**New York State Bar Association**

**The Dispute Resolution Section’s Diversity and Inclusion Plan**

**Mission Statement.** The Dispute Resolution Section of the New York State Bar Association is committed to diversity in its membership, officers, Executive Committee, and programs. Diversity is an inclusive concept, encompassing gender, race, color, ethnic origin, national origin, religion, sexual identity, gender identity and expression, age and differently abled. We not only recognize the importance of diversity and inclusion in our Section, but within the ADR profession where services are provided to a diverse community of disputants who expect and need diverse neutrals. We have and will continue to be committed to promoting diversity and inclusion in all aspects of the Section’s work and in the dispute resolution field. We already have significant diversity and inclusion initiatives. We would like to continue those successful initiatives, while increasing our future commitments, as provided below.

**Priority**. We recognize the importance of furthering diversity and inclusion of all under-represented groups in the ADR community and will continue to focus on diversity and inclusion broadly. However, we are acutely aware that people of color are the most under-represented group in the dispute resolution field. Accordingly, we intend to prioritize efforts to propel the inclusion of people of color in all aspects of the Section’s work and throughout the dispute resolution field.

**Implementation/Accountability**. The Section’s purpose in adopting this plan is to develop a template for action and for measuring our accomplishments and goals, emphasizing improvement. We must monitor, revisit, revise, and improve our aspirational goals and initiatives, as well as modify this plan as appropriate. The Co-chairs of the Diversity and Inclusion Committee and the Chair of the Section will be responsible and accountable for the implementation of this plan, and will provide: (i) a quarterly report to the Section’s Executive Committee as regards the Section’s progress in increasing diversity and inclusion and accomplishing the plan’s goals; and (ii) an annual diversity and inclusion report every year to be presented at the Section’s annual meeting.

The specific efforts that the Section will take are as follows:

**Membership**

* Engage in outreach.
* Establish metrics/tracking.
  + Develop DR Section statistical records consistent with the NYSBA statistics.
  + Create a base diversity demographic report of who we are. How do we know we are making progress if we do not know who we are?
* Institute incentives (free or discounted membership in our Section for potential members with diverse backgrounds).
* Determine the diversity demographic of our membership and set percentage-based goals for improving the Section’s diversity.
* Establish liaisons with specialty and affinity bar associations.
* Charge new and existing Section Liaisons with specifically promoting and improving diversity and inclusion.

**Leadership**

* Emphasize diversity and inclusion in all leadership nominations processes.
* Include participation from members with diverse backgrounds in all nomination processes including: .
  + Chairs of committees
  + Chairs of programs
  + Chairs of initiatives
* Emphasize diversity and inclusion in leadership training and development programs.

**Programming**

* Implement strategies to assure diversity and inclusion among program chairs, speakers, moderators, and attendees.
* Mandate a diversity-based speakers requirement for programs we host, sponsor, or co-sponsor. Specifically, all panels must have representation from people of diverse backgrounds and a particular focus must be on inclusion of people of color. To the extent that any program panel of three or more speakers, including the moderator, does not have a person of color participating, an explanation describing the efforts made must be provided to the Diversity and Inclusion Committee or the Executive Committee, after which the Section will determine whether to continue hosting, sponsoring, or co-sponsoring the program.
* Design CLE content geared towards supporting and promoting diversity and inclusion (*e.g.*, *How to Jumpstart an ADR Practice – Insights from Diverse Neutrals*) and partner with specialty and affinity bar associations to attract diverse attendees.
* Work more closely with specialty and affinity bar associations, including sponsoring joint programs. Ask specialty and affinity bar associations to co-sponsor Section programs and, in turn, seek opportunities to co-sponsor programs hosted by specialty and affinity bar associations.
* Solicit diverse groups to attend and participate in Section events and programs.
* Sponsor joint CLE programs with other sections with an emphasis on diversity in speakers, content, and solicitation for attendance.
* Ensure program venues (in person, on Zoom, or hybrid) and materials are accessible to participants with disabilities.
* Recruit organizers and participants with diverse backgrounds for the various student competitions that the Section facilitates.

**Initiatives**

* Financial Support
  + Each year, the Section awards a maximum of 5 mediation scholarships and 5 arbitration scholarships to be applied towards NYSBA DRS training programs to encourage greater opportunities for minorities and women in the field of alternative dispute resolution. <https://nysba.org/awards-competitions/dispute-resolution-section-diversity-scholarships/>
  + The Section affords discounts and complimentary admission to programs conducted by the NYSBA DRS for members (and potential members) with diverse backgrounds.
* Mentorship - Continue to develop and enhance mentoring programs that are designed to advance diversity and inclusion within the profession and the Section.
  + As part of the foregoing objective, the Diversity and Inclusion Committee initiated the Mentorship Program to provide mentorship, training, encouragement, and opportunities to attorneys who have been historically under-represented in the field of alternative dispute resolution. The goal of the Mentorship Program is to increase diversity in the ADR community by providing diverse attorneys with an opportunity for training, support, and connections so as to facilitate active participation in the alternative dispute resolution field. Through the Mentorship Program, mentees work with or “shadow” their mentors to gain first-hand experience and training in alternative dispute resolution, attend seminars on alternative dispute resolution, and network with other professionals in the alternative dispute resolution community. The Mentorship Program duration is two (2) years. <https://nysba.org/dispute-resolution-section-diversity-mentorship-program/>
  + The Section is developing a pilot project linking newly trained mediators with experienced mediator-mentors on a short-term basis in the Small Claims Mediation Programs in New York City. Lack of mediation experience is often a bar to opportunity for new mediators, and this pilot program is an effort to make it easier for diverse mediators to get initial experience, with guidance and support from more experienced mediators.
* Directory - We are currently co-sponsoring a project with the New York City Bar Association to create and promote a directory of neutrals with diverse backgrounds.

Exploratory Areas for Enhancing Diversity and Inclusion

* The New York State Bar Association’s Diversity Plan notes that 54% of all NYSBA members decline to answer all demographic questions. The Section needs an accurate and reliable mechanism for determining our diversity baseline.). How can we get more people to fill out demographic surveys?
  + Can we provide incentives (*e.g.*, discounts, promotions, complimentary membership, admission to programs*.*) for members who complete the demographic surveys?
* We need to explore how to attract more articles for our publications from authors with diverse backgrounds. Explore co-author opportunities.
* We recommend designating a dedicated Section member (preferably an officer of the Section) with responsibility for ensuring implementation of this plan.