DEI: The Path Forward

Theodore Roosevelt American Inn of Court February 24, 2025 6:00 PM

> Meyer Suozzi Garden City, New York

Presenters:

Richard Eisenberg, Esq., Co-Chair

Of Counsel to Meyer, Suozzi, English & Klein, P.C. Liaison to the Touro Law Center

Hon. Sarika Kapoor, Co-Chair

Thomas Blennau, Esq.

Associate Director of Employer Outreach, Career Development Office,
Adjunct Professor
Liaison to St. John's University School of Law

Jeremy Weintraub, Esq.

Assistant Professor of Legal Writing
Liaison to the Maurice A. Deane School of Law at Hofstra University

Guest Presenters:

Tiffany C. Graham, Esq.

Associate Dean for Diversity & Inclusion and Associate Professor of Law, Touro Law School

Jim Montes, Esq.

Adjunct Professor of Law and Asst. Dean for Career Services, Touro Law School

Student Panelists:

Julio Almonte – St. John's Law School Niya Henry – Hofstra Law School Marlon McLaurin – Hofstra Law School Stephanie Stephenson – Touro Law School (alum) Isaiah Williams – St. John's Law School

Program Outline

Introduction, Eisenberg, R	10 mins
The post-SFFA legal landscape, Graham, T	20 mins
The current state of diversity in the profession, Montes, J	20 mins
Q&A with Graham and Montes	20 mins
Roundtable discussion – the vital role of mentorships, Blennau, T., Weintraub, J., Diversity Fellows (Alumni)	40 mins
Mentoring – Effective Strategies; A view from the bench, Kapoor, S.	10 mins
Closing Remarks, Eisenberg, R.	5 mins

Total Time: 2 hrs., 5 mins

MEYER SUOZZI



Richard Eisenberg

Of Counsel

990 Stewart Avenue Garden City, New York 11530 (516) 741-6565 reisenberg@msek.com

Practice Areas

Corporate Law
Corporate Finance
Real Estate Law
Litigation & Dispute Resolution
Alternative Dispute Resolution
Local Government and Land Use

Education

Boston University Law School, J.D.
University of Rochester, B.A.

Memberships

Nassau County Bar Association

Theodore Roosevelt Inn of Court

United States District Court, Eastern District of New York Mediation Panel

Usdan Center for the Creative and Performing Arts,
Board of Trustees

Touro Law Center Institute For Land Use and Sustainable Development

Admissions New York State

U.S. Supreme Court

Second Circuit Court of Appeals

U.S. District Court, Southern and Eastern Districts of New York

U.S. Tax Court

Since January 2008, Richard Eisenberg has been Of Counsel to Meyer, Suozzi, English & Klein, P.C. located in Garden City, Long Island, N.Y., practicing in the Corporate Law, Corporate Finance, Real Estate and Litigation and Dispute Resolution practices. Mr. Eisenberg has a broad range of litigation experience in areas including contracts, securities fraud, RICO, anti-trust, land title matters, patent infringement, insurance coverage disputes, construction claims, corporate valuations and criminal matters. He has conducted jury and non-jury trials to verdict, as well as arbitrations and mediations, in the State and Federal courts throughout the New York metropolitan area. His appellate practice includes appearances before the Appellate Division, Second Department, the New York State Court of Appeals, the Second Circuit Court of Appeals and the United States Supreme Court. In his transactional work, Mr. Eisenberg has counseled clients in corporate reorganizations, internal investigations, bankruptcy, real estate financing, contracts, deferred compensation programs, intellectual property matters, mergers and acquisitions, tax matters, environmental compliance and the selection and supervision of outside counsel and accountants.

Notable experience includes:

- Has served as the owner's representative or project executive on approximately 100 million dollars of completed real estate development projects, both public and private. For these projects, he was responsible for land acquisition, planning, zoning, commercial and retail leasing, mortgage lending, property management, construction agreements and supervision of architects, engineers and contractors.
- Has served as General Counsel to numerous privately held corporations with interests in military manufacturing, software consulting, consumer products, engineering, construction and property management. In that position, he has directed mergers and acquisitions, corporate finance, government and commercial contracts, regulatory compliance and the supervision of litigation throughout the United States.
- Served as the Executive Secretary to a major private family charitable foundation on Long Island; supervised grant-making and administration.

Richard Eisenberg

- Served on the Valley Stream, New York Board of Education from 1984-2005, including several terms as President.
 Responsible for school district legal matters, bond issues and construction, recruiting of key personnel and negotiation of teacher contracts.
- Appointed to the adjunct faculty at Touro Law School, Central Islip, New York in January 2019, where he teaches a
 course in transactional law. Touro has honored Mr. Eisenberg twice, in 2019 with the Paul S. Miller Award, and
 again in 2024 with the Builders Society Award, the highest recognition for service to the Law School.

Mr. Eisenberg began his career as a Kings County Assistant District Attorney, where he prosecuted felony including homicides and public corruption matters. During part of his tenure as an Assistant DA, he was assigned to the Office of the Special Narcotics Prosecutor for the City of New York from 1977 to 1978.

Hon. Sarika Kapoor, A.J.S.C.

In June 2022, Sarika Kapoor was appointed by Governor Kathy Hochul as a New York State Court of Claims Judge. Judge Kapoor is currently serving as an Acting Justice of the Supreme Court in Nassau County.

Prior to her ascension to the bench, Judge Kapoor served as an Associate Court Attorney in the Nassau County Supreme Court Law Department. Over her twenty year career, Judge Kapoor has served as law clerk to various judges on the Supreme Court bench, as a Small Claims Tax Assessment Review Hearing Officer, for the Supreme Court, Tenth Judicial District, as well as a Special Election Law Referee on several highly contentious cases.

Judge Kapoor received her B.A., magna cum laude, Phi Beta Kappa, in Political Science from Queens College in 2001. She received her J.D. in 2004 from Hofstra University School of Law, where she was a Senior Notes and Comments Editor on the Hofstra Journal of International Business & Law.

Thomas Blennau

Director of the Lexy and Samuel S. Lionel '40, '10HON Externship Program and Employer Outreach, Career Development Office

Adjunct Professor, St. John's University School of Law

J.D. St. John's University School of Law (cum laude)

After receiving his Bachelor of Business Administration from Adelphi University in 1993, Tom received his Juris Doctor, *cum laude*, from St. John's Law in 2002, graduating in the top 15% of his class.

Tom attended St. John's in the evening division, while working as a claims supervisor for one of the leading claims administrators in the country. He began his legal career as a summer associate with the law firm of Shaw Pittman n/k/a Pillsbury Winthrop Shaw Pittman LLP, and returned as an associate in the technology and outsourcing group. He then went on to serve as Vice President/Counsel in the Intellectual Property/Information Technology legal group of Deutsche Bank AG. Thereafter, Tom worked as counsel for a technology practice on Long Island while managing his own law practice, focusing on special education matters.

In 2015, Tom returned to alma mater taking a role on the Employer Outreach team in the Career Development Office. In this role, he spends the majority of his time on the road, visiting employers and alumni with a focus on strengthening and developing relationships, assisting with recruiting needs, and generating new employment and externship opportunities for St. John's Law students and alumni.

A proud alum and product of the St. John's University School of Law Externship Program, Tom is honored to serve as the inaugural Director of the new Lexy and Samuel S. Lionel '40, '10HON Externship Program. In this role, Tom helps identify and onboard many new externship experiences spanning across a broad spectrum of opportunities throughout the private, public, corporate and governmental sectors; experiences which provide students with opportunities to gain valuable professional and practical lawyering skills to help launch them into their legal careers. Tom is also responsible for the ongoing development and administration of all aspects the Externship Program.

In addition, Tom serves as an Adjunct Professor at the Law School teaching courses for the Externship seminar of the Externship Program and a 1L lawyering skills course.

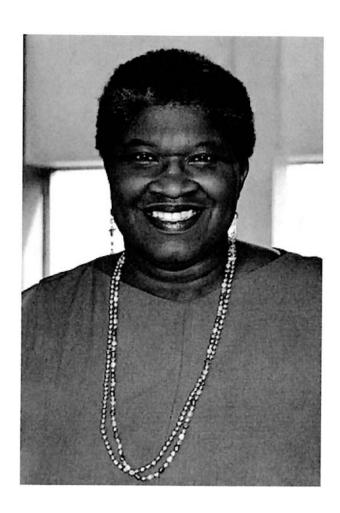
Jeremy Miguel Weintraub

Jeremy Miguel Weintraub is an Assistant Professor of Legal Writing at Hofstra Law School. He previously taught legal writing and lawyering skills at Fordham University School of Law, the University of Denver Sturm College of Law, and Brooklyn Law School. He has presented on legal writing topics at the New York City Bar Association and Legal Writing Institute conferences.

Professor Weintraub began his legal career as an associate in the Manhattan office of Kelley Drye & Warren LLP. Prior to joining Hofstra, he was a partner with Schoeman Updike & Kaufman LLP in Manhattan. His practice focused on commercial and employment litigation. Professor Weintraub's trial experience includes trials in the Eastern District of New York, the Southern District of New York, and the Commercial Division of New York's Supreme Court.

In addition to legal writing, Professor Weintraub's interests include legal ethics, negotiation, and alternative dispute resolution. He has served as a mediator for the Southern District of New York, the Eastern District of New York, the New York City Bar Association, the Commercial Division of New York's Supreme Court, the American Arbitration Association, and Nassau County Supreme Court. Professor Weintraub has also served as an arbitrator in New York City Civil Court.

Tiffany C. Graham
Associate Dean for Diversity & Inclusion and Associate Professor of Law



631-761-7117 tgraham3@tourolaw.edu

Education

A.B., Government, *Magna Cum Laude*, Harvard and Radcliffe Colleges J.D., University of Virginia School of Law

Tiffany C. Graham joined the faculty at Touro Law Center in Long Island, New York in May 2020. She serves as Associate Professor of Law and Associate Dean of Diversity and Inclusion. Professor Graham primarily teaches in the areas of constitutional law and race and the law, but has also taught criminal procedure, law and sexuality, and torts.

As Associate Dean of Diversity and Inclusion, she is responsible for creating and implementing programs, policies and strategic initiatives to promote diversity, equity, and inclusion. Associate Dean Graham is dedicated to ensuring an inclusive environment where every member of the Touro Law community feels a sense of belonging.

Professor Graham joined Touro Law after serving for six years on the faculty and as the Associate Dean of Academic Affairs at the University of South Dakota School of Law. She has written and spoken nationally on topics broadly related to LGBTQ+ equality, including marriage equality, LGBTQ+ youth homelessness, conversion therapy, and the integration of LGBTQ+ communities in rural spaces. Her work has appeared in multiple journals, most recently in the Creighton Law Review and the University of Missouri-Kansas City Law Review, and has been cited at various stages of appellate litigation.

In addition to her scholarly work, Professor Graham is active in the professional community, where she recently served as the Chair of the South Dakota State Advisory Committee to the United States Commission on Civil Rights, and has now been appointed to the corresponding New York State Advisory Committee. She has also served on various boards of directors and fulfilled an appointment to the Magistrate Judge Selection Panel for the United States District Court for the Eastern District of Pennsylvania.

A graduate of Harvard and Radcliffe Colleges and the University of Virginia School of Law, she previously clerked for the Honorable Richard W. Roberts on the United States District Court for the District of Columbia and did commercial litigation in the Los Angeles office of Quinn Emanuel Urquhart Oliver and Hedges, LLP. Professor Graham was named a U.S. Fulbright Scholar in 2014.

Jim Montes

Adjunct Professor of Law and Asst. Dean for Career Services

jmontes4@tourolaw.edu

Courses

Drafting Commercial Documents Structural Barriers

Jim Montes joined the Touro Law family as Assistant Dean for Career Services in September 2014. Previously he was a partner at the global law firm Nixon Peabody LLP, based in Manhattan, where he concentrated in public and project finance. He was involved in public and private securities offerings and securities registration, and served as bond and underwriter's counsel in connection with tax-exempt and taxable bond financings. He also led Nixon Peabody's New York State practice serving local municipalities as bond counsel. His legal experience is enhanced by over 20 years as a senior executive in the banking industry prior to becoming an attorney. He received a B.S. in Finance and International Business from NYU, and his J.D. from Fordham.

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Julio Almonte - St. John's Law School

Julio Almonte (he/him) is a rising 3L at St. John's University School of Law. Julio is a native New Yorker who was raised in the neighborhoods of Brooklyn and Queens throughout his childhood. He is the first in his immediate family to attend law school, and he graduated from Binghamton University (SUNY). During his time at St. John's, Julio has been an active member of multiple campus organizations. He is currently the President of the Latin American Law Students Association (LALSA) and has helped coordinate events recognizing Hispanic Heritage Month as well as various networking opportunities. Julio is also the Ron Brown Prep Director for the Moot Court Honors Society, where he helps coach members of different affinity groups across campus to compete in various moot court competitions. Furthermore, Julio is a senior staff member for the Journal of Civil Rights and Economic Development (JCRED). Over the past two years, Julio has cultivated his interests in labor and employment law by serving as a Summer Associate for Jackson Lewis, P.C., in their Long Island office.

Niya Henry - Hofstra Law School

Niya Henry is a Juris Doctor candidate at the Maurice A. Deane School of Law at Hofstra University. She earned her B.A. in Criminal Justice from Temple University with distinction in her major and a minor in Psychology. Niya serves as an Associate Staff Member for *The American College of Trust and Estate Counsel Journal* and will compete on the Interscholastic Moot Court Team for the 2024-2025 season. Niya currently serves as the Director of Mock Trial for the Northeast Black Law Student Association. Niya is an entrepreneur and the CEO of Sonder Aromas, LLC, a candle company she founded in 2022.

Marlon McLaurin - Hofstra Law School

Marlon Mc Laurin is a second-year law student at the Maurice A. Deane School of Law at Hofstra University, where he serves as a student attorney in the <u>Law School's Deportation Defense Clinic</u> and is also a <u>Freedman Social Justice Fellow</u>. He is interested in intellectual property and corporate law because of their ability to shape opportunities and empower individuals, especially those from underserved communities.

<u>Stephanie Stephenson – Touro Law School (alum)</u>

Stephanie Stephenson earned her JD, magna cum laude, from Touro University, Jacob D. Fuchsberg Law Center in 2023, and her BA from Adelphi University in 2011. She is currently a corporate associate at Lowenstein Sandler LLP in New York City, where she specializes in mergers and acquisitions and venture capital transactions, advising entrepreneurs on a range of business matters including formation, financings, and exit opportunities. During law school, Stephanie served on the *Touro Law Review* as a Note Editor and was a recipient of the 2021 New York City Bar Association Diversity Fellowship.

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Before pursuing her legal career, Stephanie gained extensive experience in the legal field as a paralegal at two personal injury law firms and later at a major insurance carrier, where she handled motor vehicle injury cases.

Beyond her corporate practice, Stephanie is deeply committed to pro bono work, assisting clients with estate planning, landlord-tenant disputes, and supporting micro-businesses in drafting and negotiating a wide range of commercial agreements.

<u>Isaiah Williams – St. John's Law School</u>

Isaiah Williams is a first-generation law student, born and raised in New York, currently in his third year at St. John's University School of Law. With a passion for litigation and deep interest in sports and entertainment industries, Isaiah has dedicated his legal education to honing his advocacy skills and gaining hands-on experience in these fields.

At St. John's Law, Isaiah serves as the Vice President of the Entertainment, Arts, and Sports Law Society and the Executive Research Editor of the New York International Law Review. He is also a Staff Member for the Moot Court Honor Society. His excellence in legal writing and advocacy was recognized with the Best Respondent Brief award at the 2024 NEBLSA Thurgood Marshall Moot Court Competition.

Isaiah has gained extensive legal experience through internships in litigation and sports. He has interned at two full-service midsize law firms on Long Island with a focus on commercial litigation. He has also interned with Wasserman Media Group and the National Football League. In these roles, he drafted endorsement agreements, reviewed non-player employment agreements, and investigated player grievances for arbitration.

Outside of academics and work, Isaiah is committed to mentorship and fostering diversity in the legal field. In 2023, he was selected as a Long Island Legal Diversity Fellow. He has served as Director of Diversity, Equity, and Inclusion for the Entertainment, Art, and Sports Law Society, Media Relations Manager for the Black Law Students Association and as a student mentor at St. John's Law. In his free time, he enjoys music, television, film, and sports.

JULIO C. ALMONTE

70-24 57th Drive | Maspeth, NY 11378 | (646) 238-0076 | julio.almonte22@my.stjohns.edu

EDUCATION

St John's University School of Law, Queens, NY

Candidate for Juris Doctor

May 2025

Academics:

GPA: 3.46

Honors:

Aequitas Scholarship; Brain M. Peterson 1L Trial Competition Champion; Best Oralist, Carmen Beauchamp Ciparick Moot Court Competition; Ron-Brown Prep Director, Moot Court Honor Society; Senior Staff Member,

Journal of Civil Rights and Economic Development; Long Island Legal Diversity Fellowship Recipient, 2023

Activities:

President, Latin American Law Student Association; Member; APALSA;

Binghamton University, State University of New York, Binghamton, NY

Bachelor of Arts in Political Science and Philosophy, Politics, and Law

May 2020

Academics:

GPA: 3.82/4.00

Honors:

Dean's List (7/8 semesters)

Activities:

Resident Assistant, Residential Life; Co-President, Table Tennis; Intern, Public Speaking Lab

EMPLOYMENT EXPERIENCE

Jackson Lewis, PC

Melville, NY

Summer Associate
Summer Associate

June 2024 – August 2024

May 2023 – August 2023

Researched various complex labor and employment legal issues, such as Title VII discrimination defenses, standards used to evaluate inferences of discrimination with respect to e-discovery, and the scope of noncompetition agreements as well as the proposed ban of such agreements, to help with partner inquiries and client questions Assisted in recording client meetings by drafting unofficial transcripts and post-meeting documents outlining any information communicated between client(s) and attorneys, and reviewed documents provided to opposing counsel Drafted a research article discussing all relevant labor and employment developments from 2022-2023 to be provided to the Federal Bar Association

Richard Arkwright School, P.S. 091 (NYCDOE)

Ridgewood, NY

Civics for All Classroom Instructor

March 2022 - June 2022

Prepared lesson plans on a weekly basis designed to instruct students (Grades K-5) on topics such as the Declaration of Independence, symbols of America, how to be a "kid lawyer", cultural differences, etc.

Enforced classroom rules to help teach students proper behavior and maintain a respectful and safe learning environment for class sizes ranging between 20-28 students

Fostered classroom participation through thought-provoking questions, discussions, and class projects

Law Offices of Dominick W. Lavelle

Locust Valley, NY

Executive Legal Assistant

June 2020 – June 2021

Drafted a variety of court documents, including Bill of Particulars, Court Proposed Orders, Motions, and Threshold Oppositions, to be distributed across New York Courts and Defense counsels

Registered various trip-and-fall, auto, and distinctive personal-injury accidents through completing Intake forms, as well as providing free consultations to numerous clients regarding potential new cases

Answered approximately 20 phone calls per day, assisting both English and Spanish-speaking clients with case updates, check statuses, and transportation services amongst other customer inquiries

Arranged a filing system to maintain cases in a clear and accessible manner for professional staff; e-filed a multitude of cases through operating the New York State Courts Electronic Filing System (NYSCEF)

LEADERSHIP

Binghamton University

Binghamton, NY

Co-President of Club Sports Table Tennis

August 2017 - May 2020

Actively recruited members and monitored club practices three times a week to cultivate a team environment Tracked club budget, and planned travel for regional and national competitions; administered several budget presentations to increase club funds for equipment and travel purposes

Promoted dramatic growth within club membership by approximately 108% from Fall 2016 to Fall 2018 Coordinated a sponsorship with table tennis company, Paddle Palace, as well as programmed numerous fundraisers

SKILLS

Fluent in Spanish | Proficient in Westlaw and LexisNexis | Acrylic/spray-paint based artist | Bass-guitar player

NIYA HENRY

56 17th Street, Jericho, NY 11753

Nhenry8@pride.hofstra.edu | (347) 733-5493

EDUCATION

Maurice A. Deane School of Law at Hofstra University, Hempstead, NY

Juris Doctor Candidate, May 2026

Honors:

American College of Trust and Estate Counsel Journal, Associate Staff, Vol. 50

Activities: Interscholastic Moot Court Team (2024-2025); Northeastern Black Law Students Association, Director of

Mock Trial; Black Law Students Association, Member; Women of Color Collective, Member; University of

Houston Law Center Pre-Law Pipeline Program, Mentor

Temple University, Philadelphia, PA

Bachelor of Arts, with distinction, in Criminal Justice, minor in Psychology, May 2021

GPA:

Honors:

Dean's List (four semesters) Activities:

Alpha Kappa Alpha Sorority, Incorporated ®, First Vice President; By Any Means Necessary Dance

Company, Secretary; Temple Owlettes, Member; Queen In You, Event Coordinator

LEGAL EXPERIENCE

Abrams Fensterman, LLP, New Hyde Park, NY

Summer Law Clerk, May 2024 - August 2024

Assisted attorneys with trial preparation for matters concerning commercial litigation and labor and employment laws. Conducted extensive legal research and drafted memoranda. Developed comprehensive employee handbooks that outline company policies and procedures, in compliance with labor laws. Prepared for and observed depositions and in-court oral arguments. Viewed negotiation sessions, observing techniques used in the resolution of commercial disputes.

Brooklyn District Attorney's Office, Brooklyn, NY

Intern, June 2019 - August 2019

Assisted attorneys with preparing for trials by reviewing video surveillance, listening to jail calls, and performing various administrative tasks such as scanning, photocopying, and filing. Attended court hearings and sat in on jury selection. Observed interviews with detectives, witnesses, and victims,

OTHER EXPERIENCE

Monarch Dance Academy, Philadelphia, PA

Administrative Assistant, March 2023 - July 2023

Assisted with all administrative requests, Answered emails and phone calls, Provided parents and students with information on the dance school. Assisted dance teachers in class with students ages four through thirteen. Assisted with planning the annual dance recital by purchasing costumes, assisting with rehearsals, and assisting with running the recital.

Sonder Aromas, LLC, Philadelphia, PA

CEO, February 2023

A candle company created to connect people from different walks of life with a luxurious and relaxing experience. Created a holiday collection containing three candles: Butterscotch Kisses, Apple Manhattan, and Winter Night. The holiday collection sold out in under a month. Created a women's appreciation month candle package designed to empower women featuring a women's body candle and the Black Girl's in Luxury candle.

Sugared + Bronzed, Philadelphia, PA

Airbrush Technician, June 2021 – February 2023

Performed luxury, high-quality airbrush services. Managed calendar and scheduled appointments. Communicated with customers by answering phone calls, emails, and courteously resolving disputes. Sold in-store products and memberships.

INTERESTS

Baking desserts; contemporary dance; mentoring young women of color

Marlon A. Mc Laurin

14725 94th Ave., Jamaica, NY 11435 mmclaurin1@pride.hofstra.edu | (562) 616-2382

EDUCATION

Maurice A. Deane School of Law at Hofstra University, Hempstead, NY

Juris Doctor Candidate, May 2026

Honors: Journal of Internal

Journal of International Business and Law, Junior Staff, Vol. 24; Freedman Justice Fellow;

NYC Bar Diversity Fellow; Annual Merit Scholarship; Joey Jackson Scholarship; Dean's List

Activities: Black Law Students Association

Syracuse University, Syracuse, NY

Bachelor of Science, Biology and Neuroscience, December 2016

Honors:

Dean's Scholarship Recipient

Activities:

Project Feed Me, President; Residence Hall Association, Director of Civic Engagement

LEGAL EXPERIENCE

Hofstra University Deportation Defense Clinic, Hempstead, NY

Student Attorney, January 2025 - Present

Manage casework for noncitizens, including motions to reopen in absentia removal orders, bond hearings, T visa applications, appeals, and representation in master calendar or individual hearings. Prepare and file motions to suppress, change of venue requests, and Freedom of Information Act requests. Conduct in-depth client and third-party interviews, review documents, and develop comprehensive case theories and legal arguments. Provide legal consultations and screenings for community members, conducting interviews and legal analysis to assess eligibility for relief options.

Maurice A. Deane School of Law at Hofstra University, Hempstead, NY

Research Assistant to Professor Greenwood, January 2024 - Present

Conduct legal research and review scholarly articles on tort law. Draft memoranda to communicate findings and in preparation for course modification.

MetLife, New York, NY

Legal Intern, June 2024 - August 2024

Supported attorneys in various practice areas ranging from OFAC compliance, virtual estate planning, and corporate governance structures surrounding the metaverse. Performed legal research and drafted a white paper on responsible corporate governance practices when operating a metaverse. Prepared for and delivered presentations to legal team. Communicated research findings and offered risk assessments of operating virtual estate legal services in various states.

OTHER EXPERIENCE

Elevate K-12, Chicago, IL

Program Coordinator/Program Manager, June 2021 - May 2023

Managed more than 15 education teams, ensuring timely compliance with state mandates. Acted as the principal coordinator for program timelines and roadmaps, guiding teams on optimal practices for creating and handling project roadmaps and compliance Key Performance Indicators. Orchestrated on-site training sessions for new team members and regional partners. Created learning/training materials. Evaluated team effectiveness based on product benchmarks. Conducted one-on-one sessions for coaching and development.

Achievement First Charter Network, Brooklyn, NY

Learning Specialist/Case Manager, June 2020 - June 2021

Reviewed and identified upper school trends by analyzing assessments and case study data. Implemented structural changes and intervention points in the school curriculum. Generated Learning & Development material and Train-the-Trainer job aids. Facilitated compliance meetings to assess the effectiveness of learning plans. Organized and hosted transition meetings with parents, students, and district representatives. Created a triage process for learning materials.

SKILLS

Certified Scrum Master (project management framework); Proficient in: Data Link, JIRA, Confluence, Agile Development and Best Practices, Agile Framework: Scrum and Kanban, Training/Learning/Development SME

INTERESTS

Imani Speed City Track and Field, Assistant Coach; Arete Education, Instructor; NFTE, Business Plan Instructor

STEPHANIE STEPHENSON, ESQ.

225-40 113th Ave, 2nd Floor, Queens Village, NY 11429 (347) 968-4395

StephanieStephensonesq@gmail.com

EDUCATION

TOURO UNIVERSITY, JACOB D. FUCHSBERG LAW CENTER, Central Islip, NY

Juris Doctor, magna cum laude, May 2023

GPA: 3.88

Class Rank: 4/92 (

4/92 (Top 4.35%)

Honors:

Dean Emeritus Howard A. Glickstein award for Outstanding Leadership and Overall Academic Excellence; *Touro Law Review* Note Editor; Honors Program Scholar; Cali Award for Excellence in Torts I, Torts II, Legal Process II, Interviewing, Negotiating, & Counseling, Landlord-Tenant Mediation Clinic, and Arbitration; Recipient of the 2021 New York City Bar Association Diversity Fellowship; Third Place winner in the New York State Bar Association Mediation Tournament.

ADELPHI UNIVERSITY, Garden City, NY

Bachelor of Arts, cum laude, Political Science and Psychology, May 2011

GPA: 3.4

Honors: Academic Honors (2008, 2009, 2011)

WORK EXPERIENCE

LOWENSTEIN SANDLER, LLP, New York, NY

October 2023 - Present

Associate

Handles a variety of corporate matters, including fund formation, corporate governance, mergers and acquisitions, venture capital, and other complex corporate transactions. Provides legal support across multiple areas of corporate law, including drafting key documents, conducting due diligence, and assisting with transaction structuring. Works closely with senior attorneys and clients to ensure seamless execution of legal strategies. In addition, completed over 100 hours of pro bono work in 2024, offering legal assistance to underserved communities and gaining valuable experience in a diverse range of practice areas.

TOURO LAW CENTER LANDLORD- TENANT MEDIATION CLINIC

August 2022 - January 2023

Clinic Student

Assisted landlords and tenants with eviction proceedings. Drafted petitions for holdover and non-payment proceedings, ensured proper predicate notice was served in each case, and conducted legal research.

LOWENSTEIN SANDLER, LLP, New York, NY

May 2022 - August 2022

Summer Associate

Collaborated with multiple corporate law practice groups, including mergers and acquisitions, investment management, capital markets, venture capital, and trusts and estates, to assist in the completion of a wide range of assignments. Gained hands-on experience across diverse areas of corporate law, contributing to due diligence, document preparation, legal research, and client communication. Worked closely with senior attorneys to deepen understanding of legal frameworks and strategies within each practice area.

CORPORATION COUNSEL, NYC LAW DEPT., Jamaica, NY

January 2022 - May 2022

Spring Externship

Assigned to the Queens County Tort Division, responsible for attending EBTs and preparing corresponding file summaries. Drafted motions to dismiss and motions for summary judgment in cases where the City was not the correct party to the lawsuit. Managed the input of new files into the database, ensuring proper documentation and organization for efficient case management.

SHER TREMONTE, LLP, New York, NY

Summer Associate

June 2021 - July 2021

Conducted legal research in various areas of complex business litigation and SEC regulatory proceedings. Drafted a Memorandum of Law and an argument section for a Motion to Dismiss. Prepared discovery document review. Created evidence chart for a pro bono civil rights violation case.

ALLSTATE INSURANCE COMPANY, Uniondale, NY

Bodily Injury Liability Claims Adjuster

May 2015 - August 2020

Evaluated, negotiated, and settled bodily injury claims with claimants and plaintiff attorneys. Successfully managed a high volume of claims and telephone calls, with quality assurance results consistently over 95%. As a certified property damage arbitrator with the American Arbitration Association, handled approximately twelve arbitration files per month to help resolve disputes between insurance carriers. Served as a member of the Root Cause Problem Solving Team, which resolved intra-office employee issues. Recognized for high performance in the third and fourth quarters of 2018 and the second quarter of 2020. Received the Customer Service Shining Star Award in 2019.

NEWMAN, ANZALONE & NEWMAN, LLP, Rego Park, NY

Personal Injury Litigation Paralegal

March 2014 - April 2015

Maintained files for ongoing cases. Drafted court documents including summonses and complaints, bills of particulars, discovery and inspection responses, infant compromise orders, responses to preliminary conferences and compliance conferences, and subpoenas for trial and depositions. Prepared arbitration and mediation packages. Prepared settlement packages for insurance company review. Electronically filed court documents.

MIKHAIL ILYAICH & ASSOCIATES, PC, Rosedale, NY

Personal Injury Paralegal

May 2012 - March 2014

Worked with clients to resolve their no-fault insurance coverage claims. Assisted the managing attorney with conducting examinations under oath. Negotiated liens on behalf of clients with governmental organizations such as the NYC Human Resources Administration and Medicare Secondary Payer Recovery Contractor.

BAR ADMISSIONS

New York State Bar, May 2024

ISAIAH AUSTON WILLIAMS

33 Camp Road, Massapequa, NY 11758 | 516-376-7211 | Isaiah.Williams22@stjohns.edu

EDUCATION

ST. JOHN'S UNIVERSITY SCHOOL OF LAW, Queens, NY

Candidate for J.D., June 2025

Honors: Executive Research Editor, New York International Law Review

Notable Note Award, New York International Law Review

Member, Polestino Trial Advocacy Institute Staff Member, Moot Court Honor Society

Best Respondent Brief, 2024 NEBLSA Thurgood Marshall Moot Court Competition

2024 Student Leadership Award Recipient, Aequitas Scholarship

Activities: Vice President (2024-2025), Director of Diversity, Equity and Inclusion (2023-2024),

Entertainment, Art, and Sports Law Society

Media Relations Manager, Black Law Students Association

Member, Corporate and Securities Law Society Member, Labor and Employment Law Society

Student Mentor

NEW YORK UNIVERSITY, New York, NY

B.A., Psychology, May 2021

Honors: Julius Silver Scholarship; Dean's List (2020-2021)

Activities: Publicity Chair, NSLS NYU; Member, Academic Achievement Program

LEGAL EXPERIENCE

SECURITIES ARBITRATION CLINIC, ST. JOHN'S UNIVERSITY SCHOOL OF LAW, Queens, NY

Legal Intern, January 2025-Present

Investigate potential securities law violations by brokerage firms on behalf of underserved investors. Interview and counsel investors in reference to investigation.

JASPAN SCHLESINGER NARENDRAN LLP, Garden City, NY

Law Clerk, May 2024-Present

Conduct legal research and analysis in areas including commercial litigation, real estate disputes, and corporate governance matters. Draft portions of legal memoranda in support of various motions, including motions for summary judgment. Assist attorneys at court proceedings, depositions, and client conferences.

NATIONAL FOOTBALL LEAGUE (NFL), New York, NY

Law Clerk. September 2024-December 2024

Research precedent and draft work product to help attorneys strategize and prepare for arbitration arising under the NFL Collective Bargaining Agreement and League Policies. Review medical records, player contracts, and other documents during the discovery phase of grievances, preparing materials to support attorneys at hearings. Analyze and approve employment agreements between coaches and other non-players and clubs to ensure compliance with League Policies on behalf of the Commissioner.

WASSERMAN MEDIA GROUP, Brooklyn, NY

Legal Intern, January 2024-May 2024

Revised, analyzed, and edited endorsement agreements and appearance releases for high-profile professional athletes to ensure alignment with oral agreements and protect athletes' name, image, and likeness rights and

third-party intellectual property rights. Drafted demand letters to advocate for client compensation and enforce contractual provisions, including a letter to an international professional basketball team.

RITTENBURG LAW LIBRARY, ST. JOHN'S UNIVERSITY SCHOOL OF LAW, Queens, NY

Research Assistant, September 2023-May 2024

Conducted legal research and analysis to support professors' scholarly publications and coursework.

MORITT HOCK & HAMROFF, LLP, Garden City, NY

Legal Intern, May 2023-August 2023

Researched and analyzed complex legal issues across diverse practice areas, including corporate transactions, general litigation, privacy compliance, and intellectual property. Played a pivotal role in multimillion-dollar transactions by drafting mortgage loan note amendments and reviewing financial agreements.

OTHER EXPERIENCE

ST. JOHN'S UNIVERSITY SCHOOL OF LAW, Queens, NY

Admissions Student Worker, September 2023-September 2024

AT&T/PRIME COMMUNICATIONS, Bay Shore, NY

Full-Time Assistant Store Manager, August 2021-August 2022

Interviewed prospective clients and provided tailored product and service recommendations. Trained and oversaw the sales team to foster a high-performance culture focused on driving sales growth and delivering exceptional service.

PROJECT DESTINED, New York, NY

Commercial Real Estate Intern, March 2021-May 2021

REGAL CINEMAS, New York, NY

Usher, July 2016-March 2020

SKILLS & INTERESTS

Proficient in Westlaw, LexisNexis, and Bluebook citation. Strong interest in finance, fintech, and commercial real estate. Passionate about music, television, film, and sports.

ABA DIVERSITY, EQUITY, AND INCLUSION CENTER'S AFFIRMATIVE ACTION PATH FORWARD SERIES

The Path Forward: Discussions and Strategies in Ensuring Diversity, Equity and Inclusion post-SFFA v. Harvard Webinar Series

Share:



Affirmative Action, policies aimed at increasing educational and workplace opportunities for people who are underrepresented in various areas of our society, were created to address historical systems that have prevented the equal participation of certain communities, generally women and communities of color. The U.S. Supreme Court's decision in *SFFA v. Harvard* banning the consideration of race as a distinct factor in admissions has created questions around programs aimed at ameliorating past harms in the quest to promote equity in education and employment.

This series of workshops was created to provide an avenue for meaningful discussion about the path forward for programs that seek to promote diversity, equity, inclusion and belonging. Each session is focused on distinct groups and the unique challenges they face post-decision. The goal of the series is to share information, facilitate discussion, and to provide concrete recommendations

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Cookies Settings

Accept All Cookies

October 27, 2023, 3:00-4:30 P.M. Central Time

View Recording

The Supreme Court's decision did not address affirmative action or other ameliorative programs beyond admissions. However, shortly after the decision was released, there was an immediate effort to expand the decision beyond its intended scope to apply to all diversity, equity and inclusion initiatives in both education, government and the private sector. While the decision did not address a valid expansion of the decision, there are legitimate concerns about how to address these efforts. This session provides an opportunity to discuss these concerns, including best practices, and how to continue to move DEI efforts in employment forward.

Moderator:

 Thomas Saenz, President and General Counsel, Mexican American Legal Defense Fund

Speakers:

- o Richard Lewis, President, New York State Bar Association
- Brad Karp, Chair, NYSBA Task Force on Advancing Diversity; Chairman,
 Paul Weiss LLP
- o Sunu Chandy, Senior Advisor, Democracy Forward
- o Jill Rosenberg, Partner, Orrick, Herrington, Sutcliffe LLP

The general counsel offices of educational institutions are the first line for determining how educational institutions can and should move forward following the *SFFA v. Harvard* decision. This session will address issues as general counsels advise institutions in their quest to promote DEI, including admissions, scholarships and other pipeline initiatives. Participants will learn from the experiences of institutions in states that have already addressed restrictions on affirmative action, as well as have the opportunity to collaborate and discuss legally permissible strategies to ensure that the goal of equal participation by historically underserved and underrepresented communities is met.

Moderator:

o Ruthe Ashley, Chair, California Legal Pathways Collaborative

Speakers:

- o Kevin R. Johnson, Dean, UC Davis School of Law
- Kellye Testy, President, Law School Admission Council
- Allison Woodall, Deputy General Counsel Education Affairs,
 Employment & Governance, UC Legal Office of the General Counsel

Defending Access: Persevering Diversity Pipeline Programs

November 16, 2023 12:00-1:30 p.m. Central

opportunities for underrepresented students. This program will provide an opportunity to discuss this dichotomy in an effort to maintain the integrity of pipeline programs into the future.

Moderator:

o Patricia Lee, Chair, ABA Council for Diversity in the Educational Pipeline

Speakers:

- Juan Carlos (J.C.) Polanco, CEO, The Council on Legal Education
 Opportunity, Inc.
- o Cindy Lopez, Founder, Legal Education Access Pipeline, Inc.
- Thomas Saenz, President and General Counsel, Mexican American Legal Defense Fund
- o Antonette N. Smith, Executive Director, Just the Beginning A Pipeline Organization
- Oyango Snell, Esq., Certified Association Executive; Former Bar Association Executive

Empowering Diversity: Navigating Admissions After SFFA v. Harvard

December 5, 2023 12:00-1:30 p.m Central

View Recording

Moderator:

Tamara Nash, Director of Experiential Learning and Lecturer,
 University of South Dakota; Chair, ABA Young Lawyers Division

Speakers:

- o Shani J. P. Butts, Assistant Dean for Admissions and Financial Aid, Columbus School of Law
- o Kevin Johnson, Dean, University of CA Davis School of Law
- Ericka Matthews-Jackson, Senior Director of Admissions, Wayne State
 University
- Tracy Simmons, Associate Dean of Admissions and Student Affairs,
 Howard University School of Law

Note: Additional Programming May be Added

ABA American Bar Association /content/aba-cms-dotorg/en/groups/diversity/resources/path-forward-series

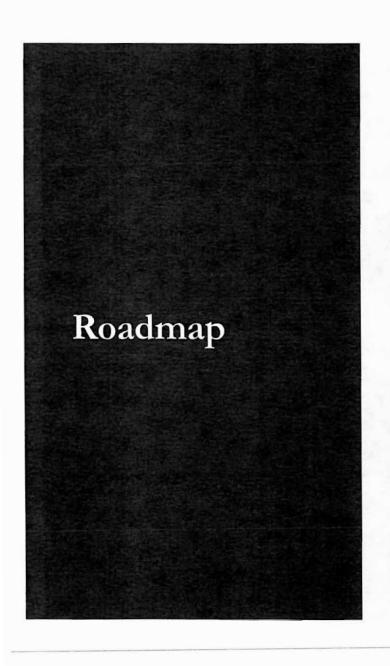
THE STATE OF DIVERSITY IN THE LEGAL PROFESSION: *SFFA*, POSTDECISION LANDSCAPE, AND THE TRUMP EXECUTIVE ORDERS

OOSEVELT INN OF COURT

EBRUARY 24, 2025

ROFESSOR TIFFANY C. GRAHAM

OURO LAW CENTER





SFFA – What it held and what it did not hold

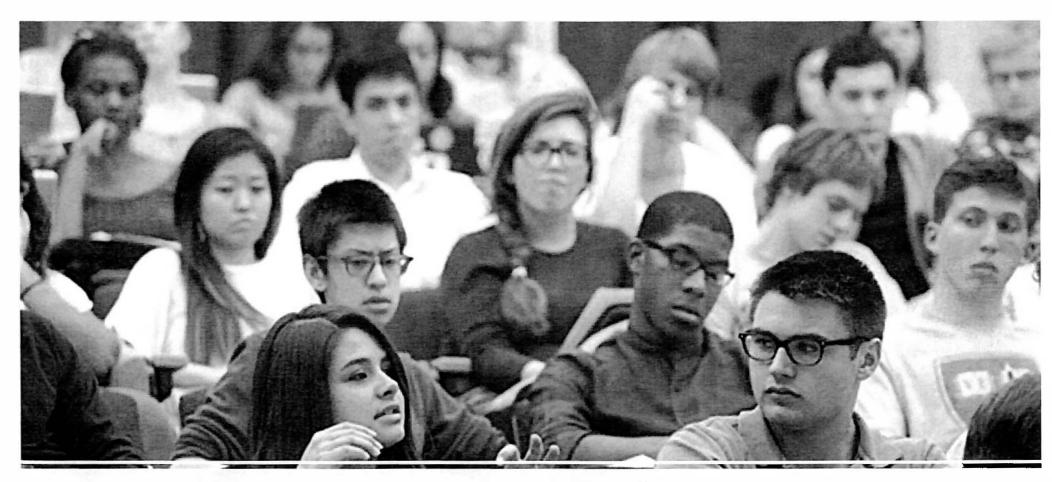


Key areas that have been affected since the decision Education
Employment
(government,
corporate and
legal employers)

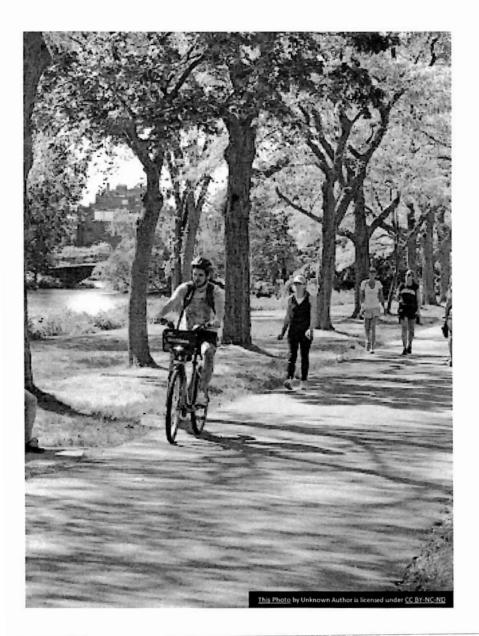


Impact of the new administration

Discussion of the Trump Executive Orders



SFFA v. Harvard



Question Before the Court in SFFA:

- Whether racially conscious admissions policies at Harvard University and the University of North Carolina violate Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause, respectively.
- Holding: The use of race in admissions by Harvard and UNC does violate both laws.
- N.B. Harvard was sued under Title VI of the Civil Rights Act of 1964 because the EPC only applies to a state actor, like UNC (though the analyses are functionally the same); the statutory provision applies to private actors and makes racial discrimination illegal for entities receiving federal funds.

Test for Evaluating
Race-Based
Classifications: Strict
Scrutiny

Under strict
scrutiny, a
law will be
upheld if it is
narrowlytailored (i.e.,
necessary) to
achieve a
compelling
governmental
interest.

 Roberts argues that, outside of the context of raciallyconscious admissions policies, the use of race has been compelling only under two circumstances: (1) to remedy past, specific harms; and (2) avoiding imminent and serious risk to human safety (e.g., during a prison riot).

3 Guiding Principles that Roberts Elicits from Prior Opinions

01

Strict scrutiny applies to race-conscious admissions policies.

02

The policies must never rely on racial stereotypes or use race as a negative factor. 03

The policies must come to an end.

Failure to Satisfy Strict Scrutiny

The majority argued that Harvard's and UNC's policies failed on both ends: they did not articulate a compelling end and they failed to satisfy narrow tailoring.



Prohibition Against Racial Stereotyping



It is forbidden to assume that racially diverse students will bring diverse perspectives with them to the classroom. This is a common argument supporting the use of racial diversity.



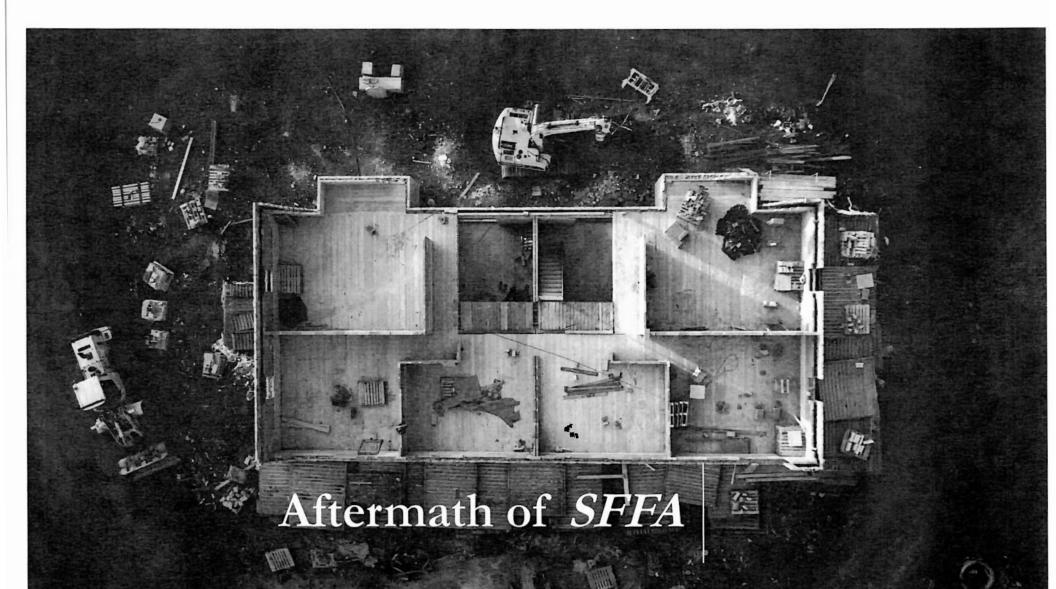
The majority argues that the Equal Protection Clause does not permit courts to conclude that people with the same skin color have anything in common with each other (or distinctive from others) on that basis alone.

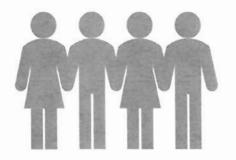
No Logical End Point

Roberts argues that the schools' efforts to achieve and maintain a discernibly-sized cohort of students in each racial group, as well as a desire to use race-conscious admissions policies until the benefits of diversity have been achieved, suggests that there is no clear ending point in sight regarding the use of these policies.

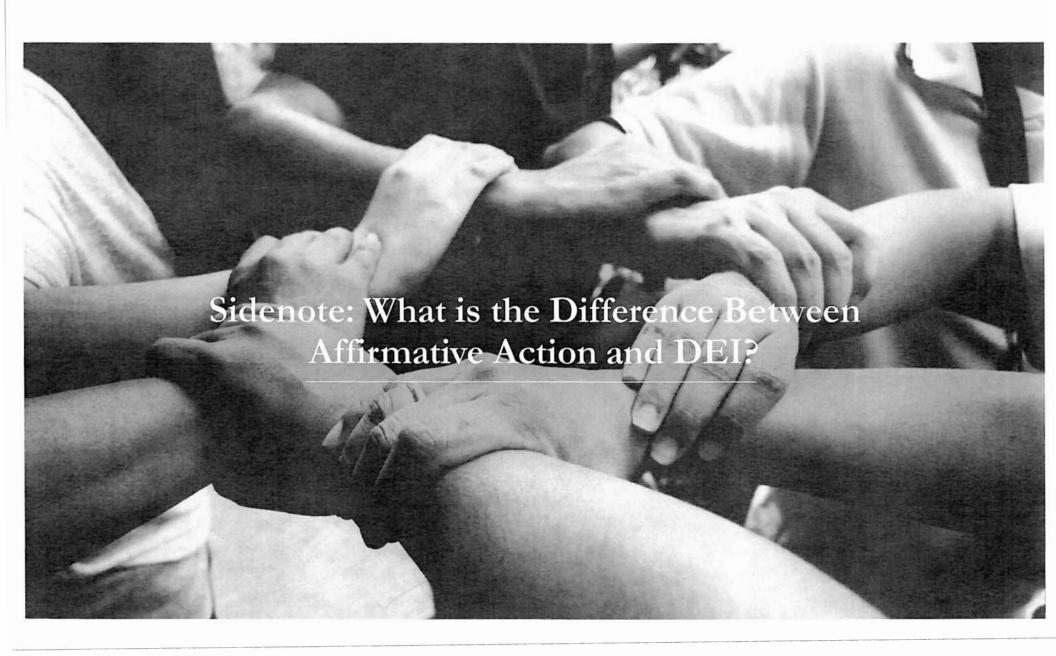
So What Does SFFA Tell Us?

- *Race-based affirmative action in higher education fails under both constitutional law (as applied to public schools) and statutory law (as applied to private schools).
- A possible exception for the military academies might be justified by national security needs.
- *The possible exception for the military academies might also apply to the military in particular, and the Department of Defense, writ large.
- *Strict scrutiny was key to the decision; as such, the same reasoning might not be as potent when evaluating AA based on sex, disability, sexual orientation, etc., because the relevant standards of review are lower.
- The rationale applies to higher education; applying it outside of that context (i.e., in the employment setting) was not a required outcome of the decision, but it was an inevitable outcome.
- The Court rejected diversity as a compelling interest in the higher education admissions context, but it did not reject diversity (much less equity or inclusion) as a value to be achieved in *any* setting.





Full-Bore Attack on Both Affirmative Action Policies and Diversity, Equity, and Inclusion Policies in the Public and Private Sectors



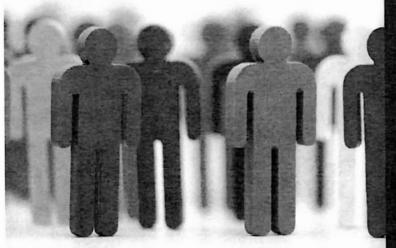


Difference Between Affirmative Action and Diversity, Equity, and Inclusion (DEI) Practices

Definition of Affirmative Action

"[A]ny measure, beyond simple termination of a discriminatory practice, adopted to correct or compensate for past or present discrimination or to prevent discrimination from recurring in the future."

U.S. Commission on Civil Rights, Statement on Affirmative Action, October 1977, https://www.aaaed.org/aaaed/About_Affirmative_Action_Diversity_and_Inclusion.asp.

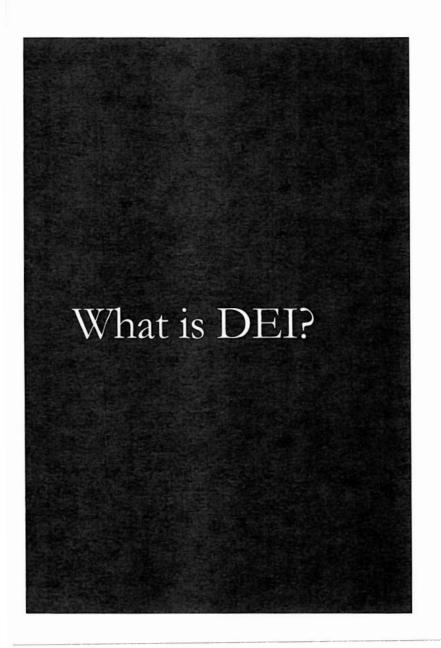


Difference Between Affirmative Action and Diversity, Equity, and Inclusion (DEI) Practices

Additional Thoughts on Affirmative Action

"Affirmative action has been a critical tool in addressing historical injustices and systemic barriers faced by underrepresented communities, particularly Black Americans. It has provided a pathway for equal access to education and employment opportunities that were previously denied due to discrimination and prejudice. By dismantling affirmative action policies, we risk eroding the progress we have made towards creating a more inclusive and equitable society."

CBCF Expresses Deep Concern on SCOTUS Ruling on Affirmative Action, June 29, 2023, https://www.cbcfinc.org/press-releases/cbcf-expresses-deep-concern-on-scotus-ruling-on-affirmative-action/?gad_source=1&gclid=Cj0KCQiA19e8BhCVARIsALpFMgEzm1efT95wUJmW0Z8DRs2nQijirDEwSOOFirya9VOvSpBVf hrZEAaAv2ZEALw_wcB



- >"Diversity refers to who is represented in the workforce," including gender, age, ethnicity, physical ability and neurodiversity, religion, and more.
- ➤ "Equity refers to fair treatment for all people, so that the
 norms, practices, and policies in place ensure identity is not
 predictive of opportunities or [outcomes]. Equity differs from
 equality in a subtle but important way. While equality assumes
 that all people should be treated the same, equity takes into
 consideration a person's unique circumstances, adjusting
 treatment accordingly so that the end result is equal."
- "Inclusion refers to how the [an organizational setting] experiences the workplace and the degree to which organizations embrace all employees and enable them to make meaningful contributions."

From What is diversity, equity, and inclusion?, August 17, 2022, https://www.mckinsey.com/featured-insights/mckinsey-explainers/what-is-diversity-equity-and-inclusion.

Aftermath of SFFA in the Workplace



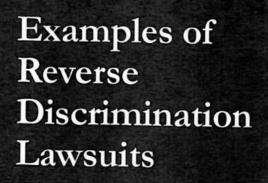
Workplace discrimination charges filed with the Equal Employment Opportunity Commission (EEOC) in 2023 increased by over 10%.



There was a 23% drop in the percent of job postings with "DEI" in the title on Indeed.com.



Litigation has also increased, with a rise in claims filed by a non-minority who alleged workplace discrimination in favor of a minority.



Scriptwriter for the show "SEAL Team" filed suit against CBS, alleging that straight, White males are discriminated against in hiring in favor of various minority groups with less experience.

Class action suit against Gannett, the largest newspaper conglomerate in the country, claiming that diversity policies led to widespread discrimination against white employees.

A former Morgan Stanley executive alleges that he was laid off and replaced by a Black woman with less experience than he had for the purpose of furthering the firm's DEI goals.

A lawsuit against Expedia alleges that a White, male candidate was not hired solely because of the company's desire to hire a diverse candidate in his place.

Use of Civil Rights Statutes to Attack Diversity Programs

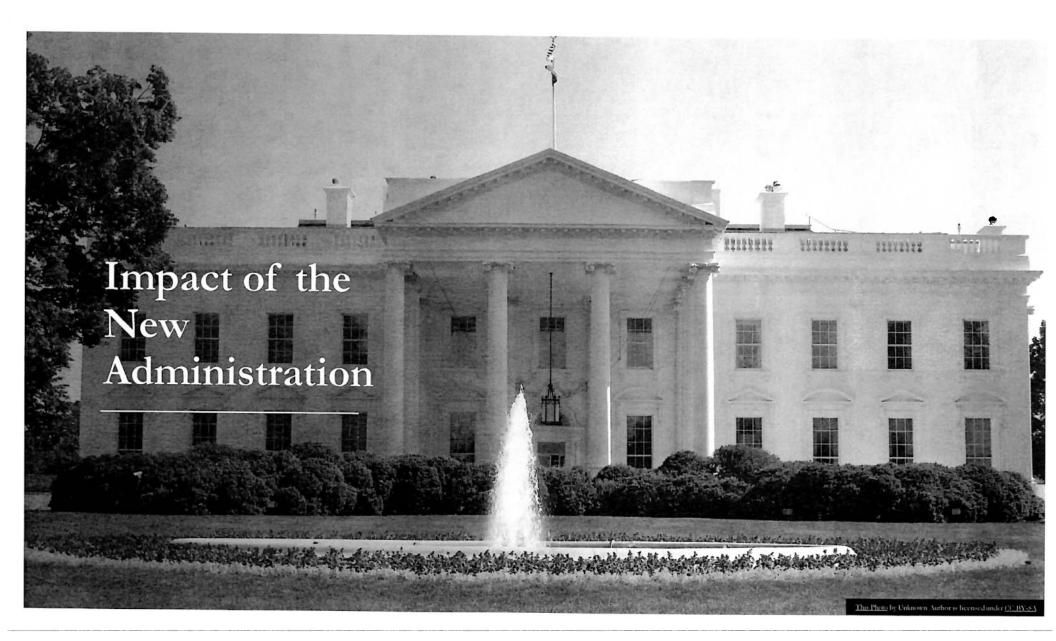
There is a profound irony – these laws are being used to undermine the very groups that they were initially passed to protect (especially in industries that continue to reflect vastly disproportionately lower numbers of successful applicants from minority groups).

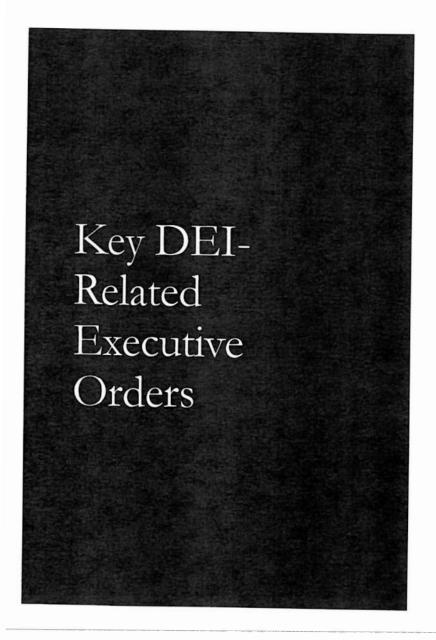
Fearless Fund – a group of venture capitalists run by Black women recently lost a case in federal court when the Eleventh Circuit held that a grant program targeting black femaleheaded businesses violated civil rights law.



Legal Challenges Have Variable Outcomes

- Some cases have been dismissed; other challenges have been sustained; still others have settled.
- *Multiple states are ending DEI programs in public institutions and are moving to end such programs in all institutions.
- State Attorneys General (as well as sophisticated cause lawyer operations) have embarked on letter writing campaigns to strongly encourage companies especially Fortune 500 and Fortune 100 companies to end or substantially revise their diversity recruitment and hiring programs.





"Initial Rescissions of Harmful Executive Orders and Actions" – January 20, 2025 - https://www.whitehouse.gov/presidential-actions/2025/01/initial-rescissions-of-harmful-executive-orders-and-actions/

"Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government" – January 20, 2025 - https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/

"Ending Radical and Wasteful Government DEI Programs and Preferencing" – January 20, 2025 - https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/

"Reforming the Federal Hiring Process and Restoring Merit to Government Service" – January 20, 2025 - https://www.whitehouse.gov/presidential-actions/2025/01/reforming-the-federal-hiring-process-and-restoring-merit-to-government-service/

"Ending Illegal Discrimination and Restoring Merit-Based Opportunity" – January 21, 2025 - https://www.whitehouse.gov/presidential-actions/2025/01/ending-illegal-discrimination-and-restoring-merit-based-opportunity/ (Includes the revocation of Executive Order 11246 of September 24, 1965 (LBJ order relating to anti-discrimination in federal employment and the obligation to take affirmative action to ensure equal opportunity))

"Protecting Children from Chemical and Surgical Mutilation" – January 28, 2025 - https://www.whitehouse.gov/presidential-actions/2025/01/protecting-children-from-chemical-and-surgical-mutilation/

"Keeping Men Out of Women's Sports" – February 5, 2025 - https://www.whitehouse.gov/presidential-actions/2025/02/keeping-men-out-of-womens-sports/

Focus for Tonight

1

"Ending Radical and Wasteful Government DEI Programs And Preferencing" 2

"Ending Illegal Discrimination And Restoring Merit-Based Opportunity" 3

"Reforming the Federal Hiring Process And Restoring Merit to Government Service" "Ending Radical and Wasteful Government DEI Programs And Preferencing"



Key Points:



The termination of all DEIA programs in the federal government.



The termination of all DEIA and environmental justice offices and positions.



The termination of all DEIA requirements in federal contracts and grants.

"Ending Illegal Discrimination And Restoring Merit-Based Opportunity"

Key Points:

- 1) The order rescinds numerous prior executive orders related to diversity and inclusion in the federal workforce, as well as equal opportunity in the federal workforce, the most famous of which is Lyndon Johnson's EO 11246 of September 24, 1965, which famously required antidiscrimination in the federal workforce and imposed the obligation to take affirmative action to ensure antidiscrimination.
- 2) The order directs the Attorney General to develop recommendations regarding the elimination of DEI policies in the private sector, with a focus on publicly traded corporations, large non-profits, corporations or associations, foundations with assets of \$500 million dollars or more, state and local bar and medical associations, and higher education institutions with endowments over \$1 billion dollars.
- 3) The order directs the Attorney General and the Secretary of Education to send guidance to state and local educational agencies, as well as institutions of higher education that receive federal funds, about the measures they must take to comply with SFEA. 4) The order purports to protect the First Amendment rights of recipients of federal funding.

"Reforming the Federal Hiring Process And Restoring Merit to Government Service"

01

Key Points

02

1) Focuses on a variety of issues related to

03

2) Prioritizes the recruitment of individuals who are "passionate about the ideals of the American republic"

04

3) Prevents hiring individuals based on race, sex, or religion, as well as those "who are unwilling to defend the Constitution or to faithfully serve the Executive Branch"

Implementation of the Executive Orders



1) Attorney General Pam Bondi – Issued two implementing memoranda

One directed the Civil Rights Division of DOJ to investigate and penalize private sector and educational institutions receiving federal funds if they maintain "illegal" DEIA preferences, policies, programs, and activities, proposing both civil compliance and criminal investigations (https://www.justice.gov/ag/media/1388501/dl?inline)

One eliminated DEI initiatives within the Department of Justice (https://www.justice.gov/ag/media/1388556/dl?inline)



2) Acting Assistant Secretary for Civil Rights for the US Department of Education, Craig Trainor -"Dear Colleague" Letter on February 14, 2025

Directed institutions of higher education to eliminate DEI programming, over and above the specific requirements of SFFA. (https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf)



3) Challenge

Despite claiming to exclude First Amendment protected activities, it is difficult to discern the scope of what the current administration believes is protected



Responding to the Anti-DEI Attacks

+ 0 Various Responses from Corporate America and Academia

- Compliance many corporations have reduced or ended their DEI programming (e.g., Meta, Amazon, Walmart, Target, McDonald's, Ford, Lowe's, Harley-Davidson, John Deere, Tractor Supply, etc.)
- Non-compliance still others have filed lawsuits challenging the enforceability of the orders
 - One key example: National Association of Diversity Officers in Higher Education, et al. v. Trump, 1:25-cv-00333-ABA (D. Md. Feb. 3, 2025) (challenging "Ending Radical and Wasteful Government DEO Programs and Preferencing" and "Ending Illegal Discrimination and Restoring Merit-Based Opportunity")

Lawsuit Grounds

Challenges to the scope of the President's authority to unilaterally cancel federal contracts, grants, etc.

Separation of powers challenges suggesting that the President has arguably imposed a condition on the receipt of federal funds (rather than asking Congress to do so)

Argument that the requirements violate the First and Fifth Amendments on free speech and academic freedom grounds

Argument that the orders are vague in violation of the Due Process Clause of the Fifth Amendment

The Future is Unclear

Will the new focus on accessibility and disability rights included in the attack on DEI remain in place?

What will be the scope of efforts to resist these orders through litigation, and how successful will they be?

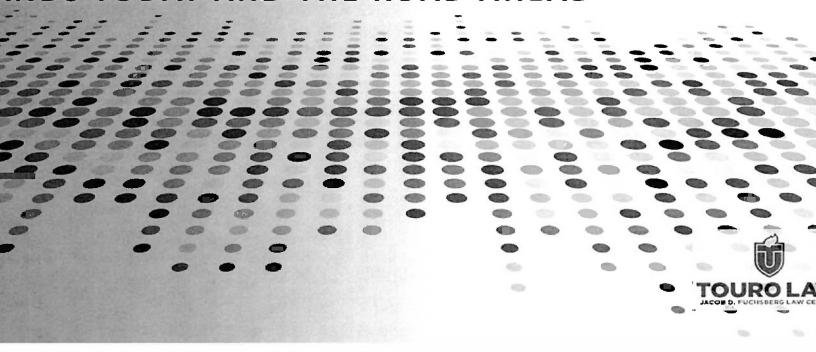
Will the Supreme Court extend SFFA to cover almost all of DEIA programming?

To what degree will these attacks reverse the gains achieved in the post-segregation era?

The End

ERDICT ON DIVERSITY:

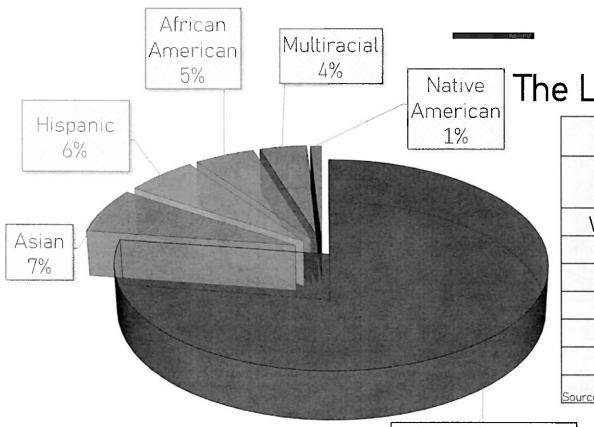
HERE THE LEGAL PROFESSION AND THE ROAD AHEAD



The Legal Industry Today*

- There are more than 1.3 million lawyers in the US. Over the past decade the number of lawyers have increased 3.2%
- Most of the growth between 2014 and 2024 occurred in the first half of the decade peaking at 1.352 million attorneys in 2019.
- Between 2019 and 2024 the number of lawyers has decreased 2.2% to 1.322 million
- New York State is the jurisdiction with largest number of lawyers at 187,656 (14.3%) followed by California at 175,883 (13.3%) lawyers. Combined this represents more than a quarter of all the lawyers in the US.
- The top four jurisdictions (NY, CA, TX & FL) represent a total of 41% of all lawyers in the US.

^{*}ABA Profile of the Legal Profession 2024



The Legal Industry Today*

U.S. Population						
Race	% of US					
	Population					
White Alone Not Hispanic	58.4%					
Asian	6.4%					
Hispanic	19.5%					
African American	13.7%					
Multiracial	3.1%					
Native American	1.3%					
Source: U.S. Census estimates at July 1, 2024						

*ABA Profile of the Legal Profession 2024

Caucasion/White 77%

Overview - By the numbers *

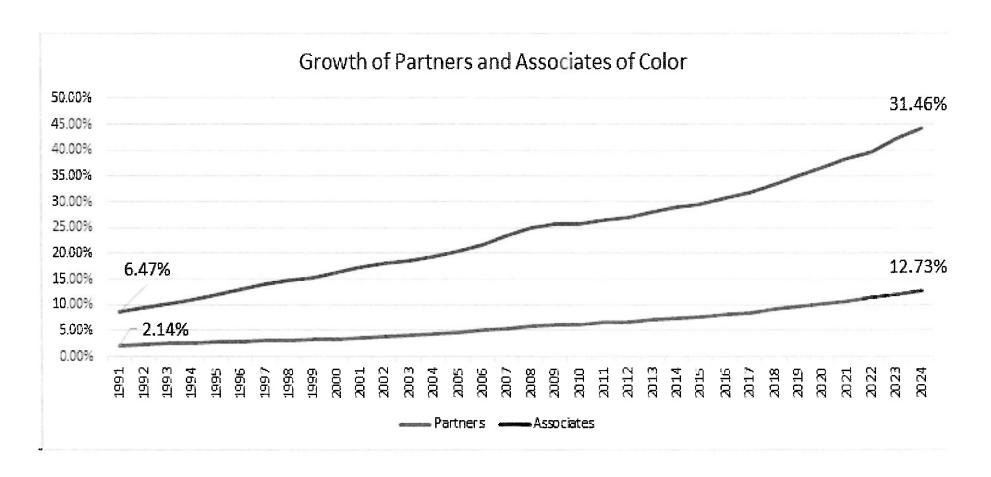
- 31.5% of Law firm Associates were attorneys of color an increase of 1.3%. For the first time attorneys of color at the associate level are on parity with the number of graduating students of color. (Graduating class since 2016 has fluctuated between 31%-33%)
- **51.6%** of Law firm Associates were women, continuing last years' trend of outnumbering their male counterparts
- 7.7% of Law firm Associates identified as LGBTQ, a 1% increase YOY.
- 12.7% of Law Firm Partners were attorneys of color, a 0.7% increase which equals largest YOY increase seen.
- 5% of Law firm partners were women of color. First time WOC have surpassed 5% mark
- 10.2% of equity partners were Attorneys Of Color at Law Firms with Multi tiered partnership levels (an 0.6% increase). [White men disproportionately represent the largest number of equity partners. Non equity ranks were more diverse where 15.2% were AOC]

^{*}National Association for Law Placement – 2024 Report on Diversity in U.S. Law Firms

Interpreting the numbers

- While positive, increases are still at a painfully laborious pace
 - Women of color made gains but are woefully underrepresented compared to white peers
 - Associates of color are converting to partnership ranks at much lower rates
 resulting in a 19% disparity at the partnership level compared to the
 associate level. If this growth rate does not improve it would take more than
 a quarter of a century to reach parity with the levels of Associates today
 - Firms need to consciously look at that disparity if they want to show progress in this area

^{*}National Association for Law Placement – 2024 Report on Diversity in U.S. Law Firms



^{*}National Association for Law Placement – 2024 Report on Diversity in U.S. Law Firms

Assessing the Future

A good barometer: Summer associate programs*

- During 2024 the number of summer associates of color rose 0.8% to a record high of 43% of the summer associate class.
- While the number of summer associates of color have reached record levels, it has not been level growth amongst the various races/ethnicities
- Especially concerning is African American representation in the summer associate ranks which experienced a decreased by 1.5% in 2024 compared to 2023.
- This decrease in African American summer associates represents two consecutive years of declines.
- Most of the growth in Summer Associates of color is attributable to increases in Summer Associates identifying as Asian (+1.8%) and multiracial (+0.5%).

^{*}National Association for Law Placement – 2024 Report on Diversity in U.S. Law Firms

Assessing the Future (continued)

Students For Fair Admissions, Inc. v. Harvard – Impact on Law Firms

- Law firms sued over diversity programs
 - Several large law firms were sued claiming that diversity fellowship programs being offered by the firm were discriminatory by excluding qualified White and Asian students.
 - Other firms received letters from the same organization threatening to sue them for their diversity programs.
 - Most firms sued or receiving threatening letters to date have either eliminated their program or made changes to the program to make it available to everyone.
- Strategically, bringing suits against large firms made a big statement

Assessing the Future (continued)

FEDERAL & STATE ACTIONS ON DIVERSITY, EQUITY & INCLUSION

- Executive Orders
 - Ending Radical and Wasteful Government DEI Programs and Preferencing*
 - Ending Illegal Discrimination and Restoring Merit Based Opportunity
 - Section 4 of the Executive order requires that the Attorney General "submit a report with recommendations for appropriate measures to encourage the private sector to end illegal discrimination and preferences, including DEI."
 - The report must also contain a "strategic enforcement plan" identifying, among other things: up to nine potential civil compliance investigations of publicly traded corporations, large non-profit corporations or associations, foundations with assets of \$500 million dollars or more, State and local bar and medical associations, and institutions of higher education with endowments of \$1 billion dollars;
- State Actions
 - Several State Attorney Generals have sent letters to large law firms and Fortune 500 companies,
 threatening legal action regarding their DEI Initiatives

*Executive Order, January 20, 2025 †Executive Order, January 21, 2025

Assessing the Future (continued)

Now you see it, now you don't

- The DEI scrub*
 - Law firm scrub's its website of any DEI mention
 - Removed link on its website to "Our Commitment To Diversity"
 - "Diversity and Inclusion Committee" rebranded to "Opportunity and Inclusion Committee"
 - Mission Statement of the committee changed to eliminate "women lawyers"; LGBT employees and allies;
 layers of color; and lawyers with disabilities

^{*}Above the Law, February 7, 2025, "Biglaw Firm Quietly Begins Purging Diversity Language From Website"

Where it all begins . . .

First Year Law School Enrollment*

*Data obtained from the 2022, 2023 & 2024 ABA Standard 509 Information Report; Total First Year Enrollees were: 2022 - 38,060; 2023 - 37,886; 2024 - 39,689

10,328	9,954	10,206
11,936	11,685	11,934
97	145	216
74	115	164
22,435	21,899	22,520
2,117	2,093	2,175
3,205	3,209	3,380
18	42	49
14	24	33
5,354	5,368	5,637
1,017	979	1,373
1,745	1,914	2,408
23	18	48
18	29	43
2,803	2,940	3,872
1,058	982	916
1,992	1,955	2,099
6	9	31
5	23	14
3,061	2,969	3,060
	11,936 97 74 22,435 2,117 3,205 18 14 5,354 1,017 1,745 23 18 2,803 1,058 1,992 6 5	11,936 11,685 97 145 74 115 22,435 21,899 2,117 2,093 3,205 3,209 18 42 14 24 5,354 5,368 1,017 979 1,745 1,914 23 18 18 29 2,803 2,940 1,058 982 1,992 1,955 6 9 5 23

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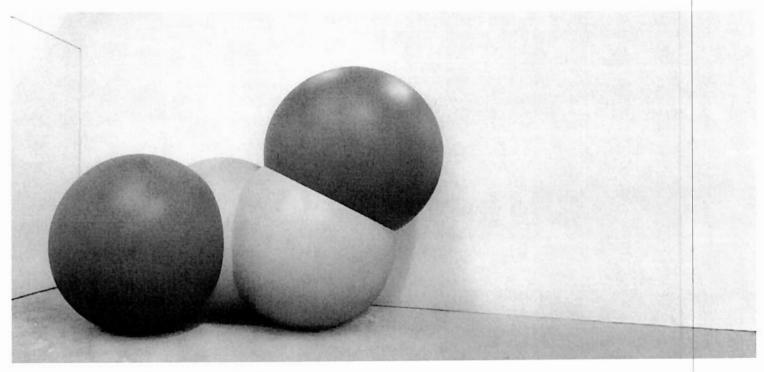
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Behavioral Science

Why Diversity Programs Fail

by Frank Dobbin and Alexandra Kalev

From the Magazine (July-August 2016)



The Deadliest Toxins (dsdc), 2009, polyester resin, fiberglass, varnish Roger Clarke

Summary. After Wall Street firms repeatedly had to shell out millions to settle discrimination lawsuits, businesses started to get serious about their efforts to increase diversity. But unfortunately, they don't seem to be getting results: Women and minorities have not... **more**

Businesses started caring a lot more about diversity after a series of high-profile lawsuits rocked the financial industry. In the late 1990s and early 2000s, Morgan Stanley shelled out \$54 million—and Smith Barney and Merrill Lynch more than \$100 million each—to settle sex discrimination claims. In 2007, Morgan was back at the table, facing a new class action, which cost the company \$46

million. In 2013, Bank of America Merrill Lynch settled a race discrimination suit for \$160 million. Cases like these brought Merrill's total 15-year payout to nearly *half a billion* dollars.

It's no wonder that Wall Street firms now require new hires to sign arbitration contracts agreeing not to join class actions. They have also expanded training and other diversity programs. But on balance, equality isn't improving in financial services or elsewhere. Although the proportion of managers at U.S. commercial banks who were Hispanic rose from 4.7% in 2003 to 5.7% in 2014, white women's representation dropped from 39% to 35%, and Black men's from 2.5% to 2.3%. The numbers were even worse in investment banks (though that industry is shrinking, which complicates the analysis). Among all U.S. companies with 100 or more employees, the proportion of Black men in management increased just slightly—from 3% to 3.3%—from 1985 to 2014. White women saw bigger gains from 1985 to 2000—rising from 22% to 29% of managers—but their numbers haven't budged since then. Even in Silicon Valley, where many leaders tout the need to increase diversity for both business and social justice reasons, bread-and-butter tech jobs remain dominated by white men.

It shouldn't be surprising that most diversity programs aren't increasing diversity. Despite a few new bells and whistles, courtesy of big data, companies are basically doubling down on the same approaches they've used since the 1960s—which often make things worse, not better. Firms have long relied on diversity training to reduce bias on the job, hiring tests and performance ratings to limit it in recruitment and promotions, and grievance systems to give employees a way to challenge managers. Those tools are designed to preempt lawsuits by policing managers' thoughts and actions. Yet laboratory studies show that this kind of force-feeding can activate bias rather than stamp it out. As

social scientists have found, people often rebel against rules to assert their autonomy. Try to coerce me to do X, Y, or Z, and I'll do the opposite just to prove that I'm my own person.

Further Reading

Hacking Tech's Diversity Problem

In analyzing three decades' worth of data from more than 800 U.S. firms and interviewing hundreds of line managers and executives at length, we've seen that companies get better results when they ease up on the control tactics. It's more effective to engage managers in solving the problem, increase their on-the-job contact with female and minority workers, and promote social accountability—the desire to look fair-minded. That's why interventions such as targeted college recruitment, mentoring programs, self-managed teams, and task forces have boosted diversity in businesses. Some of the most effective solutions aren't even designed with diversity in mind.

Here, we dig into the data, the interviews, and company examples to shed light on what doesn't work and what does.

Why You Can't Just Outlaw Bias

Executives favor a classic command-and-control approach to diversity because it boils expected behaviors down to dos and don'ts that are easy to understand and defend. Yet this approach also flies in the face of nearly everything we know about how to motivate people to make changes. Decades of social science research point to a simple truth: You won't get managers on board by blaming and shaming them with rules and reeducation. Let's look at how the most common top-down efforts typically go wrong.

Diversity training. Do people who undergo training usually shed their biases? Researchers have been examining that question since before World War II, in nearly a thousand studies. It turns

out that while people are easily taught to respond correctly to a questionnaire about bias, they soon forget the right answers. The positive effects of diversity training rarely last beyond a day or two, and a number of studies suggest that it can activate bias or spark a backlash. Nonetheless, nearly half of midsize companies use it, as do nearly all the *Fortune* 500.

Poor Returns on the Usual Diversity Programs

The three most popular interventions make firms less diverse, not more, because managers resist strong-arming. For instance, testing job applicants hurts women and minorities—but not because they perform poorly. Hiring managers don't always test everyone (white men often get a pass) and don't interpret results consistently.

% change over five years in representation among managers

Type of program	White		Black		Hispanic		Asian	
	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN
Mandatory diversity training				-9.2			-4.5	-5.4
Job tests		-3.8	-10.2	-9.2	-6.7	-8.8		-9.3
Grievance systems		-2.7	-7.3	-4.8		-4.7	-11.3	-4.1

Note: Gray indicates no statistical certainty of a program's effect.

Source, Authors' study of 829 midsize and large U.S. firms. The analysis isolated the effects of diversity programs from everything else going on in the companies and in the economy.

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Many firms see adverse effects. One reason is that three-quarters use negative messages in their training. By headlining the legal case for diversity and trotting out stories of huge settlements, they issue an implied threat: "Discriminate, and the company will pay the price." We understand the temptation—that's how we got your attention in the first paragraph—but threats, or "negative incentives," don't win converts.

Another reason is that about three-quarters of firms with training still follow the dated advice of the late diversity guru R. Roosevelt Thomas Jr. "If diversity management is strategic to the organization," he used to say, diversity training must be mandatory, and management has to make it clear that "if you can't deal with that, then we have to ask you to leave." But five

years after instituting required training for managers, companies saw no improvement in the proportion of white women, Black men, and Hispanics in management, and the share of Black women actually decreased by 9%, on average, while the ranks of Asian American men and women shrank by 4% to 5%. Trainers tell us that people often respond to compulsory courses with anger and resistance—and many participants actually report more animosity toward other groups afterward.

But voluntary training evokes the opposite response ("I chose to show up, so I must be pro-diversity"), leading to better results: increases of 9% to 13% in Black men, Hispanic men, and Asian American men and women in management five years out (with no decline in white or Black women). Research from the University of Toronto reinforces our findings: In one study white subjects read a brochure critiquing prejudice toward Blacks. When people felt pressure to agree with it, the reading strengthened their bias against Blacks. When they felt the choice was theirs, the reading reduced bias.

Companies too often signal that training is remedial. The diversity manager at a national beverage company told us that the top brass uses it to deal with problem groups. "If there are a number of complaints...or, God forbid, some type of harassment case...leaders say, 'Everyone in the business unit will go through it again.'" Most companies with training have special programs for managers. To be sure, they're a high-risk group because they make the hiring, promotion, and pay decisions. But singling them out implies that they're the worst culprits. Managers tend to resent that implication and resist the message.

Hiring tests. Some 40% of companies now try to fight bias with mandatory hiring tests assessing the skills of candidates for frontline jobs. But managers don't like being told that they can't hire whomever they please, and our research suggests that they often use the tests selectively. Back in the 1950s, following the postwar migration of Blacks northward, Swift & Company,

Chicago meatpackers, instituted tests for supervisor and quality-checking jobs. One study found managers telling Blacks that they had failed the test and then promoting whites who hadn't been tested. A Black machine operator reported: "I had four years at Englewood High School. I took an exam for a checker's job. The foreman told me I failed" and gave the job to a white man who "didn't take the exam."

This kind of thing still happens. When we interviewed the new HR director at a West Coast food company, he said he found that white managers were making only strangers—most of them minorities—take supervisor tests and hiring white friends without testing them. "If you are going to test one person for this particular job title," he told us, "you need to test everybody."

But even managers who test everyone applying for a position may ignore the results. Investment banks and consulting firms build tests into their job interviews, asking people to solve math and scenario-based problems on the spot. While studying this practice, Kellogg professor Lauren Rivera played a fly on the wall during hiring meetings at one firm. She found that the team paid little attention when white men blew the math test but close attention when women and Blacks did. Because decision-makers (deliberately or not) cherry-picked results, the testing amplified bias rather than quashed it.

Managers made only strangers most of them minorities—take tests and hired white friends without testing them.

Companies that institute written job tests for managers—about 10% have them today—see decreases of 4% to 10% in the share of managerial jobs held by white women, African American men and

women, Hispanic men and women, and Asian American women over the next five years. There are significant declines among white and Asian American women—groups with high levels of education, which typically score well on standard managerial tests. So group differences in test-taking skills don't explain the pattern.

Performance ratings. More than 90% of midsize and large companies use annual performance ratings to ensure that managers make fair pay and promotion decisions. Identifying and rewarding the best workers isn't the only goal—the ratings also provide a litigation shield. Companies sued for discrimination often claim that their performance rating systems prevent biased treatment.

But studies show that raters tend to lowball women and minorities in performance reviews. And some managers give everyone high marks to avoid hassles with employees or to keep their options open when handing out promotions. However managers work around performance systems, the bottom line is that ratings don't boost diversity. When companies introduce them, there's no effect on minority managers over the next five years, and the share of white women in management drops by 4%, on average.

Grievance procedures. This last tactic is meant to identify and rehabilitate biased managers. About half of midsize and large firms have systems through which employees can challenge pay, promotion, and termination decisions. But many managers—rather than change their own behavior or address discrimination by others—try to get even with or belittle employees who complain. Among the nearly 90,000 discrimination complaints made to the Equal Employment Opportunity Commission in 2015, 45% included a charge of retaliation—which suggests that the original report was met with ridicule, demotion, or worse.

Once people see that a grievance system isn't warding off bad behavior in their organization, they may become less likely to speak up. Indeed, employee surveys show that most people don't report discrimination. This leads to another unintended consequence: Managers who receive few complaints conclude that their firms don't have a problem. We see this a lot in our interviews. When we talked with the vice president of HR at an electronics firm, she mentioned the widely publicized "difficulties other corporations are having" and added, "We have not had any of those problems...we have gone almost four years without any kind of discrimination complaint!" What's more, lab studies show that protective measures like grievance systems lead people to drop their guard and let bias affect their decisions, because they think company policies will guarantee fairness.



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Things don't get better when firms put in formal grievance systems; they get worse. Our quantitative analyses show that the managerial ranks of white women and all minority groups except Hispanic men decline—by 3% to 11%—in the five years after companies adopt them.

Still, most employers feel they need some sort of system to intercept complaints, if only because judges like them. One strategy that is gaining ground is the "flexible" complaint system, which offers not only a formal hearing process but also informal mediation. Since an informal resolution doesn't involve hauling

the manager before a disciplinary body, it may reduce retaliation. As we'll show, making managers feel accountable without subjecting them to public rebuke tends to help.

Tools for Getting Managers on Board

If these popular solutions backfire, then what can employers do instead to promote diversity?

A number of companies have gotten consistently positive results with tactics that don't focus on control. They apply three basic principles: engage managers in solving the problem, expose them to people from different groups, and encourage social accountability for change.

Engagement.

When someone's beliefs and behavior are out of sync, that person experiences what psychologists call "cognitive dissonance." Experiments show that people have a strong tendency to "correct" dissonance by changing either the beliefs or the behavior. So, if you prompt them to act in ways that support a particular view, their opinions shift toward that view. Ask them to write an essay defending the death penalty, and even the penalty's staunch opponents will come to see some merits. When managers actively help boost diversity in their companies, something similar happens: They begin to think of themselves as diversity champions.

Diversity Programs That Get Results

Companies do a better job of increasing diversity when they forgo the control tactics and frame their efforts more positively. The most effective programs spark engagement, increase contact among different groups, or draw on people's strong desire to look good to others.

% change over five years in representation among managers

Type of program	White		Black		Hispanic		Asian	
	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN
Voluntary training			+13.3		+9.1		+9.3	+12.6
Self-managed teams	-2.8	+5.6	+3.4	+3.9				+3.6
Cross-training	-1.4	+3.0	+2.7	+3.0	-3.9		+6.5	+4.1
College recruitment: women*	-2.0	+10.2	+7.9	+8.7		+10.0	+18.3	+8.6
College recruitment: minorities**			+7.7	+8.9	******			
Mentoring	*********	p 16 m 1 m 1 m 1 m 1 m 1 m 1 m 1 m 1 m 1		+18.0	+9.1	+23.7	+18.0	+24.0
Diversity task forces	-3.3	+11.6	+8.7	+22.7	+12.0	+16.2	+30.2	+24.2
Diversity managers		+7.5	+17.0	+11.3		+18.2	+10.9	+13.6

^{*}College recruitment targeting women turns recruiting managers into diversity champions, so it also helps boost the numbers for Black and Asian American men.

Note: Gray indicates no statistical certainty of a program's effect.

Source. Authors' study of 829 midsize and large U.S. firms. The analysis isolated the effects of diversity programs from everything else going on in the companies and in the economy.

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Take *college recruitment programs* targeting women and minorities. Our interviews suggest that managers willingly participate when invited. That's partly because the message is

[&]quot;College recruitment targeting minorities often focuses on historically Black schools, which lifts the numbers of African American men and women.

positive: "Help us find a greater variety of promising employees!" And involvement is voluntary: Executives sometimes single out managers they think would be good recruiters, but they don't drag anyone along at gunpoint.

Managers who make college visits say they take their charge seriously. They are determined to come back with strong candidates from underrepresented groups—female engineers, for instance, or African American management trainees. Cognitive dissonance soon kicks in—and managers who were wishy-washy about diversity become converts.

The effects are striking. Five years after a company implements a college recruitment program targeting female employees, the share of white women, Black women, Hispanic women, and Asian American women in its management rises by about 10%, on average. A program focused on minority recruitment increases the proportion of Black male managers by 8% and Black female managers by 9%.

Mentoring is another way to engage managers and chip away at their biases. In teaching their protégés the ropes and sponsoring them for key training and assignments, mentors help give their charges the breaks they need to develop and advance. The mentors then come to believe that their protégés merit these opportunities—whether they're white men, women, or minorities. That is cognitive dissonance—"Anyone I sponsor must be deserving"—at work again.

Further Reading

Diversity as Strategy

While white men tend to find mentors on their own, women and minorities more often need help from formal programs. One reason, as Georgetown's business school dean David Thomas

discovered in his research on mentoring, is that white male executives don't feel comfortable reaching out informally to young women and minority men. Yet they are eager to mentor assigned protégés, and women and minorities are often first to sign up for mentors.

Mentoring programs make companies' managerial echelons significantly more diverse: On average they boost the representation of Black, Hispanic, and Asian American women, and Hispanic and Asian American men, by 9% to 24%. In industries where plenty of college-educated nonmanagers are eligible to move up, like chemicals and electronics, mentoring programs also increase the ranks of white women and Black men by 10% or more.

Only about 15% of firms have special college recruitment programs for women and minorities, and only 10% have mentoring programs. Once organizations try them out, though, the upside becomes clear. Consider how these programs helped Coca-Cola in the wake of a race discrimination suit settled in 2000 for a record \$193 million. With guidance from a courtappointed external task force, executives in the North America group got involved in recruitment and mentoring initiatives for professionals and middle managers, working specifically toward measurable goals for minorities. Even top leaders helped to recruit and mentor, and talent-sourcing partners were required to broaden their recruitment efforts. After five years, according to former CEO and chairman Neville Isdell, 80% of all mentees had climbed at least one rung in management. Both individual and group mentoring were open to all races but attracted large numbers of African Americans (who accounted for 36% of protégés). These changes brought important gains. From 2000 to 2006, African Americans' representation among salaried employees grew from 19.7% to 23%, and Hispanics' from 5.5% to 6.4%. And while African Americans and Hispanics respectively

made up 12% and 4.9% of professionals and middle managers in 2002, just four years later those figures had risen to 15.5% and 5.9%.

This began a virtuous cycle. Today, Coke looks like a different company. This February, *Atlanta Tribune* magazine profiled 17 African American women in VP roles and above at Coke, including CFO Kathy Waller.

Contact. Evidence that contact between groups can lessen bias first came to light in an unplanned experiment on the European front during World War II. The U.S. army was still segregated, and only whites served in combat roles. High casualties left General Dwight Eisenhower understaffed, and he asked for Black volunteers for combat duty. When Harvard sociologist Samuel Stouffer, on leave at the War Department, surveyed troops on their racial attitudes, he found that whites whose companies had been joined by Black platoons showed dramatically lower racial animus and greater willingness to work alongside Blacks than those whose companies remained segregated. Stouffer concluded that whites fighting alongside Blacks came to see them as soldiers like themselves first and foremost. The key, for Stouffer, was that whites and Blacks had to be working toward a common goal as equals—hundreds of years of close contact during and after slavery hadn't dampened bias.

Business practices that generate this kind of contact across groups yield similar results. Take *self-managed teams*, which allow people in different roles and functions to work together on projects as equals. Such teams increase contact among diverse types of people, because specialties within firms are still largely divided along racial, ethnic, and gender lines. For example, women are more likely than men to work in sales, whereas white men are more likely to be in tech jobs and management, and Black and Hispanic men are more likely to be in production.

As in Stouffer's combat study, working side-by-side breaks down stereotypes, which leads to more equitable hiring and promotion. At firms that create self-managed work teams, the share of white women, Black men and women, and Asian American women in management rises by 3% to 6% over five years.

The Downside of the Diversity Label

Why can mentoring, self-managed teams, and cross-training increase diversity without the backlash prompted by mandatory training? One reason may be that these programs aren't usually branded as diversity efforts. Diversity language in company policy can stress white men out, as researchers at UC Santa Barbara and the University of Washington found when they put young white men through a simulated job interview—half of them for a company that touted its commitment to diversity, and half for a company that did not. In the explicitly pro-diversity company, subjects expected discrimination against whites, showed cardiovascular distress, and did markedly worse in the taped interview.

Rotating management trainees through departments is another way to increase contact. Typically, this kind of *cross-training* allows people to try their hand at various jobs and deepen their understanding of the whole organization. But it also has a positive impact on diversity, because it exposes both department heads and trainees to a wider variety of people. The result, we've seen, is a bump of 3% to 7% in white women, Black men and women, and Asian American men and women in management.

About a third of U.S. firms have self-managed teams for core operations, and nearly four-fifths use cross-training, so these tools are already available in many organizations. Though college recruitment and mentoring have a bigger impact on diversity—perhaps because they activate engagement in the diversity mission *and* create intergroup contact—every bit helps. Self-managed teams and cross-training have had more positive effects than mandatory diversity training, performance evaluations, job testing, or grievance procedures, which are supposed to promote diversity.

Social accountability. The third tactic, encouraging social accountability, plays on our need to look good in the eyes of those around us. It is nicely illustrated by an experiment conducted in Israel. Teachers in training graded identical compositions attributed to Jewish students with Ashkenazic names (European heritage) or with Sephardic names (African or Asian heritage). Sephardic students typically come from poorer families and do worse in school. On average, the teacher trainees gave the Ashkenazic essays Bs and the Sephardic essays Ds. The difference evaporated, however, when trainees were told that they would discuss their grades with peers. The idea that they might have to explain their decisions led them to judge the work by its quality.

In the workplace you'll see a similar effect. Consider this field study conducted by Emilio Castilla of MIT's Sloan School of Management: A firm found it consistently gave African Americans smaller raises than whites, even when they had identical job titles and performance ratings. So Castilla suggested transparency to activate social accountability. The firm posted each unit's average performance rating and pay raise by race and gender. Once managers realized that employees, peers, and superiors would know which parts of the company favored whites, the gap in raises all but disappeared.

Corporate *diversity task forces* help promote social accountability. CEOs usually assemble these teams, inviting department heads to volunteer and including members of underrepresented groups. Every quarter or two, task forces look at diversity numbers for the whole company, for business units, and for departments to figure out what needs attention.

After investigating where the problems are—recruitment, career bottlenecks, and so on—task force members come up with solutions, which they then take back to their departments. They notice if their colleagues aren't volunteering to mentor or showing up at recruitment events. Accountability theory suggests that having a task force member in a department will cause managers in it to ask themselves, "Will this look right?" when making hiring and promotion decisions.

Deloitte has seen how powerful social accountability can be. In 1992, Mike Cook, who was then the CEO, decided to try to stanch the hemorrhaging of female associates. Half the company's hires were women, but nearly all of them left before they were anywhere near making partner. As Douglas McCracken, CEO of Deloitte's consulting unit at the time, later recounted in HBR, Cook assembled a high-profile task force that "didn't immediately launch a slew of new organizational policies aimed at outlawing bad behavior" but, rather, relied on transparency to get results.

The task force got each office to monitor the career progress of its women and set its own goals to address local problems. When it became clear that the CEO and other managing partners were closely watching, McCracken wrote, "women started getting their share of premier client assignments and informal mentoring." And unit heads all over the country began getting questions from partners and associates about why things weren't changing faster.

An external advisory council issued annual progress reports, and individual managers chose change metrics to add to their own performance ratings. In eight years turnover among women dropped to the same level as turnover among men, and the proportion of female partners increased from 5% to 14%—the highest percentage among the big accounting firms. By 2015, 21% of Deloitte's global partners were women, and in March of that year, Deloitte LLP appointed Cathy Engelbert as its CEO—making her the first woman to head a major accountancy.

Task forces are the trifecta of diversity programs. In addition to promoting accountability, they engage members who might have previously been cool to diversity projects and increase contact among the women, minorities, and white men who participate. They pay off, too: On average, companies that put in diversity task forces see 9% to 30% increases in the representation of white women and of each minority group in management over the next five years.

Once it was clear that top managers were watching, women started to get more premier assignments.

Diversity managers, too, boost inclusion by creating social accountability. To see why, let's go back to the finding of the teacher-in-training experiment, which is supported by many studies: When people know they *might* have to explain their decisions, they are less likely to act on bias. So simply having a diversity manager who could ask them questions prompts managers to step back and consider everyone who is qualified instead of hiring or promoting the first people who come to mind. Companies that appoint diversity managers see 7% to 18% increases in all underrepresented groups—except Hispanic men

—in management in the following five years. Those are the gains after accounting for both effective and ineffective programs they put in place.

Only 20% of medium and large employers have task forces, and just 10% have diversity managers, despite the benefits of both. Diversity managers cost money, but task forces use existing workers, so they're a lot cheaper than some of the things that fail, such as mandatory training.

Leading companies like Bank of America Merrill Lynch, Facebook, and Google have placed big bets on accountability in the past couple of years. Expanding on Deloitte's early example, they're now posting complete diversity numbers for all to see. We should know in a few years if that moves the needle for them.

. . .

Strategies for controlling bias—which drive most diversity efforts—have failed spectacularly since they were introduced to promote equal opportunity. Black men have barely gained ground in corporate management since 1985. White women haven't progressed since 2000. It isn't that there aren't enough educated women and minorities out there—both groups have made huge educational gains over the past two generations. The problem is that we can't motivate people by forcing them to get with the program and punishing them if they don't.

The numbers sum it up. Your organization will become less diverse, not more, if you require managers to go to diversity training, try to regulate their hiring and promotion decisions, and put in a legalistic grievance system.

The very good news is that we know what does work—we just need to do more of it.

A version of this article appeared in the July-August 2016 issue of *Harvard Business Review*.

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