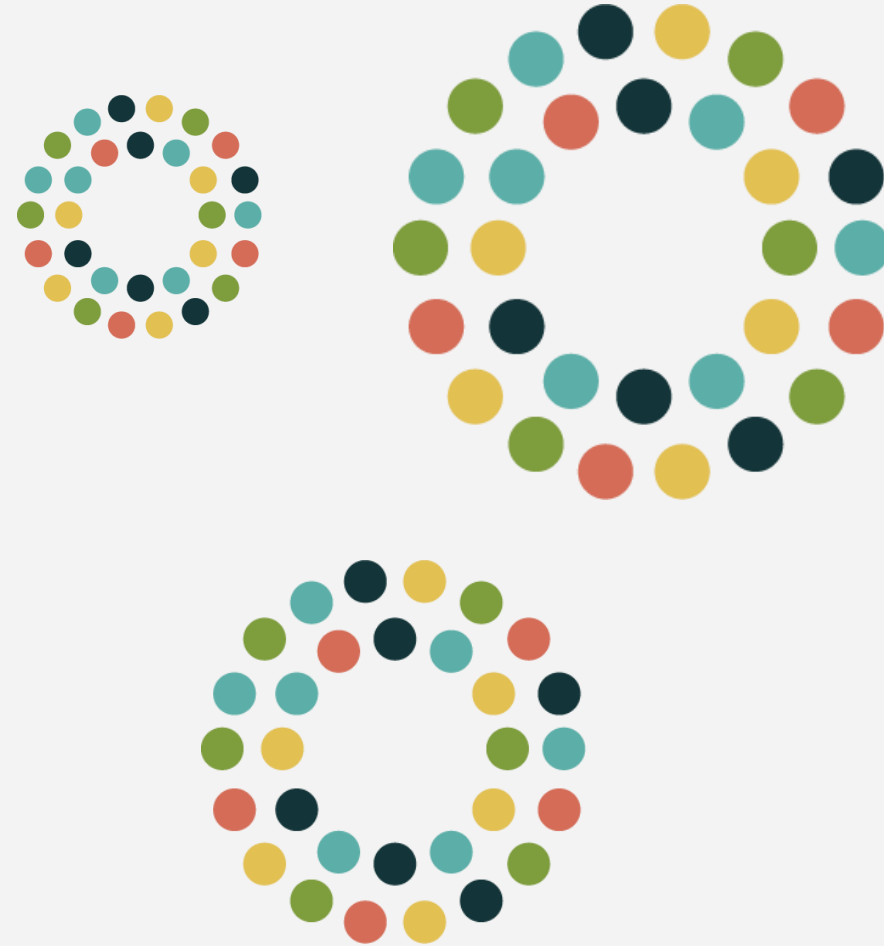


Member Demography, Identity + Impact

Overview of Findings of WSBA Membership



Methodological Overview

- Multi-phase, mixed-method custom primary research to establish current demographic and identity-based baselines, workplace types and assessments, experiences and beliefs among WSBA members.
- 3 Phases of Research, including:
 - Phase 1: Stakeholder meetings to collaboratively determine key research questions and directions for assessment and analysis
 - Phase 2: A 20-ish minute, custom research quantitative online member survey (n=1857)
 - Phase 3: Follow-up qualitative research (focus groups and in-depth interviews) with members from among 6 key identity groups (Black, LGBTQAI2+, Disabled, Asian*, Latino/a/e/X, Native/American Indian) to discuss key findings, their own experiences within the field, and their thoughts on what and how to move things forward

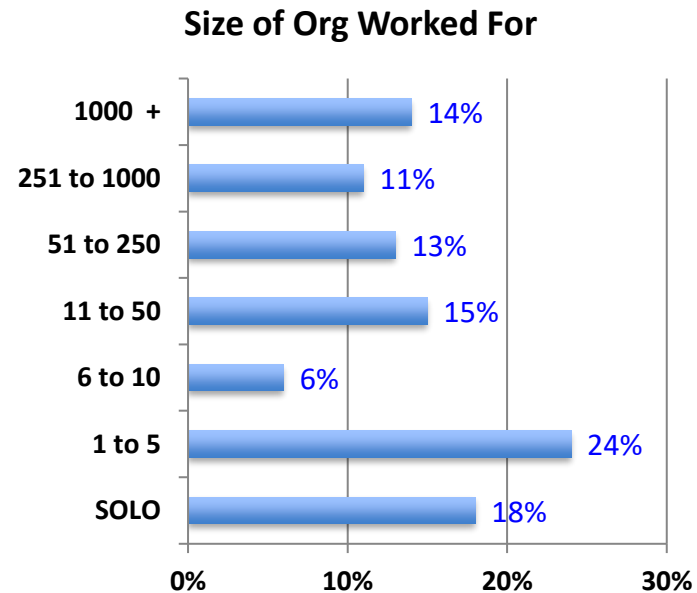
Methodological Overview: Survey Specifics

- Survey developed collaboratively, with feedback sought from WSBA, MBAs, stakeholders + others
 - Online, web-based, 19 mins (avg) programmed + fielded July → Oct 2023
 - Invitations sent to nearly 40,000 WSBA members who opted in to WSBA communications
 - All lists provided by WSBA directly to fielding vendor to maintain confidentiality per KGR+C policy and confidentiality warrants to respondents
 - Total Number of Completed Surveys (N) = **1857** (97% *Lawyers*, 1% *LLLT*, 2% *LPO*)
 - Invitation ‘failed to reach or notice rate’ was high according to feedback, including among stakeholders and MBA leads – it’s important to note that these invitations were sent via a WSBA address, making comms reach something of a challenge
 - Solid distribution across Sectors, Firm Size and Practice Areas (slide 4)
 - Sample sizes for several key groups large enough – **using strict statistical criteria for analytic stability** - for an initial wave of Centered, Group-Specific analytics
 - “Identity”-based groups, including Black/African American, Asian* (skew East Asian, limited South + South-East), American Indian/FN/AN, Latino/a/e/X, Disabled, Gender (Male + Female)
 - Tenure/Longevity – particularly looking at early, mid and later (e.g. licensed in WA 1-5, 6-15, 16+ yrs.)

Quantitative Sample Firmographics

Good distribution of practice sizes, types and sectors

Legal "Sector" (pick best label)	
Academia / Education	2%
Solo Practice	18%
Private Practice (Group, Non-Solo)	33%
Federal Government	5%
State Government	8%
County or City Gov	7%
Corp In-House Counsel	8%
Nonprofit / Legal Aid	5%
NGO/Community Org	1%
Judge/Hearings Officer	3%
Public Defense	2%
Other	7%



Over 70 "Practice Areas" represented

- Avg 4.35 Practice areas per respondent
- Largest areas of practice include:
 - Contracts 20%
 - Litigation 20%
 - Civil Litigation 19%
 - Real Property 18%
 - Criminal 16%
 - Family Law 15%
 - Estate Plan – Probate 15%
 - Admin Law 14%
 - Employment Law 13%
 - Personal Injury 13%
 - Civil Rights 8%
 - Labor + Employment 8%

Assessment: Content + Examples

- **Background** – qualifications, age, self-identification
- **Workplace description** – nature of work, sector, size
- **KGR+C Workplace Climate Assessment Battery** – a “big-picture” aggregate measure including workplace evaluation, satisfaction + loyalty metrics
- **Fit and Belonging Drivers** - workplace demands, goals, workplace perceptions and evaluations, opportunities + opinions, work-life balance, etc.
- **EDI-focused Experiential Assessment** – Microaggression batteries, work-place bias assessments (tightrope bias, prove-it bias, etc.), workplace/leadership diversity + equity perceptions, mentoring, etc.

Assessment:

Note on Race/Ethnicity Labels vs Measures

- Race/Ethnicity assessments were extremely granular, although macro “Race” categories are used to balance confidentiality and reporting purposes
 - Survey assessed Race/Ethnicity using a self-described, select all that apply approach that included open-ended options and allowed refusals
 - Each Race (e.g., Asian) included multiple examples (Asian, Asian American, Central Asian, East Asian, South/Southeast Asian)
 - On selection, respondents were asked follow-ups about each response at a more granular level that included and defined each example so respondents could “find” their identity and see themselves represented within the survey
- Sample sizes WITHIN macro identity categories often become too small for stable quantitative analysis and comparison but were collected to allow for further, focused analysis and targeted inquiry over time

Assessment: Race/Ethnicity Example

Step 1: Everyone asked:

S6_A: Which of the following Race and/or Ethnicity categories do you feel best describe you? [SELECT ALL THAT APPLY]

- 1 African-American, Black American, Caribbean-American, African
- 2 American Indian, First Nations or Alaska Native (e.g., Chehalis, Haida, Makah, Puyallup, Yakama, etc.)
- 3 Asian, Asian-American, Central Asian, East Asian, South/Southeast Asian
- 4 Hispanic or Latino or Latina or LatinX / LatinE / American of Hispanic/Latino/a/e/x Descent (e.g., Mexican, Cuban, Dominican, South American)
- 5 Indigenous Peoples from North, Central, or South America (outside the US, e.g., Inuit, Arara, Aztec, Inca)
- 6 Middle Eastern, Israeli or Arab American or Arab (e.g., Arab, Armenian, Assyrian, Persian, Kurdish, Israeli, Romani)
- 7 Native Hawaiian or Pacific Islander (e.g., Fijian, Melanesian, Micronesian, Samoan, Tongan)
- 8 White / American of European Descent
- 9 Multiethnic or Multiracial
- 10 Prefer to self-describe (please use the space below):
- 11 Prefer not to say

Step 2: IFF #3 (Asian) Selected, respondents also asked:

•S6_3B With which of the following Asian cultures/peoples or regions do you most closely identify ?” [SELECT ALL THAT APPLY]

- 1 Central Asian (e.g., Mongolian, Nuristani, Tajik)
- 2 East Asian (e.g., Chinese, Japanese, Korean)
- 3 South Asian, (e.g., Indian/Asian Indian, Bangladeshi, Bhutanese, Nepalese, Pakistani)
- 4 South-East Asian, (e.g., Cambodian, Filipino, Hmong, Indonesian, Laotian, Malaysian, Thai, Vietnamese)
- 5 None of these
- 6 Prefer to self-describe _____

Methodological Overview: Qualitative Specifics

- Qualitative discussions with WSBA members from 6 under-represented and historically marginalized non-dominant identity groups (Black, LGBTQAI2+, Disabled, Asian*, Latino/a/e/X, Native/American Indian) using a centered, within group design
- 1.5→2 Hour online (Zoom) discussions to expand on key research findings and themes uncovered in the quantitative phase
 - Designed for groups, but some respondents preferred to take part in individual interviews and were accommodated
- Recruitment via WSBA outreach to all members and key MBAs
- All groups and interviews were conducted by crisis-informed and trained moderators
- Informed consent provided verbally prior to starting research
- Confidentiality of respondents critical – no recordings, notes only, no quotes with any identifying information, language changed to remove idiomatic use but retain gist

Executive Summary:

Key Findings + Recommendations

IN BRIEF – TOP 5 TAKE-AWAYS AND REASONS FOR HOPE

SECTION 1: MEMBERSHIP DEMOGRAPHICS, REPRESENTATION + DIVERSITY

SECTION 2: WORKPLACE EVALUATION

SECTION 3: WORKPLACE EXPERIENCES – BIASES, MICROAGGRESSIONS + IDENTITY

SECTION 4: THE SYSTEM + CHANGE

Top 5 Take-Aways

1. WSBA Membership – like that of the ABA Nationally – remains non-diverse, with historically marginalized identity groups continuing to be underrepresented
2. Looking more deeply, it's clear this imbalance is SLOWLY changing – the bulk of members from nearly all marginalized identity groups are younger, more recent additions to the legal community
3. Unfortunately, members from non-dominant/historically marginalized identities are not experiencing as positive, satisfying, accommodating, accepting or welcoming an environment as their dominant culture counterparts, leading to questions of belonging or “fit” that threaten inroads into becoming a more diverse and inclusive membership and profession

Top 5 Take-Aways

4. All groups recognize the lack of diversity and the inclusion challenges in the legal community – but they don't share or even recognize the impact those challenges present to non-dominant members.
5. This is particularly problematic given the fact that almost 90% of those with seniority, and presumably power, with the community are not recognizing the difference in lived experience, bias, and microaggressions that non-dominant, largely younger members are experiencing

Reasons For Hope

- You're taking on the challenge, including via this research. Cultures and the systems that support and nurture them grow organically, and are reinforced when unexamined (especially when successful). They can be dismantled and changed if approached mindfully and deliberately. The first step is awareness ... and this research should provide plenty of opportunity to build and cultivate awareness among the broader community
- WSBA can make a real difference – given a LOT of work and community building
 - Help promote awareness of these issues
 - Work to change the image/stereotype to increase access, reduce disparities
 - Be transparent and accountable – which means you need to collect identity data
 - Centering the communities, and working closely with younger members as well as existing MBAs – you need to listen to them to know what changes to make, how to make them, and why they're needed so that you can develop more inclusive thinking
 - Recognizing you're never “done” – this is a journey
 - Track changes and keep information open

Section 1

MEMBERSHIP DEMOGRAPHICS, REPRESENTATION AND DIVERSITY

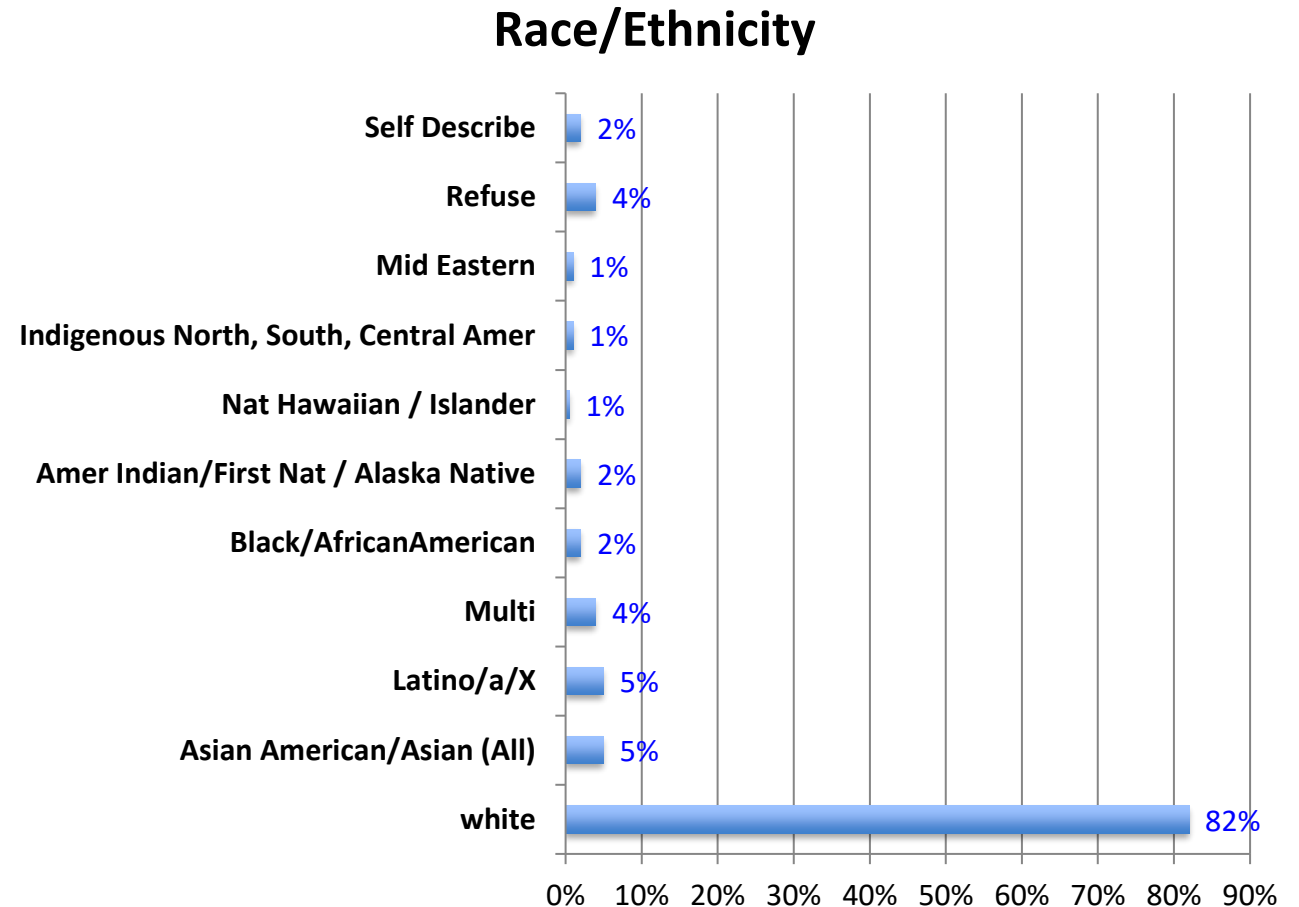
In many ways, WSBA Membership looks similar to the rest of the ABA

- The legal profession is, demographically speaking, not representative of the US population, but is instead:
 - Disproportionately Male (61%)
 - Disproportionately white (79%)
 - Disproportionately straight* (95%)
 - Disproportionately Able-Bodied* (<2%)
 - Somewhat older
- The belief is that these trends are changing, with graduating classes and incoming Bar Members showing greater diversity over time.
- WSBA shows similar skews, though less extreme on several dimensions.

*All data taken from: ABA Profile of the Legal Profession 2023
(<https://www.abalegalprofile.com/index.html>)*

WSBA Membership Lacks Race/Ethnic Diversity, Skewing Disproportionately white relative to both the Washington State population and recent ABA graduating classes while underrepresenting historically marginalized groups

- **82%** of the survey respondents identified as white.
 - Membership does not reflect the State Population. 65% of the State population identifies as white (US Census 2022). The proportion of WSBA Membership is 17% higher
 - Membership does not reflect recent Law School Graduating Classes. In 2022, the ABA reported that 60.7% of law school graduates identified as white. The proportion of white-identifying WSBA Members is 21% higher, representing a significant skew from the incoming national pool of Law School Graduates.
Source: [ABA Section on Legal Education and Admissions to the Bar](#)
- No other race/ethnicity is over-represented, and several (Black, Latino + Asian) are significantly underrepresented according to State and ABA statistics



WSBA Survey Sample Is Comparable to Voluntarily Provided Demographics in WSBA Internal Data Providing Excellent Support of Findings

WSBA Member Demographic Report (2023):

AI/NA/AN: circa 1%

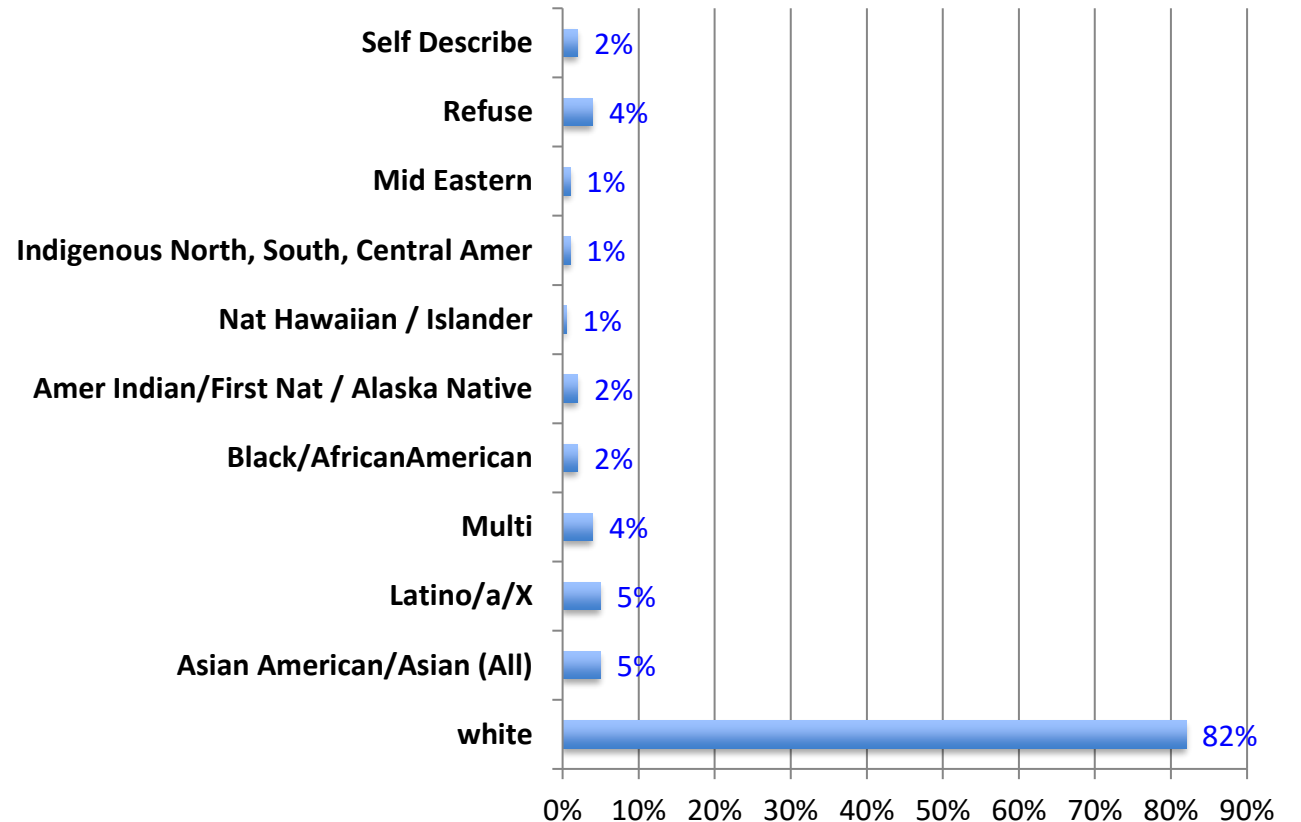
Asian (combined): circa 6%

Black/AA/African Des: circa 2%

Hispanic/LatinX: circa 3%

White/European Descent: 83%

Survey Sample- Race/Ethnicity



Membership is also disproportionately Male and has fewer Disabled and LGBTQAI2+ Identified Members than Gen-Pop, though the skews are far better than the ABA averages

- 51% of the survey respondents identified as Male, 46% as Female.
 - Relative to the national distribution of all practicing Bar Members, this figure is pretty good – Nationally, only 39% of active ABA Members identify as female
 - However, while closer to parity than ever, this falls far short of the recent Law School Graduating Classes, where 56% identify as women. In fact, Law Schools have seen 6 straight years of declines in the proportion of Male students.
Source: [ABA Section on Legal Education and Admissions to the Bar](#)
- 11% of the sample identified as Disabled - with most (64%) citing Invisible disabilities (e.g., ASD, ADHD, unobservable impairments)
 - While a far greater proportion of WSBA Members identify as Disabled than the ABA, this is often the case when survey data are collected by an independent source under conditions of assured confidentiality
 - Data from a neighboring State Bar (OSB) showed over 15% of the sample identifying as Disabled
 - It is a strongly held belief by most Disability Communities and Researchers that these numbers remain an underestimate. This is particularly likely in an older cohort, like the legal community.
- 10% of the survey respondents self-identified as LGBTQAI2+.
 - Relative to the national distribution of all practicing Bar Members, this figure seems pretty good ... but
 - The KGR+C survey used a more comprehensive assay of gender and sexual identities – like the ABA, roughly 4% of Members self identify as “Gay or Lesbian”
 - ABA data for more recent graduating cohorts and summer associates suggest the proportion should be higher
Source: [ABA Section on Legal Education and Admissions to the Bar](#)
 - Nationally, LGBTQAI2+ identities are estimated to be up to 14%, with strong regional skews
 - The proportion of younger generations (Millennial, GenZ) who identify as LGBTQAI2+ is increasing significantly suggesting a cultural suppression effect that is slowly eroding

The trend towards increasing Diversity is clear: As with the ABA, WSBA membership is becoming increasingly diverse – though still far from goal

- Much like the ABA, WSBA Membership skews somewhat old. 57% of Members have been in the legal workforce for 16 years or more... and much of the authority, seniority, policy and decision-making for the profession is set by that cohort
- Interestingly, that cohort is where Dominant Culture skews are strongest, showing the smallest proportion of those who identify as Black, Native, Asian, Latino, or Women

Member for	Total %	% Black Members 16+ Yrs	% Am Ind Members 16+ Yrs	% Asian Members 16+ Yrs	% Lat Members 16+ Yrs	% white Members 16+ Yrs	% Disabled Members 16+ Yrs	% Women Members 16+ Yrs
16+ Yrs	57%	43%	44%	46%	33%	58%	55%	46%
1-15 Yrs	43%	57%	56%	54%	67%	42%	45%	54%

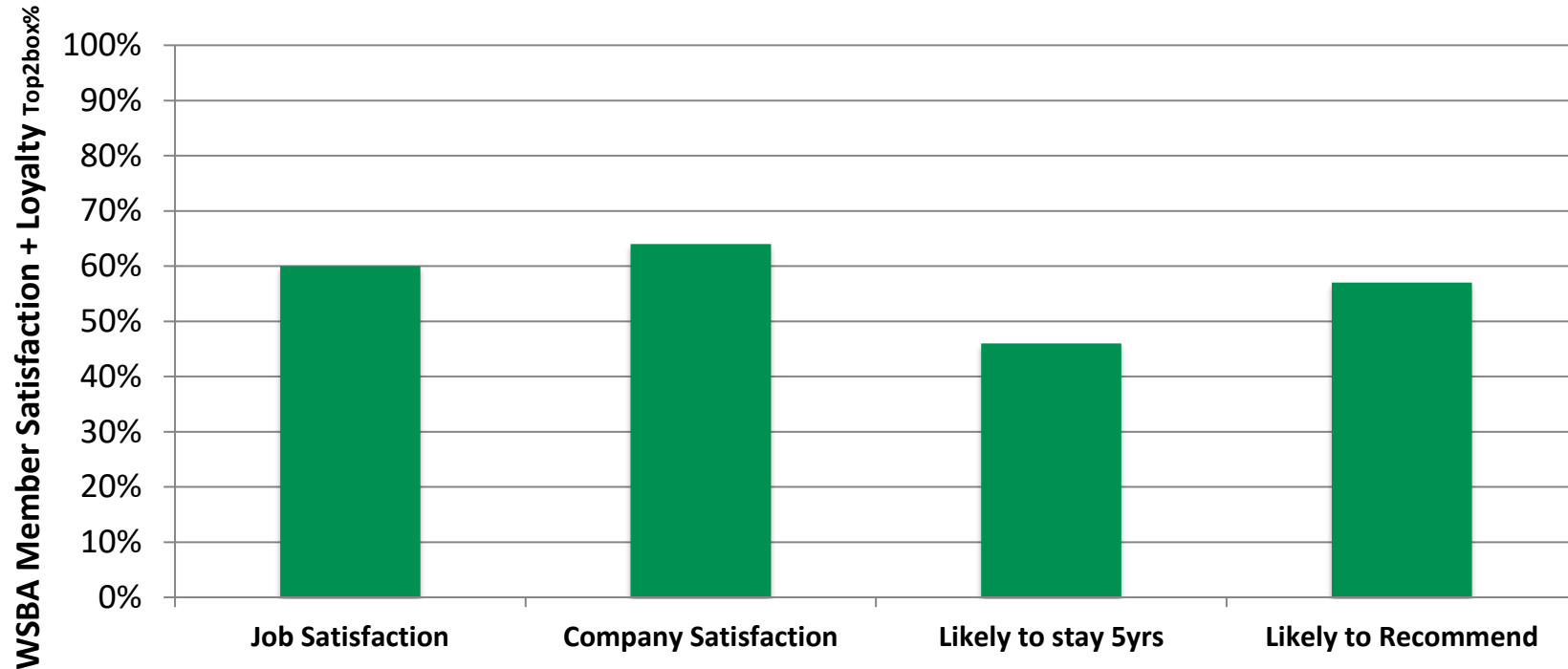
Note – this is 58% of the 82% of members who identify as white – in other words, almost 90% of the most senior across the field

- Bottom line – Although WSBA Membership should become more diverse over time if the current trends continue, a significant number of identity-based groups are likely to lack voice and mentorship at the most senior levels of practice in the State for some time to come
- **Importantly - this assumption of increasing diversity rests on the belief that Members will neither leave the profession nor the State... and that the everyday lived experiences of Members are comparable across identities.**

Section 2

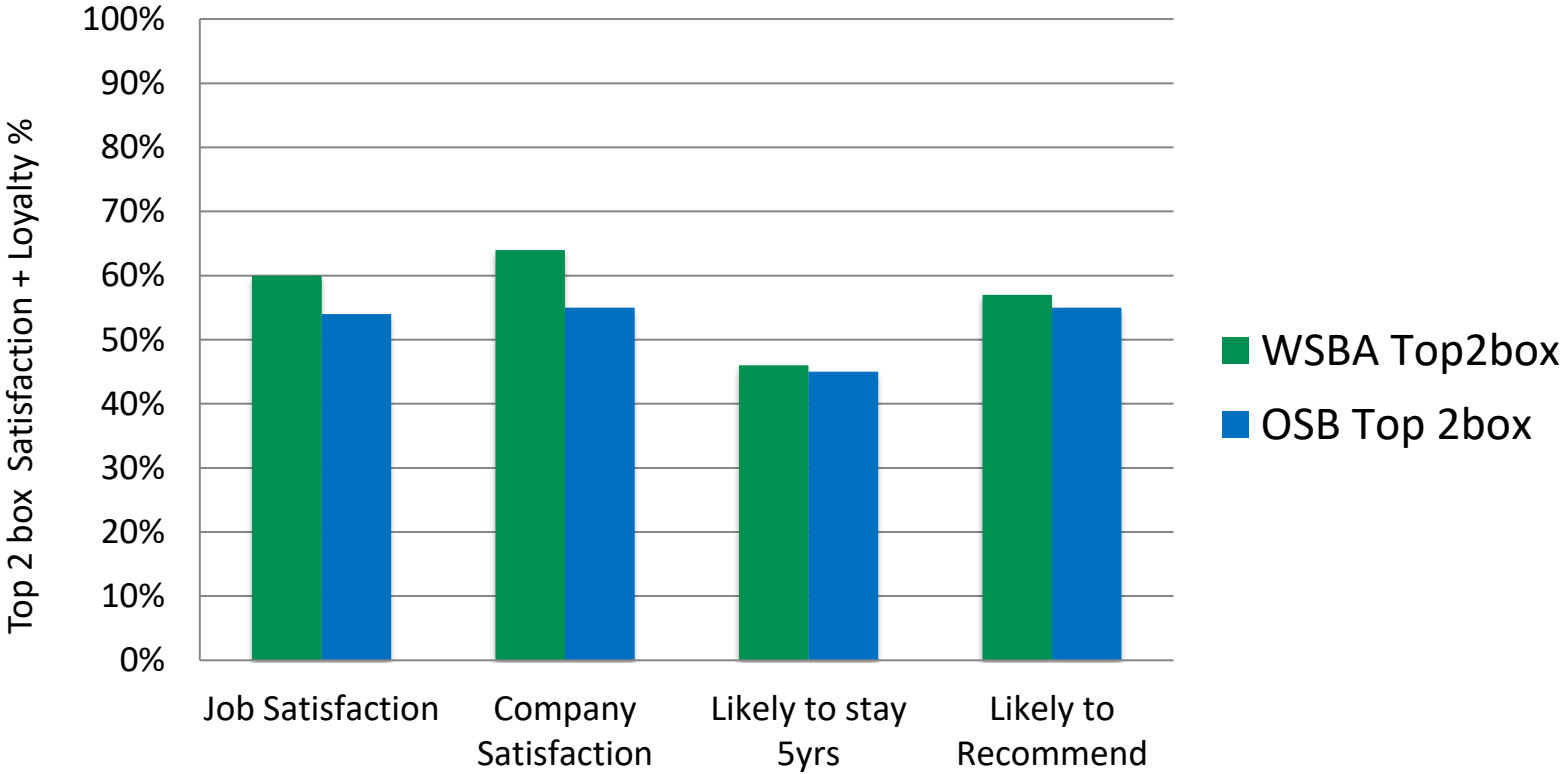
WORKPLACE EVALUATION

Overall, Workplace Evaluations Are Not Bad On Average...



Worth noting that less than 25% rated all indexes in high range, suggesting that fewer than 25% of WSBA members are highly satisfied and likely to stay/recruit where they are

Slightly higher, in fact, than your neighbors to the south...



Note: The Oregon State Bar published these data on their public website

But given that 82% of the Members are from a single identity group, it remains to be seen if all groups are equally positive

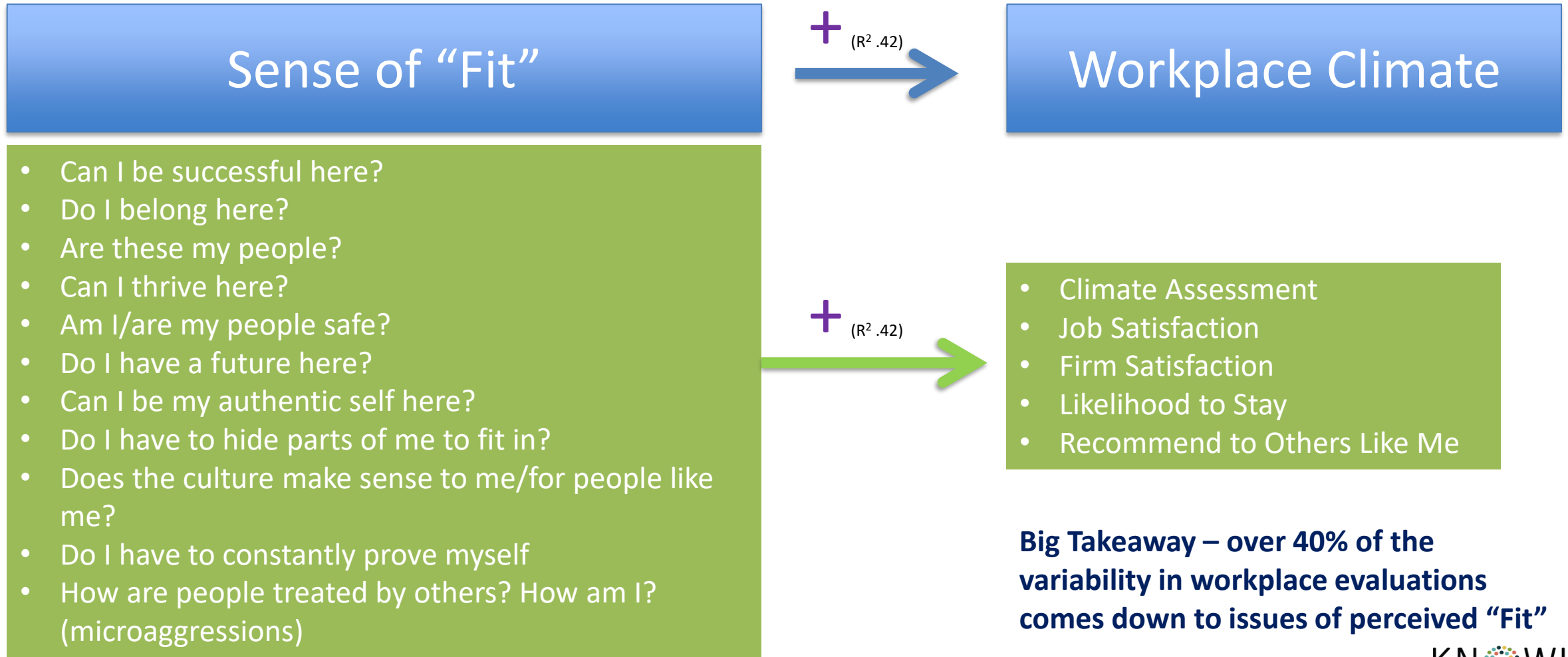
However, when Workplace Evaluations Are Examined Through an Identity-Focused Lens, Meaningful Differences Emerge, Suggesting Systemic Differences In Lived Experience Exist



Obviously, a ton of factors drive these differences ... but at a high level, it comes down to feeling like the workplace is a good “Fit”

The data point to a wide array of factors that communicate and inform the sense of “fit” – and shows just how powerful that determination can be

Feeling like you “Fit” enhances the workplace and job satisfaction – feeling like you don’t fit undermines it



Fit is communicated through many channels, both active and passive, and a lot of them are very likely unintentional and poorly thought out

I've heard 'Hey, are you really an attorney?' and 'I have to wait for my lawyer to get here' (Phase 3– Black)

I can't walk in [to court or firm] without someone assuming I'm a client or lost (Phase 3– LatinX)

I knew I didn't fit in when a [white] associate said the same thing I said to the same Partner I said it to 15 minutes earlier, but the Partner looked at me like I was nuts and him like he was a gift (Phase 3 – Native American)

When you aren't allowed to celebrate [massively important cultural family holiday] (Phase 3 – Asian)
They invited me to an interview in a building with steps, no elevator (Phase 3 – Disabled)

I didn't even try to join a corporate firm they'd never anyone like me (Phase 3 – LGBTQAI2+)

Nevertheless - the impact of being told you don't
"fit" is real

I've had judges say to me they were surprised Black folks could be lawyers. It made me think – am I really that incompetent?

(Phase 3)

Section 3 - Exploring Dimensions of Fit and Identity

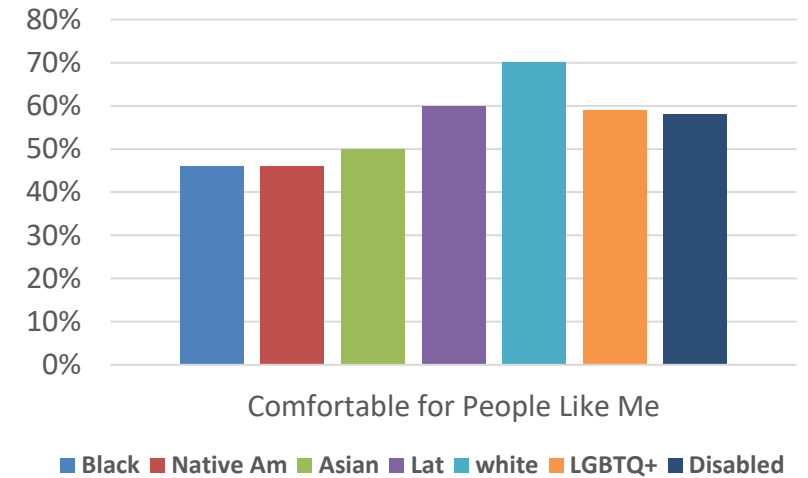
“FIT”, WORKPLACE EXPERIENCES, BIAS + DISPROPORTIONATE IMPACTS

Workplace Inclusion and “Fit”

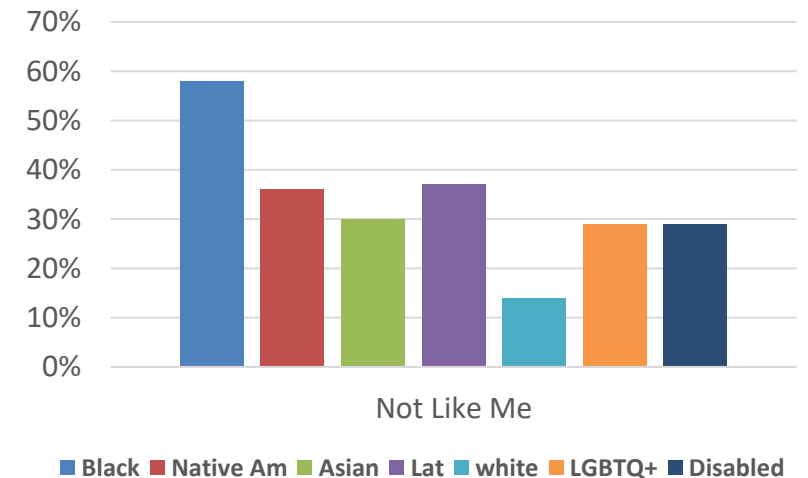
- The majority of Members – from every identity group - recognize that their workplaces have significant inclusion challenges, including by Race/Ethnicity, Gender+Sex ID, Disability and “just being different” (see inclusion slides, appended)
- The inclusion challenges have greater impact on some groups than others – for a variety of reasons – including two powerful “Fit” indicators: →

*“I stand out – I have to be perfect”
(phase 3, Common Sentiment)*

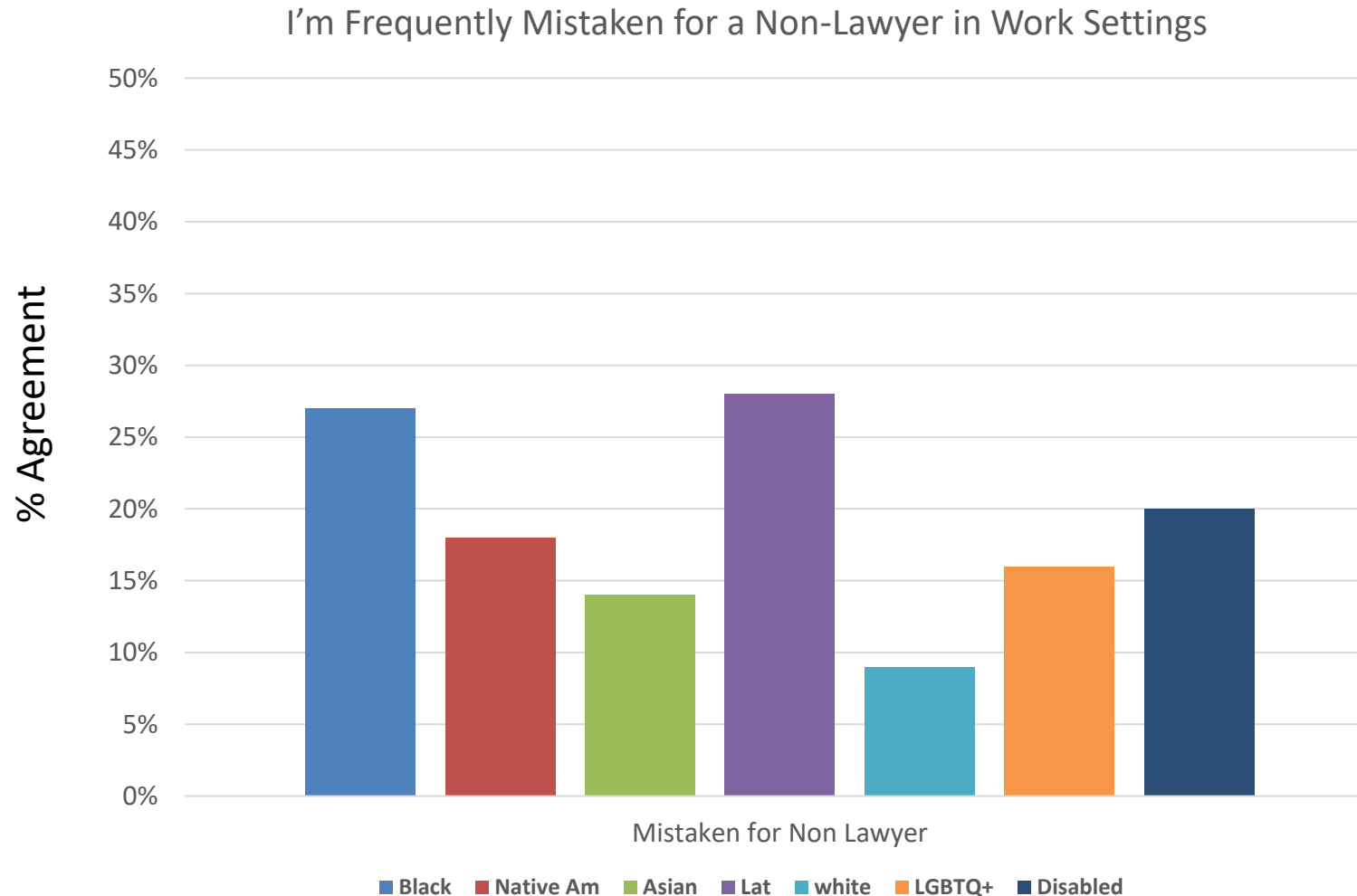
Workplace is comfortable for people like me



Representation Challenge – People I work with are not like me



Standing out – as most historically marginalized identity groups do within the broader WSBA member community – leads to questions about whether you belong



They see the [mobility device] and assume I'm a client

I asked for a standard accommodation for a diagnosed disability. I was told ...I'd just have to deal with it as it was part of the job

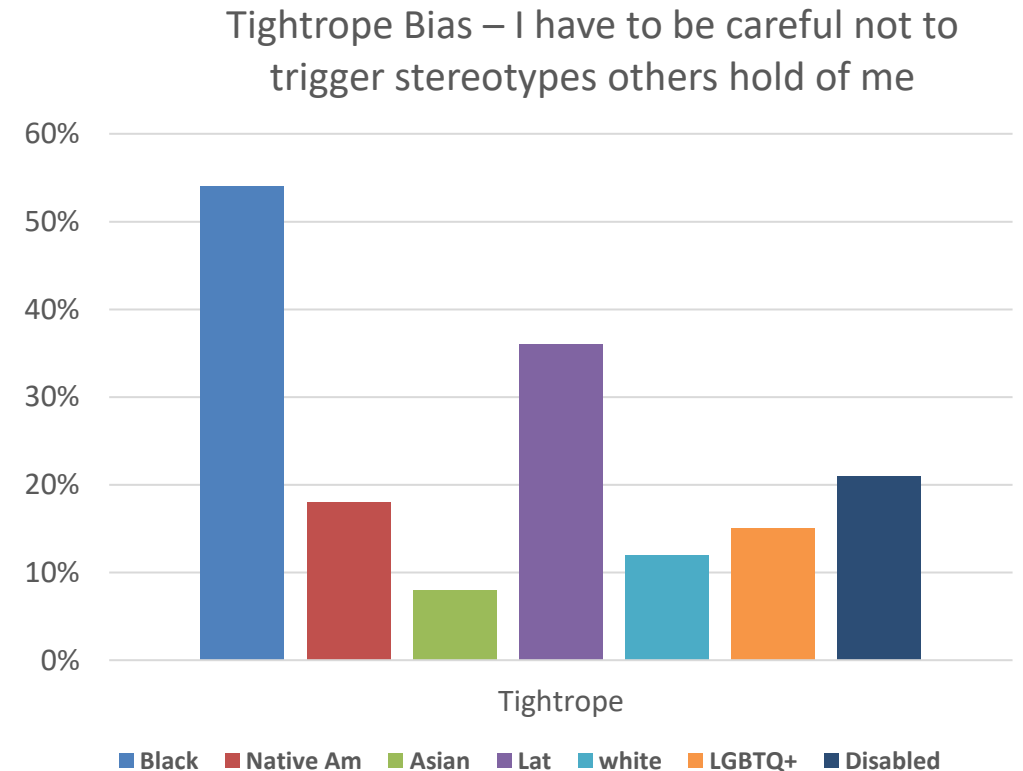
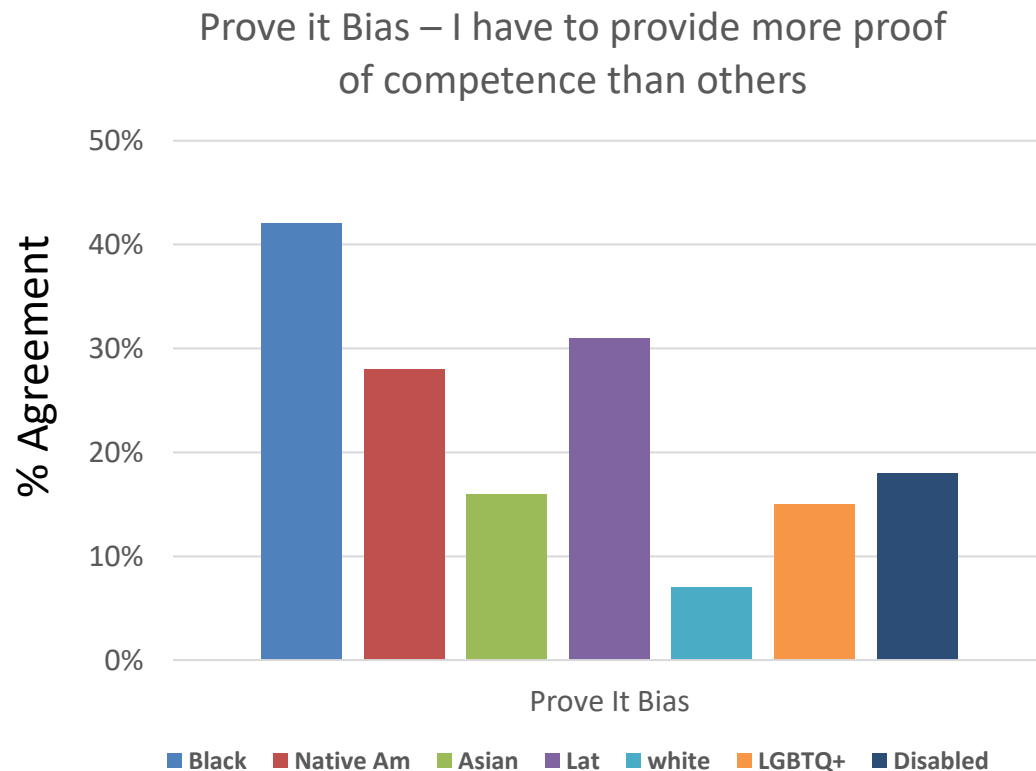
I had a hard time getting past security for the interview

I was told "you can't be a lawyer with hair like that"

They claim they'd all love to hire me but their clients would never feel comfortable

Fit and Systemic Biases - Non-Dominant groups feel disproportionate pressure to confirm and conform

- Identity groups with the least representation tend to face the greatest scrutiny... feeling forced to repeatedly prove competence + avoid triggering other people's stereotypes



Workplace Biases (2) - Non-Dominant groups feel disproportionate pressure to confirm and conform

It's constant. They crush you with low expectations ... and when you beat them, they don't trust it. (Phase 3, Black)

They insist I'm a DEI hire. They hire one black lawyer and one Asian lawyer, and we're DEI hires. Not the best qualified. Not the best candidates. The DEI hires. (Phase 3, Asian)

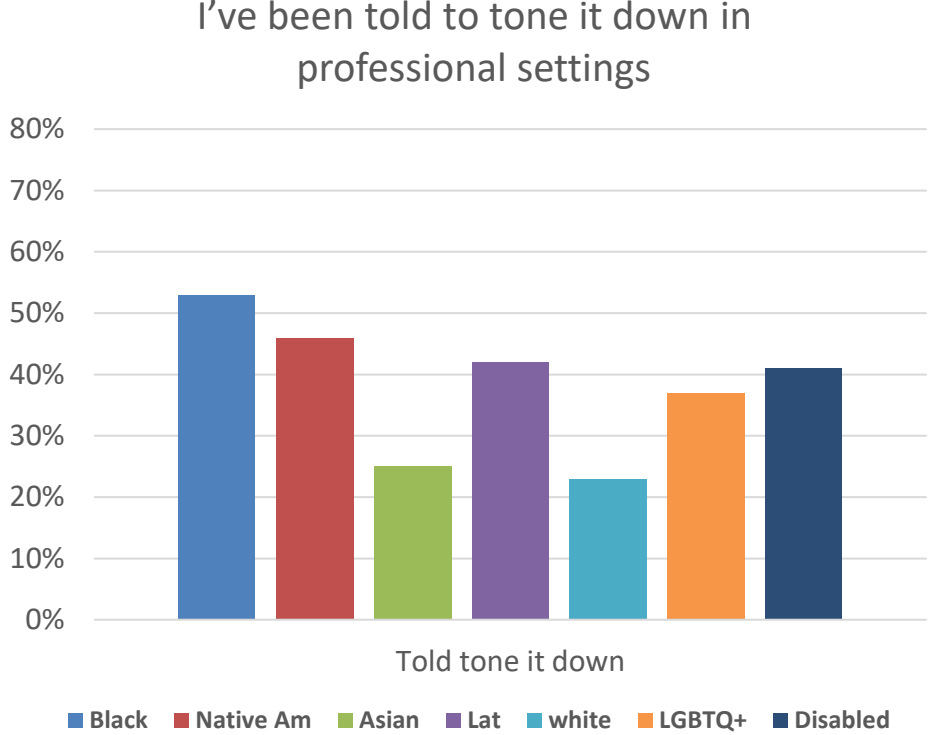
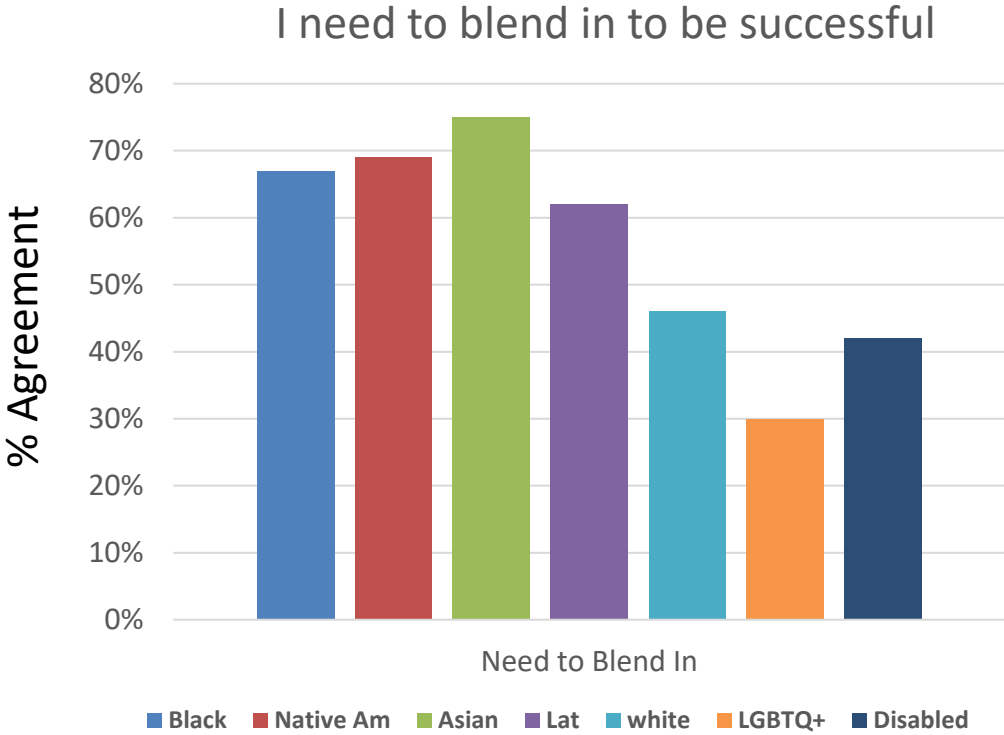
We have to prove it over and over, and they still have lower expectations. They act surprised I can string sentences together, and [those sentences] have to be better. But you aren't asking this other [white] guy who can't string a sentence together if they went to law school. (Phase 3, Black)

In performance reviews, they'd criticize me for the way I communicated. Not what I said, whether it was accurate or right, or whether I did as much or more work than anyone else (which I did). They didn't like the way I talked and related. They kept talking about it being inefficient, how I should talk more like them. That's just the way [my group/gender] relates. They criticized me for being me, not for the work I did or how I did it. (Phase 3, Black)

Always have to be 3-4x better than white people for any promotion. This is a definite thing (Phase 3, Black)

They find a reason for everyone else [to underperform] – they had a bad day, they've handled this stuff before, it's a glitch, whatever. Me, they question whether I know my stuff, even though I've done dozens of these (Phases 3, Native).

Non-Dominant groups feel more constrained to fit in to be successful and are more likely to be told to “tone it down” to be professional



- This suggests that “Fit” is communicated systemically – standing out by virtue of identity or disability engenders greater scrutiny and places more constraints on behavior

Standing out [leads to] greater scrutiny. We give up a lot to stand out less. Names. I don't use the name I do with my friends or family. Families. Language – I feel like every time I pronounce a Mexican name or food the right way I remind people I'm different. It's never enough.

(Phase 3 LatinX)

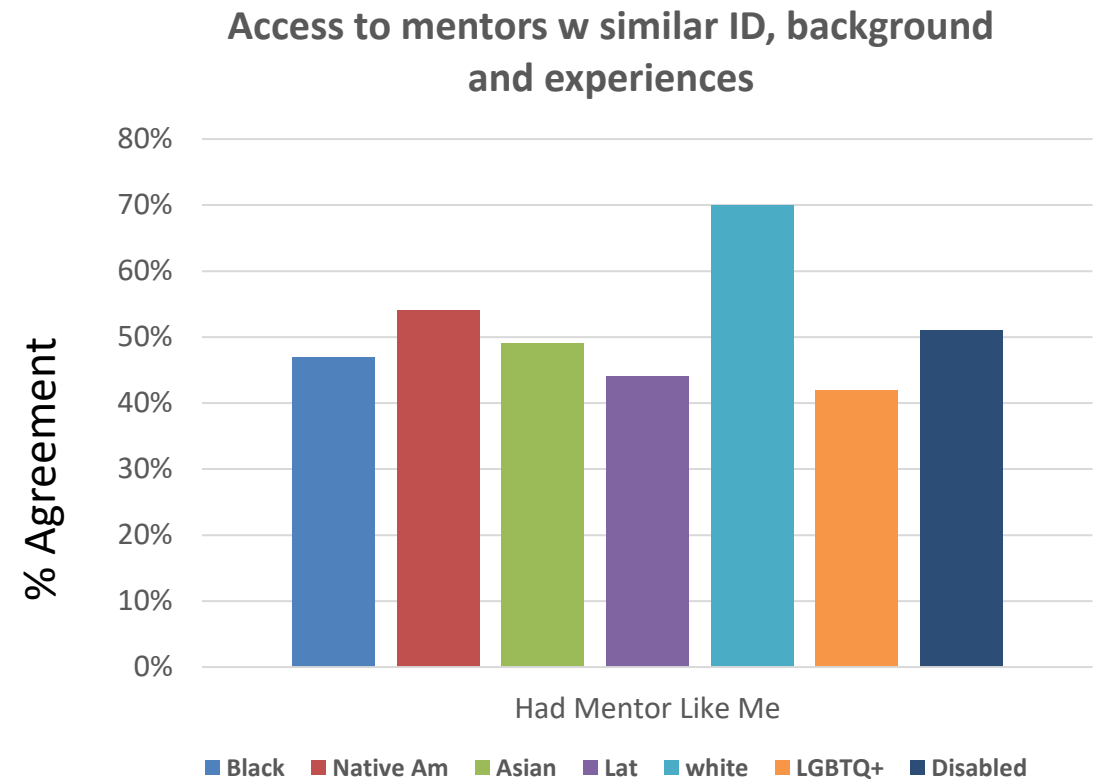
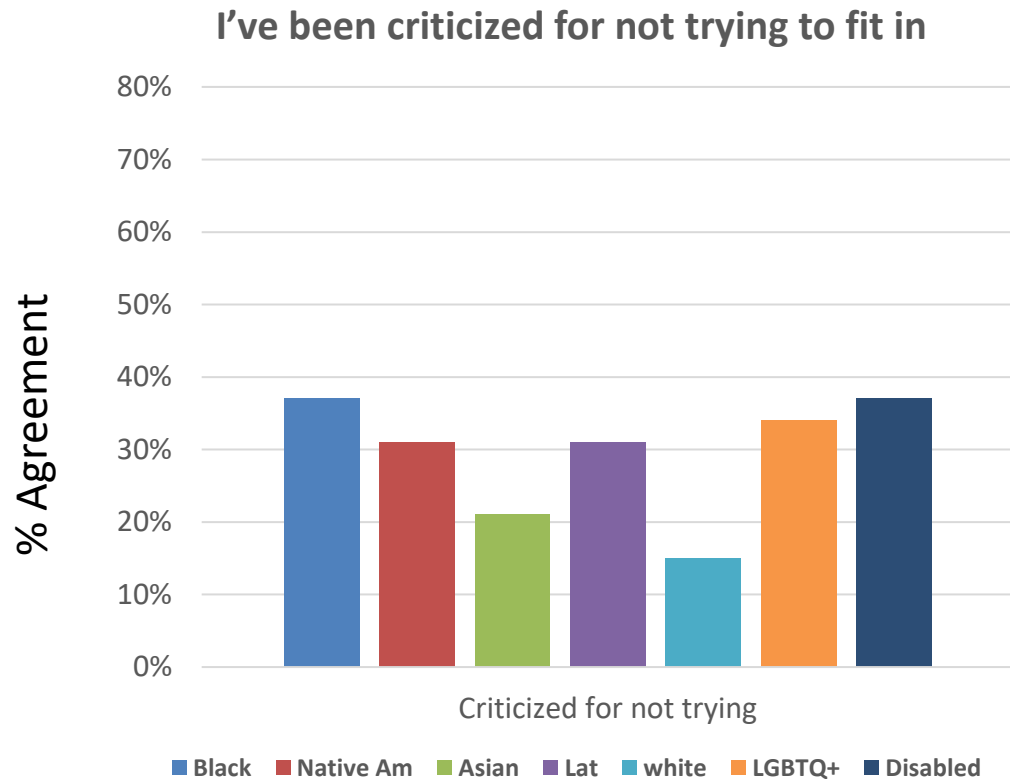
It's different in DC. There's a lot of us there, in the courts, on the bench, corporate. The assumption is that we all know what we're doing. Here it's different. There's so few of us people wonder how we got there.

(Phase 3, Black)

I'm out and open about it. They know, and mostly ignore it except when [it benefits them]. But their heads would explode if I wore a pair of heels.

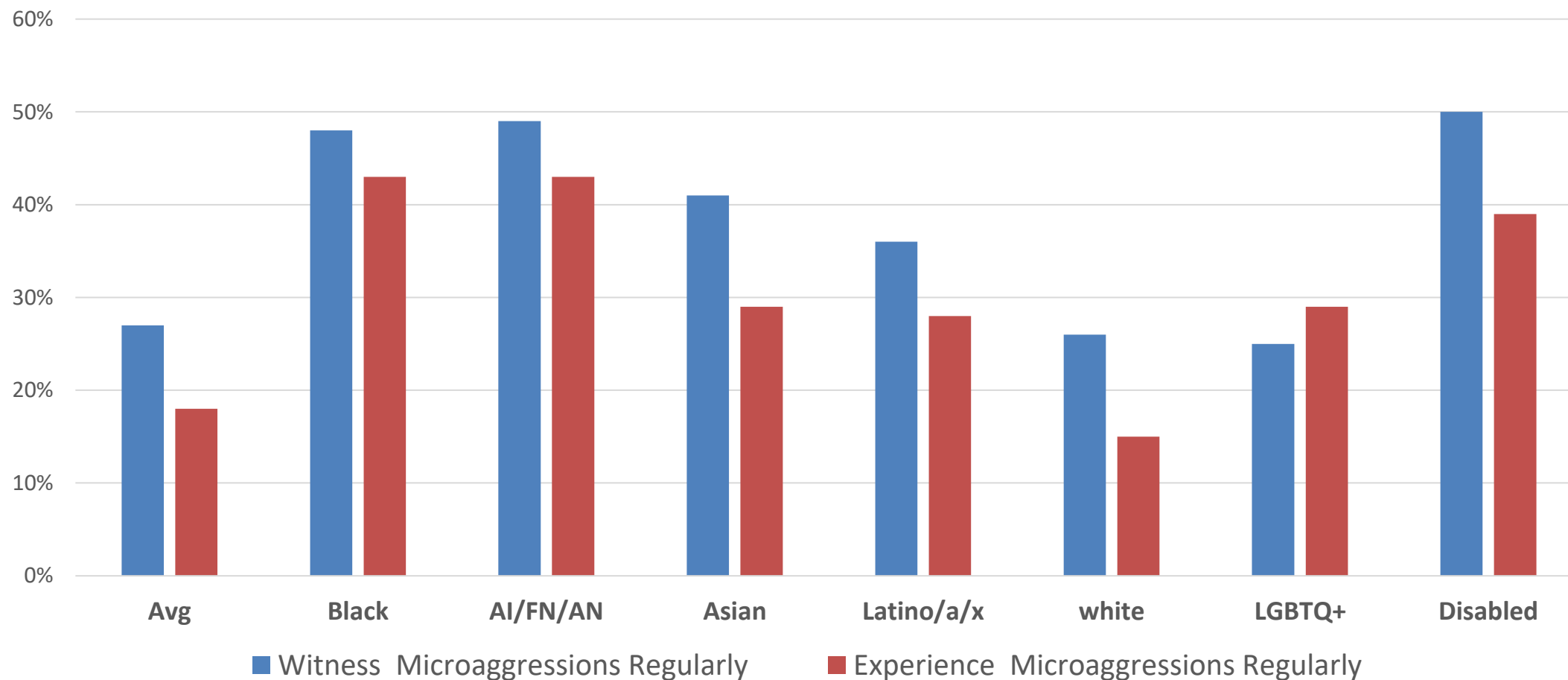
(Phase 3, LGBTQAI2+)

Non-Dominant WSBA members are frequently told they are not trying hard enough to fit in, and have fewer seniors/mentors like them to turn to for advice, than their dominant culture counterparts



Psychologically, this creates/enhances uncertainty, driving a feedback loop that reinforces the sense that you – and anyone like you – are a poor “Fit” in the workplace. That it does so this broadly suggests this is systemic, and a very real problem in an increasingly diverse space.

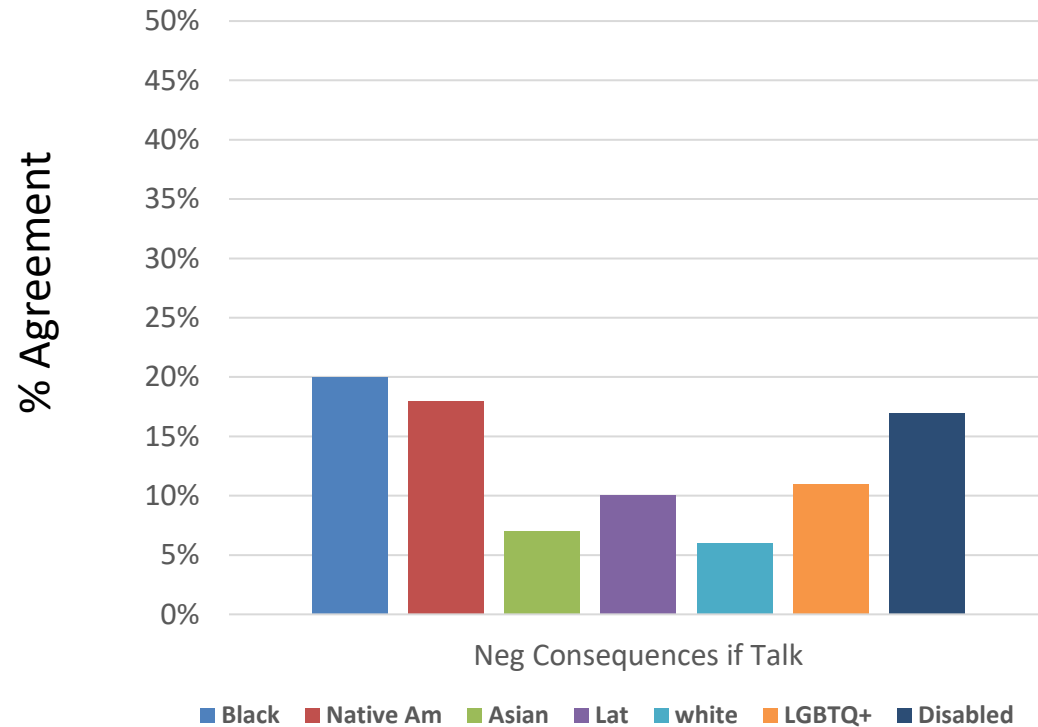
Members from non-dominant identity groups witness - and are the targets of – significantly more frequent, identity-based workplace Microaggressions



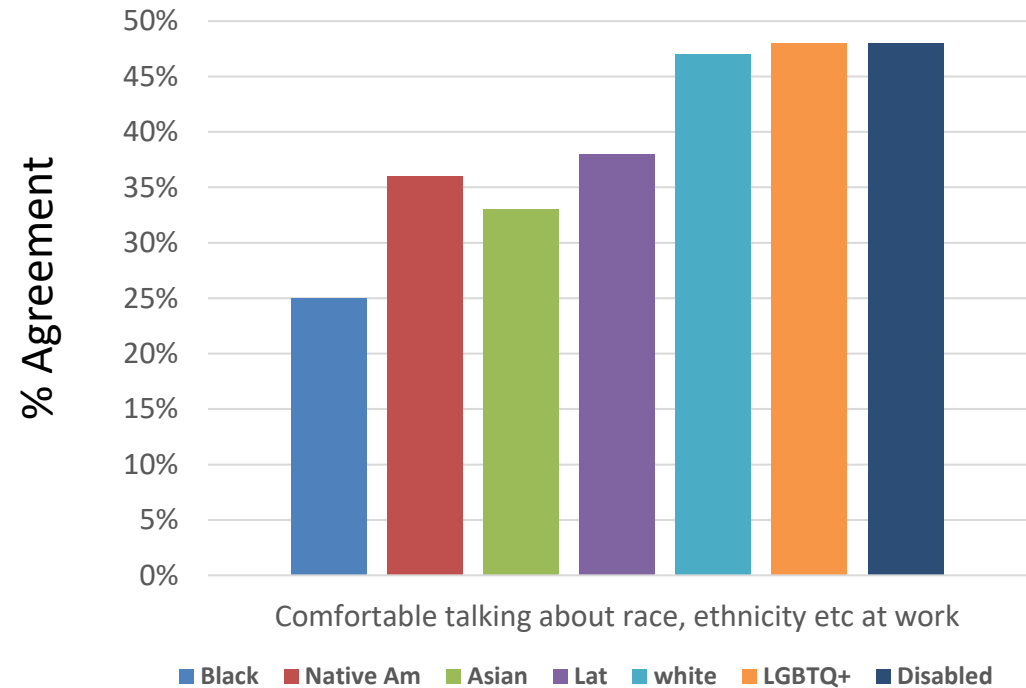
“regular” is defined as happening several times per month at minimum – a frequency at which events are expected and considered “normal”

While Non-dominant members are concerned that speaking up about unfairness will cause problems, the members with mentors and leadership who look like them believe conversations about DEI are comfortable + easy

I'd face negative consequences if I report unfair treatment at work



People at work are comfortable talking about issues of race, ethnicity, equity, diversity +/- or inclusion



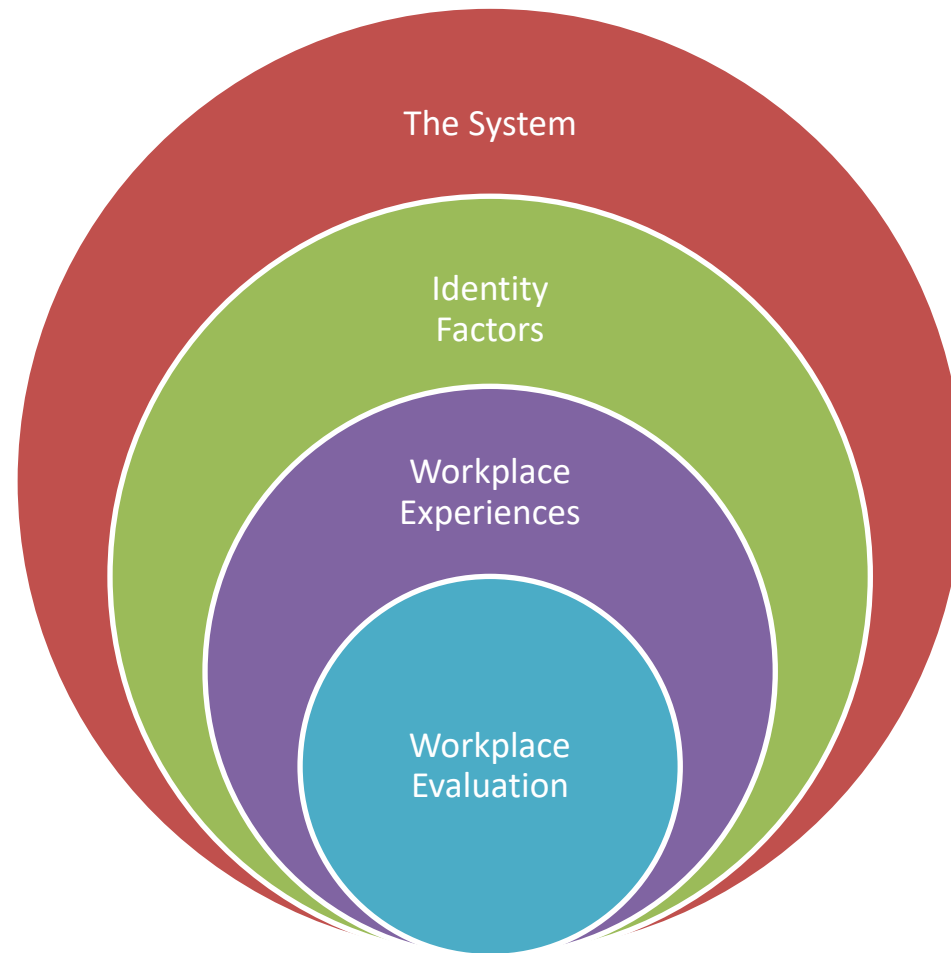
Section 4 – Putting it all together

THE SYSTEM + CHANGE

You are Not The System – You Are In It

- Cultures grow organically over time. They create systems and mechanisms to reinforce themselves, like Norms, Values and best practices for success. But while culture tends to evolve over time as the people who represent it change, it does so slowly... because those new leaders came up in the same system and mastered it – they still play largely by those rules. The ways of doing things aren't changed until or unless they fail to achieve their desired goal.
- The legal community – and the systems that feed and support it – grew organically over time. The ABA was founded in 1878 – the norms, standards, rules and yes, stereotypes of what a lawyer is and looks like are anchored in that time. They've evolved, certainly, but evolution is a slow process taking generations and the folks born 3-4 generations ago (e.g., pre-millennials) are largely the ones in power
- Nobody today is responsible for the creation of this system – but if the goal is to increase access, diversity and inclusion within the membership, then actively challenging some of the mechanisms and messages of the system are a necessity

With the implicit structures of the system as a backdrop, Identity Factors Affect Workplace Experiences, Sense of Fit and Perspective on the Workplace



How do you disrupt the System?

- Step 1 – you have to see it and evaluate it (e.g., this research)
- Step 2 – examine the systemic impacts relative to your goals and prioritize the message, rule, norm or stereotype to dismantle based on a combination of what you can and must achieve
- Step 3 – LISTEN TO THE GROUPS / COMMUNITIES AFFECTED – include them in all planning and discussion and make sure you hear them... they're the ones who know best
- Step 4 - Develop a plan(s) centering the group(s) and communities that are most negatively impacted, with representatives from those groups and communities at the core of the planning.
- Step 5 – Rinse and Repeat. There's no magic wand. This is a long, deliberate and mindful journey. Anything else is performative.

Recommendation 1 – Change the Stereotype to enhance “Fit”

- If we established anything, it’s that non-dominant members are more likely to feel as if they’re “OTHER” – they don’t “fit” with the systemic impression or image of a successful legal practitioner at virtually all levels in the state

People who look like me almost always have to go into legal aid (Black and LGBTQAI2+ groups)

My (white) partner got recruited into the best firms and was on a fast track. I struggled to find work that wasn’t dead-end outside of [the public and non-profit sectors]. We went to the same school and had the same grades. (LatinX)

We knew in school not to apply to the white-shoe firms. They never hired anyone from law school. And this was one of the few law schools that would have people who look like me. (Native)

Recommendation 1 – Suggestions to Change the Stereotype to enhance “Fit”

- Provide Counterexamples and Evidence for “Fit” - Develop an ongoing, visually based messaging and communications campaign highlighting and emphasizing diverse members who contribute to the field and culture of the legal community. Make diversity commonplace.
- Develop community-based relationships with organizations and in-community institutions that focus on increasing non-dominant group access to education. Many respondents – especially those who are first generation College graduates – are overwhelmed by an educational system that is largely new and unknown to them. Providing branded, group-specific resources that would help them overcome perceptual, financial and/or belief-based barriers and see the Law in Washington State as viable career path
- Promote the study – within and across sectors – make sure that firms, Orgs, the Judiciary etc throughout the State recognize the ways in which the System disproportionately impacts non-dominant peers and colleagues on their turf... and their likely unknowing complicity in it, then help provide resources for them to begin their own enhancement / improvement processes

Recommendation 2 – Work on changing the image and relationship the Bar has with non-dominant members and MBAs

- For as much as the respondents recognize that WSBA is becoming more diverse and might ultimately become a better resource, the Bar is far from being seen as an ally
 - MBA relationships are fairly weak and distant, and there is little or no positive connection with the MBA constituents or the populations they represent (particularly outside the I5 Corridor counties)
- Bar communications are often unnoticed or, at best, scanned by members
- Bar outreach appears to be driven by Bar needs and requirements, rather than community engagement or community building

Recommendation 2 – Work on changing the image and relationship the Bar has with non-dominant members and MBAs

The only time I hear from them is when they want something. And usually, it's a last-minute request [that] feels like I'm an afterthought (Native)

I reached out to the Bar for help [getting an accommodation for the Bar Exam]. I was told they didn't know how to do it and they never had to before, so they weren't going to (Disability)

I heard they [the Bar and Judiciary] were doing an accessibility assessment. They haven't asked us for input. They don't even know what we need, they think all disabilities need wheelchairs. Some of us need a quiet space for a few minutes. Some need bathroom access. But hey, there's a mobile ramp for the back steps and no parking nearby so it's all good (Disability)

They aren't allies. They aren't interested in being allies. They are more punitive towards us. They come down on all of us much harder when there's a complaint, and there's no recourse. We just have to take it (LGBTQAI2+)

Recommendation 2 – Suggestions to help change the image and relationship the Bar has with non-dominant members and MBAs

- Listen – spend time and resources embedding with MBAs and talking to members of the communities they represent. Convene meetings that Center each group and seek opportunities to redress wrongs
- Be Transparent – Communicate your goals, downplay success and admit to failures. The allegation that non-dominant members from any group face greater discipline and are accorded less leniency or opportunity to present mitigating factors is a powerful problem. In part because there is no way to establish base-rates and test the hypothesis. Lack of transparency makes it far more likely that people are forced to “fill in the blanks” while building an explanatory narrative. You have to counter that.
- Be a resource, if not yet an Ally
- Work closely with younger Members from all groups. They’re the future... and they have a different perspective on diversity, inclusion and yes, even equity, than the Greatest, Boomer and GenX members in seniority (e.g., those with 16+ yrs time in grade). Build around THEIR expectations, not the older generations, and you’ll speed up the process considerably.

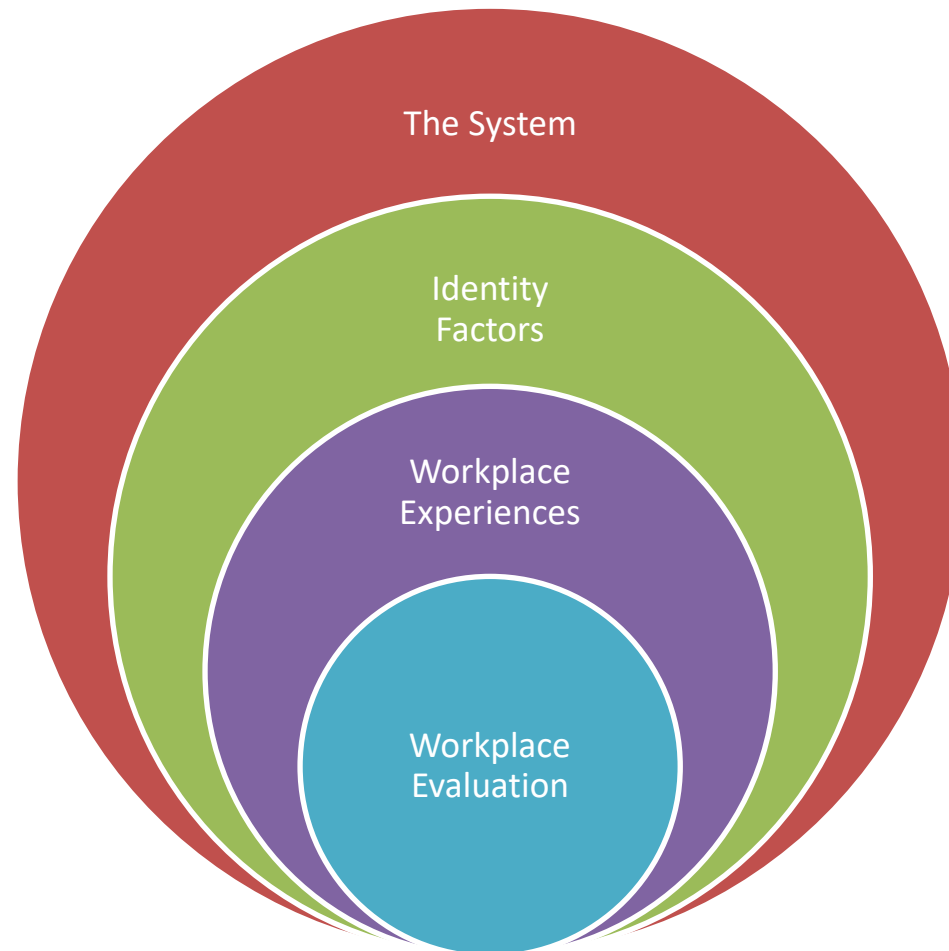
Recommendation 3: Develop Viable Mentoring Programs

- This one is trickier than it sounds, but it's vital. Mentoring programs are critical aids to mitigating uncertainty about "fit" and how to be successful, but existing mentors are a limited, non-funded and far to often utilized resource
- Build mentor teams, including folks within WSBA to provide support and continuity, but led by the Mentor and Mentee
- Provide training resources and benefits for mentoring and mentors – stipends? Dues forgiveness? CLE credits?
- Consider casting a wide net – partner with other Bar organizations to establish regional and sector-based mentoring and networking

With the implicit structures of the system as a backdrop, Identity Factors Affect Workplace Experiences, Sense of Fit and Perspective on the Workplace

Recommendation 1 –
Change the Stereotype
- should mitigate
several barriers to
entry + enhance
workplace experiences

Recommendation 2 –
WSBA Image and
Community Relationships -
Should provide resources
for members to question
and change the system and
opportunities for
community building and
informal mentoring _
networking



Recommendation 3 –
Mentoring - Should
mitigate uncertainty and
concerns over “Fit”, how to
be successful and how to
navigate a space designed
and developed by and for
a singular group (white
men) with distinct norms
and expectations that are
neither universal nor fully
explicated.

Thank you!



Quantitative Slides

APPENDIX – CORE QUANTITATIVE SLIDES FOR THOSE WHO WANT TO GET DEEPER IN THE WEEDS

Quantitative Sample Characteristics

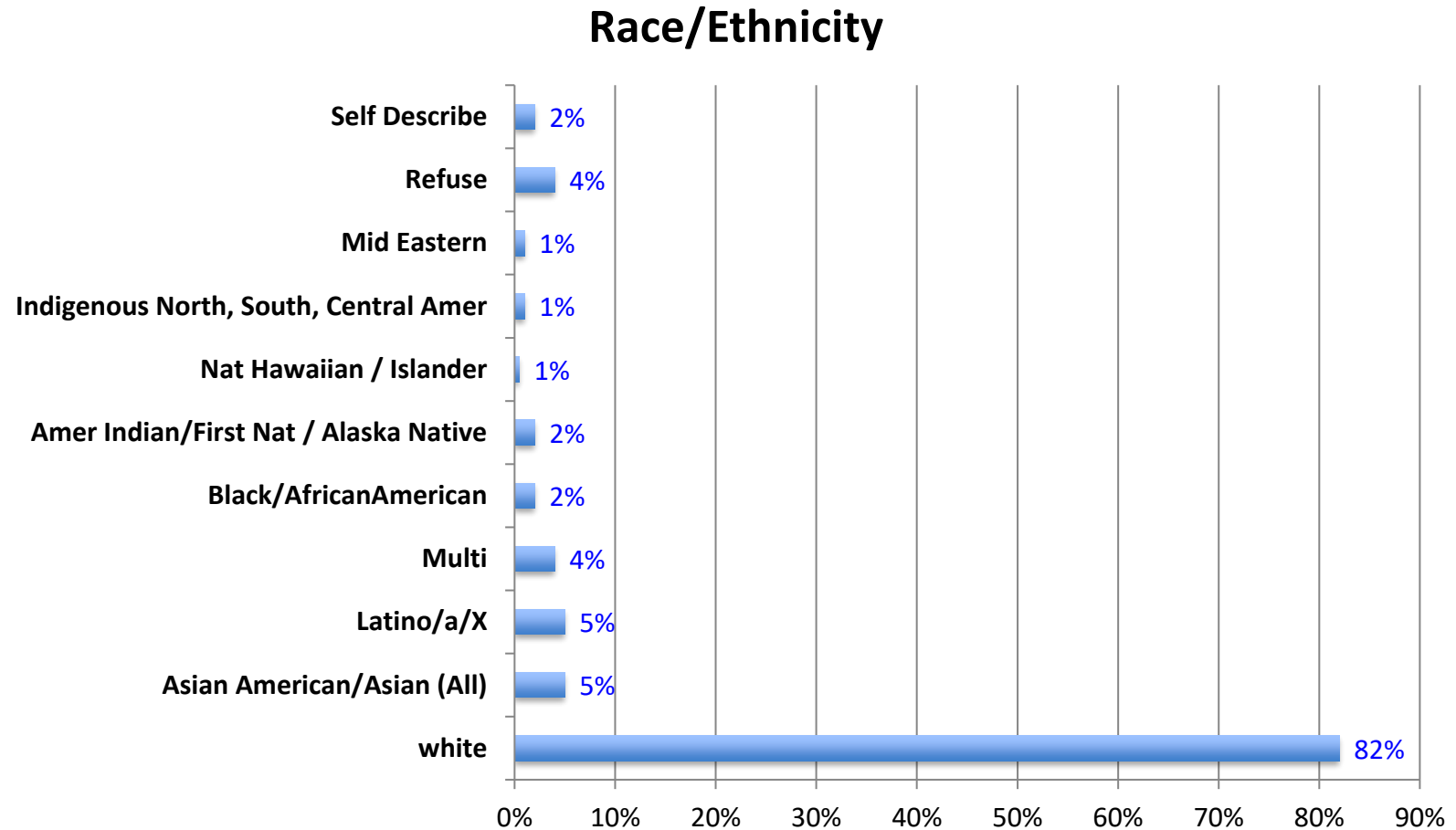
What a Demographer or Statistician might call "a bit skewed"

N = 1857

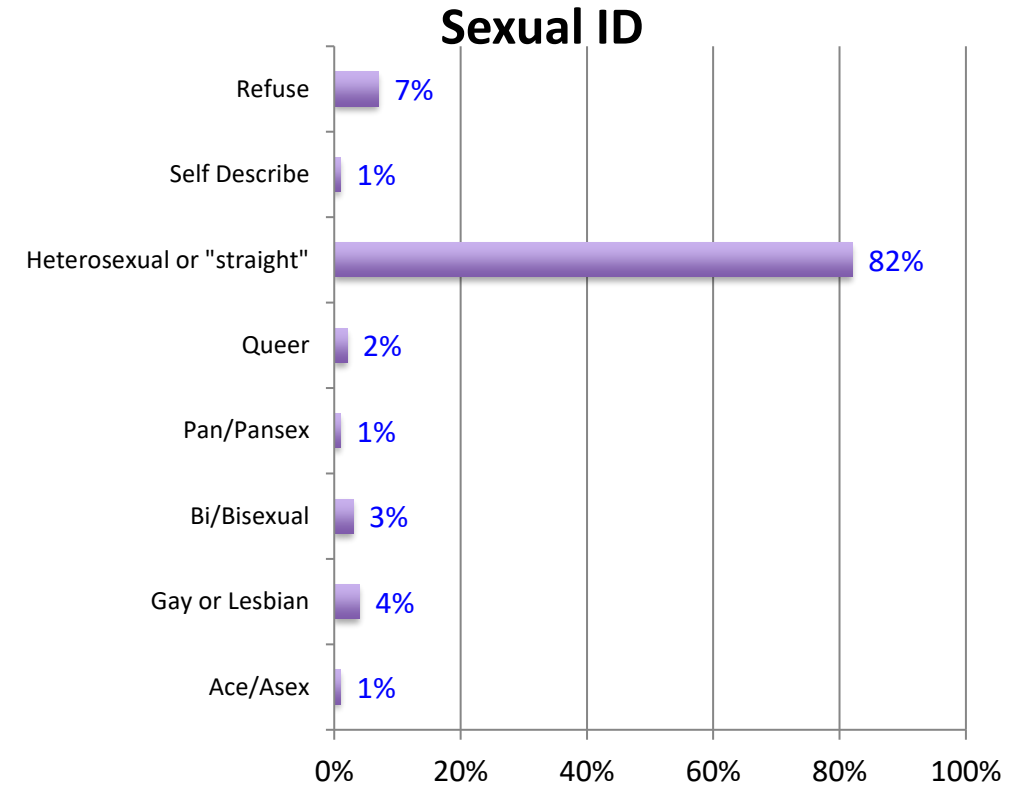
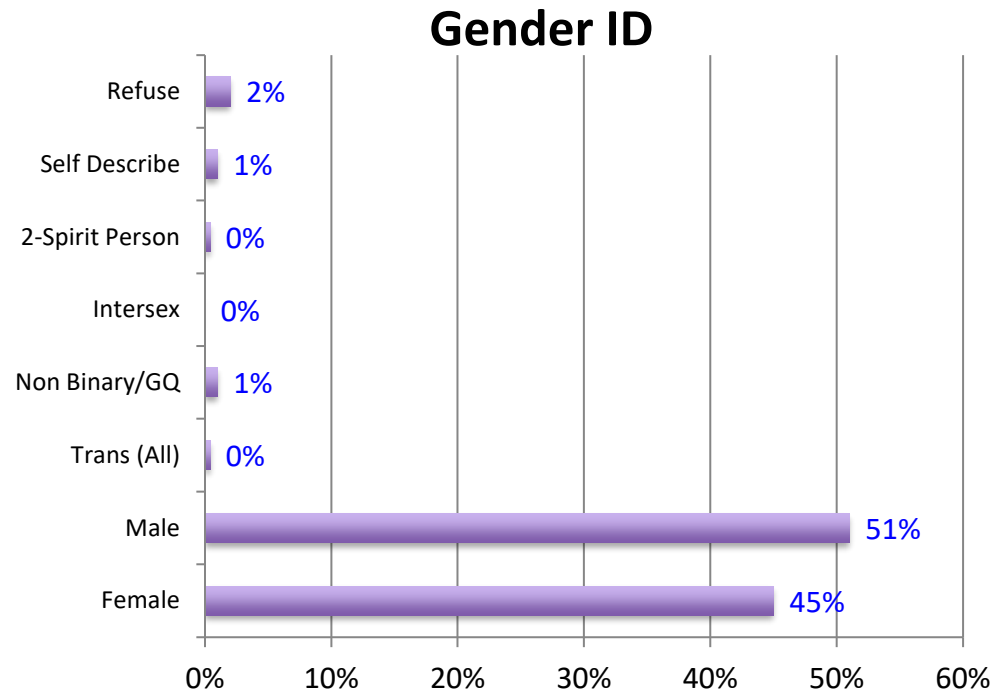
***Sample skews:**

- **Overindexes "white" (+17%)**
 - 65% of state pop vs 82% Sample
- **Several Groups underrepresented per census estimates, including:**
 - **Black (-3%)**
 - **Asian (-6%)**
 - **Latino/a/X (-9%)**

***Sample skews determined via comparison to US Census Data estimates (2022) for Washington State**

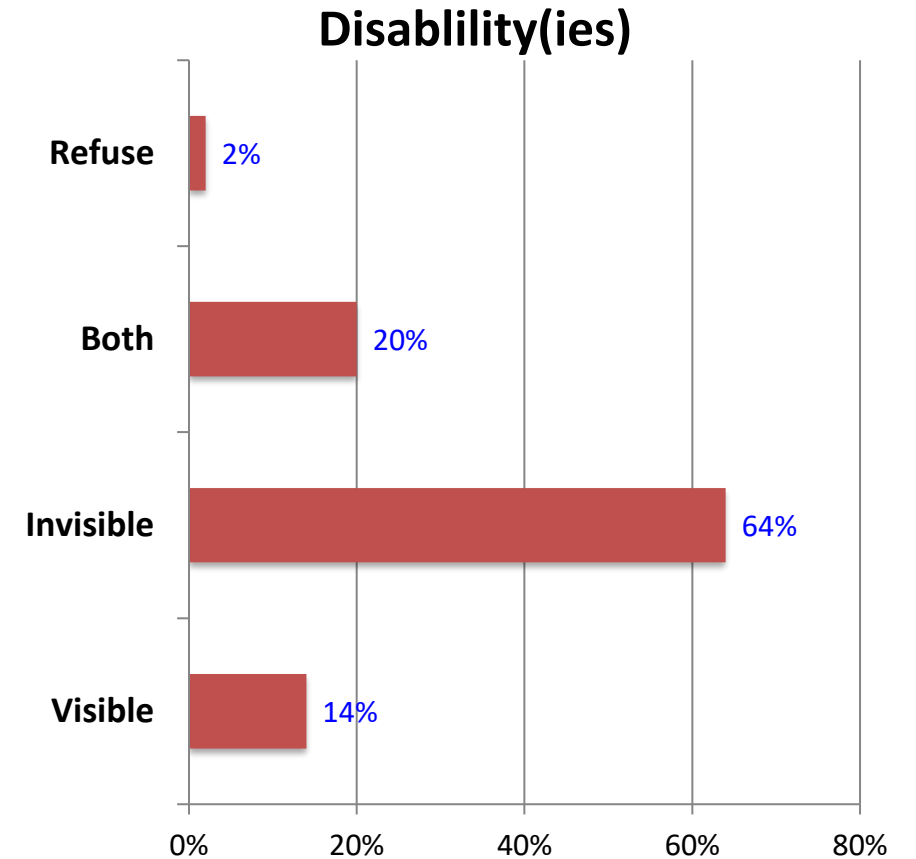
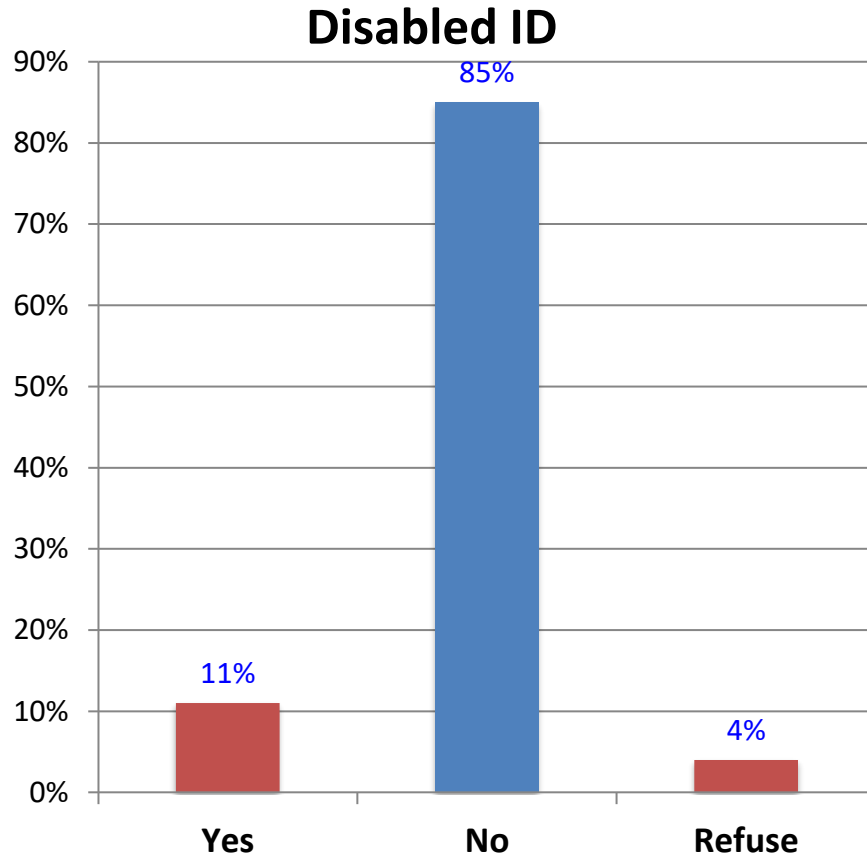


Quantitative Sample Characteristics



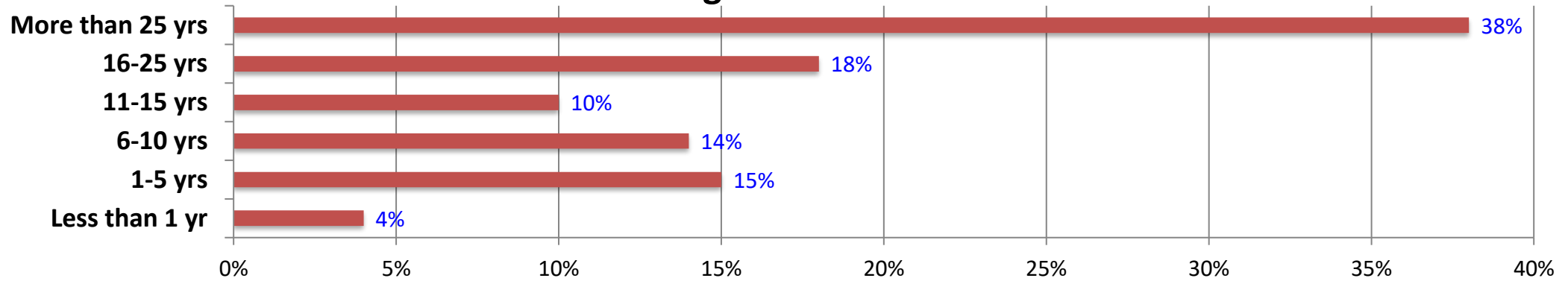
Sample limits will make it tricky to Center each group – but trend analytics and qualitative insights are not off the table

Quantitative Sample Characteristics - Visible and Invisible Disabilities



Quantitative Sample – Tenure/Longevity Skews “High” + Suggests Ongoing Change (and Challenges)

Lic Washington State

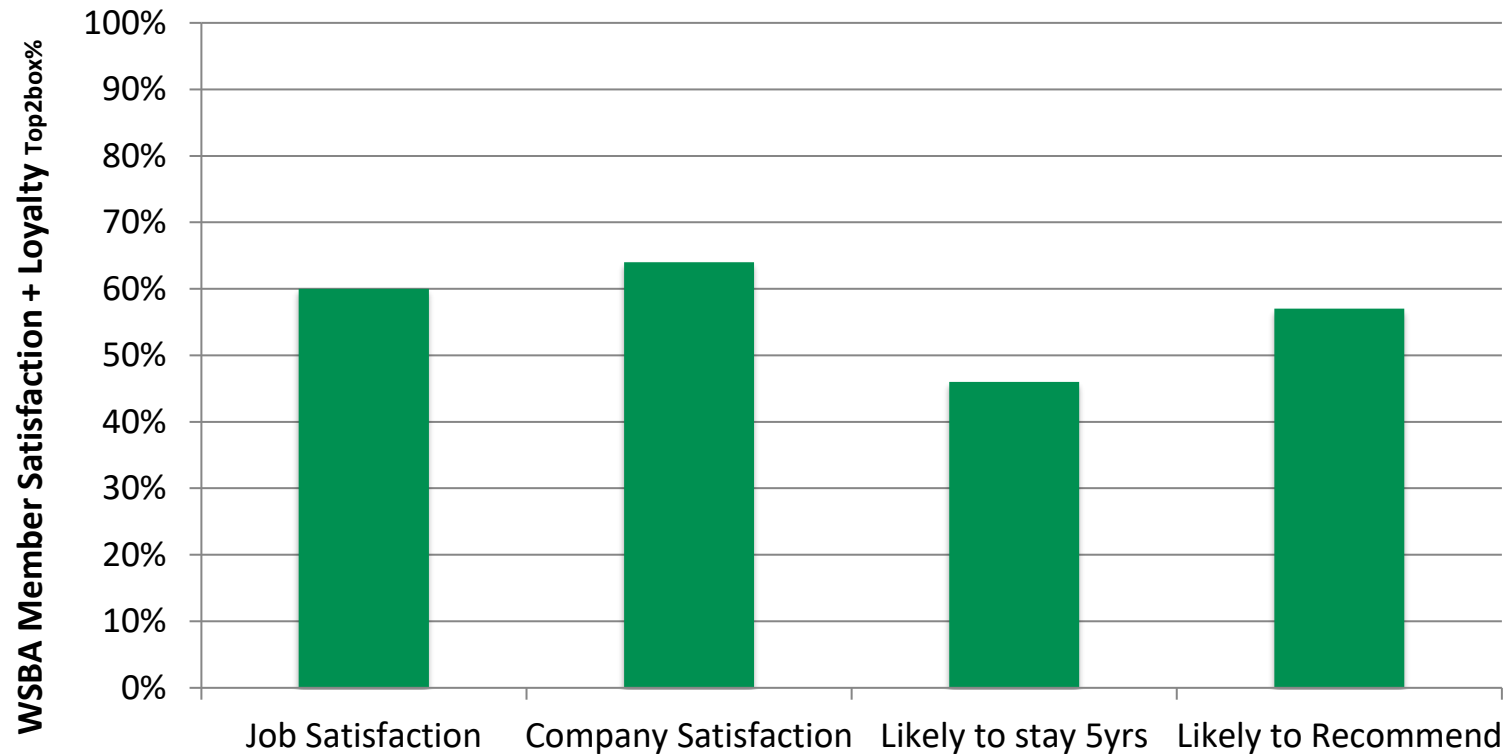


% Members 16+ Yrs	% Black Members 16+ Yrs	% Am Ind Members 16+ Yrs	% Asian Members 16+ Yrs	% Lat Members 16+ Yrs	% white Members 16+ Yrs	% Disabled Members 16+ Yrs	% Women Members 16+ Yrs
57%	43%	44%	46%	33%	58%	55%	46%

Membership is becoming more diverse over time, but a significant number of identity-based groups are likely to lack voice and mentorship at the most senior levels of practice in the State for some time to come

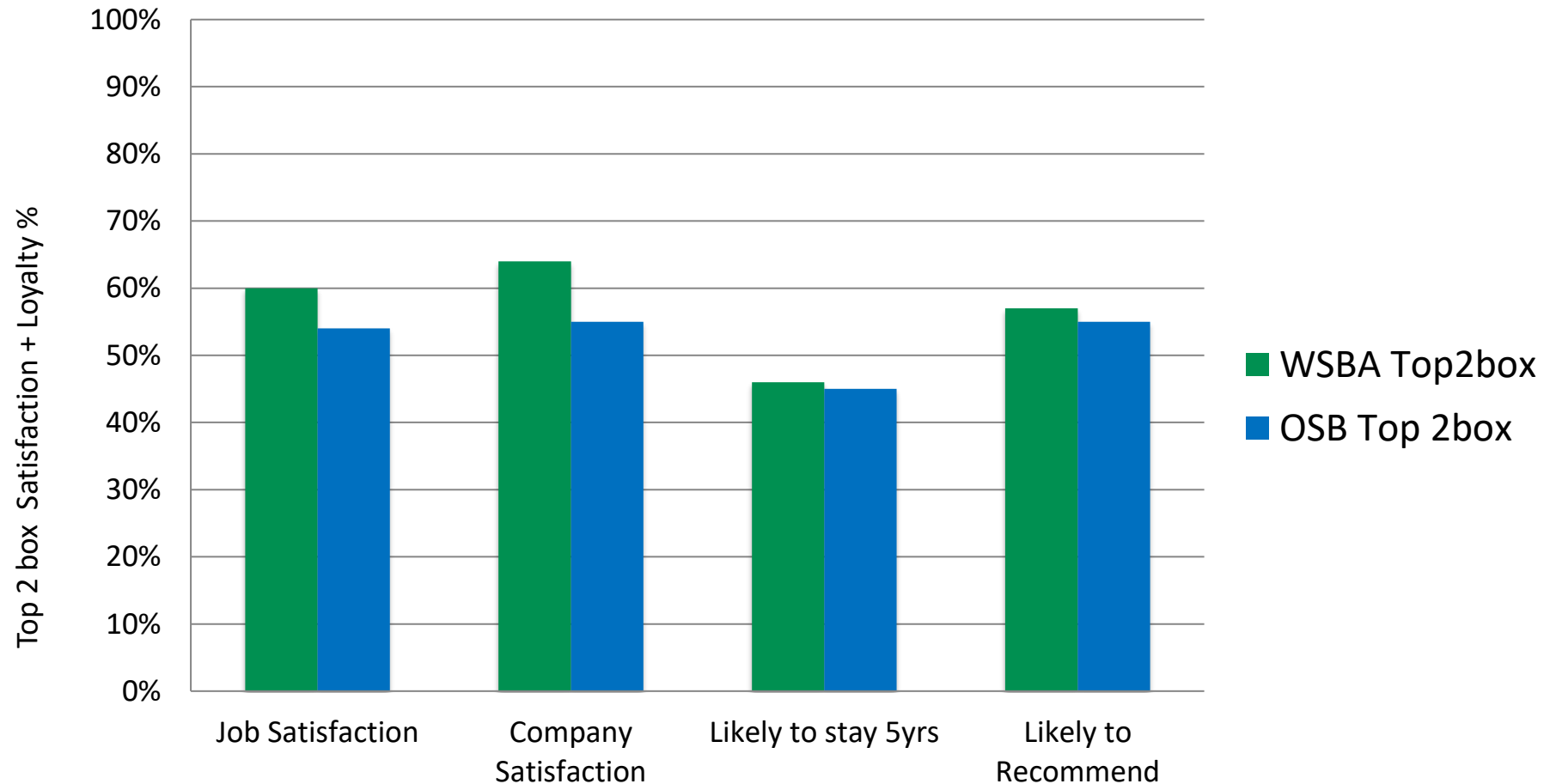
Workplace Climate Gets Mixed Reviews

While a majority (60%) are satisfied, the sample skews in identity groups and seniority (both time in grade and within organization) make this tricky to interpret at this top-level



Despite skews, fewer than 25% rated all indexes in high range, suggesting that fewer than 25% of WSBA members are highly satisfied and likely to stay/recruit where they are

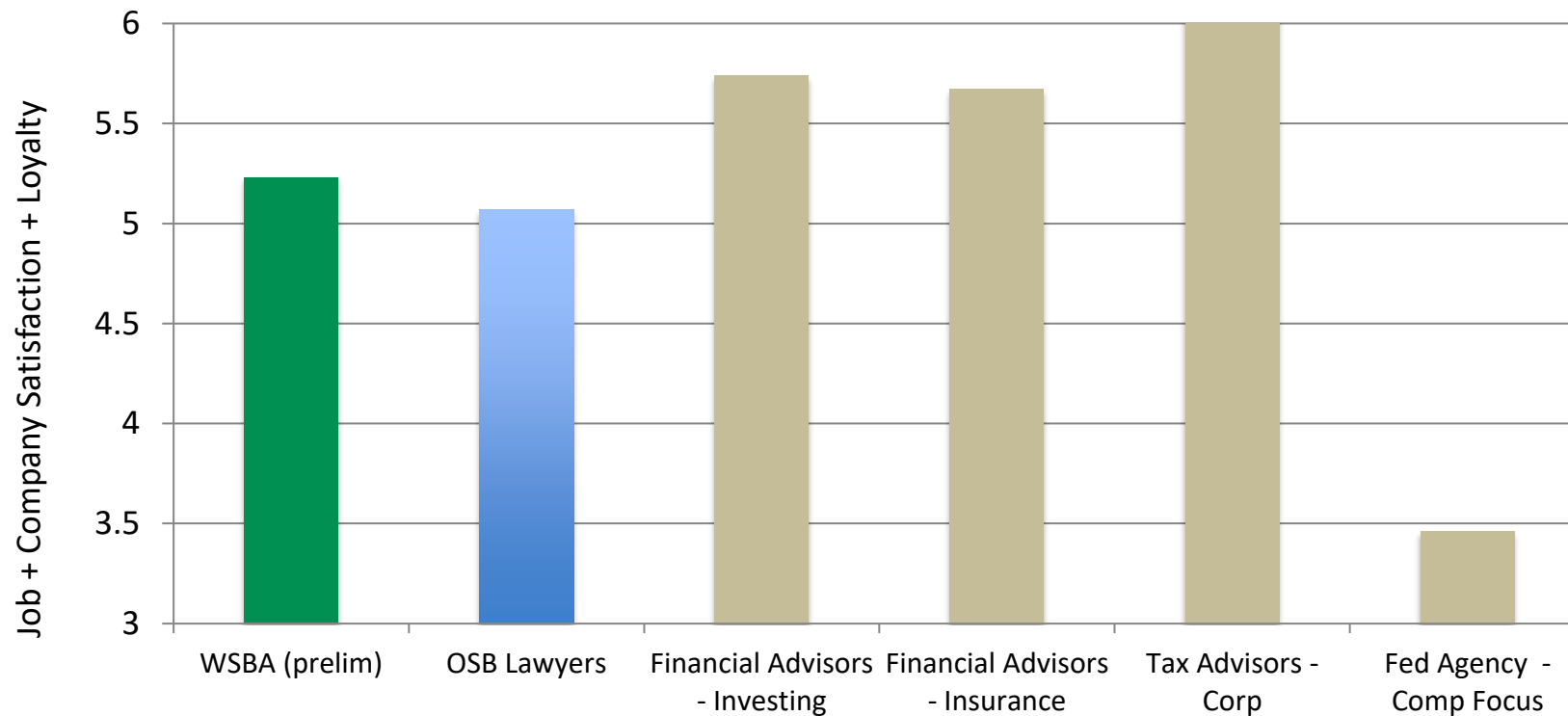
Workplace Climate Comparison: WSBA vs OSB Members



Note: The Oregon State Bar published these data on their public website

WSBA Satisfaction Levels are Lower than Comparable Professions (but you beat Oregon + IRS Employees)

WSBA members report lower job + company satisfaction and “loyalty” than most other surveyed advisory-based populations



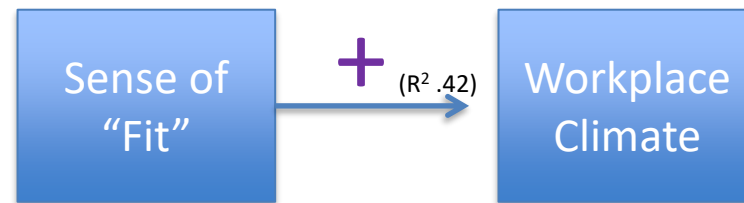
When Workplace Evaluations Are Examined Through an Identity-Focused Lens, Meaningful Differences Emerge, Suggesting Systemic Differences In Lived Experience Exist



Obviously, a ton of factors drive these differences ... but when you talk to people, they often start out by talking about "Fit" ... and then they talk about how they got there. Our survey lets us model that process.

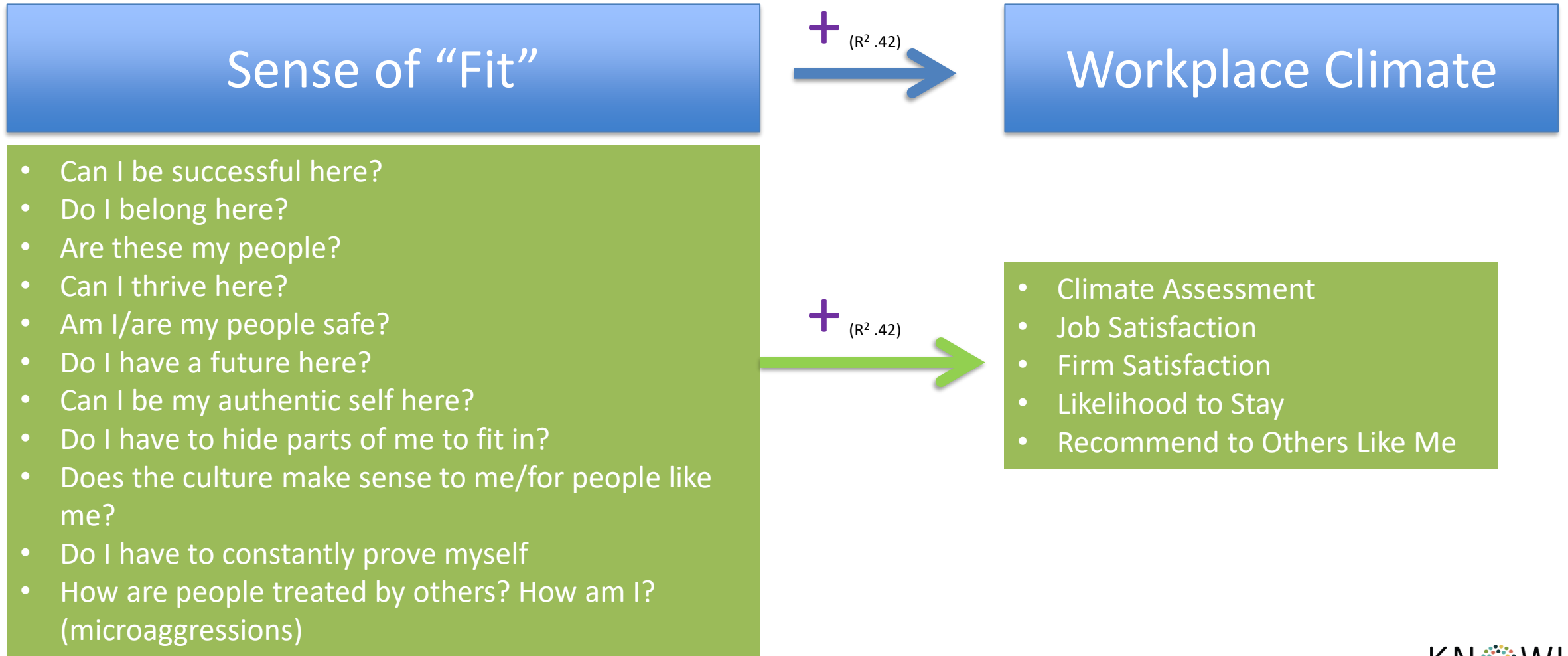
Modeling: Feeling like you “Fit” Enhances the Workplace Climate, Satisfaction + Future Outlook

- Scaled attitudinal and perceptual statements reflecting a sense of how well or poorly you “fit” with a workplace or community highly predictive of all four aspects of job satisfaction, workplace satisfaction, likelihood to stay and recommend
- Previous KGR+C research conducted with multiple clients across multiple industries (including Law) suggests this perceived “fit” accounts for over 40% of Workplace Climate (Satisfaction + Loyalty)



What that model means:

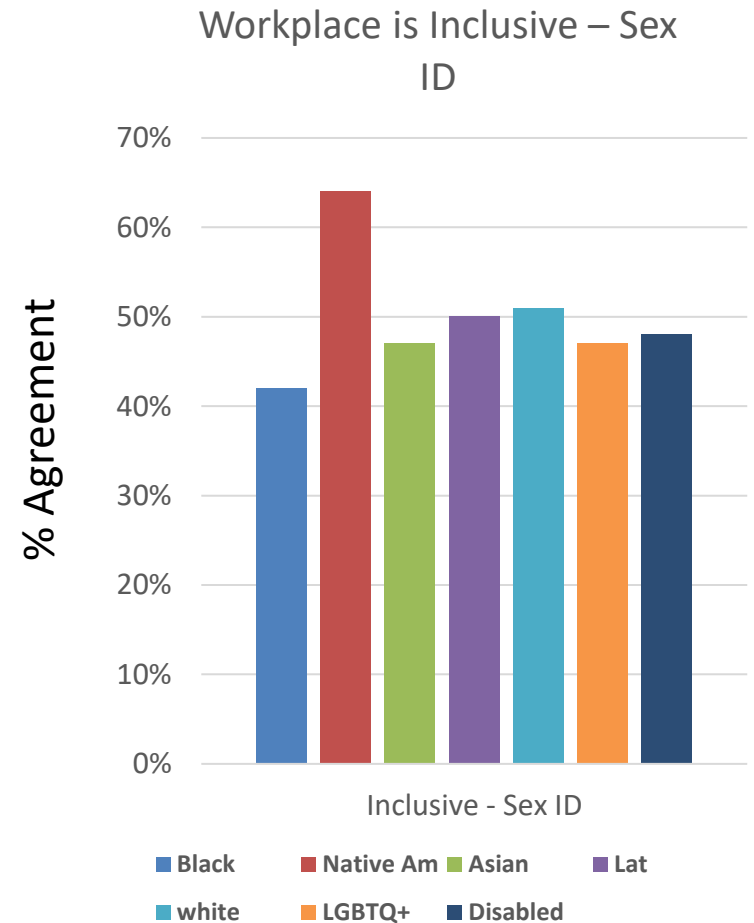
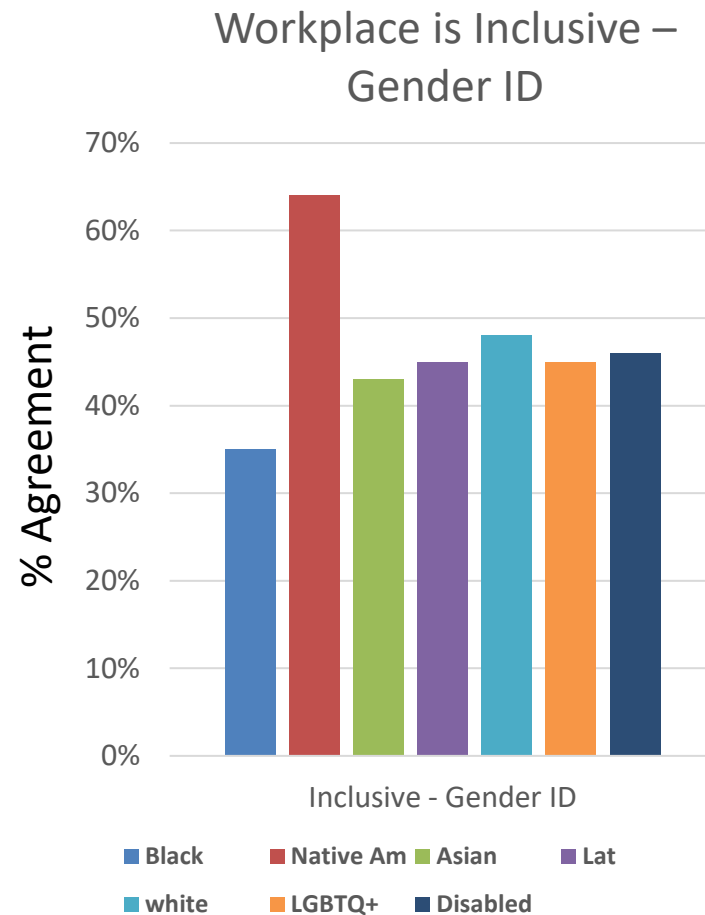
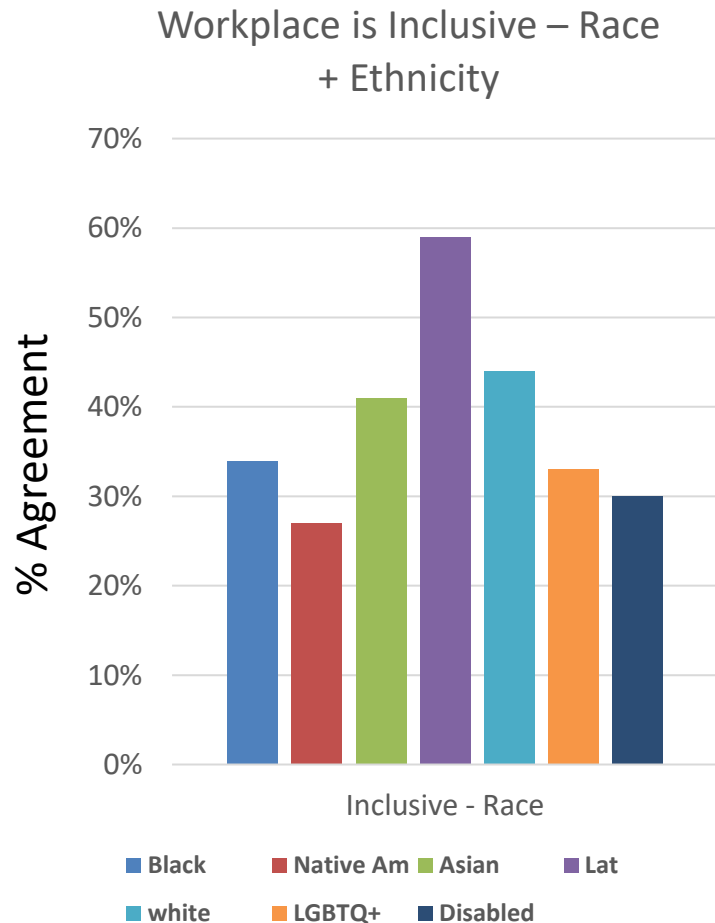
Feeling like you “Fit” Enhances the Workplace Climate, Satisfaction + Future Outlook



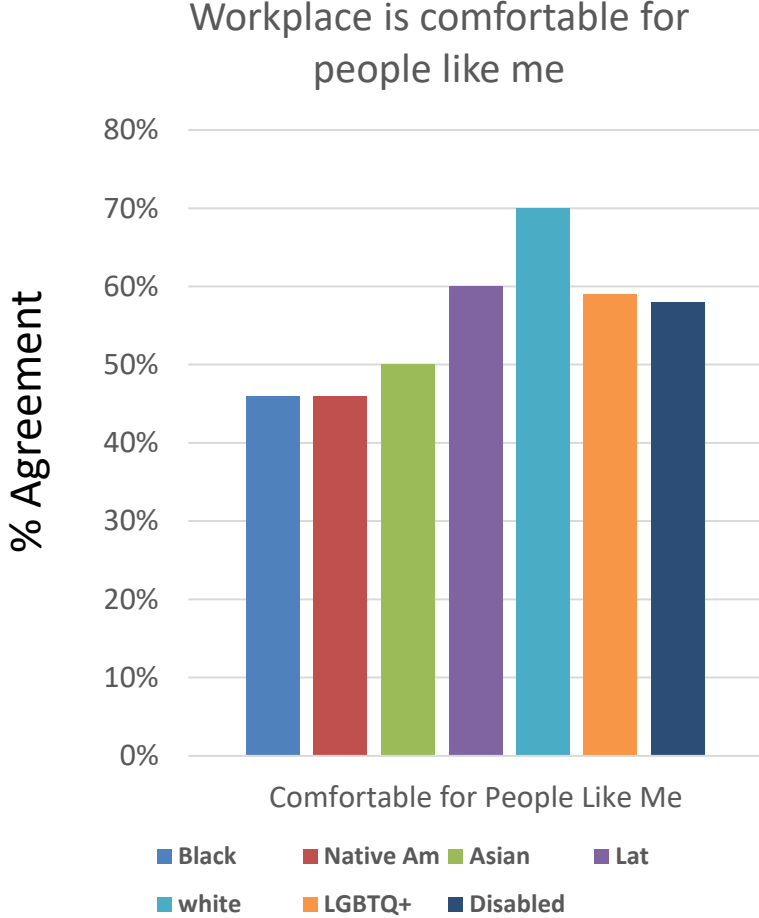
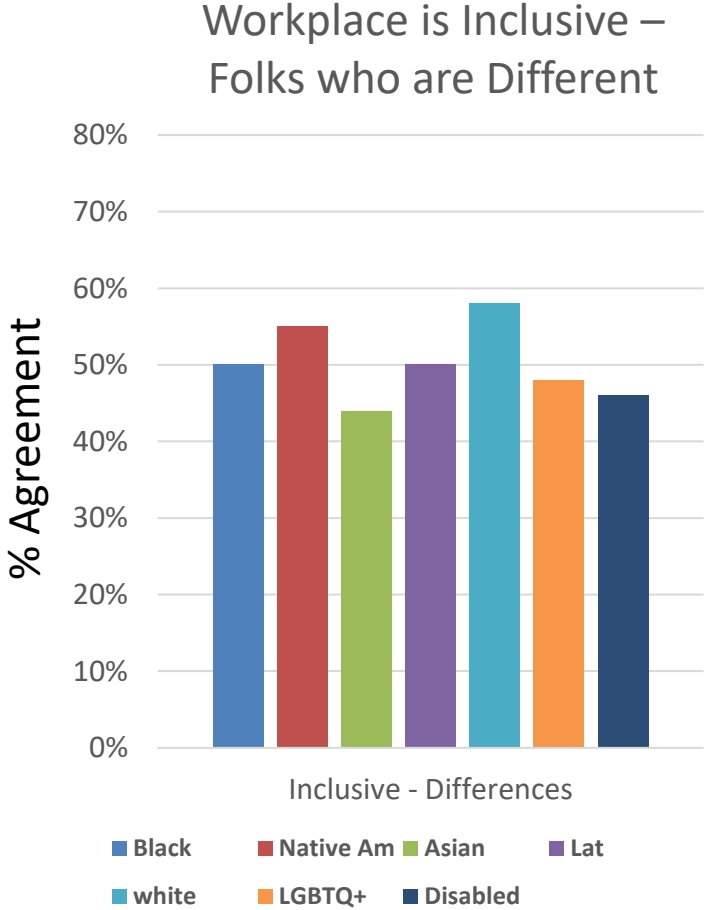
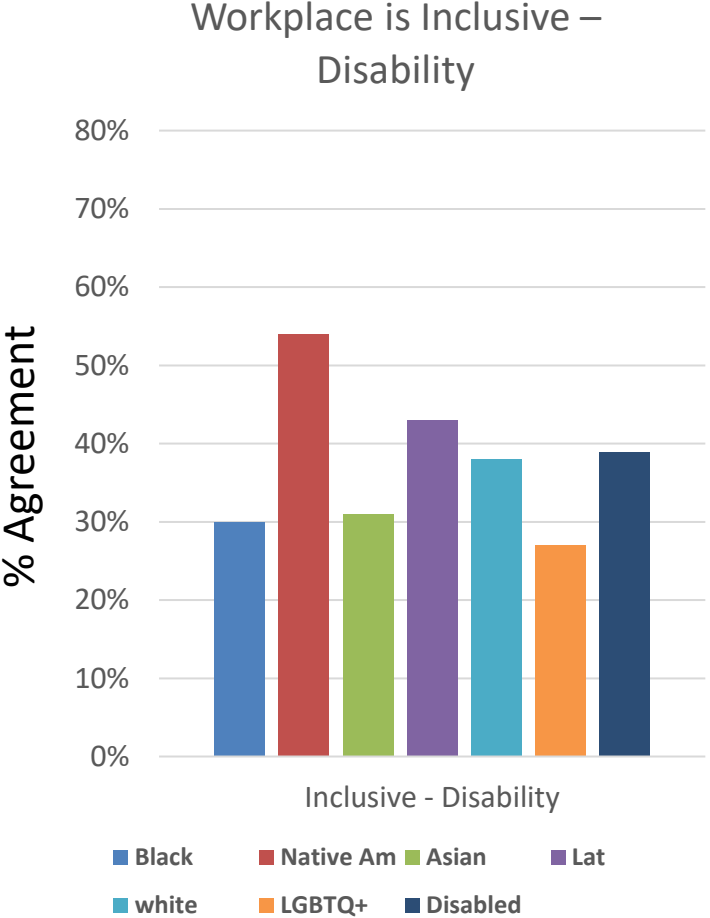
Exploring Dimensions of Fit and Identity

WORKPLACE EXPERIENCES (COMBINED)

Workplaces struggle to be inclusive across race, ethnicity, gender + sex identities ... (cont'd)

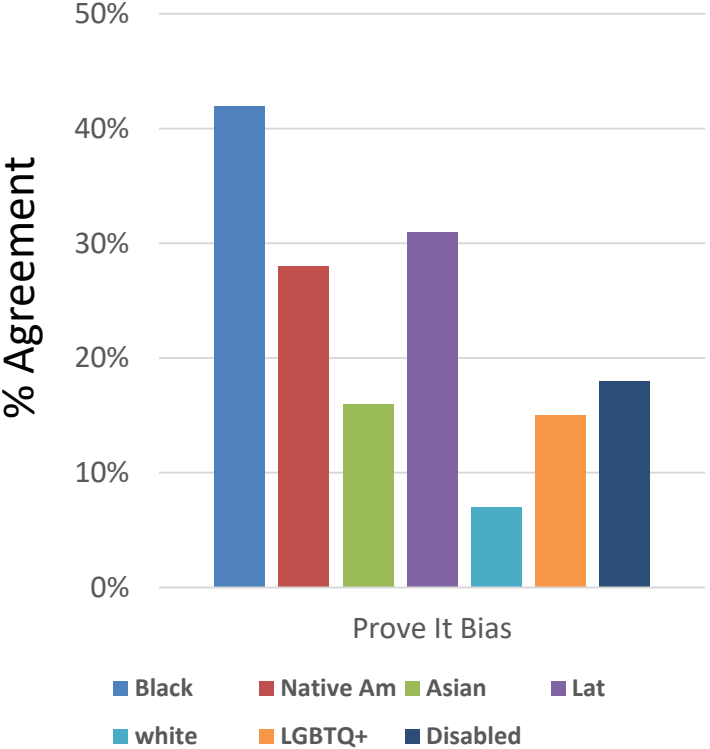


...Disability + Accepting Folks who are Different or Stand Out – but those inclusivity challenges have a greater impact on some groups than others

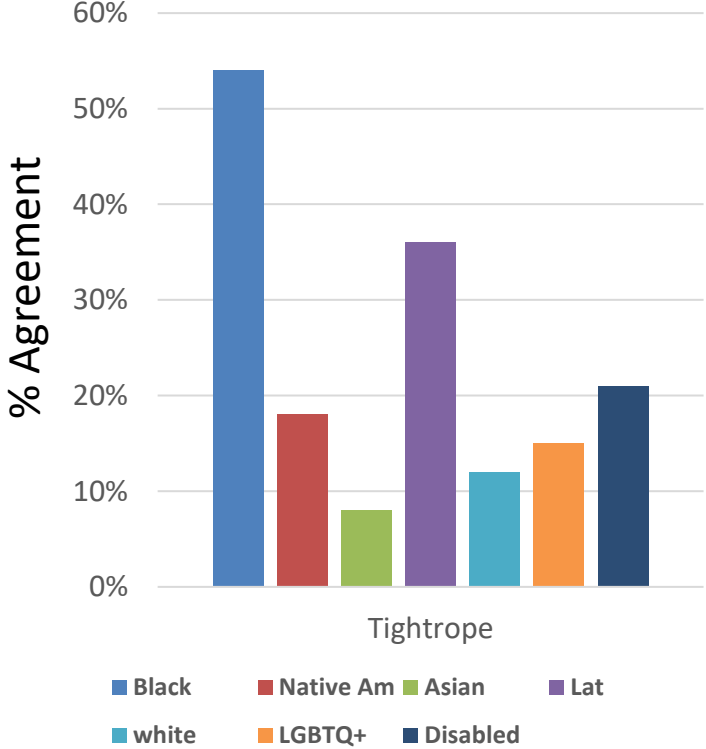


Disproportionate Impacts (1) : Systemic Experiential Biases Disproportionately Affect Some Identity Groups

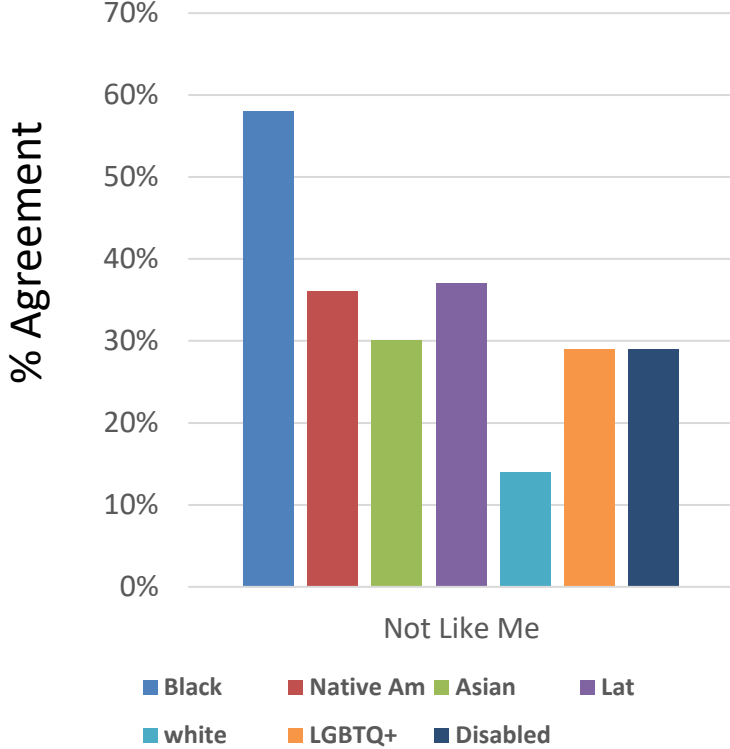
Prove it Bias – I have to provide more proof of competence than others



Tightrope Bias – I have to be careful not to trigger stereotypes others hold of me



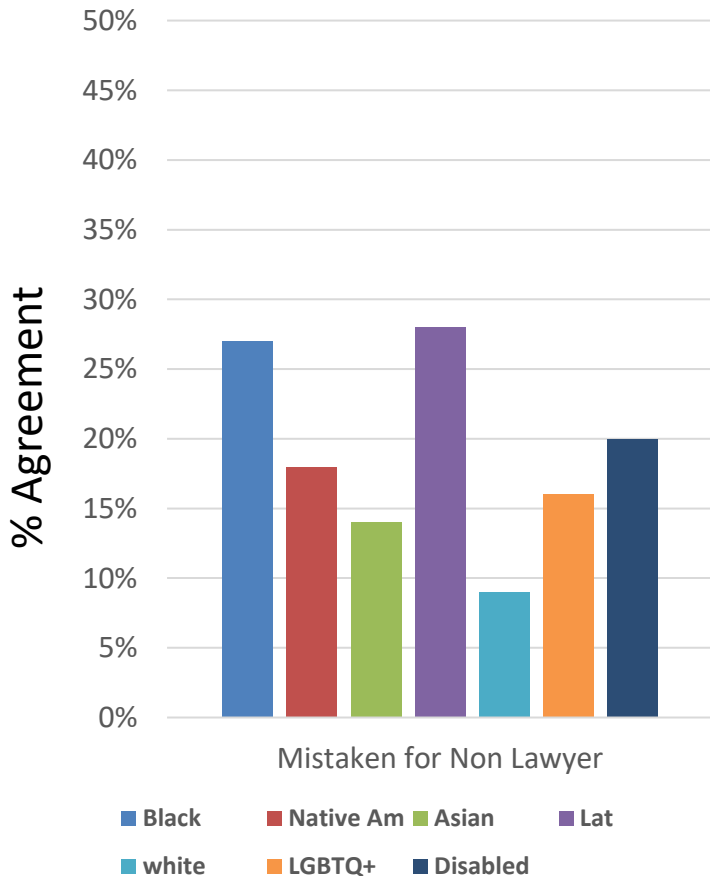
Representation Challenge – People I work with are not like me



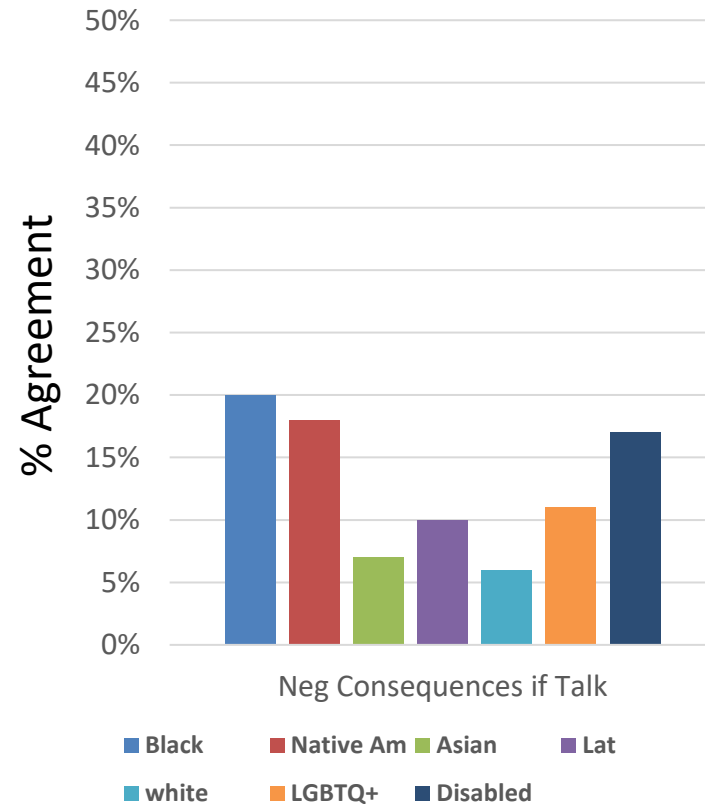
Disproportionate Impacts (2) : Systemic Experiential Biases

Disproportionately Affect Some Identity Groups

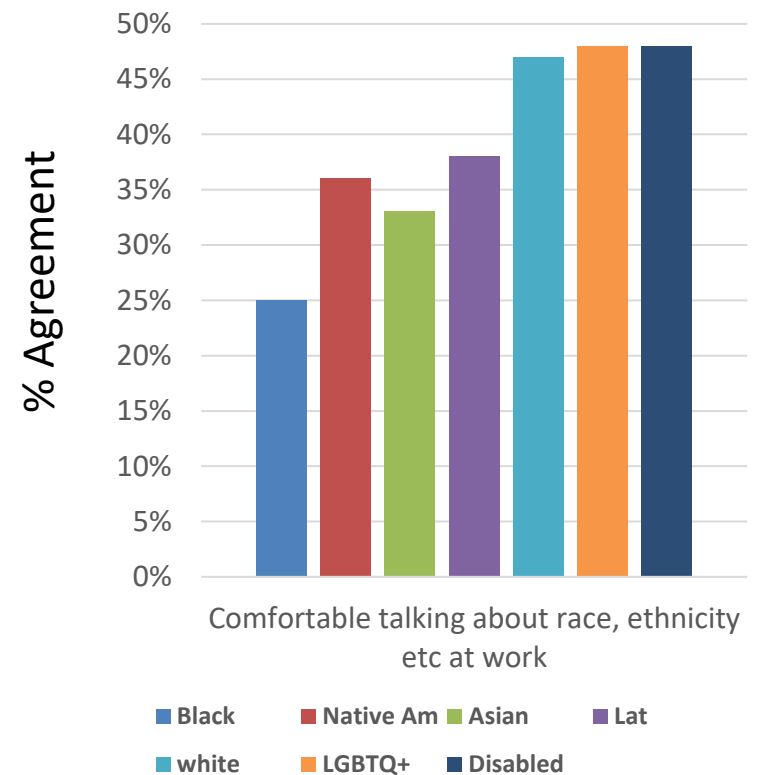
I'm Frequently Mistaken for a Non-Lawyer in Work Settings



I'd face negative consequences if I report unfair treatment at work

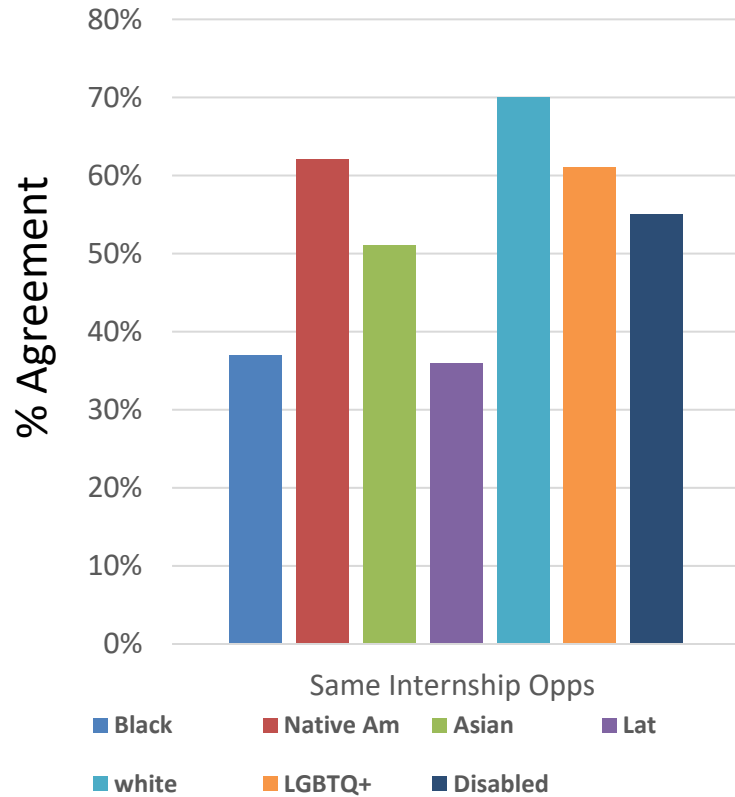


People at work are comfortable talking about issues of race, ethnicity, equity, diversity +/- or inclusion

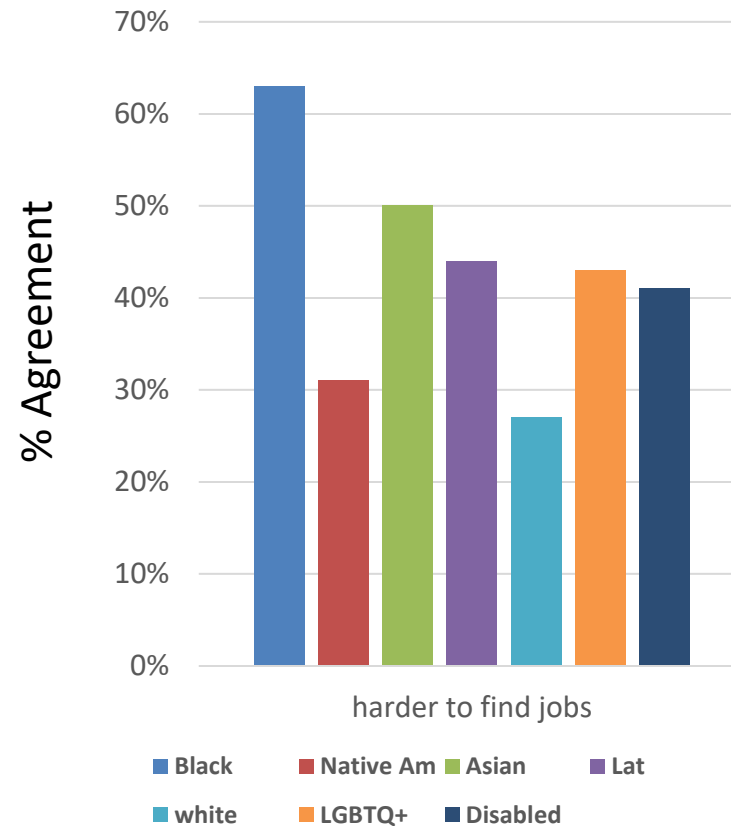


Opportunities Differ by Identity from Law School On

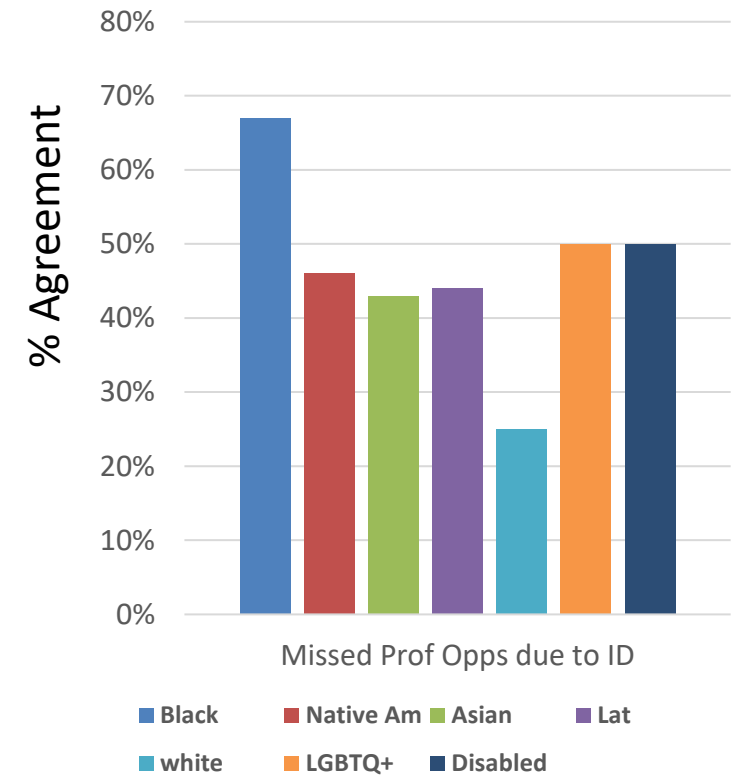
I had the same internship opportunities as everyone else in law school



Harder for me to find a good job than others equally qualified

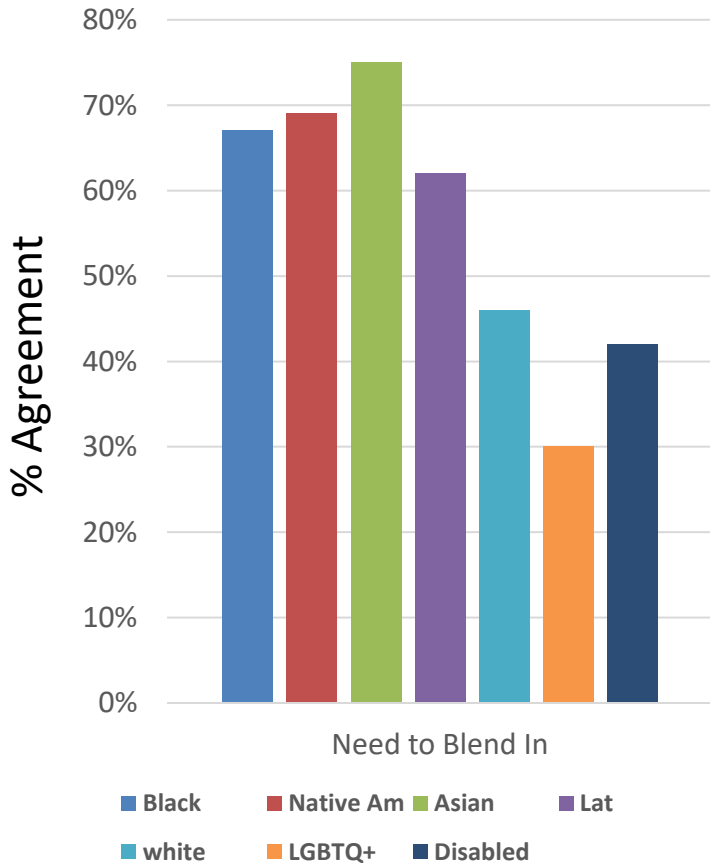


Missed out on professional opportunities due to my race, ethnicity, gender/sex ID or disability

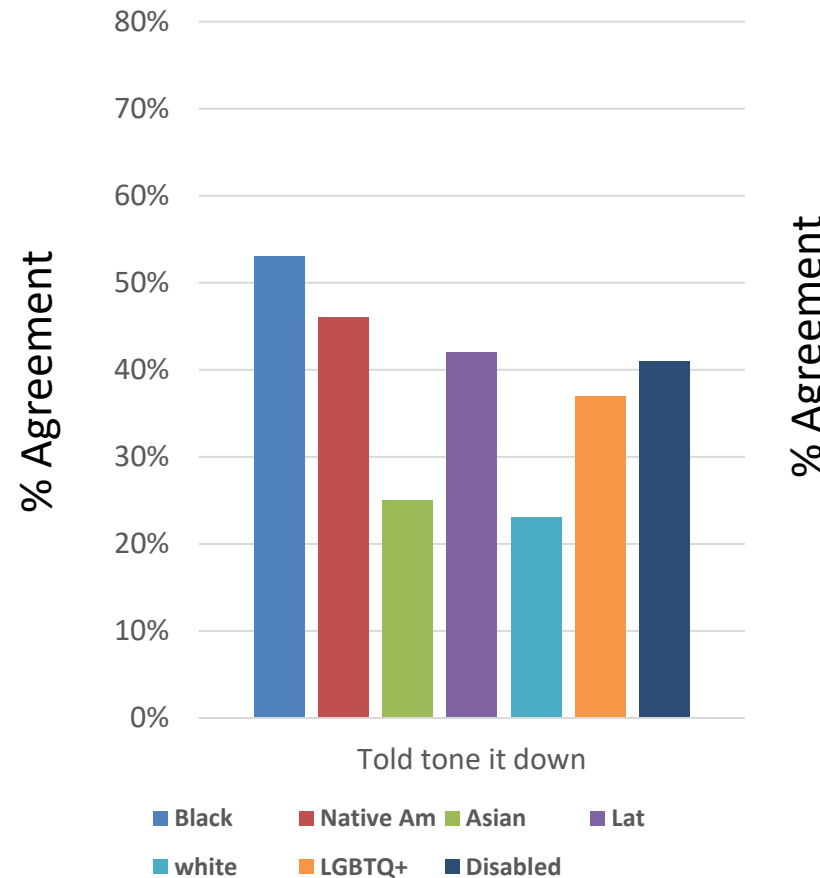


NonDominant groups experience more pressure to fit in and get less expert guidance

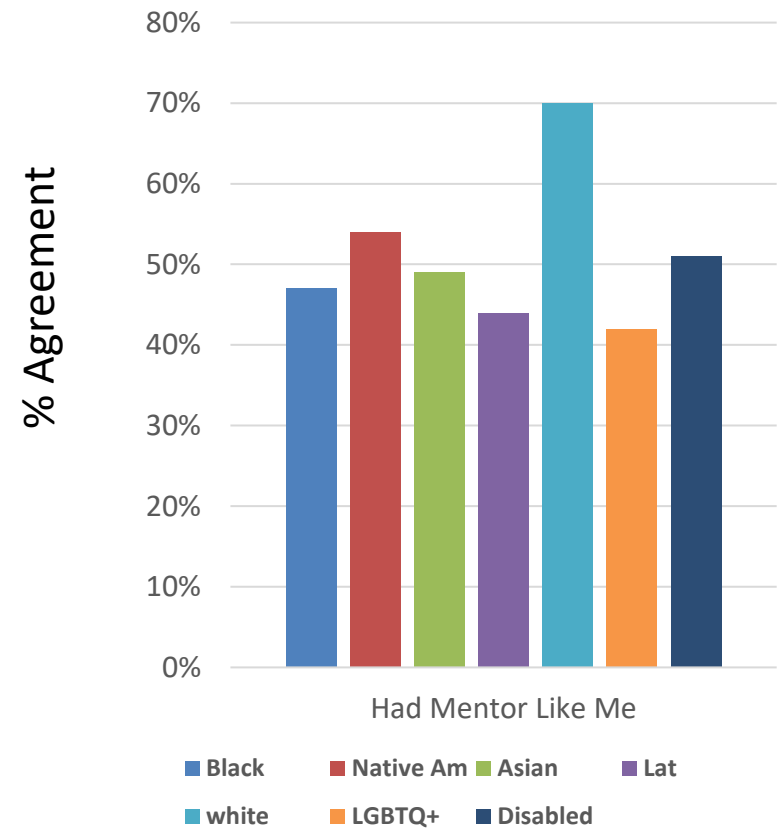
I need to blend in to be successful



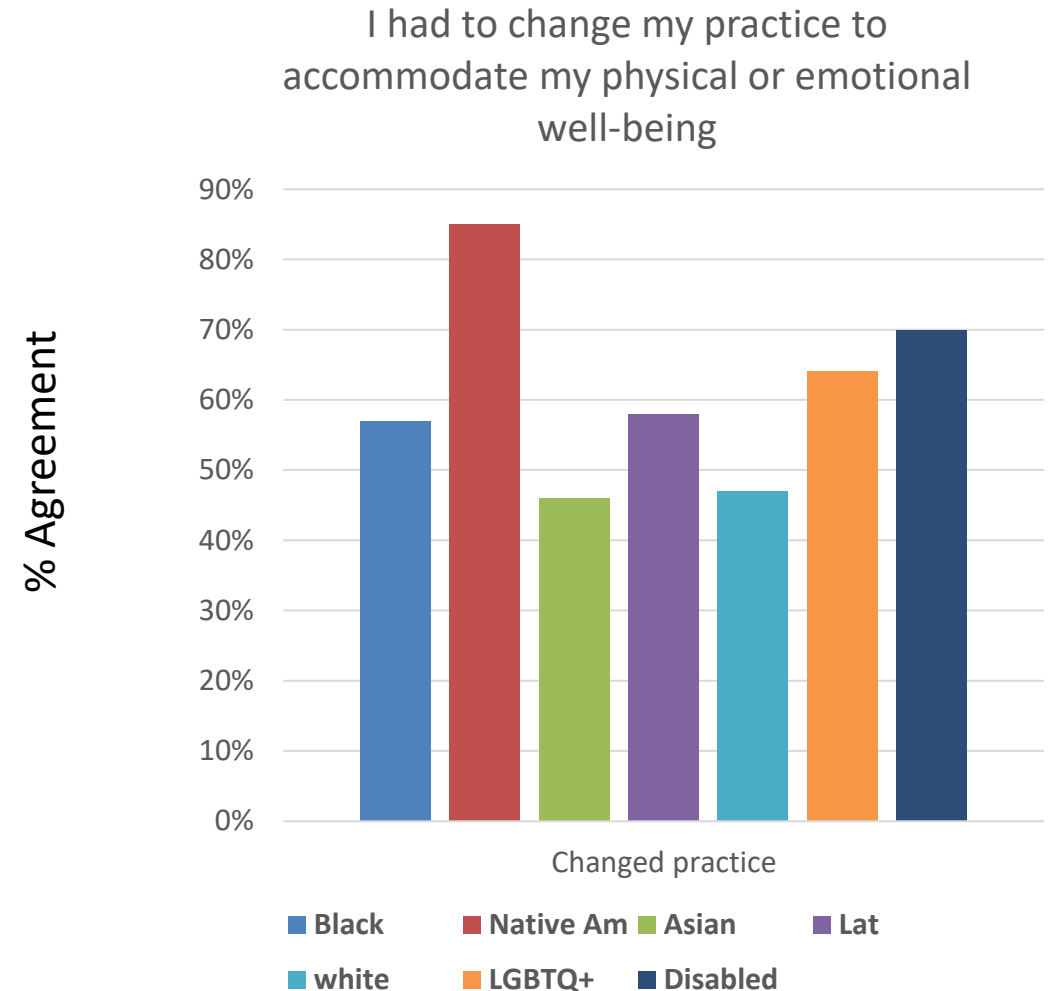
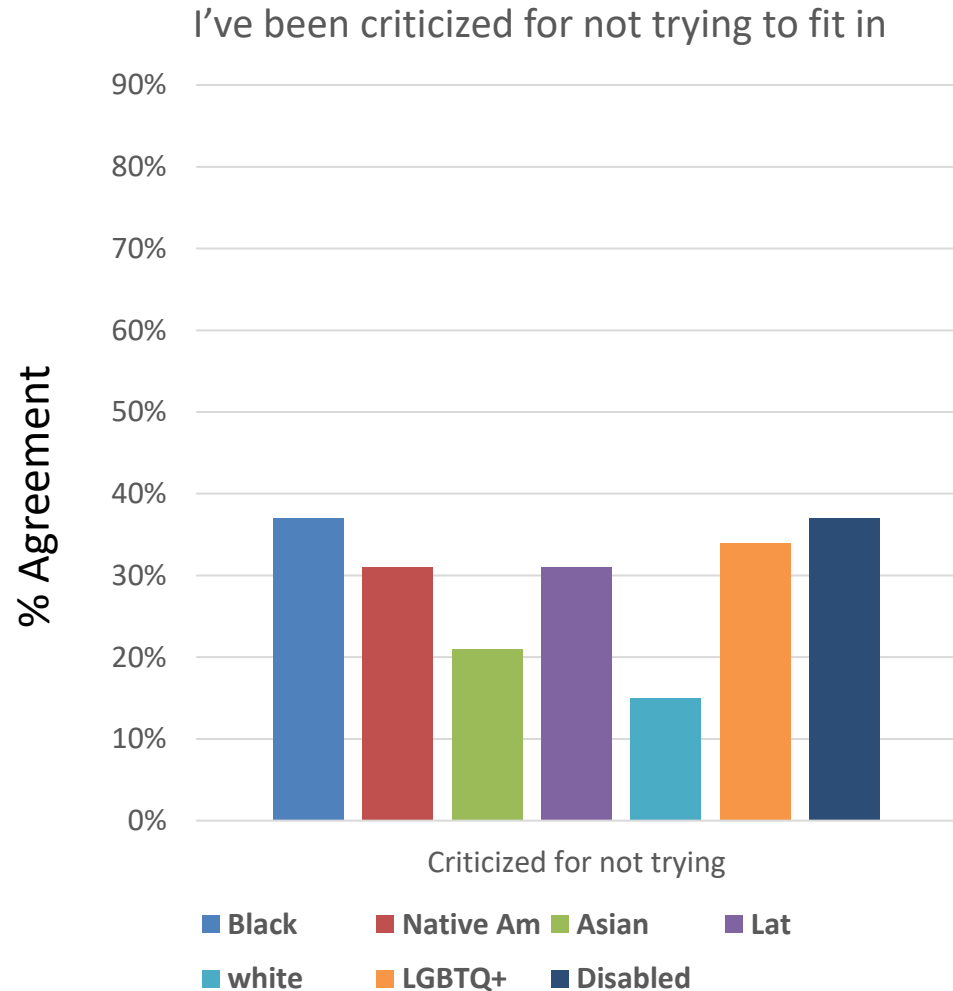
I've been told to tone it down in professional settings



Access to mentors w similar ID, background and experiences



Impacts of system – differential pressures to try harder to fit in or make changes to survive



Frequency and Nature of Microaggressions Witnessed + Experienced

WORKPLACE RASHOMON – INTERPERSONAL WORKPLACE ENVIRONMENTS AND EXPERIENCES ARE MEANINGFULLY DIFFERENT BY IDENTITY

Microaggression Evaluation – how it was done

Section C: Microaggressions (from the survey)

The next set of questions will be about “**microaggressions.**”

Microaggressions are subtle, intentional or unintentional insults, negative remarks or behaviors relating to race, ethnicity, language use, relationship type or status, gender, gender identity, sexual orientation, immigration status, political beliefs, religious beliefs, disability, age, amount of time lived in the US, or income level

C1_1 How often would you say that you witness or see microaggressions at work or while you were working?

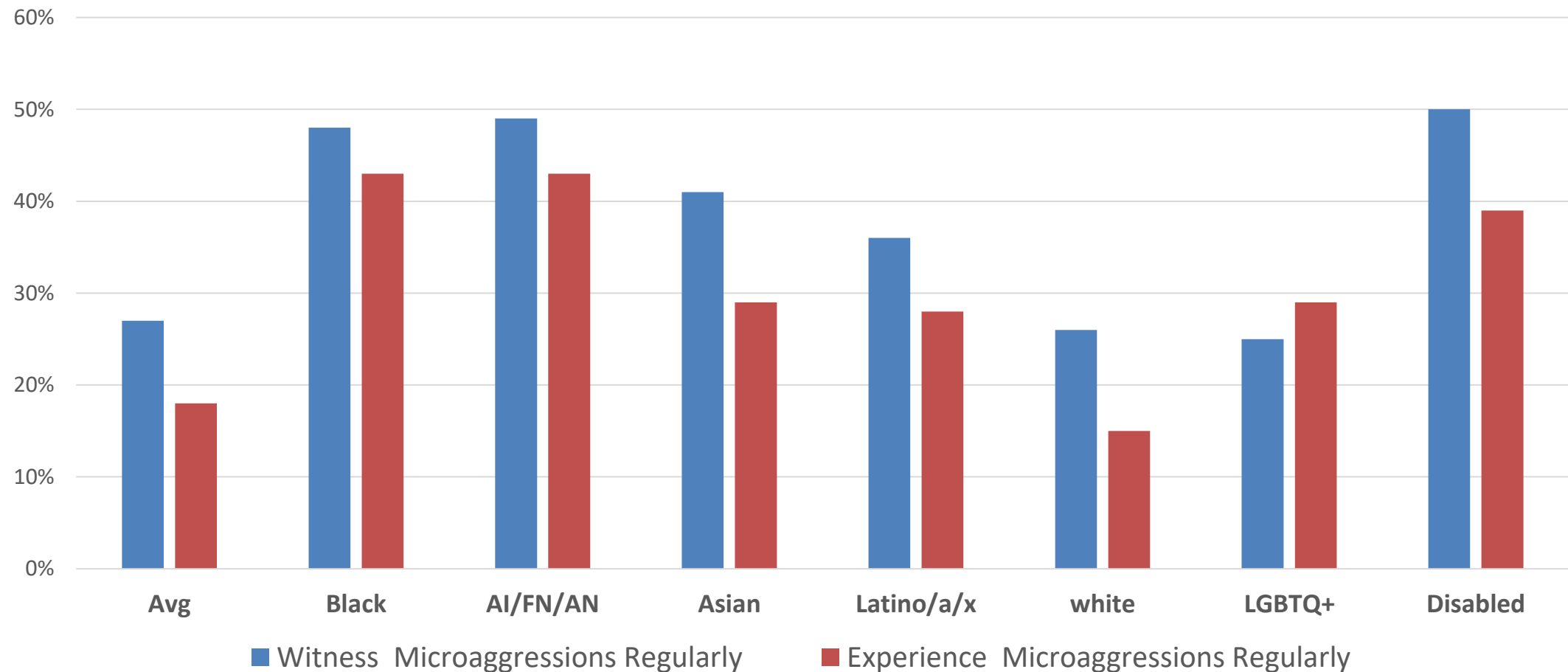
C1_2 How often are or were you you the target of microaggressions at work or while working?

		Daily	A few times per week	A few times per month	Rarely	Never
		1	2	3	4	5
C1_1	I WITNESS / WITNESSED microaggressions at work or while working:	0	0	0	0	0
C1_2	I personally EXPERIENCE / personally EXPERIENCED or am the target of microaggressions at work or while working:	0	0	0	0	0



= Microaggressions are regular and consistent

Microaggression assessments show clear, identity-based group differences in workplace experiences



“regular” is defined as happening several times per month at minimum – a frequency at which events are expected and considered “normal”

Identity Groups Perceive the Legal Workspace Differently, Highlighting The Need For Diverse Voices In Setting Norms

	Black	Nat	Asian	Lat	white	LGBTQ+	Disabled
<u>Witness Micro-Aggressions regularly</u>	47%	55%	40%	38%	25%	25%	50%
Based On:							
Race/Ethnicity	72%	73%	59%	65%	32%	32%	51%
Relationship Type	10%	9%	14%	6%	14%	14%	19%
Gender ID	31%	55%	44%	35%	43%	43%	46%
Sexual Orientation	21%	18%	15%	18%	16%	16%	25%
Disability	7%	9%	14%	15%	12%	12%	50%
Politics	17%	27%	22%	32%	32%	32%	36%
Age	24%	24%	36%	24%	34%	34%	41%
Language Use	14%	0%	25%	21%	10%	10%	11%
Skin Color/Tone	25%	27%	10%	18%	6%	6%	15%

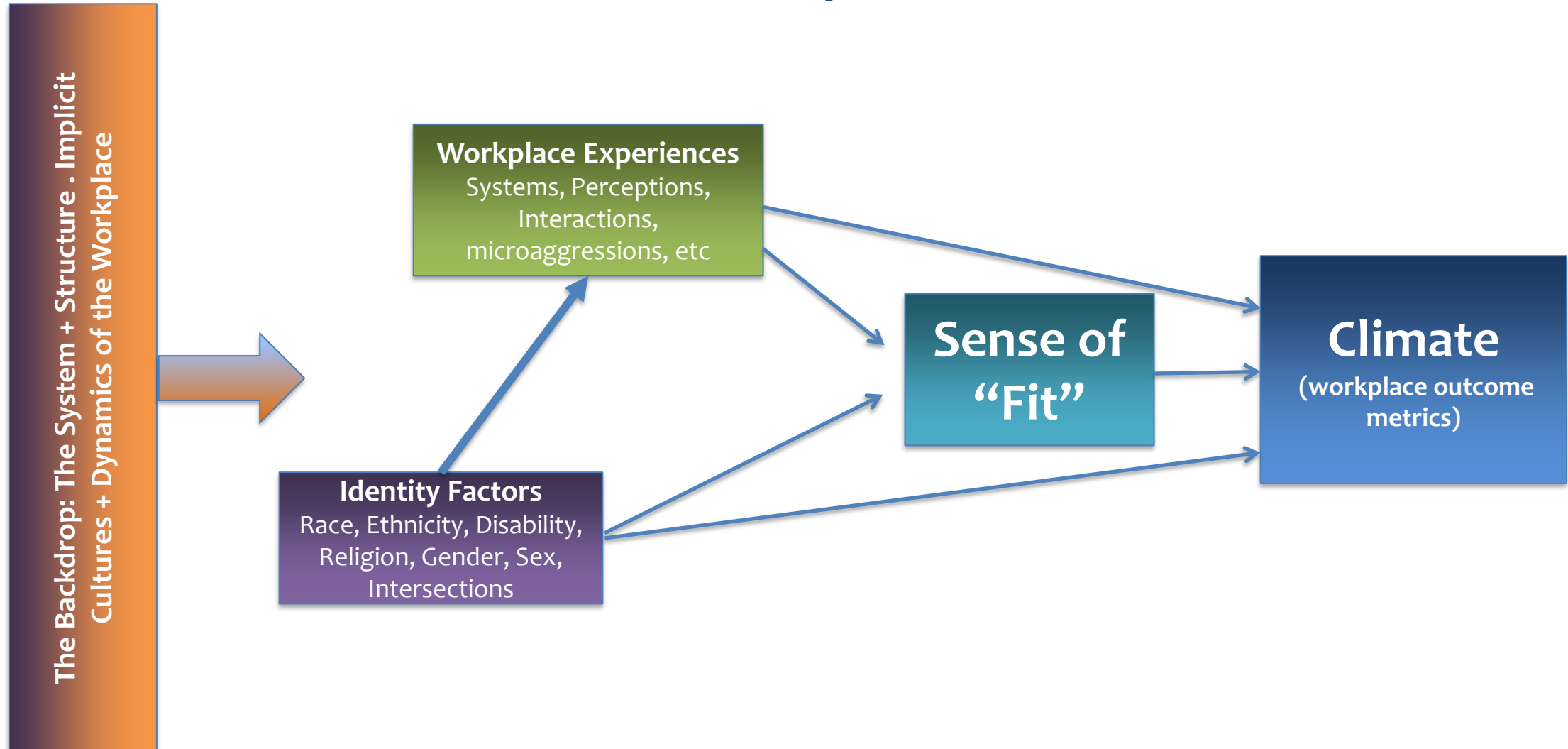
NonDominant Groups Experience Frequent Microaggressions Targeted at Identity-Based Aspects of Self

	Black	Nat	Asian	Lat	white	LGBTQ+	Disabled
Experience Micro-Aggressions regularly	43%	47%	32%	32%	15%	29%	39%
Based On:							
Race/Ethnicity	86%	80%	71%	71%	7%	11%	16%
Relationship Type	11%	10%	7%	0%	11%	21%	14%
Gender ID	32%	50%	33%	14%	43%	54%	34%
Sexual Orientation	7%	10%	3%	4%	8%	41%	13%
Disability	0%	0%	5%	7%	9%	15%	50%*
Politics	11%	20%	12%	11%	17%	15%	20%
Age	36%	40%	25%	18%	35%	32%	44%
Language Use	11%	0%	20%	29%	3%	4%	4%
Skin Color/Tone	25%	30%	15%	25%	2%	4%	7%
My Culture	11%	40%	15%	21%	3%	2%	7%

How do the pieces come together to affect evaluation, and what that suggests for next steps

PUTTING IT TOGETHER

With the implicit structures of the system as a backdrop, Identity Factors Affect Workplace Experiences, Sense of Fit and Perspective on the Workplace



Alt: With the implicit structures of the system as a backdrop, Identity Factors Affect Workplace Experiences, Sense of Fit and Perspective on the Workplace

