

The Connecticut Legal Community's Diversity, Equity, & Inclusion Pledge & Plan

The CBA Diversity, Equity, and Inclusion Committee is undertaking the revision of the Connecticut Legal Community's Diversity and Inclusion Pledge and Plan ("Pledge"). The Pledge was originally launched in 2016, at the Inaugural CBA Diversity and Inclusion Summit. Since that time, over 40 Connecticut law firms and legal organizations have signed the Pledge, and have participated in a multiyear commitment designed to implement DE&I best practices within their own organizations. The original Pledge was framed as a six-year plan, with each year focused on a different element of a successful DE&I program, such as hiring practices, training and education, mentorship programs, retention, and advancement. A draft of the revised Pledge is printed here, and the Committee welcomes your comments and suggestions. Please submit any feedback that you may wish to share to dei@ctbar.org by November 30, 2023.

The Connecticut Legal Community's Diversity, Equity, & Inclusion Pledge

Each Signatory to this Diversity, Equity, and Inclusion Pledge (the "Pledge") hereby reaffirms its ongoing commitment to advancing diversity, equity, and inclusion within our own legal organizations and within the Connecticut legal community. We hereby declare that a core value of our organizations is to promote diversity, equity, and inclusion. In making this declaration, we pledge to respect the diversity of all individuals, and to create equitable and inclusive environments within our legal organizations. Our commitment to diversity, equity, and inclusion, in its broadest sense, reflects our deep and meaningful commitment to the principles of nondiscrimination and equal opportunity for all individuals that are a part of our organizations.

Diversity, as it is used in the Pledge, refers broadly to the representation of individuals of diverse identities within our organizations, so that our organizations are reflective of the rich diversity of our society and that of the clients that we serve. Diversity is an inclusive concept, embracing the wide range of identities, seen and unseen, that may be important to the individual, including age, ancestry, color, disability, ethnicity, familial or marital status, gender identity, gender expression, language, national origin, military or veteran status, pregnancy, race, religion, sex, sexual orientation, and socioeconomic background.

Equity, as it is used in the Pledge, refers to meaningful equality, and the proportional provision of opportunity to all members of our organizations, regardless of identity. Equity, as applied within our organizations and within our work, requires the evaluation, identification, and elimination of formal and informal barriers to equal opportunity and full participation for all. Our equity efforts center on our organizational systems, policies, culture, and processes, and the elimination of improper individual and collective bias from these elements, towards the equal guarantee of fair treatment, access, opportunity, and advancement for all members of our organization.

Inclusion, as it is used in the Pledge, refers broadly to the representation of diverse identities within our organizations. Our commitment is to meaningful inclusion, meaning that individuals of diverse identities fully participate in the work and mission of our respective organizations, experience a sense of belonging, feel respected and valued, contribute to the overall strength of our organizations,

and share in the benefits and rewards of those contributions.

We recognize that our legal organizations are stronger, more effective, and more capable of meeting the needs of our clients, business interests, and other external constituencies if we embrace diversity, equity, and inclusion. We also affirm that creating a more diverse, equitable, and inclusive legal community will positively impact the fair and just application of the law and strengthen the public trust in the administration of justice. We further recognize that the collaboration of the signatories to this pledge, through the identification and development of best practices, common tools, and resources, will allow us to more effectively accomplish our goals of advancing diversity and inclusion within our own legal organizations and within the Connecticut legal community as a whole.

To fully realize these goals, we therefore also pledge our commitment to fully participate in the Diversity, Equity, and Inclusion Plan (the "Plan") described herein.

The Connecticut Legal Community's Diversity, Equity, & Inclusion Plan

Revised (Draft 9.8.2023)

As a signatory to the Connecticut Legal Community Diversity, Equity, and Inclusion ("DE&I") Pledge, we are committed to the strategic implementation of effective DE&I initiatives within our organizations, coupled with appropriate accountability and the achievement of measurable outcomes. Our participation in the Connecticut Legal Community Diversity, Equity, and Inclusion Plan ("Plan"), described herein, is one way in which we will ad-

vance that commitment.

The Plan is intended to allow any Connecticut legal organization that employs attorneys to join and participate in this collaborative effort, according to that organization's ability and resources, and in a manner that suits the organization's needs. The Plan does not represent a finite initiative with a firm beginning and end, nor are the steps described below intended to be exhaustive or mandatory.

The efforts of the Signatories, and the collective implementation of the Pledge and the Plan, will continue to be supported by the Connecticut Bar Association (CBA), acting through its Diversity, Equity, and Inclusion Committee. Organizational participation in the Plan will consist of the following events, initiatives, and action steps:

Annual Assessment

Each year, in September, each Signatory organization will complete and return an Annual Assessment to the CBA, providing aggregate diversity metrics, and describing the organization's DEI efforts and initiatives in accordance with the Steps described below. The organization's annual assessment response shall be maintained confidentially by the CBA and shall only be reported out in the aggregate. Following submission of the Annual Assessment for more than two continuous years, each Signatory organization will receive an organizational benchmarking report, prepared by the CBA, describing its DE&I progress over the course of its participation in the DE&I Pledge and Plan. An organization's failure to submit an Annual Assessment response for two continuous years shall result in the removal of that organization from the published list of Signatory organizations.

Annual Diversity, Equity, and Inclusion Summit

Each year, typically in October, representatives of the Signatory organizations will gather for the Annual Diversity, Equity, and Inclusion Summit. The Summit will feature opportunities for interactive learning and training, discussion and collaboration, and aggregate reporting on the diversity metrics and collective DE&I efforts of the Signatories during the previous year.

Quarterly Meetings

In addition to the Summit, representatives of the Signatory organizations shall meet quarterly for training, discussion, updates, planning and implementation of collaborative projects such as the Future of the Legal Profession Scholars Program, and other topics relevant to the implementation of the Pledge and Plan.

Signatory Implementation of the Pledge and Plan

The original Pledge and Plan, in effect from 2016 through 2023, invited Signatory organizations to focus each year of their efforts on a different element of a successful DE&I program. By way of illustration, the first year of the original Plan focused on infrastructure building, the second year on hiring, the third on pipeline initiatives, etc. Broadly, the original Plan allowed a Signatory organization to join the Pledge and Plan, and implement, over the course of multiyear participation, a comprehensive DE&I organizational program.

In this revision, the Plan retains its focus on the implementation of DE&I best practices within each Signatory organization, tailored to that organization's size, needs, mission, and available resources. This revision of the Plan continues to anticipate and allow for Connecticut legal organizations to join at any stage of their own DE&I journey. The Plan is changed, however, to reorganize the various elements of a successful DE&I program into three "Steps," to reflect the implementation of basic, intermediate, and advanced DE&I organizational programs.

Care has been exercised so that the three levels are not merely a reflection of financial resource allocation or the size of an organization. The three Steps are rather intended to reflect an organization's intentional and comprehensive implementation of DE&I initiatives, with attention to the efficacy and impact of those efforts, over the course of years. For this reason, the specific actions within each Step are not intended as an exhaustive or mandatory list. Instead, each Step is intended to provide guidance on how an organization may implement, grow, and maintain an effective DE&I program over time. The organizational benchmark-

ing report, provided after the submission of the Annual Assessment, will provide an opportunity for annual feedback and reflection on the organization's DE&I progress during the prior year.

Step One: Basic

An organization at Step One of its DE&I journey will demonstrate the implementation of the majority of the steps below:

- ▶ The organization has adopted a formal DE&I policy.
- ▶ The organization has formed and maintains a DE&I Committee.
- ▶ The organization's DE&I Committee meets regularly, is visible within the organization, maintains regular programming throughout the year, and is open for participation by interested attorneys and members of the organization.
- ▶ The organization promotes attorney employment opportunities broadly, including to organizations, such as affinity bar associations or affinity law student organizations, that promote DE&I within the Connecticut legal community and/or nationally.
- ▶ The organization has provided training within the past two years addressed to issues of DE&I, improper bias, or similar topics.
- ▶ The organization engages in various forms of support for or participation in external DE&I initiatives and programs within the broader Connecticut legal community.

Step Two: Intermediate

An organization at Step Two of its DE&I journey will demonstrate its implementation of the majority of the action items in Step One, as well as some of the efforts described below:

- ▶ The organization demonstrates the consistent hiring and representation of diverse attorneys within the various levels of the organization.
- ▶ The organization's DE&I efforts and commitments are visible and promoted broadly.

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Professional Discipline Digest

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Book 2-27A and further ordered to pay restitution to client in the amount of \$244.50. *Shcheglovitov v. Walter D. Zitzkat*, #19-0575 (9 pages). ■

Time To Go Pro Bono

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and those friends may continue to feel the ill-effects of poverty, but maybe they will continue to have faith that the law protects them as it does every other member of society. And, in the end, that benefits all of us. ■

NOTES

- 1 Connecticut Rule of Professional Responsibilities 6.1.
- 2 ABA Model Rule 6.1.
- 3 <https://justicegap.lsc.gov/the-report>.
- 4 <https://www.americanprogress.org/data-view/poverty-data/poverty-data-map-tool/>; www.census.gov/quickfacts/fact/table/CT/IPE1202.
- 5 <https://worldjusticeproject.org/world-justice-challenge-2022/access-justice>.
- 6 www.aids-ct.org/hic-pit-2023.html.
- 7 www.americanbar.org/groups/public_education/resources/rule-of-law/.
- 8 R. Stein, 57 Houston Law Review, 185, 196 (2019).

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DE&I

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- The organization provides work time or billable hour credit recognition for its attorneys to participate in DE&I efforts.
- The organization has provided multiple trainings within the past two years addressed to issues of DE&I, improper bias, or similar topics.
- The organization provides support to local and national affinity bar associations, through attorney participation, financial, or other in-kind support.
- The organization participates, individually and organizationally, in legal pipeline and mentorship programs designed to promote DE&I within the legal profession.
- The organization ensures diversity in any group making hiring or promotion decisions for the organization.
- The organization ensures that all attorneys are able to participate equally in formal and informal sponsorship, mentorship, and leadership development opportunities within the organization.

Step Three: Advanced

An organization at Step Three of its DE&I journey will demonstrate its implementation of a significant number of action items in Steps One and Two, as well as some of the efforts described below:

- The organization incorporates DE&I directly into its mission advancement efforts, through its work, pro bono efforts, or other organizational programs.
- The organization demonstrates the retention and advancement of diverse attorneys within the organization over time.
- The organization demonstrates the meaningful representation of diverse attorneys within the leadership structures of the organization.
- The organization participates in external DE&I certification programs, such as the Mansfield Rule.
- The organization maintains a dedicated professional position committed to the organization's diversity, equity, and inclusion efforts.

- The organization assesses its leadership for inclusive leadership traits and evaluates its leadership on the provision of mentorship and sponsorship to attorneys within the organization.
- The organization regularly conducts DE&I training and education for attorneys within the organization pursuant to a consistent education and training plan implemented over a course of years.
- The organization supports its attorneys who engage in leadership roles within affinity bar associations, external DE&I organizations, and initiatives.
- The organization organizes and sponsors its own mentorship and pipeline initiatives, designed to promote diversity, equity, and inclusion within the legal profession.
- The organization's DE&I Committee leadership or other DE&I professional is directly engaged in the executive decision-making of the organization. ■