



DIVERSITY IS A STATE OF BEING — AND IT REQUIRES BOARD SUPPORT

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Diversity is a state of being — where we want to be and where we are going. The ultimate goal of diversity is not to get from another for me but to expand the circle of inclusion. Diversity values a broad range of people so that no one is left out; it makes connections between various aspects of our individuality. Affinities are recognized on gender lines, along race and ethnicity patterns; there is an acceptance of how they link us as well as make us unique.

(Legal Services Corporation Diversity Conversations,
July 25, 2001)

Over the past decades, legal services programs have focused — sometimes reluctantly and at others in laser-like fashion — on discrimination issues. Many of our strategies have viewed discrimination broadly and have attacked illegal actions as they adversely affect women, children, people of color, senior citizens and those with disabilities as well as our communities' homeless residents. Our history reflects battles against school and voter discrimination, attacks on unfair housing and employment practices, legal fights for migrant workers and homeless individuals. These are our proud moments, and they have frequently resulted in improved outcomes for many clients.

The flames of justice that spark these efforts receive critical oxygen from the support and understanding of program leaders — boards and managers. Staff and legal strategies are frustrated if not deterred when organizational leadership neglects the responsibility (and

opportunity) to be actively engaged in all legal work that seeks fair and equal treatment for our clients. Equally important, it is they who spawn and nurture an organizational culture in which diversity work thrives.

Even as they are advancing or creating anti-discrimination strategies for the community, program leaders must be sensitive to how the principles of diversity and inclusion are implemented in their own organizations. A docket packed with fair housing cases is tarnished by a management that disregards the importance of multi-cultural competency in staff, of cultivating new leaders, and the need for developing internal capacities necessary to ensure that services are culturally relevant to the clients being served.

During a series of conversations on diversity and discrimination held throughout 2001, the Legal Services Corporation (LSC) spoke with members of the national legal services community (LSC and non-LSC funded organizations) about how diversity, leadership and inclusion are perceived by staff, client board members and managers. Young women and young professionals of color were particularly eloquent about concerns that their voices were not heard, that their opportunities for professional growth were ignored and that the possibility of advancement within their legal services program was nil. Client board members described how they are included in discussions only for the “client” point of view and sidelined when other issues and decisions are debated and decided at board meetings. Some women believe that they are passed over for senior positions because their approach to litigating and supervising is collaborative and mediative rather than in the traditional, aggressive lawyering style. Others pointed out that promotion to leadership positions is denied them because, although they are women trying to achieve influence and success, they are operating in a community historically dominated by men.

We asked how client services would be affected if staff and client board members were more fully integrated into the lives of their organizations. Staff of color

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noted that programs would be more in touch with the communities they served because the employees that most reflected those populations would be leading and developing appropriate outreach and litigation strategies. Client board members shared similar observations. Their top priorities for the programs on whose boards they sit included staff and board member diversity; staff and board training, especially multicultural training; and increased accessibility that includes bi-lingual staff. Women attorneys believe that greater respect for female staff will also yield significant improvements in client services.

Changing an organization's culture to emphasize innovative outreach and legal strategies and hiring and promoting professional staff who do not fit conventional profiles is extraordinarily challenging. LSC's diversity conversations with program directors helped us understand that it is almost impossible to make progress without solid board support for projects and staff that require a pound of faith and an ounce of risk. Directors admitted that with greater diversity, programs would experience an improvement in the quality of the work, higher morale among staff, increased opportunity for resource development, a more stable workforce and enriched decision-making with better outcomes for clients. They revealed that boards were often the biggest barrier to accomplishing this. It was also pointed out that board decisions about who to hire as executive director set a tone and pace for a program that permeates the entire organization as well as its relationships with the community.

Boards play a key role in shaping, conveying and implementing the vision of a program. Board members determine whether program funds will be spent on discrimination and diversity efforts, and, if so, how much. They are the most public unit of a program, connecting the organization's staff and mission with the legal and client community. As a board and individually their behavior (including decisions) reveals their program's true colors.

LSC determined that board education was clearly the most powerful way to raise bedrock issues about equality and share the insights garnered during our diversity conversations. We also wanted boards to hear and respond to the concerns of staff and board members who felt shut out of the organization and frustrated by what they see as failures in meeting client needs.

Supported and encouraged by the African American Project Directors Association (AAPDA), LSC hired a consultant and created the LSC Leadership and Diversity Advisory Committee that includes appointees by the AAPDA and the National Legal Aid and Defender Association. The nine-member group, convened in person and by telephone over ten months, produced a training instrument on diversity for LSC program board trainings and retreats.

The training materials, contained in a four-part publication, *Leadership and Diversity: The Link That Promotes Effective Delivery of Legal Services*, aim to educate boards and program management on the core role that cultural diversity plays in an organization dedicated to meeting the civil legal needs of low-income people. The thinking behind the design of the training instrument is threefold. First, diversity makes good business sense. As staff, directors and board members acknowledged it takes a multicultural staff to both grasp the needs of clients and design strategies to resolve them. Second, when each person on staff feels that they are essential to the organization's work, that individual will work to capacity and will experience a loyalty to the program that dilutes the setbacks inherent in poverty advocacy. Finally, community trust in the program will grow as clients see a highly functioning staff that includes leaders and key players who both understand the framework within which clients experience legal problems and are able to communicate with clients in ways that are culturally and linguistically relevant.

Some of the training's exercises and suggestions are difficult, whether followed in letter or spirit. But discussions about race and gender, power and inclusion can be complex. The training manual does not cast stones; instead it exhorts boards to move forward with plans for the present and future rather than seeking people and places on which to lay blame.

So that the module can be used effectively and to encourage its immediate use, LSC has committed to holding a training event on the module. In mid-March 2003, we will train a cadre of facilitators on how best to

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working with legal service providers on immigration cases. This is especially true where legal service programs may be statutorily barred from providing assistance. Since as noted above, the Washington Committee and several other Local Committees have substantial experience in this field, it is an obvious topic for collaboration.

Given the limitations on legislative lobbying and rulemaking confronting many legal service programs, there is a good reason for them to explore ways of working with Lawyers' Committees and their pro bono volunteers on a variety of public policy matters. While the Local Lawyers' Committees face specific limits on the amount of lobbying they can engage in, these limits are far less restrictive than those that apply to LSC-funded programs. As a result, in practice most Lawyers' Committees engage in various forms of policy advocacy as a relatively small part of their overall programs. In many cases Local Committees have utilized the resources of cooperating firms that specialize in highly sophisticated legislative policy work.

Community economic development is another substantive area of great interest to many Local Lawyers'

Committees and an increasing number of legal service programs. This is a field where private law firm volunteers can be of particular value and Lawyers' Committees can operate without many of the legislative restrictions faced by LSC-funded programs.

The possibilities for collaboration noted in this article are simply a point of departure for further discussions that might be undertaken at the local, regional and national levels. Just as the legal service community begins to pay increased attention to the nexus between poverty and race, traditional civil rights organizations, even those that have long acknowledged the alleviation of poverty as part of their missions, should begin to look even more closely at ways in which they can begin to work with LSC-funded programs in their communities.

1 The D.C. Consortium of Legal Services Providers: A Study in Coalition Building," Jan Allen May, Legal Counsel for the Elderly, *MIE Journal*, July 1998.

2 "The D.C. Consortium of Legal Services Providers: A Study in Coalition Building," Jan Allen May, Legal Counsel for the Elderly, *MIE Journal*, July 1998.

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guide boards that want to use *Leadership and Diversity: The Link That Promotes Effective Delivery of Legal Services*. Anyone may apply to participate in this training of trainers (TOT), although only twelve individuals will be selected. LSC will match TOT "graduates" with grantee boards that wish to be trained. We anticipate making approximately 36 matches over the next three years. Information on the TOT and on how boards can take advantage of this resource is summarized below and posted on the LSC website at www.lsc.gov.

Certainly it is vital to maintain civil dockets that reflect the urgent legal issues plaguing the community and that, when resolved, empower clients and gain them control over their lives. But any discrimination based strategic plan begins at "home." Sharing information and power, creating opportunities within the program for all staff, and nurturing a culture that warmly embraces differences signal an organization that lives its belief that justice and equality belong to all of us.