

CBA Strategic Plan Diversity and Inclusivity Section

ENGAGE UNDER-REPRESENTED POPULATIONS GOAL STATEMENT:

Engage under-represented and statewide populations by improving and ensuring their inclusion at all levels of the CBA, by building symbiotic relations with specialty bars, by using technology to better reach members statewide, and by strengthening local bar associations.

CONTEXT: To truly represent the profession, the CBA must reflect it as to gender, race and ethnicity, sexual orientation and identity, and other traditionally under-represented populations. The newer generation of attorneys knows institutions that are diverse and inclusive, and they will tolerate nothing less. The CBA has made progress with diversity in leadership, but continued progress depends on a diverse membership and leadership pipeline. We do not know how diverse the CBA membership is, and the state does not know the diversity of its licensed attorneys, but the profession overall is one of the least diverse. For the CBA to be diverse and inclusive, sustained efforts are required. These include knowing where we are, addressing barriers, valuing and welcoming diverse people, and providing training to avoid implicit bias.

One approach involves specialty bar associations. There are functions they can perform better than the CBA. The specialty bars are a complement, not competition, to the CBA, and diversity does not need to be re-created. Building symbiotic relations with, and learning from, specialty bars will help make the CBA inclusive.

In a state like Colorado, diversity is a geographic issue as well. If we claim to represent the state, then we should reflect it in its entirety. Though we are still gathering data, even if we are not under-represented in rural areas, we are seen as too “Denver-centric.” This is an issue that is faced by the CBA at all levels, including committees and sections. In reality and perception, we need to improve statewide member engagement. The most efficient and effective method is through better use of technology.

The CBA has a rare relationship with local bar associations as compared to other states. We are one of just two states to require members to belong to a local bar in order to belong to the state bar. As a result, local bar associations are not competition to the CBA, but collaborative partners in addressing issues. Many Colorado attorneys want “the bar” to address issues, and they don’t care about levels. Moreover local bar associations are a step to the CBA for both members and leaders, and their leaders can be our ambassadors. It is in the interest of the CBA and its members to strengthen local bar associations.

Potential Board Action Steps

- Value and monitor diversity and inclusivity. Consider goals.
- Develop and maintain relations with specialty bars. Consult them on appointments.
- Consider an altered dues structure for members of specialty bars.
- Consider a Rural Initiatives Committee



Meet the CBA and DBA's New Diversity and Inclusivity Steering Committee

BY PATRICIA M. JARZOSKI

“Bar associations are critical vehicles for advancing diversity and inclusivity because we help shape the norms of our profession.”

—ABA, *“Diversity in the Legal Profession: The Next Steps”* (2010)

Building bridges and breaking down barriers. Reimagining how we evolve the Colorado and Denver Bar Associations to be more diverse and inclusive. Creating tools to succeed. Having courageous conversations. These are the areas the new CBA and DBA Joint Diversity and Inclusivity Steering Committee is focusing on

as the team charged with implementing the bar associations’ diversity and inclusivity goals.

CBA Past President Dick Gast and DBA Past President Franz Hardy launched this committee in 2018 at the urging of CBA/DBA Executive Director Patrick Flaherty. Patrick recognized the alignment of the right people in the right places at the right time to improve diversity and inclusivity within the bar associations.

Establishing a Commitment to Diversity

In 2016, the CBA and DBA each formally adopted diversity and inclusivity as a goal and a core value

in their respective strategic plans. The CBA and DBA recognize a responsibility to strengthen our commitment to diversity and inclusivity. When bar associations prioritize diversity, it institutionalizes those critical values. When bar associations do not prioritize diversity, it creates an environment that tends to exclude underrepresented groups. In the United States, 79% of all voluntary state bar associations and 76% of all mandatory statewide bar associations already have a diversity and inclusivity committee. There’s no time like the present to reimagine diversity and inclusivity within the CBA and DBA.

The Diversity and Inclusivity Steering Committee is focused on governance, leadership, and membership engagement. We have many well-intentioned leaders who need better tools to help make their groups more diverse and inclusive. On the management side, Patrick Flaherty is making great strides in advancing diversity and inclusivity with bar operations and staff.

Our goal is to create a culture where everyone can thrive, be valued, be heard, lead, and engage meaningfully within the CBA and DBA communities. Authentic diversity and inclusivity improves team work, makes decisions more

WE INVITE YOU TO ANSWER THREE STRATEGIC QUESTIONS

During the committee's first meeting, we asked three preliminary strategic questions:

- 1 What do you believe the barriers are to making the CBA/DBA more diverse and inclusive?
- 2 What do you believe are the most obvious steps the CBA/DBA could take to become a more diverse and inclusive bar association?
- 3 What have you always wanted the CBA/DBA to do or to stop doing to become more diverse and inclusive?

We invite you answer these three strategic questions and email your responses to committee chair Patricia Jarzowski at patricia.jarzowski@icloud.com. The committee also invited the CBA Executive Council, the DBA Board of Trustees, and the presidents of the diversity bar associations to answer these questions. Themes are emerging that will help guide the committee's work.

durable, increases productivity and profitability, and fosters creativity. This strengthens our bar associations. And the next generation of lawyers demands diversity and inclusivity before joining and participating.

A Results-Oriented Effort

CBA/DBA leadership has requested concrete action to improve diversity and inclusivity. They want results. This is not an aspirational endeavor that looks pretty on paper or sounds good in a written diversity and inclusivity plan. This is a committee directed toward action and outcomes.

The committee's framework for moving forward is through deep dives into the "nooks and crannies" of the bar associations, exploring such questions as:

- How does the entity operate?
- What is the status of diversity and inclusivity?
- What are the barriers to increasing diversity and inclusivity?
- What are the governance solutions, tools, and resources?

- How do we sell, educate, cement, and implement the solutions?
- How do we build the pipeline and sustainability?
- How do we monitor and report progress?
- How do we communicate our message and progress to build organization-wide commitment?
- Who are our partners and how do we meaningfully reach out and engage our partners?
- How do we overcome fragility and push-back?
- Are we missing anyone or anything?

There will be goals we can measure with benchmarks and metrics, and there will be progress that is intangible and not measurable. Along the way, the committee will collaborate with stakeholders, including the CBA Executive Council, DBA Board of Trustees, CBA Board of Governors, CBA sections and committees, CBA and DBA Young Lawyers Divisions, DBA committees, and diversity bar associations. We will update you, our members, on our work and our progress.

Meet the Team

We were strategic and thoughtful in selecting members to lead this initiative. In selecting the team, we were clear that this is not a status position that is "cool," ceremonial, or simply looks good on a résumé. Members were strategically selected who:

- are leaders in the CBA and DBA;
- are respected;
- have no ego or personal agenda dominating their motivation;
- care about our bar associations;
- know how to transform organizations;
- have strong connections with the diversity bar associations; and
- have a heartfelt commitment to improving diversity and inclusivity.

We also wanted the right number of team members. Too many people can make it difficult to accomplish work, but we wanted enough members to ensure a critical mass. We decided nine was the ideal number.

Here are the Diversity and Inclusivity Steering Committee team members:



**Patricia Jarzowski,
Chair**

Patricia Jarzowski is a solo practitioner at The Law Office of Patricia M. Jarzowski, P.C. She is a past president of the CBA and the Colorado Women's Bar Association (CWBA).



John Baker

John Baker is the former director of the Colorado Attorney Mentoring Program. He is a current board member for the Center for Legal Inclusiveness and a past president of the DBA.



Catherine Chan

Catherine Chan is managing attorney at The Chan Law Firm. She has served on the DBA Board of Trustees, the CBA/DBA Joint Management Committee, and the boards and commissions of numerous other legal organizations.



Courtney Holm

Courtney Holm is founder of Courtney Holm & Associates, P.C. She is president of the CWBA's Mountain Chapter, has served on the CBA Executive Council, and is a past president of the Continental Divide Bar Association.



Ryann Peyton

Ryann Peyton is the director of the Colorado Attorney Mentoring Program. She has served on the DBA Board of Trustees and is a past president of the Colorado LGBT Bar Association.



Melissa Schwartz

Melissa Schwartz is a shareholder with the firm of Steenrod, Schwartz & McMinimee, LLP and the public administrator for the City and County of Denver. She is a past chair of the CBA Trust and Estates Section.



Mario Trimble

Mario Trimble is a partner at Kutak Rock LLP. He has served on the CBA Executive Council, is a member of the DBA Board of Trustees, and is on the Board of Directors for the Center for Legal Inclusiveness.



Melissa Nicoletti

Melissa Nicoletti is the director of sections and committees for the Colorado and Denver Bar Associations. She has worked for the CBA and DBA for more than 21 years.



Patrick Flaherty

Patrick Flaherty is the CBA/DBA executive director. Previously, he was director of policy advocacy programs at the Gill Foundation and executive director of Project Angel Heart. He also has nine years of legal experience.

The CBA and DBA as a Leader and a National Model

The Colorado legal community is special! We are not like other states with internal warfare between the statewide bar and the local bars. We collaborate with each other, we support each other, and our innovation has launched Colorado as an emerging contemporary leader on the national stage.

The CBA and DBA are acting now to ensure the diverse talent of our membership is engaged in shaping how our bar associations move forward. We strive to create innovative strategies institutionalized within every nook and cranny of the bar associations that are sustainable for years to come. Changing culture takes time and hard work. The CBA and DBA are having courageous conversations and implementing systemic approaches to meet our diversity and inclusivity goals. This will help our bar

associations continue to grow and face the challenges and opportunities of the future.

NOTES

1. The CBA's and DBA's strategic plans are available at www.cobar.org/About-the-CBA/Governance and www.denbar.org/About/Governance.
2. Ducheneaux, "Implementing Diversity in State Bar Associations," *ABA Law Practice Today* (July 14, 2016), www.lawpracticetoday.org/article/implementing-diversity-state-bar-associations.

Professionalism Matters

Enjoy some good, bad and ugly attorney behavior and earn 1 ethics credit in the process. The Professionalism Coordinating Council has some entertaining and engaging vignettes that illustrate negative and positive attorney behavior.

The Council has a speaker panel and is ready to present them and discuss professionalism issues with any local or specialty bar association, Section, Committee, Inn of Court, law firm or other group of attorneys.

You can preview the vignettes at cobar.org/professionalismvideos.

Please contact **Maya Lewis** at the CBA/DBA at mlewis@cobar.org or 303-860-1115 to schedule a program today.

