

# The Connecticut Bar Association's Diversity, Equity, and Inclusion Journey

*"[T]o find the journey's end in every step of the road...is wisdom."*

—Ralph Waldo Emerson

**I**n spare moments in my time at the offices of the Connecticut Bar Association, I often find myself looking through the records of our organizational history. I find these old minutes, speeches, and records fascinating, both because of how much has changed since our founding, but also by how much remains the same. Last year, I wrote to lawyers across the state, encouraging them to join the CBA. In my letter, I emphasized the many benefits of membership, but also the broader importance of our associational ties, our giving of our time and resources in small measure towards greater collective purpose. In looking through our historical records recently, I found a letter written by CBA President Charles E. Perkins on January 2, 1889, urging attendance at the annual meeting that year. In his letter, he wrote of the CBA, "[i]t is an organization which has done, and is capable of doing, much good, if the members will only take sufficient interest in it...but each member is apt to be busy, and thinks that probably there will be plenty of others there." In observing and participating in the tremendous work of our organization, in the countless initiatives carried forward by our staff and our tireless volunteers in our sections, committees, and task forces, in seeing the hundreds of fellow members who join in virtual CBA presentations many times a month, I cannot help but feel that Charles E. Perkins would be happy to know that his call had been answered, across the expanse of history, in full and enduring measure. An

*Cecil J. Thomas is the 98th president of the Connecticut Bar Association. He is an attorney at Greater Hartford Legal Aid, where he has represented thousands of low-income clients, predominantly in housing matters, and has obtained significant appellate and class action victories on behalf of low-income Connecticut residents.*



organization that began with 58 members and four committees in 1875 is today a growing organization of over 9,000 members, with over 70 sections, committees, task forces, and working groups actively engaged in advancing our broad and vital organizational mission.

I believe that the key to that growth and impact has been our increasing commitment to diversity, equity, and inclusion (DEI). Over nearly 150 years of existence, we have shifted from a small, exclusive organization, to one that has opened itself, sometimes quite slowly, to broader inclusion. Each expansion, each opened door, and each new effort at greater inclusion and equity have helped us to better realize the aspirations of our organizational mission and our DEI policy. As expressed in that policy, adopted unanimously by our House of Delegates in 2015, "[w]e are a richer and more effective association because of diversity, as it increases our association's strengths, capabilities, and adaptability."

The theme that I have selected for this bar year, "Together for Justice, Together for Equity, Together in Service," expresses my

own goals for my service as CBA president: to focus on our associational strength; to work to promote greater access to justice for those who are economically disadvantaged; to ensure the continued effectiveness of our diversity, equity, and inclusion efforts; and to connect all of this with our broader professional call to service. This column and my next will discuss the CBA and the legal profession's DEI journey. We are in the midst of reviewing and revising our CBA Strategic Diversity and Inclusion Plan, which was first adopted in 2015. A pause to look back at where we have been, before charting where we may go, therefore seems prudent.

On June 2, 1875, 58 attorneys joined together to form the CBA. This was an age of new bar associations. In the period between 1870 and 1878, 16 city and state bar associations were founded in 12 different states.<sup>1</sup> These were not styled, initially, as broadly inclusive organizations. "With few exceptions, state and city bar associations [founded during this period] were not open to everybody; they did not invite the bar as a whole, but sent out feelers to a select group, the 'decent part' of the bar."<sup>2</sup> The CBA was no exception. In the 1875

Constitution of the CBA, membership was limited to “[a]ny member of the bar of the State of Connecticut in good standing and who has practiced his profession for the term of three years...by vote of the Association, on recommendation of the executive committee...”<sup>3</sup> After recommendation for membership, a vote by ballot was to be held, and “one negative vote in every five of those present and voting, shall exclude the candidate.”<sup>4</sup> During this period of bar association establishment, founding members across the country were increasingly concerned with a growing “crisis in decency” within the profession.<sup>5,6</sup> Lawyers were concerned about professionalism, corruption, and standardization of legal practice, legal education, and admission to the bar. “The motives were, as usual, mixed. Many lawyers sincerely wanted to upgrade the profession. This went along with a more selfish desire to control the supply of lawyers and keep out price cutters and undesirables.”<sup>7</sup>

In its first decades, the CBA grew and held at approximately 200 members, admitting no more than seven attorneys in any given year during that early period.<sup>8</sup> Women were not represented within the CBA at the time, and an underlying anxiety about the admission of “others” in the profession would emerge periodically in the official proceedings of the CBA. At the Annual Meeting in 1910, the president’s address included a call “to uphold the honor and dignity of our profession,” and to “make it our duty to see to it, so far as we can, that none but worthy men enter it and that none but worthy men stay there.”<sup>9</sup> On January 30, 1922, the organization gathered at its annual meeting to hear from a number of distinguished keynote speakers. One of those distinguished speakers called on the attendees to “safeguard our traditions and institutions” from a dangerous “assault”:

...especially in some of our larger cities, there has been a very considerable invasion of the profession of law by men wholly alien through lineage and training to our entire Anglo-Saxon tradition... The percentage of men of these stocks alleged to be present in the practice of the law.... is star-

ting.... It is not merely that the bench and the bar are being thus recruited by men of foreign race and alien tradition, it is also said to be true that there is creeping into the law, in part at least as a by-product of this invasion of foreign stock, an undermining of the finer professional spirit and feeling which characterizes the

Duane Park noted that “[a]ll progress in social matters is gradual. We pass almost imperceptibly from a state of public opinion that utterly condemns some course of action to one that strongly approves it.” *Id.* at 132-33. Chief Justice Park ultimately turned to our nation’s founding principles, in that “[w]e are not to forget that all statutes are to be construed, as far as

**“Justice, which is of interest to all, requires that all have the fullest opportunity for the exercise of their abilities.”**

—Chief Justice John Duane Park,  
*In re Hall*, 50 Conn. 131, 138 (Conn. 1882)

professional training of the typical American lawyer.<sup>10</sup>

As I write this today, almost exactly 100 years later, those words are hard for me to read.

But change was also in the wind, moving slowly and persistently alongside this fear of the “other” within the early organized bar. In 1880, Edwin Archer Randolph became the first Black attorney to be admitted to practice law in Connecticut. He was followed soon after by two other Black lawyers who were also Yale Law School graduates: Walter J. Scott in 1881 and George W. Crawford in 1903. In 1882, Mary Hall became the first woman to be admitted to practice law in Connecticut. These attorneys opened doors for future, albeit glacial, change in the diversity of our profession and our organization.

Mary Hall’s admission to the bar was ultimately determined in *In re Hall*, 50 Conn. 131 (Conn. 1882). Ms. Hall had completed the required period of study, passed the required examination, and received the recommendation of the Bar of Hartford County for admission. The question referred to the Supreme Court of Errors of Connecticut was whether the statutory term “persons” allowed the admission of women. In deciding in favor of Mary Hall’s admission, Chief Justice John

possible, in favor of equality of rights.” *Id.* at 137.

While Mary Hall’s admission to practice opened a door in 1882, it was not until 1927 that the CBA opened its doors to women, when Frances L. Roth became the first woman to be accepted for membership in the CBA. J. Agnes Burns, the first woman to graduate what is now the University of Connecticut School of Law, was admitted to practice in 1925,<sup>11</sup> and was accepted for CBA membership in 1932.<sup>12</sup> In 1935, the CBA reorganized its membership, opening the doors for all 2,500 lawyers practicing in the state to join.<sup>13</sup> This led to a period of significant growth. By 1961, the membership constituted 85 percent of the Connecticut bar, and the number of committees had grown to 31, covering “national and international matters of concern.”<sup>14</sup>

Even as diversity of membership grew slowly, meaningful achievement of equity and inclusion remained a challenge for the CBA. It was not until 1989, 107 years after Mary Hall was admitted to practice, that Marilyn P. Seichter would become the first woman to serve as president of the CBA. She was succeeded by two other women, Carolyn P. Kelly and Susan W. Wolfson, who served as president in 1990 and 1991, respectively. It was not until

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## President's Message

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2017, 142 years after the CBA was founded, and 137 years after Edwin Archer Randolph was admitted to practice, that Karen DeMeola became the first person of color to lead the CBA.

In 2015, an editorial in the *Connecticut Law Tribune* pronounced that the “CBA is Failing in Diversity Efforts.” This was a call to action, and an important moment of organizational self-evaluation and growth, which has produced significant results through the selfless efforts and commitment of many leaders. The CBA adopted its first Diversity and Inclusion Policy and its first Diversity and Inclusion Strategic Plan in 2015, which have guided so many critical elements of our organizational mission advancement. In 2016, we adopted our first Model Section DEI Plan, just significantly revised in 2021. The CBA Presidential Fellows Program, launched in 2016 and now in its 7th year, provides leadership training and development for young and diverse lawyers. In October of 2016, the CBA launched its Diversity and Inclusion Pledge, now grown to over 40 signatory organizations. We held our first Annual Diversity, Equity, and Inclusion Summit that year, which will be held for the 7th time in October 2022. In 2017, the Pathways to the Legal Profession initiative brought a new focus on our pipeline efforts, with the CBA becoming the host of LAW Camp in 2018 and launching the Future of the Legal Profession Scholars Program in 2019. Dr. Amani Edwards joined the CBA as our first director of diversity and human resources in 2019, and has become integral in all of our DEI efforts. In 2019, we held a full-year centennial celebration of the 19th amendment. In 2020

and 2021, we launched The Karen Lynn DeMeola Diversity, Equity, and Inclusion Fund; the Policing Task Force; the Constance Baker Motley Speaker Series on Racial Inequality in partnership with the Connecticut Bar Foundation; a new recurring DEI column in *CT Lawyer* magazine; and successfully advanced Rule of Professional Conduct 8.4(7) defining discrimination, harassment, and sexual harassment as professional misconduct. Since 2015, we have held two major symposia on implicit bias and achieving meaningful inclusion for lawyers and law students with disabilities, countless educational events, and many other events and initiatives which I cannot fully recount here.

Our DEI commitment must be to the journey. Our founders were prescient in their vision in some ways, deeply committed to their view of the good, and established the mechanisms by which we continue to advance the goals and ideals of our profession today. They were then, as we are now, imperfect. Were they to join us today, they would undoubtedly be amazed at the immense changes in the organization, in the practice of law, in technology, in the way we live and associate with each other, in the many ways we have made the world smaller and more immediately accessible. I would like to imagine that they would also recognize and appreciate the enduring quality of what they built, even if the expression of our collective efforts has changed significantly. In joining together to form the first statewide bar association in Connecticut in 1875, and then the American Bar Association in 1878, our founding members sought to bridge worlds and form ties across previously significant barriers. Today, almost

150 years later, the fabric of our bar association—the volunteer efforts of lawyers joined together to strengthen and protect the rule of law, uphold the integrity of our profession, advance our mutual interests, and to serve the public good—remains much the same. It is through this force, the power and potential when groups come together to advance greater common purpose, that we have advanced a more diverse, equitable, and inclusive CBA in recent years. That road still beckons us on, to continue to build a more diverse, equitable, and inclusive organization and profession, reflective of the society that we serve, for the future. ■

### NOTES

1. Lawrence M. Friedman, *A History of American Law* (4th Edition) (2019), p. 634-5.
2. *Id.*
3. Constitution of the State Bar Association of Connecticut, Article III, Sec. 1 (1875)
4. *Id.* at Article III, Sec. 2 (1875).
5. Friedman, *A History of American Law*, p. 634-635.
6. Friedman, p. 635-639.
7. *Id.* at p. 639.
8. “A History of the First One Hundred Years of the Connecticut Bar Association 1875-1975,” 49 *Connecticut Bar Journal* 2, p. 203-226 (June 1975).
9. Records of the State Bar Association of Connecticut (1875-1910) p. 125
10. Records of the State Bar Association of Connecticut (1921-1926) p. 81
11. “We March On - Women’s Suffrage Exhibit.” UConn School of Law, February 23, 2022. <https://libguides.law.uconn.edu/womens-suffrage/uconnlawwomen>.
12. 6 *Connecticut Bar Journal* 104 (1932)
13. “A History of the First One Hundred Years of the Connecticut Bar Association 1875-1975,” 49 *Connecticut Bar Journal* 2, p. 245 (June 1975).
14. *Id.* at p. 260.

## Supreme Deliberations

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before litigated in Connecticut, must have been a bitter pill for George—and his attorneys—to swallow. Though defeat is never a good feeling, we suspect that it would have been easier to accept had the Court provided George’s attorneys with an opportunity to address the applicability of the closely related doctrine, once the Court determined that it might be dispos-

itive. And this would not have been difficult to accomplish given the common practice of supplemental briefing.

We commend the Court for its desire to “get it right” even when the litigants may have missed the mark. But we’d much rather see the Court err on the side of giving the parties a say. ■

## Classifieds

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For further information, contact me at: 860-712-9742 or [ralpheddy1@gmail.com](mailto:ralpheddy1@gmail.com)