

# Daily Journal

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## TOP Women Lawyers 2023

### Global majority women have made strides, but are still underrepresented in the legal profession

By April E. Navarro and Rachel J. Vinson

Women of the global majority continue to break barriers in the U.S. legal profession. The appointments of Justices Ketanji Brown Jackson and Sonia Sotomayor to the U.S. Supreme Court are perfect examples and are pioneers for the next frontier of women who want to attain better representation in the legal profession.

However, while strides have been made, a huge deficit persists. The Global majority, a concept that reflects the diversity of the world in general, and which in the U.S. population accounts for one in four women, is not proportionally represented in the legal industry. United States Census Bureau, "Annual estimates of the resident population by sex, race, and Hispanic origin for the United States": April 1, 2020 to July 1, 2021 [Data Set]; Campbell-Stephens, Rosemary M., Global Majority; "Decolonising the language and Reframing the Conversation about Race" (2020). This article focuses on Black and Latina women lawyers, for whom issues of representation and promotion remain most stark.

#### Black women lawyers

In the last decade, the percentage of Black or African American female summer associates increased from 4.35% to 7.33%; and the percentage of Black or African American female associates increased from 2.55% to 3.45% of all associates. NALP, 2022 "Report on Diversity in U.S. Law Firms" (Jan. 2023), Table 3 & Table 5, pp. 20, 22. However, in 2022, Black or African American women contin-

ued to account for less than 1% (0.94%) of all partners at U.S. law firms. The percentage of Black women lawyers in the U.S. is approximately 4.1% of all lawyers. This figure stands in stark contrast to the almost 15% of the U.S. population that identified as a non-Hispanic Black or African American woman or a non-Hispanic multi-racial woman of Black or African descent. United States Census Bureau, Annual estimates of the resident population by sex, race, and Hispanic origin for the United States: April 1, 2020 to July 1, 2021 [Data set]; United States Census Bureau, "Quick Facts: Population Estimates," July 1, 2022 People [by] Race and Hispanic Origin.

#### Hispanic women and Latina lawyers

In 2022, people identifying as Hispanic constituted approximately 18.9% of the U.S. population. Of that group, 49% - about 31 million people - identified as women. According to statistics published by the ABA in 2022, 3% of people enrolled in U.S. law schools identified as Hispanic Women. ABA, Section of Legal Education - ABA 509 Required Disclosures, 2022 JD Enrollment and Ethnicity. In the last decade, summer associates that identified as Latinx women increased from 2.92% to 5.36%. In 2022, Latinas comprised less than 1% of the partnership and about 3.5% of Associates at U.S. law firms. These figures reflect that the number of Latina Partners and Associates about doubled compared to a decade ago. However, while about 38% of lawyers in the U.S. are women, only around 2% are Hispanic women or Latinas. U.S. Bureau

of Labor Statistics, Labor Force Statistics from the Current Population Survey 2022, "Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity." In comparison, Hispanic women comprise 9% of the U.S. population.

#### Why do women of the Global Majority remain underrepresented in the legal profession?

The ABA collected 14 years' worth of data, which best explains the exodus of women of the global majority from the legal profession. According to the ABA, individuals



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with experience in the legal profession said they left the profession because they felt undervalued, unsupported and invisible - particularly at law firms. ABA Initiative on Achieving Long-Term Careers for Women in Law: "Left Out and Left Behind": The Hurdles, Hassles, and Heartaches of Achieving Long-Term Legal Careers for Women of Color. (2020) at pp. 1,13. Here are some of the key reasons: First, women of the global majority said they experienced bias at the decision-making level. How may the legal profession address this? Hire us. Mentor us. Pay us. Firm leadership and partners need greater access to information and training about how to adequately integrate women of the global majority into the profession. For example, it is important for supervisors to deploy lawyers and/or delegate assignments in a manner that ensures that women of the global majority are receiving the skills, training, and knowledge necessary to succeed and advance in their legal careers.

Second, and according to the ABA, the slow rate of increased diversity in the profession may be due in part to the performative acts of employers purporting to be committed to diversity and inclusion, rather than changing the structures of their decision-making processes to disrupt bias. Is the legal profession supporting institutions of higher learning that serve underrepresented communities? Are employers recruiting at these institutions? Is anyone at your institution designated to identify diverse candidates? Are diverse candidates otherwise solicited to apply for job positions, internships, externships, clerkships, or other similar positions? Or, are employers in the legal profession merely satisfied with attending annual diversity bar dinners and publishing photographs depicting its most diverse employees for its website?

Third, some lawyers may not be making personal contributions to diversify the

legal profession. Disproportionately, the legal profession asks the few women of the global majority to take the laboring oar in recruiting, retaining and mentoring diverse lawyers. While the contributions of women of the global majority to diversity and inclusion efforts in the practice of law are critical since only we may offer the unique perspective of navigating this identity to others similarly situated, everyone - not just we - possess experience-based knowledge and perspective that is of great value to people of the global majority in the profession.

In sum, in order for us to continue to innovate and solve the problems of our world, the global population of our communities must be reflected within our ranks. The entire legal profession, including non-women and people of the global minority, must commit to individual acts to achieve our collective goal of diversity in the legal profession.