



Sunday April 23, 2006

## **Diversifying state bar a challenge**

By BUTCH MABIN / Lincoln Journal Star

Increasing the enrollment of minority students at the state's two law schools is a challenge members of Nebraska's legal community have set for themselves.

Raising the number of minority attorneys in Nebraska is another.

And it's no less daunting.

"There's a frustration among law firms that want to add more diversity," said Jim Rembolt of the Lincoln law firm, Rembolt, Ludtke & Berger.

"It's hard to find any qualified candidates around that are interested in being in Nebraska, or want to stay here after school."

Harold Rock, whose Omaha law firm, Kutak, Rock, has been a leader in hiring and promoting women and minorities, agreed.

"You want someone who's competent and, secondly, someone who's going to stay with you," he said.

"It's true with white lawyers, too, but they (minority attorneys) get good job offers, and away they go," said Rock, whose firm has lost promising minority attorneys to bigger cities and, at least in one case, to the state bench.

The numbers tell the tale.

In a state with a minority population of about 10 percent, the number of attorneys from those communities stands at about 2 percent, according to the most recent figures.

Nebraska's two law schools, the University of Nebraska College of Law and the Creighton University Law School, are faring better. This year, NU has a minority enrollment of 11 percent, and Creighton has 17 percent.

So why are the numbers so low for attorneys? Explanations vary.

Lincoln attorney Carlos Monzon said law students of color in the state often use their degrees as tickets to destinations outside Nebraska.

Monzon, a criminal defense attorney, graduated from the NU law college in 1994. He said only four of the roughly 18 minority students in his class stayed in Nebraska after graduation.

“The majority of students of color I talk to are looking at law school as a way to leave Nebraska,” he said.

Monzon said the need is real for more attorneys who understand the cultural backgrounds of their clients.

“We need attorneys who may be sensitive to the creeds of the people they’re representing,” he said. “Imagine what’s it’s like to be in a courtroom and everybody but you is white.”

Said Shirley Mora James, president of the Hispanic Bar Association in Nebraska: “We no longer live in an all-white state. It’s paramount that we have diversity (in the legal profession).”

With greater diversity comes greater perceptions of fairness in the courtroom, Nebraska Supreme Court Judge John Gerrard said.

Gerrard is a co-chairman of the state Minority and Justice Task Force implementation committee.

The task force was created by the Supreme Court and Nebraska State Bar Association to explore an array of issues concerning race and the state legal system.

One of the task force’s findings was a need in the system for more people of color, not just as attorneys but as bailiffs, court reporters and jurors as well.

“If you go into court and at least see people that look like you, maybe speak the same language, there will be some sense we’ve got a level playing field,” he said. “It’s a way to tell (minority) people the system really can work.”

NU law student Daniel Dawes said Nebraska firms are reluctant to hire graduates who came to school from other states.

“I would stay here in Nebraska if somebody would give me a job,” said Dawes of Fort Lauderdale, Fla.

“Other minorities tell me it’s difficult to get a job here,” said Dawes, who is black. “(Firms) think you’re not going to stay.”

Anna Shavers, an NU law professor, agreed.

Shavers also said firms tend to compete for the top graduates.

“Most students of color have not been in the highest ranks (of their classes),” said Shavers, who is black.

“I think firms need to look at the other things these students can bring. They must be more flexible in their hiring.”

Rembolt said a prospective hire’s long-term commitment to a firm is an important consideration for him.

“When we make a hiring decision, we are assuming we want them to become a partner,” he said. “That means investing a lot of time and resources in them.”

He said minority law school students who came to the state from areas with larger minority communities might have harder times settling in Nebraska after graduation.

“It’s like a foreign country to some of them,” he said. “That’s a big problem.”

And it’s a problem firms want to solve, he said, and not just because it’s the right thing to do. Clients are better served by firms that are representative of their communities, he said.

Rembolt measures diversity, not just in race but in religion and politics as well.

“When you have (lawyers) all from the same backgrounds, they all think the same,” he said. “They’re looking at (a legal issue) from the same angle. It’s better to have different viewpoints.”

Rock agreed. “Some of our clients, I mean big clients, are interested in diversity,” he said. “We see this as a way of better serving them.”

Kutak, Rock late last year hired a diversity officer for the Omaha office, probably the first-ever such position in a Nebraska law firm.

Daphne Hyun-Jin Aronson, the officer, said her duties, which include recruiting minority attorneys, are challenging.

Six of the 120 lawyers in the Omaha office are minorities, she said.

For one, she said, minority attorneys tend to work in public interest or the government sector.

Also, the local pool of potential hires is a small one.

And she said, “If they come from out of state, it’s easy for them to pack up and leave ... If they leave two or three years after they’re hired, when they become productive, it’s costly

for the law firms.”

But the motives for diversifying are compelling, she said.

“It’s client-driven,” she said. “It’s to better serve our clients.”

Gerrard, the Supreme Court judge, said Aronson’s role at Kutak, Rock is just one sign that firms have begun to recognize the value of diversity.

“I’ve seen real changes in the culture of law firms,” he said.

“So often, diversity used to be thought of as PC. Now, they’re realizing diversity can be good for them for business reasons.”