

LSC Up Close: Diversity

New Face of America Requires New Blood in Legal Services

By Perry Wasserman

Demographic information compiled in the 2000 U.S. Census may not have qualified as a bombshell when released last August, but it did offer hard numbers to buttress a feeling of societal change that has been sweeping across the American landscape for years. Now that the numbers have been crunched by the highest bean-counters in the land – that'd be the U.S. Census Bureau – there can be no escaping the conclusion that the face of America has changed.

The decennial census found that a record number of immigrants now call America home, and the cultural and economic obstacles faced by the new arrivals are more formidable than ever. To wit, immigrants now make up fully 11 percent of the U.S. population. Nearly one in five Americans does not speak English at home, while more than 10.5 million Americans speak little or no English at all (up dramatically from 6.5 million in 1990). The immigration influx parallels rising U.S. poverty levels that show more than 13 percent of all Americans living at or below federal poverty guidelines, a condition that affects one in six children, who increasingly come from single-parent homes.

Diversity has become the watchword in our multicultural nation, and meeting the challenges of a diverse society has emerged as our greatest collective challenge in offering equal opportunity for all. After all, how do you get a job in America if you can't speak the language? How do you make friends and business contacts without knowing

the culture? How do you send your kids to school when they can't comprehend their lessons? And in a nation of laws, how do you receive justice if you cannot find an advocate who understands your problems? How can poor immigrants hope to access the costly civil justice system when they're struggling to subsist on low-wage work and food stamps?

Legal Services Corporation (LSC), the nonprofit corporation chartered by Congress to ensure that all Americans receive a fair shake in the eyes of the law, has taken the lead in ensuring that the country's demographic shift does not leave the legal services community ill-prepared to serve its changing client base. In 2001, LSC partnered with the National Legal Aid & Defender Association (NLADA) to launch a broad national examination of diversity issues affecting legal services. LSC took its diversity dialogue on the road, hosting eight roundtable discussions wherever top justice advocates convened – from Miami to Washington, from Berkeley, Ca., to Clayton, Mo. The conversations focused on broad aspects of diversity, including race, ethnicity, national origin, age, gender, disability, and sexual orientation. Participants examined diversity-related challenges facing poor Americans seeking justice and brainstormed strategies to make legal services programs more responsive to their changing demographics.

“Twenty-five years ago, we generally serviced a different type of client,” says LSC VP of Programs Randi Youells, the architect of the diversity initiative. “Then, the typical legal services clients were white female welfare recipients, seniors, and the non-working poor – maybe along with some undocumented aliens and prisoners. Today, the client profile is much different. Now we're helping many non-English-speaking immigrants, disabled clients, Native Americans, married parents, and urban minorities

making the transition from welfare to work. It's imperative that we know who our clients are. The changing face of America requires a new face for legal services."

The first order of business in the yearlong dialogue was to define the scope of the diversity challenge in the context of civil justice for the poor. "We don't seek to define diversity, other than a pursuit toward being inclusive," says LSC's Pat Hanrahan, who has worked closely with Youells on the diversity push. "Our discussions on diversity have highlighted the recent sea change in our client communities and the consequent need to rethink the skills we look for in staff to serve them."

Adds Youells: "Our overriding objective in legal services is to offer a measure of hope to those who have been disenfranchised from society. New Americans – immigrants who have come to live in the United States over the past generation, along with their first-generation children – bring with them unique cultures and legal needs that did not exist twenty-five years ago. Because trust is the foundation of any successful attorney-client relationship, it's important to find attorneys and staff who reflect the community of clients they are charged with helping. This requires giving priority to fluency in more than one language and experience in more than one culture. Our outreach must be geared to penetrating and understanding those whom we have not traditionally served."

At the heart of the diversity initiative is a concerted push to attract and retain qualified minorities to staffs and local program boards – "to groom the legal services leaders of tomorrow," as Youells puts it. Of particular importance, she says, is hiring and retaining qualified women and minorities to serve in top leadership positions, such as executive director. A breakdown of the ethnic and gender composition of federally funded legal aid staffs for the year 2000 helps crystallize the challenges facing equal

justice advocates. While ethnic minorities make up 39 percent of legal services staffs, only 17 percent of executive directors are minorities. Similarly, while women comprise 74 percent of all federal legal aid workers, only 34 percent of executive directors are women.

“We want to find out if there is a glass ceiling for women and minorities, and if there is, what proactive steps we can take to increase opportunities to promote diversity at the highest level of legal services,” Youells says. “Emphasizing diverse leadership allows individuals who are concerned about making a difference in the world to start by making improvements in their own backyard.”

Many LSC-funded programs began responding to changes in their backyards long before the new census data was available. In Oregon, for example, Lane County Legal Aid Services has partnered with Centro Latino Americano and the state Attorney General to hire bilingual advocates to reach out to Hispanic clients in rural areas who need assistance in domestic violence and sexual assault cases. Bergen County Legal Services has teamed with the Martin Luther King, Jr. Senior Center, Inc. in Hackensack, N.J., holding regular office hours at the center to reach out to under-served seniors in the African-American community. Southern Arizona Legal Aid (SALA) in Tucson, Ariz., which serves 17 sovereign Native American nations and communities on the Mexican border, has undertaken “extraordinary efforts to recruit and retain staff who speak Native languages in our three tribal offices and Spanish in our border offices,” says Executive Director Paul Julien. SALA has also addressed diversity at the board level by accepting regular nominations from the Arizona Minority Bar Association and amending its bylaws to require that at least two board members represent tribal nations.

The brand-new South Carolina Centers for Equal Justice – which opened in January 2000 as the 10th largest program funded by LSC nationally – hired an African-American woman as its first executive director. Upon her hiring, Teresa Cosby, a former South Carolina assistant deputy attorney general, immediately began to raise diversity issues with equal justice stakeholders in her state. “I saw the advantages of having a staff reflect not just the client community in South Carolina, but a staff that reflects the population at large,” she says. “We need to completely reflect the citizenship, and diversity needs to be a part of this discussion.”

LSC plans to continue the discussion in 2002 by creating an action agenda for change. Helping to craft that agenda will be Althea Hayward, a former director of Legal Services of Eastern Virginia and ordained minister in the African Methodist Episcopal Church, who was hired by LSC this winter. The action agenda is expected to be completed this spring.

Ethnic and gender breakdowns of federally funded legal aid staffs nationwide in 2000.

ALL EMPLOYEES

Caucasian	7,882 (61%)
African Am.	2,297 (18%)
Hispanic	2,049 (16%)
Asian	366 (3%)
Native Am.	217 (2%)
Women	9501 (74%)
Men	3332 (26%)

EXECUTIVE DIRECTORS

Caucasian	185 (83%)
African Am.	26 (11%)
Hispanic	8 (4%)
Native Am.	3 (1%)
Asian	1 (1%)
Men	148 (66%)

Women 76 (34%)