

Dispelling Bias: Building Equal Opportunity Through Allyship Within the Profession



Guidelines and Suggestions for Inn Discussions

PREPARATION

Discussing issues around bias and inequity will unavoidably intersect with concepts such as belonging, social justice, human rights, and inclusiveness. Prepare your members in advance for some level of discomfort. While uncomfortable, consider this kind of work as equipping Inn leaders and members with tools necessary to build common ground for diversity, equity, and inclusion conversations inside and outside of the Inn. Knowing how to build cross-cultural relationships is a critical skill for the modern attorney.

Engage Experts:

It may be helpful and prudent to engage an expert on how to successfully have difficult conversations. A facilitator who is outside of the Inn and its culture can bring an objective perspective to topics which many find uncomfortably “personal.”

Create Ground Rules:

Discussions on topics of race or inequality can become emotionally charged. Before you start, as a group agree on ground rules for these types of discussions, for example:

- Use “I” statements.
- Expect to feel discomfort and be cognizant of emotional responses.
- Own your Intentions and impact on others.
- Respect one another’s ideas and comments.
- Seek to understand but listen even if you do not.
- Maintain confidentiality.
- Be “present” – stay engaged and focused.

CONCEPTS

These suggestions focus on building understanding of what the issues are and why they are important for Inn members, as well as the profession more broadly.

Allyship Defined:

Allyship is an active and consistent practice of deconstructing and challenging one’s beliefs and actions, in which a person seeks to work in solidarity with a marginalized group of people.

- *What are some ways that the American Inns of Court can practice allyship? Why is this important for the health of the Inn? What impact might this have on the profession overall?*

Education:

“Ally” is a verb, not a noun. Awareness or becoming an ally means doing the hard work yourself. This does not mean you cannot ask questions, but it means you must self-educate first. It is



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important to find the balance in educating yourself, listening to learn, and asking the groups you are advocating for what it is that they need and how they are feeling.

Here is an analogy from a diversity event that underscores the meaning of “self-educate” in the context of bias and inequity:

Your friend is a professional chef. Do you contact your friend every time you have a question about how to cook an omelet or bake a cake? No, you refer to sources on the internet, read a cookbook or watch a cooking show to gain new knowledge. When you run into a problem, or need help with a particularly tricky recipe, then you might reach out to your friend for help or advice.

- *What role can the Inn play in helping to educate its members, or in inspiring them to educate themselves?*

Identifying Needs:

Here are a few things that people of color and the LGBTQ community have identified as needing from their allies:

- A willingness and enthusiasm to educate themselves. Privileged ally groups often rely on the marginalized groups to educate them.
 - Allies should ask those they are advocating what it is that they need. Everyone is going to have different intersections and needs; sometimes they will not need anything.
 - Allies should work not just to support an individual person, but an entire group or community.
 - Look for places that your privilege intersects with someone else's oppression.
- *What are some ways to identify the needs of fellow Inn members or members of your legal community? What are the most effective ways to ask questions? What will you do with that information?*

Inclusion:

Inclusion should not be treated as a buzzword. It is an integral part of professionalism because it indicates respect for ideas and perspectives which are different from yours, and for the people who hold them.

- *How can you ensure that all members are valued and have an opportunity to fully participate and succeed in their legal careers?*
- *How do generational differences impact communication styles and motivation for success? How do they contribute to building more equitable and inclusive environments for lawyers and clients?*
- *How do you enhance trust and build capacity for sustainable, inclusive change in your Inn's thinking, structure, and culture?*



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ACTIVITIES

Here are some suggestions on how to work together as an Inn to bring issues of bias into the light and to affect change in your local community and the legal profession.

Discussion or Reflection Questions:

- How would you answer this question? “I want a more diverse and inclusive workplace because _____.”
- Think of challenges attorneys face in their jobs or the courtroom. Now consider facing those challenges as a minority, when you are the only one who looks like you in the room. What might that feel like? What support can you offer? What can be done to change the reality of someone being “the only” in the room? Given the racial divide, how do you maintain and effectuate professionalism with contrasting views and beliefs?
- Consider a time when you witnessed discriminatory, insensitive, or offensive behavior while interacting with an attorney or judge and you did not step in or speak up. What held you back? How does that behavior fit with legal professionalism? If you see non-discriminatory inappropriate or unprofessional behavior, do you take action? Why or why not? What is the difference between discriminatory behavior and unprofessional behavior? Is there a difference?
- Think about your professional and personal networks. Think about the membership in your Inn. Are all those people “just like” you? Why or why not? What gaps can you identify? Would a more diverse network with innovative approaches and different perspectives have a positive impact on the Inn or your own professional goals? Why or why not?
- Consider the panelists and speakers you have invited to your Inn meetings. Where do you find these speakers? Do you strive to have different perspectives represented? Is it important to and for your Inn to have diverse speakers participate? Why or why not?
- We all know that mentoring is important. Why do attorneys often form mentoring relationships with people who are just like them? Is there an opportunity to examine those relationships within the Inn and expand them to include mentees that have different backgrounds, lifestyles, experiences, or identities from yours? What could both the mentor and mentee gain in those instances?

Navigating Pitfalls:

Those with privilege should continually engage in education on issues that affect others in their community. Many people are inspired to jump in and act right away. However, while the intention may be good, the action can sometimes have negative consequences.



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As a group, discuss what to do when...

- ...you unintentionally say or do something that is offensive to someone else.
- ...you witness discrimination happening to someone else.
- ...a judge is the one engaging in discriminatory, insensitive, or offensive behavior.
- ...a judge fails to do anything about discriminatory, insensitive, or offensive behavior in the courtroom.
- ...your client is the one engaging in discriminatory, insensitive, or offensive behavior.

1-2-3 Solution:

In advance of a meeting, solicit scenarios featuring discriminatory, insensitive, or offensive behaviors. Share scenarios and engage in role play to showcase and learn the 1-2-3 strategy:

- **One:** stop the commentary and behavior.
- **Two:** educate the person who is making the comment about the reality of the situation.
- **Three:** leave the person with his or her dignity and self-respect intact.

Give people a chance to process by breaking them into pairs or small groups to discuss a particular scenario and plan on how they would like to present it.

Understanding the Language:

When talking about dispelling bias, there are new terms or ways old terms are being used in these kinds of conversations.

- In a large group, ask members to identify terms or concepts they are unfamiliar with, struggling to understand, or feel are important that others understand.
- Break into smaller groups of (4 – 6 people) and assign an equal number of terms to discuss.
- After a set time, ask each team to share the meaning of one term and put it in the context of your legal community.
- Allow each group to go once and then cycle through again until you run out of time or all the terms have been shared with the group.

The goal is to ensure the Inn becomes an environment where people feel comfortable asking for help in understanding new concepts, terms, or situations they may encounter.

SHARING

These ideas and suggestions are just a starting point.

- What is **your** Inn doing?
- What areas are **your** members struggling to understand?
- How are **your** members working to effect change?

We encourage your Inn and its members to dispel bias and help shape the profession for the better now and in the years to come.

RESOURCES

These questions, topics and activities were compiled from several different resources:

- [Better Allies](#)
- [GLSEN](#)
- [Camille Styles](#)
- [The Inclusion Project](#)
- [Teaching Tolerance](#)
- [Developing Our Ally Identity](#)