

An Update on the Status of Minorities and Gender in the Legal Profession

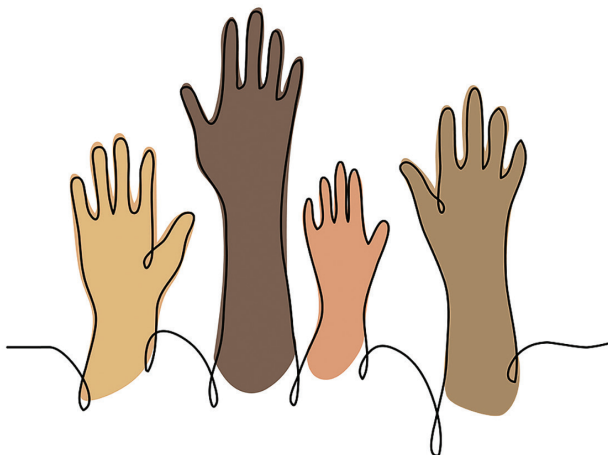
The Status of Minority Attorneys in New Mexico Report (2019) (published in 2020)

By the Committee on Diversity in the Legal Profession

Beginning in 1988, the State Bar of New Mexico's Committee on Diversity in the Legal Profession has conducted studies every ten years to assess the status of women, lawyers of color and other diverse attorneys in the New Mexico bar. The foresight of the State Bar, led by Arturo Jaramillo, to begin collecting this important data provides us with 40 years of information on diversity that allows our Committee to look back and see how far our bar has come, while also aiding to identify areas where there is still critically important work to be done. This is particularly so as there is greater recognition that policies and practices that promote diversity, equity, and inclusion can improve wellness at the workplace and a sense of belonging for lawyers from diverse backgrounds.

This year's report represents a joint effort by the State Bar's Committee on Diversity in the Legal Profession and the State Bar's Committee on Women and the Legal Profession to study diversity and inclusion issues facing lawyers of color, LGBTQ attorneys, attorneys with disabilities and women attorneys. This year, the study was conducted by American Decisions and led by Gabriel R. Sanchez, Ph.D. Dr. Sanchez is one of the nation's leading surveyors of the opinions of persons whose voices are often marginalized.

This report was completed at a poignant moment in American history. Following the police killing of George Floyd in Minneapolis, there has been a resurgence of activism and dialogue concerning police brutality, systemic racism and longstanding inequality in the treatment of people of color. Lawyers, in particular, play a crucial role in our country's justice system and are uniquely positioned to advocate for change. Yet, the legal profession as a whole has struggled to achieve diversity in its own membership, routinely being named as one of the least diverse professions in the nation.



In Memory of Raymond Hamilton, Esq.

The 2019 Report is dedicated to the late Raymond Hamilton. Mr. Hamilton spent his life amplifying the voices of people of color and diversifying the practice of law. While attending UNM as an undergraduate, he helped form the Black Student Union. When Mr. Hamilton returned to New Mexico after graduating from Harvard Law School, he picked up right where he left off. In 1982, he founded the

New Mexico Black Lawyers Association along with fellow attorneys Hannah Best, Angela Jewell and Tommy Jewell. While pursuing a distinguished career in the US Attorney's office, Mr. Hamilton mentored countless law students and attorneys. He helped new graduates with bar exam preparation and personally welcomed black attorneys who moved to New Mexico.

Methodology

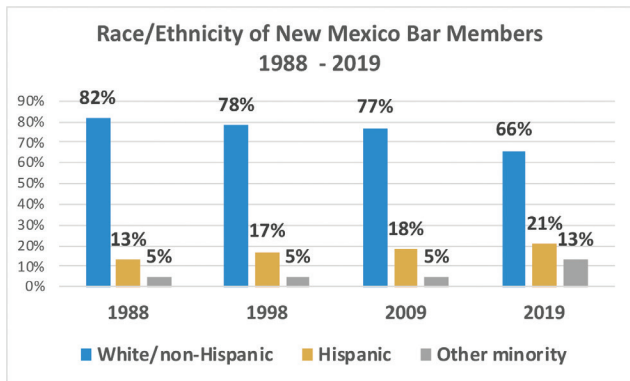
The 2019 report includes demographic data from the State Bar, from the UNM law school, the Board of Bar Examiners, the disciplinary process, and the judicial branch. American Decisions developed an online survey addressing issues raised by both of the sponsoring committees and collected responses from 1,564 bar members. This represents a 15.5% overall response rate of the 10,068 active or retired members of the bar, which translates to a +/-2.5% margin of error. Data were weighted to match demographic distributions as defined by the overall bar member database population.

The study also included focus groups designed to dig deeper into some of the themes that emerged from the survey. Three of them focused on Native American, Asian American, and African American attorneys. Two groups were comprised of only women members.

The Data

Race and Ethnicity

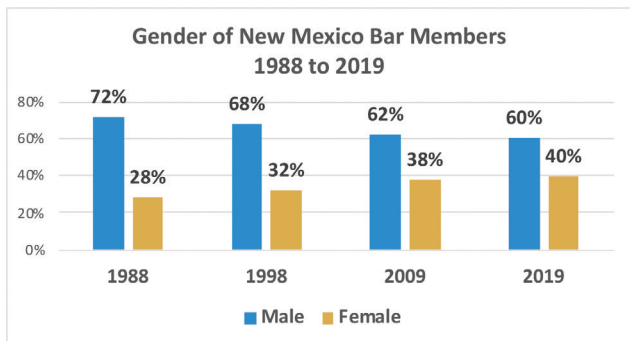
This chart shows the data for the four studies that have been conducted by the Committee on Diversity in the Profession beginning in 1988.



The New Mexico bar has become steadily more diverse over time, with the last ten years showing the largest increase in the proportion of non-white members with non-Hispanic minorities growing at the highest rate. Within this subgroup, persons of mixed race were 4.5% of the bar membership, Native Americans 3.4%, Black Americans 2.0%, Asian/Pacific Islanders 1.7%, and all others 1.6%.

Gender

The State Bar's share of women members has grown steadily over 40 years, increasing the most (+6%) between 1998 and 2009.



36% of active attorneys in the American Bar Association's national population survey are women. Despite the recent slowdown in the growth in the proportion of women in our bar, New Mexico remains more diverse in terms of gender than lawyers nationwide.

Major Themes of the Bar Membership Survey

Women of Color in New Mexico's Legal Community Face Unusual Challenges

The survey revealed that the combined impact of race and gender provides significant obstacles for women of color in our state. Latinas were more likely than both Latino males and women from other racial backgrounds to report unfair treatment or discrimination. Furthermore, women of color from all non-white racial backgrounds are more likely to be mistaken for a paralegal, administrative, or custodial staff-person than not only men, but also white women.

Hispanic/Latino Members of the Bar Appear to have Experiences More Similar to Whites Than Other Racial and Ethnic Minorities

Hispanics and Whites report nearly identical experiences with discrimination (37% and 36% respectively), nearly ten percentage points lower than respondents from other racial groups. This trend is particularly apparent when we look at survey questions that allow for comparisons to be made over time, suggesting that in our state being of Hispanic origin is less and less likely to be perceived as labeling person as a member of a minority group.

Recommendations

After reviewing all of the survey and other data, and considering both the 40 year trends and the exigencies of the moment in the United States, the Committee on Diversity in the Legal Profession has made recommendations to the Board of Bar Commissioners in four categories. You can review these in full on the State Bar website at the link below.

The committee on diversity commends the New Mexico State Bar and all the stakeholders in the legal community who made this report possible. This report has identified key areas of focus to embark upon a more welcoming, diverse, and equitable bar. Finally, we are pleased to say that the New Mexico State Bar has begun the hard work of analyzing the recommendations and, where feasible, committing to the long-term planning for implementation of recommendations.

For more information on the Committee, visit www.sbnm.org/cdlp.

John Grecean, Data Subcommittee Chair, CDLP

Leon Howard, Co-Chair, CDLP

With contributions from:

Denise Chanez, Co-Chair CDLP

Aja Brooks, President, President NMBLA

Shammara Henderson, NM Court of Appeals