

Antiracist Law Department (and Business): How Corporate Counsel Can Help Build a More Equitable World

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Materials

PowerPoint Presentation

Reading & Resources Referenced During the Presentation

- [How to Be an Antiracist](#) and [Antiracist Baby](#) by Ibram X. Kendi
- [Implicit Association Test \(IAT\)](#): Project Implicit is a non-profit organization and international collaboration between Harvard researchers who are interested in implicit social cognition – thoughts and feelings outside of conscious awareness and control. The goal of the organization is to educate the public about hidden biases and to provide a “virtual laboratory” for identifying them. At this [link](#) you can take an association test related to over a dozen different types of biases, including race, religion, sexual orientation, and disability.
- [“No, I’m not the court reporter: Tips for Tackling Implicit Bias”](#) by Shayon Smith and Shevon Rockett, New York Law Journal
- [White Privilege: Unpacking the Invisible Knapsack](#). This essay is excerpted from “White Privilege and Male Privilege: A Personal Account of Coming To See Correspondences through Work in Women’s Studies” by Peggy McIntosh. It’s was published in 1988, but it still one of the best explanations of privilege on basic terms without the emotion of current events.
- [Bias Interrupters Survey Report: You Can’t Change What You Can’t See](#) Created by the Minority Corporate Counsel Association (MCCA), this first-of-its-kind survey showing that systemic bias across the legal profession presents significant barriers to gender and racial equity. The study examines implicit gender and racial bias in legal workplaces and offers new solutions and tools for interrupting bias across the legal profession.

Materials are Available on www.dorsey.com at
<https://www.dorsey.com/newsresources/events/event/2020/11/corporate-counsel-symposium-2020-materials>

Articles, Toolkits & Other Resources

- [A Workplace Divided: Understanding the Climate for LGBTQ Workers Nationwide](#) (Human Rights Campaign Foundation)
- [An Expert's Advice On How To Address Diversity In The Workplace](#) (Forbes)
- [Bystander Basics](#) (Hollaback!)
- [Caucus and Affinity Groups](#) by Racial Equity Tools
- [Check in on Your Black Employees, Now](#)
- [Delivering Through Diversity](#) (McKinsey & Company)
- [Diversity At a Glance: The Data](#) (Leadership Council on Legal Diversity)
- [Diversity Doesn't Stick Without Inclusion](#) (Harvard Business Review)
- [How Microaggressions Can Affect Wellbeing In The Workplace](#)(Forbes)
- [How the Best Bosses Interrupt Bias on Their Teams](#) (Harvard Business Review)
- [How The Legal Pipeline Is Failing Black Attorneys](#) (Law 360)
- [How US Companies Can Support Employees of Color Through the Pandemic](#)
- ["Maintaining Professionalism In The Age of Black Death Is....A Lot"](#) - Shenequa Golding (Medium, 2020)
- [Microaggression Tools](#) (UC Santa Cruz)
- [Principles for White Affinity Study Groups](#)
- [Pronouns in the Workplace](#) (Human Rights Campaign)
- [Racial Identity Caucusing: A Strategy for Building Anti-Racist Collectives](#) by Crossroads
- [The Intersectionality Wars](#)
- [The Language of Gender](#)
- [Tips for Creating Effective White Caucus Groups](#)
- [Tool: Recognizing Microaggressions and the Messages They Send](#) (University of California)
- [Tools for White Anti-Racist Organizing](#) by the Catalyst Project
- [Toward a Racially Just Workplace](#)
- [U.S Businesses Must Take Meaningful Action Against Racism](#)
- [We White Liberals Need to Face Our Internalized Racism](#)
- [White Supremacy Culture Characteristics](#) (Showing Up for Racial Justice)
- [Why Reverse Racism Doesn't Actually Exist](#) (Business Insider)

- [Women in the Workplace 2020](#) (McKinsey & Company)
- [Your Black Colleagues May Look Like They're Okay — Chances Are They're Not](#)

Books

- [All American Boys](#), by Jason Reynolds
- [Between the World and Me](#), by Ta-Nehisi Coates
- [Biased: Uncovering the Hidden Prejudice That Shapes What We See, Think, and Do](#) by Jennifer L. Eberhardt
- [Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment](#) by Patricia Hill Collins
- [Fatal Invention: How Science, Politics, and Big Business Re-Crete Race in the Twenty-First Century](#) by Dorothy Roberts
- [How We Fight for Our Lives: A Memoir](#), by Saeed Jones
- [Invisible Man](#), by Ralph Ellison
- [Me and White Supremacy: Combat Racism, Change the World, and Become a Good Ancestor](#), by Layla Saad
- [Me and White Supremacy: Combat Racism, Change the World, and Become a Good Ancestor](#) by Layla F. Saad
- [Native Son](#), by Richard Wright
- [Racism Without Racists](#) by Eduardo Bonilla-Silva
- [Raising White Kids: Bringing Up Children in a Racially Unjust America](#) by Jennifer Harvey
- ["Real" Indians and Others: Mixed-Blood Urban Native Peoples and Indigenous Nationhood](#) by Bonita Lawrence
- [Sister Citizen: Shame, Stereotypes, and Black Women in America](#) by Melissa V. Harris-Perry
- [So You Want to Talk About Race](#), by Ijeoma Oluo
- [Stamped From the Beginning: The Definitive History of Racist Ideas in America](#) by Ibram X. Kendi
- [The Color of Law: A Forgotten History of How Our Government Segregated America](#) by Richard Rothstein
- [The Emperor Has No Clothes: Teaching About Race and Racism to People Who Don't Want to Know](#) by Tema Okun
- [The Fire This Time: A New Generation Speaks About Race](#), edited by Jesmyn Ward
- [The New Jim Crow: Mass Incarceration in the Age of Colorblindness](#), by Michelle Alexander

- [The Water Dancer: A Novel](#), by Ta-Nehisi Coates
- [This Bridge Called My Back: Writings by Radical Women of Color](#), edited by Cherríe Moraga and Gloria Anzaldúa
- [White Fragility: Why It's So Hard for White People to Talk About Racism](#), by Robin DiAngelo
- [White Rage: The Unspoken Truth of Our Racial Divide](#) by Carol Anderson

TEDTalks, Videos & Films

- [5 Tips for Being an Ally](#) (3 minutes)
- [13th](#) by Ava DuVerney. It's available on Netflix or for FREE on [YouTube](#)
- [A Conversation With Black Women on Race](#), Op-Docs New York Times
- [A Conversation With Latinos on Race](#), Op-Docs New York Times
- [A Conversation With Native Americans on Race](#), Op-Docs New York Times
- [A Conversation with Ta-Nehisi Coates](#) (1 hour, 32 minutes)
- [A Conversation With White People On Race](#), Op-Docs New York Times
- [A Roundtable Conversation: Anthony Bogues, Jordan T. Camp, Yalidy Matos, Margaret Weir & Tricia Rose](#), (1 hour, 40 Minutes)
- [An interview with the founders of Black Lives Matter](#) (16 minutes)
- [ASIAN | How You See Me](#)
- [Color blind or color brave?](#) (15 minutes)
- [Get comfortable with being uncomfortable](#) (11minutes)
- ["How to Be an Antiracist"](#) (1 Hour)
- [I Am Not Your Negro](#)
- [Let's get to the root of racial injustice](#) (20 minutes)
- [Race, Gender, Inequality and Intersectionality](#) (50 minutes)
- [The future of race in America](#) (24 minutes)
- ["Whistling Vivaldi" And Beating Stereotypes](#) (30 minutes)

Podcasts

- [1619 \(New York Times\)](#)
- [About Race](#)
- [Code Switch \(NPR\)](#)
- [Intersectionality Matters! hosted by Kimberlé Crenshaw](#)

- [Momentum: A Race Forward Podcast](#)
- [Nice White Parents \(Serial and The New York Times\)](#)
- [Pod For The Cause \(from The Leadership Conference on Civil & Human Rights\)](#)
- [Pod Save the People \(Crooked Media\)](#)
- [Seeing White](#)

Resources for Children, Young Readers, and Parents

- [60+ Resources for Talking to Kids About Racism](#) Bounceback Parenting
- [All the World](#) by Liz Scanlon
- [Coretta Scott King Book Award Winners](#) – a list of award-winning books by African American authors and illustrators for children and young adults
- [Henry's Freedom Box](#) by Ellen Levine
- [Let the Children March](#) by Monica Clark-Robinson
- [Let's Talk About Race](#), by Julius Lester illustrated by Karen Barbour
- [Not My Idea: A Book About Whiteness](#) by Anastasia Higginbotham
- [Of Thee I Sing A Letter To My Daughters](#), by Barack Obama Illustrated by Loren Long
- [Say Something!](#) by Peter Reynolds
- [Something Happened in Our Town: A Child's Story About Racial Injustice](#) by Marianne Celano, PhD, ABPP, Marietta Collins, PhD, and Ann Hazzard, PhD, ABPP
- [Stamped: Racism, Antiracism, and You](#) by Ibram X. Kendi and Jason Reynolds.
- [Talking About Racism and Bias: Resources for Parents and Caregivers](#) Children's Alliance
- [Talking to Children About Racial Bias](#) by Ashaunta Anderson Jacqueline Dougé
- [Talking to Kids About Racism](#) New York Times
- [Talking to Young Children About Race and Racism](#) PBS
- [Witnesses to Freedom: Young People Who Fought for Civil Rights](#), by Belinda Rochelle
- [That Is My Dream! A Picture Book Of Langston Hughes's "Dream Variation"](#), by Langston Hughes and Illustrated by Daniel Miyares
- [The ABCs of Diversity: Helping Kids \(and Ourselves!\) Embrace Our Differences](#) by Carolyn B. Helsel, Y. Joy Harris-Smith
- [We're Different, We're the Same \(Sesame Street\)](#), Bobbi Kates, Illustrated by Joe Mathieu

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Tuesday, November 17, 2020

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1

Panelists:

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2

Antiracist Baby

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Antiracist Baby (2020)
[https://www.ibramxkendi.com/
books-1](https://www.ibramxkendi.com/books-1)

1. “Open your eyes to all skin colors.”
2. “Use your words to talk about race.”
3. “Point at policies as the problem, not people.”
4. “Shout, ‘There's nothing wrong with the people!’”
5. “Celebrate all our differences.”
6. “Knock down the stack of cultural blocks.”
7. “Confess when being racist.”
8. “Grow to be an antiracist.”
9. “Believe we shall overcome racism.”

Audience Poll #1

How big is your company:

- less than 25 employees
- 26-100 employees
- 101-500 employees
- 500-1000 employees
- over 1000 employees

Audience Poll #2

**How big is your law department
(including attorneys, paralegals,
and other legal staff):**

- Army of 1
- 2-5
- 6-15
- 16-30
- 31-50
- over 50

What is racism?

The marriage of policies and ideas that produce and normalize racial inequities.

What does it mean to be “antiracist”?

“One who is supporting an antiracist policy through their actions or expressing an antiracist idea.” (Kendi, *How to Be an Antiracist*, 13)

What are our ethical obligations?

“It is professional misconduct for a lawyer to...engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race...” ABA Model Rule 8.4 (g)



#1 Open your eyes to all skin colors.

#2 Use your words to talk about race.

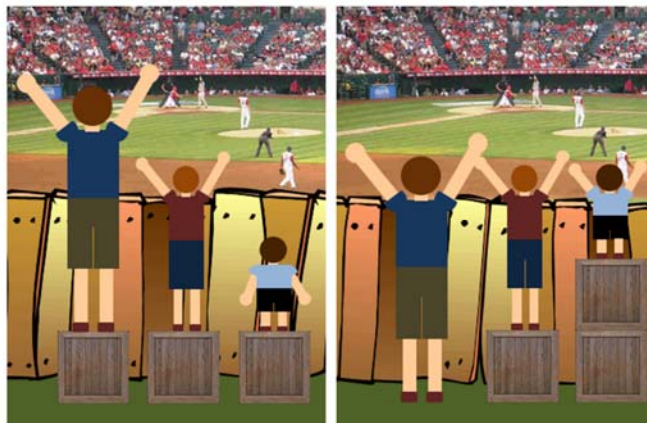


#3 Point at policies as the problem, not people.

#4 Shout, "There's nothing wrong with the people!"



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High res download of this image at <https://www.dropbox.com/s/d75r2fwz93b3pp2/equality-highres.png?dl=1>

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Equality



Equity



Source: Original image by Paul Kuttner. <https://culturalorganizing.org/the-problem-with-that-equity-vs-equality-graphic/>

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- **INEQUALITY:** Unequal access to opportunities.
- **EQUALITY:** Evenly distributed tools and assistance.
- **EQUITY:** Custom tools that identify and address inequality
- **JUSTICE:** Fixing the system to offer equal access to both tools and opportunities.

Source: Image credit is Tony Ruth from [Design in Tech Report](https://designintech.report/2019/03/11/%F0%9F%93%B1design-in-tech-report-2019-section-6-addressing-imbalance/), based on Shel Silverstein's children's book *The Giving Tree*.
<https://designintech.report/2019/03/11/%F0%9F%93%B1design-in-tech-report-2019-section-6-addressing-imbalance/>

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*#3 Point at policies as the problem, not people.
#4 Shout, “There's nothing wrong with the people!”*

- Let go of brand protectionism.
- Consider language, images and placements of all messaging, marketing and job postings.
- Regularly assess your intake procedures and all company policies/practices to identify and eradicate bias.
- Ensure you are providing equal access to opportunities to all staff.
- Ensure diversity is represented in teams and organizational leadership.
- Make diversity and inclusion a business necessity and create incentives/deterrents.



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#5 Celebrate all our differences!



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#5 Celebrate all our differences!

- Ally & Affinity Groups
- Accountability Projects
- Local & Bar Association Initiatives
- Pro Bono Efforts
- Informal & Formal Mentoring
- Cultural Programming
- Client/Law Firm Partnerships
- ***Everyday relationship building***



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CLE Code for Attendees in States that Require a Code (*Tip: The CLE code is different than the event code assigned by states*)

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#6 Knock down the stack of cultural blocks.

#7 Confess when being racist.



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Mistakes are inevitable. Handle them with grace and care:

- Express appreciation for the feedback.
- Focus on the target: “Are you okay?”
- Listen and learn.
- Apologize for the impact, no matter your intent.
- Commit to rectifying the problem.
- Commit to breaking patterns.



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Audience Poll #3: Has your company released a new/updated antiracism policy/statement since this summer?

Yes or No

Audience Poll #4: Do you think that policy/statement accurately reflects your current work environment?

Yes or No

Audience Poll #5: Do you think that your company can be doing more to combat racism?

Yes or No

We ALL have implicit biases. Failing to disrupt them leads to inequities, especially in the workplace.

- Prove-it Again Bias
- Tightrope Bias
- “Tone-Policing”
- Immigration/National Origin Assumptions
- Expressing surprise judgment in appearance
- Opportunity shaming & Seniority assumptions
- Assuming monolithic views/experiences
- Maternal Wall Bias
- Name shaming



#8 Grow to be an antiracist.

*#9 Believe we shall overcome
racism.*



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#8 Grow to be an antiracist
#9 Believe we shall overcome racism.

- Consider hiring diverse counsel, vendors, team members, and leaders
- Knowledge sharing with peer companies and partner law firms
- Conduct surveys/interviews to determine your baseline
- Include diversity, equity, and inclusion goals in individual and team evaluation and compensation processes
- Financial incentives/disincentives for service providers that fail to actively support your antiracism mission
- Expanding origination credit and succession planning



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