the ONLD, and other non-regulatory roles.

- **Action 2.2.1:** Revise the Standard Section Bylaws related to executive committee term

limits, nomination, and selection. (Member Services, GCO [co-leads]; CEO [support] 2021)

- **Action 2.2.2:** Track and measure key performance indicators related to the diversity of non-regulatory volunteers. (Member Services [lead] 2021)
- **Action 2.2.3:** Assist non-regulatory volunteer groups in conducting broader outreach for recruitment of all bar leadership positions based on key performance indicators. (Member Services, EPD [co-leads] 2021–2023)
- **Action 2.2.4:** Develop policies and processes for the BOG Board Development Committee to increase the diversity of lawyer and public member volunteers appointed by the BOG. (Member Services, EPD [co-leads] 2021–2023)
- **Action 2.2.5:** Gather data to determine the diversity of OSB, ONLD, and section CLE speakers. (CLE Seminars, Member Services [co-leads] 2021)
- **Action 2.2.6:** Identify and recruit a diverse pool of speakers for OSB CLE Seminars events. (EPD, CLE Seminars [co-leads] 2021–2023)
- **Action 2.2.7:** Develop and circulate best practices for increasing the diversity of speakers for ONLD and section CLE events. (EPD, Member Services [co-leads] 2022)

**Strategy 3:** Evaluate and propose updates to the MCLE Rules and Regulations for access to justice credit requirements in light of the MCLE program's updated purpose.

- **Action 2.3.1:** Review and propose amendments to the MCLE Rules for introductory access to justice credit requirements for new lawyers. (MCLE [lead]; Communications, D&I [support] 2021–2022)

- **Action 2.3.2:** Identify and develop proposals to amend the number and frequency of required access to justice MCLE credits. (MCLE, GCO [co-leads]; D&I [support] 2022)
- **Action 2.3.3:** Review and consider developing amendments to MCLE Rules pertaining to Category III volunteer activities. (MCLE, GCO [co-leads]; D&I [support] 2023)
- **Action 2.3.4:** Present proposed rule changes to the BOG and the Oregon Supreme Court. (GCO, MCLE [co-leads] 2023)

**Strategy 4:** Promote implementation of lawyer wellness recommendations by legal employers to improve the quality of legal services.

- **Action 2.4.1:** Review the ABA National Task Force report on *The Path to Lawyer Well-Being* and determine which recommendations to promote to legal employers. (EPD, CEO [co-leads] 2021)
- **Action 2.4.2:** Promote the recommendations and the ABA *Well-Being Toolkit* to legal employers. (EPD, Communications [co-leads] 2021)



## Support the Judiciary and Improve the Administration of Justice

**Mission:** Create goals, strategies, and action items that support the judiciary and improve the administration of justice by advancing the quality, integrity, and impartiality of the judicial system.

**Goal 1: Engage with a diverse community of stakeholders in the bar’s work to support the judiciary and improve the administration of justice.**

**Strategy 1:** Develop a process and schedule for regular engagement with OSB members, the public, and stakeholders to identify issues, and develop and advance legislative and policy priorities germane to the bar’s statutory mission.

- **Action 1.1.1:** Inventory and assess current communications with the court, the public, members, and stakeholders, including state and national organizations that support court activities. (Communications, Public Affairs, ATJ [co-leads]; EPD [support] 2021)

- **Action 1.1.2:** Identify stakeholders with whom to engage and the best way to communicate with stakeholder communities about matters germane to the bar’s statutory mission. (Communications, Public Affairs, ATJ [co-leads]; EPD [support] 2021)
- **Action 1.1.3:** Develop and conduct an outreach plan, including sharing legislative priorities germane to the bar’s statutory mission with the Advisory Committee on Diversity & Inclusion and the Diversity Section and soliciting their feedback. Review the plan annually. (Communications, Public Affairs, ATJ [co-leads]; EPD [support] 2022)
- **Action 1.1.4:** Continue engaging with the Oregon Campaign for Court Funding and coordinating with community partners to support the judiciary’s DEI goals and advance a fair, inclusive, and accessible justice system. (Communications, Public Affairs, ATJ [co-leads]; EPD [support] 2021–2023)

**Strategy 2:** Share DEI efforts of the court and the bar with a diverse community of stakeholders.

- **Action 1.2.1:** Publicize more broadly the OSB Climate Survey (2019) and the Civil Legal Needs Study, and publicize the efforts of the bar, the court, and stakeholder groups. (Communications, Public Affairs, ATJ [co-leads]; EPD [support] 2021–2023)

**Goal 2: Partner with the Oregon Judicial Department to advance DEI in the judicial branch and justice system.**

**Strategy 1:** Develop a process to partner with the Oregon Judicial Department (OJD) on initiatives promoting DEI within the justice system.

- **Action 2.1.1:** Clarify and strengthen ongoing participation of OSB representatives on the Oregon Supreme Court Council on Inclusion & Fairness (OSCCIF); facilitate input from the bar and stakeholder groups to the OSCCIF and back to the stakeholders. (CEO, EPD [co-leads] 2021)
- **Action 2.1.2:** Engage with the court to increase diversity of volunteers for court committees. (EPD [lead] 2021–2023)
- **Action 2.1.3:** Promote the OJD’s Strategic Plan Initiatives to advance the quality, integrity, and impartiality of the judicial system. (Communications, Public Affairs [co-leads] 2021–2023)

**Strategy 2:** Support the OJD’s procedural-justice efforts in all categories of Oregon courts.

- **Action 2.2.1:** Assist the OJD with OJD-identified trainings and initiatives to create a more inclusive courthouse culture. (EPD [lead] 2021–2023)

- **Action 2.2.2:** Support the OJD’s outreach and education that address procedural justice. (Public Affairs, EPD [co-leads] 2021)
- **Action 2.2.3:** Support the OJD’s legislative initiatives to create a court navigator system and court resource centers across Oregon. (Public Affairs [lead] 2021).

**Strategy 3:** Strengthen outreach to non-OJD courts and court-related entities to share information regarding the bar’s mission and programs.

- **Action 2.3.1:** Identify and document current judicial demographics in these non-OJD courts. (EPD, IDT [co-leads] 2023)
- **Action 2.3.2:** Create and maintain a central repository of DEI initiatives in non-OJD courts and court-related entities. (EPD, IDT [co-leads] 2023)

**Strategy 4:** Increase lawyers’ understanding of pathways to the bench to support the creation of a diverse pool of judicial candidates.

- **Action 2.4.1:** Identify programs throughout the state that promote pathways to the bench. (EPD [lead] 2022)
- **Action 2.4.2:** Collate the bench pathways program information. (EPD [lead] 2022)
- **Action 2.4.3:** Share the bench pathways information with members, affinity bars, and relevant OSB programs. (EPD [lead] 2023)

**Strategy 5:** Apply an equity lens in developing the bar’s legislative priorities that support the bar’s statutory mission, and engage in outreach to diverse communities.

- **Action 2.5.1:** Identify the number of bar members and members of the public from diverse communities served or impacted by the bar’s legislative priority or outreach. (Public Affairs, EPD [co-leads] 2021–2023)

- **Action 2.5.2:** Determine whether the OSB Climate Survey (2019) and Civil Legal Needs Study identify potential legislative priorities germane to regulation of the practice of law or improving the quality of legal services. (Public Affairs, EPD [co-leads] 2021–2023)

- **Action 3.1.2:** Identify processes that court entities use for receiving and addressing accessibility concerns and make that information more broadly available. (EPD, Communications [co-leads] 2022–2023)

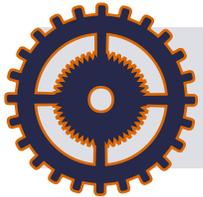
**Goal 3: Address court facility accessibility issues identified in the OSB Climate Survey (2019).**

**Strategy 1:** Identify and share court-related facility accessibility issues with the OJD.

- **Action 3.1.1:** Share the OSB Climate Survey (2019) results relating to court accessibility with the OSCCIF and other court entities. (CEO, Communications [co-leads] 2021–2022)

**Strategy 2:** Assist the OJD in addressing the court-related facility accessibility issues identified in Strategy 1.

- **Action 3.2.1:** Ask the courts how the bar can support addressing identified court facility accessibility issues. (CEO, EPD, Communications [co-leads] 2022–2023)
- **Action 3.2.2:** Assist the OJD, to the extent OSB resources permit, to carry out priorities related to court facility accessibility. (EPD, Communications [co-leads]; IDT [support] 2021–2023)



**Advance a Fair, Inclusive, and Accessible Justice System**

**Mission:** Create goals, strategies, and actions that advance a fair, inclusive, and accessible justice system.

**GOAL 1: Foster trust in, respect for, and an understanding of the justice system.**

**Strategy 1:** Increase access for Oregon’s diverse communities to online legal information and services by creating a triage portal self-help legal website in Oregon.

- **Action 1.1.1:** Work with the Oregon Law Foundation (OLF) to create a framework for the development of a triage portal self-help legal website. (ATJ, GCO, CEO [co-leads] 2021)

- **Action 1.1.2:** Work with the OLF and portal project resource partners to develop a portal, including establishing program governance, setting funding commitments, and delivering accessible content. (ATJ, GCO, CEO [co-leads] 2021)
- **Action 1.1.3:** Review the accessibility and suitability of current OSB public education legal resources for portal content. (ATJ [lead]; BART [support] 2021–2022)
- **Action 1.1.4:** Initiate development of the triage portal website with a target launch at the end of 2021. (ATJ, IDT [co-leads] 2021)

- **Action 1.1.5:** Hire professional staff to maintain the triage portal website system. (ATJ, HR [co-leads] 2022)
- **Action 1.1.6:** Research and compare other states' triage portal evaluation plans to determine how to develop Oregon's triage portal evaluation plan. (ATJ [lead] 2022)
- **Action 1.1.7:** Use the Oregon evaluation plan to analyze user outreach, portal content, and resource allocation. (ATJ [lead] 2023)

**Strategy 2:** Assess the current and future need for Lawyer Referral Service pro bono panels designed to improve the quality and availability of legal services to low-income Oregonians.

- **Action 1.2.1:** Review the existing Lawyer Referral Service pro bono panels to determine bar member interest, skill set, and cultural competency to provide pro bono services. (ATJ [lead]; D&I [support] 2021)
- **Action 1.2.2:** Ascertain pro bono legal services needs among Oregon's diverse communities. (ATJ [lead]; D&I [support] 2022)
- **Action 1.2.3:** Collect data to measure pro bono panel effectiveness and consider future panels as needed. (ATJ [lead]; D&I [support] 2022)
- **Action 1.2.4:** Evaluate the effectiveness and impact of pro bono panels. (ATJ [lead]; D&I [support] 2022–2023)
- **Action 1.2.5:** Educate lawyers about Oregon access to justice issues identified in the Civil Legal Needs Study and how to reduce barriers for underserved communities. (Legal Services, EPD [co-leads] 2021–2023)
- **Action 1.2.6:** Assess the process available for members to update their demographic

information, such as gender identity, or change their name on bar records. Using available bar technology and resources, implement IDT recommendations to facilitate demographic information updates by members. (EPD, IDT [co-leads] 2021–2022)

- **Action 1.2.7:** Determine the bar resources and volunteer member base needed to implement ABA Free Legal Answers or another means of helping lawyers connect to pro bono opportunities. Evaluate the feasibility of implementation. (ATJ [lead]; IDT, F&O [support] 2021–2022)

**GOAL 2: Foster a diverse, equitable, and inclusive bar workplace with accessible programs, services, and physical facilities.**

**Strategy 1:** Understand the OSB workplace culture.

- **Action 2.1.1:** Issue an RFP for an employee climate assessment and select a consultant. (HR, D&I [co-leads]; F&O, GCO, CEO [support] 2021)
- **Action 2.1.2:** Conduct the climate assessment. (GCO, HR [co-leads]; D&I [support] 2021)
- **Action 2.1.3:** Analyze assessment recommendations and develop strategies. (GCO, HR, D&I [co-leads]; CEO [support] 2022)
- **Action 2.1.4:** Implement climate assessment recommendations and strategies. (GCO, HR, D&I [co-leads] 2023)
- **Action 2.1.5:** Conduct rolling evaluations of implemented recommendations for the 2024–2026 diversity action plan goals and strategies. (HR, D&I [co-leads]; CEO [support] 2023)

**Strategy 2:** Evaluate the OSB hiring process for implementation of best practices.

- **Action 2.2.1:** Establish a budget for a hiring process evaluation. (HR [lead]; F&O [support] 2021)
- **Action 2.2.2:** Issue an RFP and select a consultant. (HR, D&I [co-leads]; GCO, CEO [support] 2022)
- **Action 2.2.3:** Analyze the evaluation for best-practices recommendations and develop strategies; identify financial resources needed to include in the 2023 budget. (HR, F&O [co-leads]; D&I, CEO, GCO [support] 2022)
- **Action 2.2.4:** Implement the hiring process evaluation recommendations and strategies. (HR, D&I [co-leads]; Hiring Managers [support] 2023)
- **Action 2.2.5:** Conduct rolling evaluations of implemented recommendations for the 2024–2026 diversity action plan goals and strategies. (HR, D&I [co-leads]; CEO [support] 2023)

**Strategy 3:** Conduct OSB staff professional development.

- **Action 2.3.1:** Research and collaborate with the OSB D&I Department on staff professional development options. (HR, D&I [co-leads] 2021–2023)
- **Action 2.3.2:** Use recommendations of the employee climate assessment to inform ongoing staff professional development. (HR, D&I [co-leads] 2022–2023)
- **Action 2.3.3:** Create and maintain an internal online self-study library of DEI topics for OSB staff. (D&I, IDT [co-leads]; HR [support] 2021)

**Strategy 4:** Support an inclusive workplace environment.

- **Action 2.4.1:** Research best practices that support gender-neutral, transgender, and transitioning employees. (HR, D&I [co-leads] 2021)
- **Action 2.4.2:** Develop and implement policies to support gender-neutral, transgender, and transitioning employees. (HR, D&I [co-leads]; GCO, CEO, Operations Team [support] 2022)
- **Action 2.4.3:** Conduct rolling evaluations of implemented policies and practices for the 2024–2026 diversity action plan goals and strategies. (HR, D&I [co-leads]; CEO [support] 2023)

**Strategy 5:** Support accessibility to the bar center and its resources.

- **Action 2.5.1:** Evaluate accessibility by the public and OSB members to bar information, processes, and use of the bar center. (BART, F&O [co-leads] 2021)
- **Action 2.5.2:** Establish a budget for an accessibility review of the bar center. (F&O, BART [co-leads] 2021)
- **Action 2.5.3:** Issue an RFP for accessibility review. (BART, F&O [co-leads]; HR, D&I [support] 2021)
- **Action 2.5.4:** Conduct an accessibility review of the bar center; establish a budget for recommendations. (BART, F&O [co-leads]; HR, D&I [support] 2022)
- **Action 2.5.5:** Prioritize and implement the recommendations. (BART, F&O [co-leads]; HR, D&I [support] 2022–2023)

- **Action 2.5.6:** Research the cost to install additional external and internal automatic door openers and prioritize installation. (F&O, BART [co-leads] 2021–2023)

**Strategy 6:** Develop practices to cultivate a diverse work force.

- **Action 2.6.1:** Research and develop a search advocacy group (SAG) to participate in every hiring committee; establish a budget to train search advocates. (HR, D&I [co-leads]; F&O [support] 2021)
- **Action 2.6.2:** Train search advocates and implement participation. (HR, D&I [co-leads] 2022)
- **Action 2.6.3:** Conduct rolling evaluations of implemented practices for the 2024–2026 diversity action plan goals and strategies. (HR, D&I [co-leads]; CEO [support] 2023)

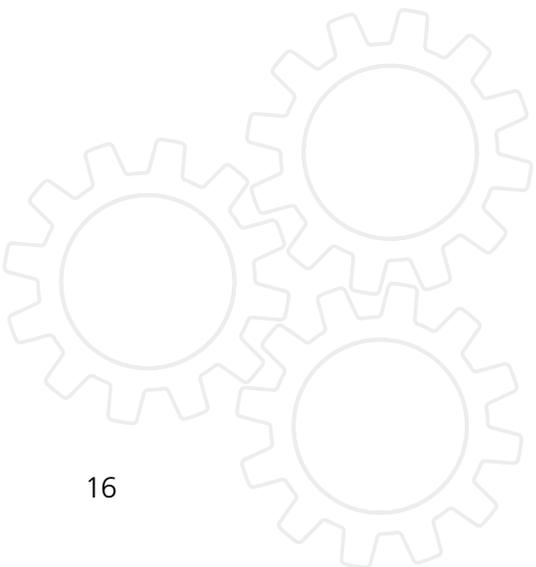
**Strategy 7:** Engage diverse suppliers for bar operations.

- **Action 2.7.1:** Research best practices in the public sector for creating a diverse supplier program. (F&O, D&I [co-leads] 2021)

- **Action 2.7.2:** Implement a diverse supplier program. (F&O, D&I [co-leads]; GCO [support] 2021)
- **Action 2.7.3:** Annually review diverse suppliers to evaluate gains. (F&O [lead]; D&I [support] 2022–2023)

**Strategy 8:** Integrate funding for the bar’s DEI initiatives and activities into each department.

- **Action 2.8.1:** Identify department and program DEI initiatives and activities that require financial resources and create dedicated line items. (F&O, CEO [co-leads]; D&I [support] 2021–2023)
- **Action 2.8.2:** Incorporate dedicated DEI line-item review into the annual budget process. (F&O, CEO [co-leads] 2021–2023)



# Appendix of Websites

## Oregon State Bar Diversity Action Plan Implementation Reports

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2014 Diversity Action Plan – Implementation Report: Year One

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

2015 Diversity Action Plan – Implementation Report: Year Two

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

2016 Diversity Action Plan – Implementation Report: Year Three

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

2018 Diversity Action Plan – Implementation Report: Year One

[www.osbar.org/docs/diversity/DAP2018-2020ImplementationReport\\_Year1.pdf](http://www.osbar.org/docs/diversity/DAP2018-2020ImplementationReport_Year1.pdf)

2019 Diversity Action Plan – Implementation Report: Year Two

[www.osbar.org/docs/diversity/DAP2018-2020ImplementationReport\\_Year2.pdf](http://www.osbar.org/docs/diversity/DAP2018-2020ImplementationReport_Year2.pdf)

## Auxiliary Stakeholders

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**Oregon State Bar Board of Governors (BOG):** [www.osbar.org/leadership/bog](http://www.osbar.org/leadership/bog)

### Oregon State Bar Groups

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Advisory Committee on Diversity & Inclusion (ACDI):

[www.osbar.org/diversity/index.html#acdi](http://www.osbar.org/diversity/index.html#acdi)

Disability Law Section: [disabilitylaw.osbar.org/](http://disabilitylaw.osbar.org/)

Diversity Section: [osbdiversity.osbar.org/](http://osbdiversity.osbar.org/)

Indian Law Section: [indianlaw.osbar.org/](http://indianlaw.osbar.org/)

Oregon New Lawyers Division (ONLD): [www.osbar.org/onld](http://www.osbar.org/onld)

### Auxiliary Stakeholder Groups

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LGBT Bar Association of Oregon (OGALLA): [www.ogalla.org/](http://www.ogalla.org/)

Oregon Asian Pacific American Bar Association (OAPABA): [oapaba.clubexpress.com/](http://oapaba.clubexpress.com/)

Oregon Chapter of the National Bar Association (OCNBA): [ocnbaorg.wpcomstaging.com/](http://ocnbaorg.wpcomstaging.com/)

Oregon Chinese Lawyers Association (OCLA): [emerywang.com/OCLA/](http://emerywang.com/OCLA/)

Oregon Filipino American Lawyers Association (OFALA): [www.oregonfala.org/](http://www.oregonfala.org/)

Oregon Hispanic Bar Association (OHBA): [www.oregonhispanicbar.org/](http://www.oregonhispanicbar.org/)

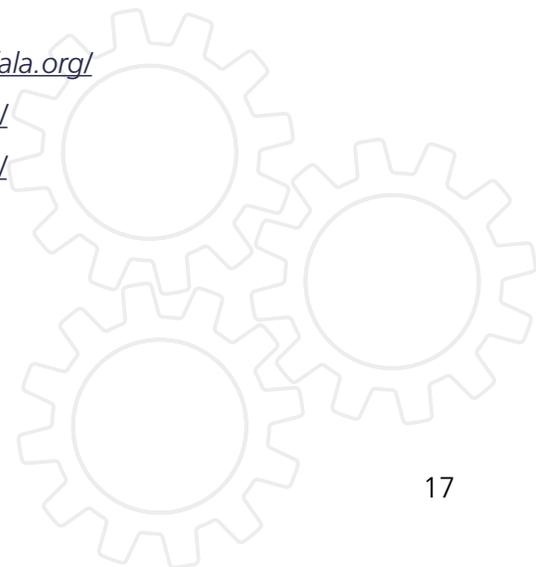
Oregon Minority Lawyers Association (OMLA): [www.omlalawyers.com/](http://www.omlalawyers.com/)

Oregon Supreme Court Council on Inclusion & Fairness (OSCCIF):

[www.courts.oregon.gov/programs/inclusion/Pages/default.aspx](http://www.courts.oregon.gov/programs/inclusion/Pages/default.aspx)

Oregon Women Lawyers (OWLS): [oregonwomenlawyers.org/](http://oregonwomenlawyers.org/)

South Asian Bar Association of Oregon (SABA Oregon): [sabaor.org/](http://sabaor.org/)



## Additional Referenced Reports

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### **ABA National Task Force Report on The Path to Lawyer Well-Being**

(Regulate the Legal Profession, Goal 2, Strategy 4)

[www.americanbar.org/groups/lawyer\\_assistance/task\\_force\\_report/](http://www.americanbar.org/groups/lawyer_assistance/task_force_report/)

### **Oregon Campaign for Court Funding** (Support the Judiciary, Goal 1, Strategy 1)

[publicaffairs.osbar.org/court-funding/](http://publicaffairs.osbar.org/court-funding/)

### **OSB Climate Survey** (2019) (Support the Judiciary, Goal 1, Strategy 2; Goal 2, Strategy 5; Goal 3, Strategy 1)

[www.osbar.org/docs/resources/ClimateSurvey/2019ClimateSurvey\\_Final.pdf](http://www.osbar.org/docs/resources/ClimateSurvey/2019ClimateSurvey_Final.pdf)

### **Civil Legal Needs Study** (Support the Judiciary, Goal 1, Strategy 2; Goal 2, Strategy 5; Advance a Fair, Inclusive, and Accessible Justice System, Goal 1, Strategy 2)

[olf.osbar.org/files/2019/02/Barriers-to-Justice-2018-OR-Civil-Legal-Needs-Study.pdf](http://olf.osbar.org/files/2019/02/Barriers-to-Justice-2018-OR-Civil-Legal-Needs-Study.pdf)

### **Oregon Judicial Department Strategic Plan Initiatives** (Support the Judiciary, Goal 2, Strategy 1)

[www.courts.oregon.gov/about/Documents/two-pager\\_v1.3\\_2020-02-09.pdf](http://www.courts.oregon.gov/about/Documents/two-pager_v1.3_2020-02-09.pdf)

## GLOSSARY

### Acronyms

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|      |                                     |        |   |
|------|-------------------------------------|--------|---|
| ATJ  | Access to Justice                   | GCO    | General Counsel's Office                                |
| BART | Bar Accessibility Review Team       | HR     | Human Resources   |
| BBX  | Board of Bar Examiners              | IDT    | Information and Design Technology                       |
| BOG  | Board of Governors                  | MCLE   | Minimum Continuing Legal Education                      |
| CAO  | Client Assistance Office            | NLMP   | New Lawyer Mentoring Program                            |
| CEO  | Chief Executive Officer             | OJD    | Oregon Judicial Department                              |
| CTO  | Chief Technology Officer            | OLF    | Oregon Law Foundation                                   |
| DAP  | Diversity Action Plan               | ONLD   | Oregon New Lawyers Division                             |
| DCO  | Disciplinary Counsel's Office       | OSCCIF | Oregon Supreme Court Council<br>on Inclusion & Fairness |
| DEI  | Diversity, Equity, and Inclusion    | ORPC   | Oregon Rules of Professional Conduct                    |
| D&I  | Diversity and Inclusion             | RCO    | Regulatory Counsel's Office                             |
| EPD  | Equity and Professional Development |        |   |
| F&O  | Finance and Operations              |        |   |

## Terms

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**Accessibility:** Ease that something (e.g., device, service, physical environment, and information) can be accessed, used, and enjoyed by all people. The term implies conscious planning, design, and/or effort to make sure something is barrier-free to all people.

**Cultural competency:** A developmental process that evolves over an extended period. 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.

**Diverse:** Differing from one another; composed of distinct or unlike elements or qualities.

**Diversity:** Diversity is the realization of difference and of inequity and the understanding of power and privilege. In the context of this plan, diversity includes, but is not limited to, age, culture, disability, ethnicity, amount of legal experience, gender and gender identity or expression, geographic location, national origin, practice area or specialization, race, religion, sex, sexual orientation, veteran status, marital status, familial status, and socioeconomic status. Depending on the context, increasing diversity means to enable and support full participation in an opportunity, program, or group by all users or bar members.

**Equity:** Ensuring that all individuals and groups have 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 by striving to address these disparities.

**Equity lens:** Analyzing processes and systems to eliminate barriers by identifying causes of disparate impact and inequity.

**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.

**Non-OJD courts:** Courts that are not part of the Oregon Judicial Department. These include, but are not limited to, administrative bodies (e.g., Workers Compensation Board, Land Use Board of Appeals), municipal and justice courts, immigration courts, tribal courts operated by Oregon's nine federally recognized sovereign Tribes, and federal courts located in Oregon.

**Paraprofessional licensing:** A limited-scope professional license allowing qualified individuals who are not lawyers to provide specific legal services in family law and landlord/tenant law where a large segment of the public struggles to afford legal assistance.

**Search advocates:** Employees trained in recognizing bias in the hiring process. They serve a crucial role on hiring committees by protecting the process from implicit or explicit bias.

**Stakeholders:** People who are involved in or affected by a course of action.

**Triage portal self-help legal website:** An online referral site for people with legal issues, regardless of income level. The system provides people with civil legal needs access to free legal information, self-help resources, and legal providers, through a user-centric approach that places the burden on the system to provide the best legal information and referral at the outset.

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