

DIVERSITY, EQUITY, INCLUSION & ACCESSIBILITY SURVEY REPORT

Introduction

To gain a better understanding of who we are as a profession, the State Bar of Nevada worked with the University of Nevada Grant Sawyer Center for Justice Studies to survey Nevada attorneys. The goal of the survey was to obtain demographic information not captured on bar applications or through voluntary questionnaires on annual license renewal forms. It also provided an opportunity to gain a deeper understanding of issues and attitudes surrounding diversity, equity, inclusion, and accessibility (DEIA).

The survey was sent to 11,517 licensed attorneys in Nevada and received a response rate of 9%. The comprehensive survey results provided by the Grant Sawyer Center are attached. Although the low response rate is not inclusive of all Nevada attorney data and opinions, this report provides key takeaways that may be used in policy development.

In addition to capturing demographic information, the survey also solicited information and attitudes relating to:

1. Firm/organization diversity initiatives
2. DEIA policies
3. Leaving the Workplace
4. Workplace Treatment
5. Implicit bias
6. Witnessing unfair treatment
7. Workplace climate
8. Cultural climate

The report includes a synopsis of the 498 comments left as part of an open-ended forum about any experience that may have defined their view of the legal community or that may have left a lasting impression on them.

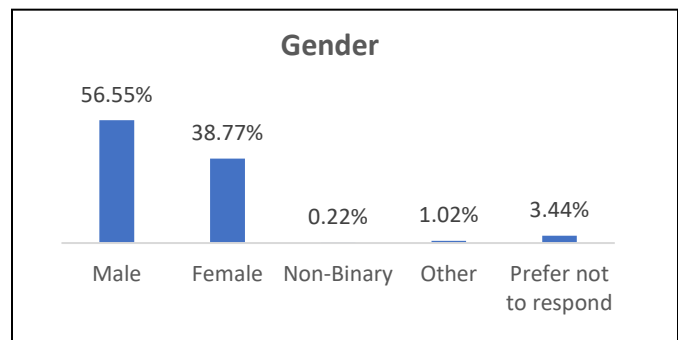
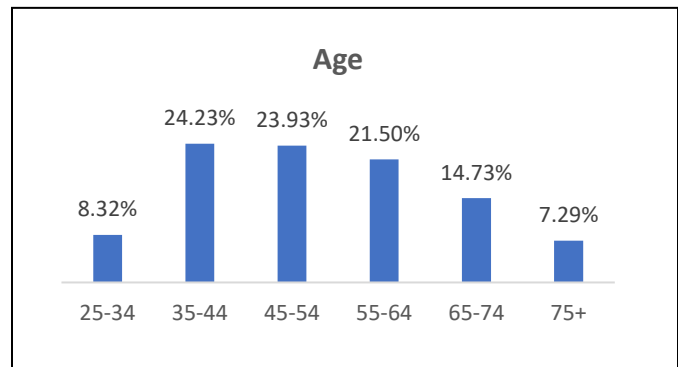


Who We Are

The charts on this page demonstrate our age, gender, and racial/ethnic identity.

- Survey takers were evenly distributed among those 35 – 64 years old. Note, State Bar of Nevada records indicate that the average age of Nevada attorneys is 52 years old.
- 57% of survey takers are male; State Bar of Nevada records show that 65% of our licensees are male.
- 73% of the survey takers classified themselves as Caucasian/white; African Americans, Asians and Latino attorneys each comprise between 5% and 6% of the attorney population.

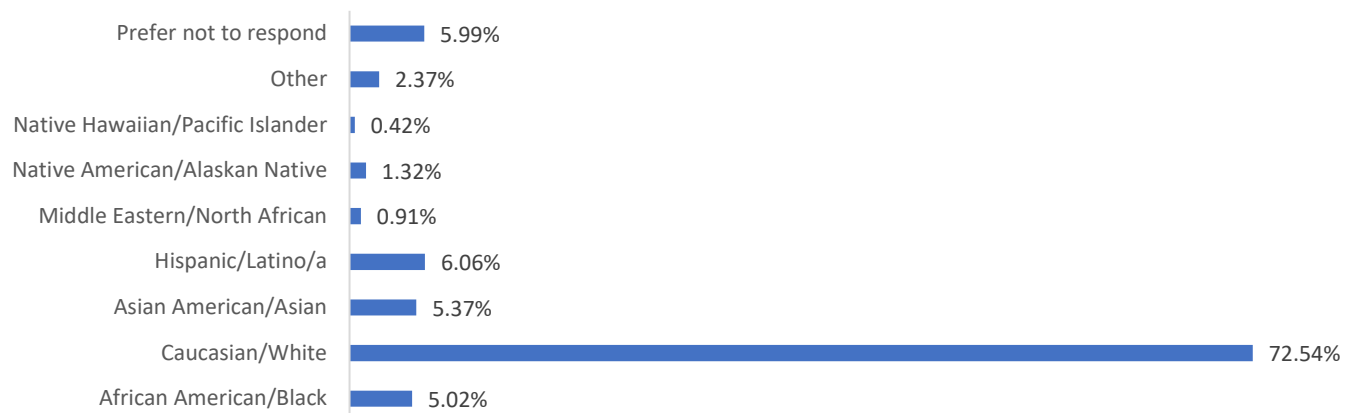
Nearly 85% identify as heterosexual and more than 14% have a disability, whether seen or unseen.



Of those who completed the survey, there is an almost even distribution of lawyers by firm size (solo, 2-4 attorneys, 5-14 attorneys, and 15+ attorneys). Of these,

- 31% of law firms are owned or controlled by women.
- 18% of law firms are owned or controlled by minorities.
- 4% of law firms are owned or controlled by LGBTQ attorneys.

Race/Ethnicity



Diversity Initiatives

We asked attorneys who were not solo practitioners if they had diversity initiatives in place; 33% of those in private practice have them and nearly half, 49% of those in public/government practice have them. Interestingly, 24% stated that they were unsure if their workplace had DEIA initiatives in place.

Are they successful?

Half, or nearly half of the attorneys who had DEIA initiatives in place stated that they were successful. However, when asked again later in the survey about whether they were successfully *implemented*, the rate of those who “agreed” or “strongly agreed” was only 35%.

Survey takers were also asked if the DEIA initiatives in their office were tokenistic; 42% disagreed and another 39% neither agreed nor disagreed.

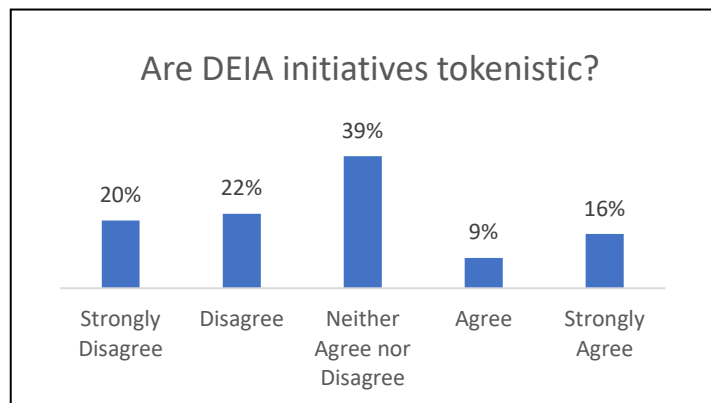
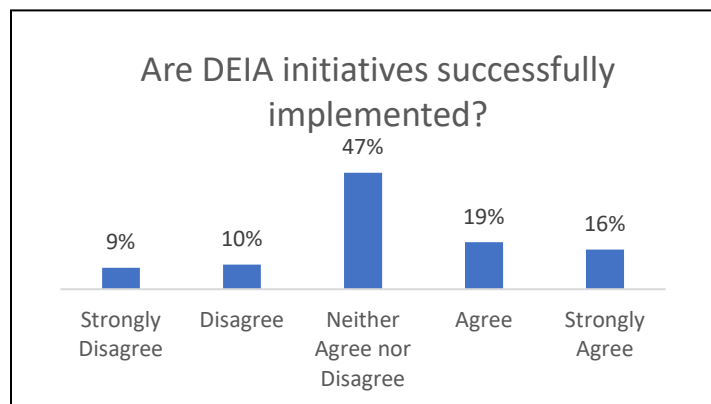
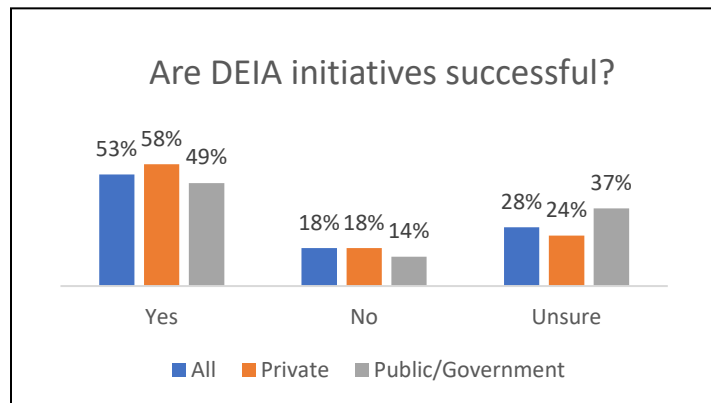
Categorized Survey Comments

The researchers at Grant Sawyer collected comments from survey takers and categorized them. Comments related to DEIA initiatives follow.

DEIA initiatives in the workplace were described positively, using words like “supportive,” “welcoming,” “improving” or “unbiased.”

Negative words to describe DEIA initiatives included “lacking,” “performative,” “limited,” “non-existent” and “divisive.”

There was also a group of survey takers who held aversive opinions about DEIA initiatives in the workplace; 173 people left comments like “woke,” “get over it,” and “not a problem.”



Policies

We asked law firm managing partners if they had DEIA policies. Less than one-third (27%) indicated that they did. We also asked about specific policies related to billable hour credit, compensation, and maternity and paternity leave.

8% give billable hour credit for DEIA-related activities.

5% tie partner compensation to diversity efforts.

48% provide for paid maternity leave.

35% provide for paid paternity leave.

Leaving the Workplace

21% of Nevada attorneys left a workplace within the legal community within the past two years.

They are more often women ...	27% compared to 18% men
They are more often minorities ...	29% compared to 20% Caucasian/Whites
They are more often younger ...	31% under age 55 compared to 17% aged 55+
They are more often LGBTQ+ ...	33% compared to 21% of those who are heterosexual
They are more often public/government attorneys ...	29% compared to 18% in private practice

Reasons for Leaving

- **29% stated they left due to a feeling of a lack of inclusion.**
- **26% stated they left due to a feeling of a lack of mentorship.**
- **38% stated they left due to a lack of opportunity.**

Statistical differences in reasons for leaving the workplace were evident among women, younger attorneys, and those with a disability

Lack of Inclusion	Lack of Mentorship	Lack of Opportunity
41% are women 35% are under the age of 55	34% are women 42% are under the age of 55	48% are women 50% are under the age of 55 35% have a disability

Workplace Treatment

Survey takers were asked a series of questions that examine their perceptions about the treatment they receive from others in their workplace and in the legal community. Findings from the 13 factors surveyed show a generally positive response, although lower levels of agreement were found with women, minorities, those working in the public sector, solo practitioners, those with disabilities, and younger attorneys. These statistical differences are noted below; those that are highlighted represent a difference of 7% or more.

1. **76% agreed or strongly agreed they are afforded the same opportunities as others in their role.** In contrast, 67% of women and 62% of minorities agreed with this statement.
2. **81% agreed or strongly agreed they are treated with respect.** In contrast, 75% of women, 72% of minorities and 76% of those working in the public sector agreed with this statement.
3. **83% agreed or strongly agreed their work is valued.** In contrast, 79% of women, 76% of minorities and 79% of those working in the public sector agreed with this statement.
4. **62% agreed or strongly agreed that they can count on their peers to speak up on their behalf.**
5. **82% agreed or strongly agreed that they have people from whom they can seek support.** In contrast, 77% of minorities and 77% of those in solo practice agreed with this statement.
6. **There was an even disbursement people who felt they needed to work harder than others to be valued equally.** Women, minorities, younger attorneys, those with a disability, and those in the public sector were more likely to agree with this statement.
7. **80% agreed or strongly agreed that their work experience has had a positive influence on their professional growth.** In contrast, 76% of younger attorneys, 74% of those with a disability and 67% of those in the public sector agreed with this statement.
8. **63% disagreed or strongly disagreed that their ideas and opinions are ignored.** Women, minorities, those with disabilities, and those in the public sector were statistically more likely to agree that their ideas and opinions are ignored.
9. **71% disagreed or strongly disagreed that they are ignored, silenced, or slighted due to their racial/ethnic, gender, sexual orientation, or age identity.** Women, minorities, younger attorneys, and those in the public sector were statistically more likely to agree that they are ignored, silenced, or slighted.

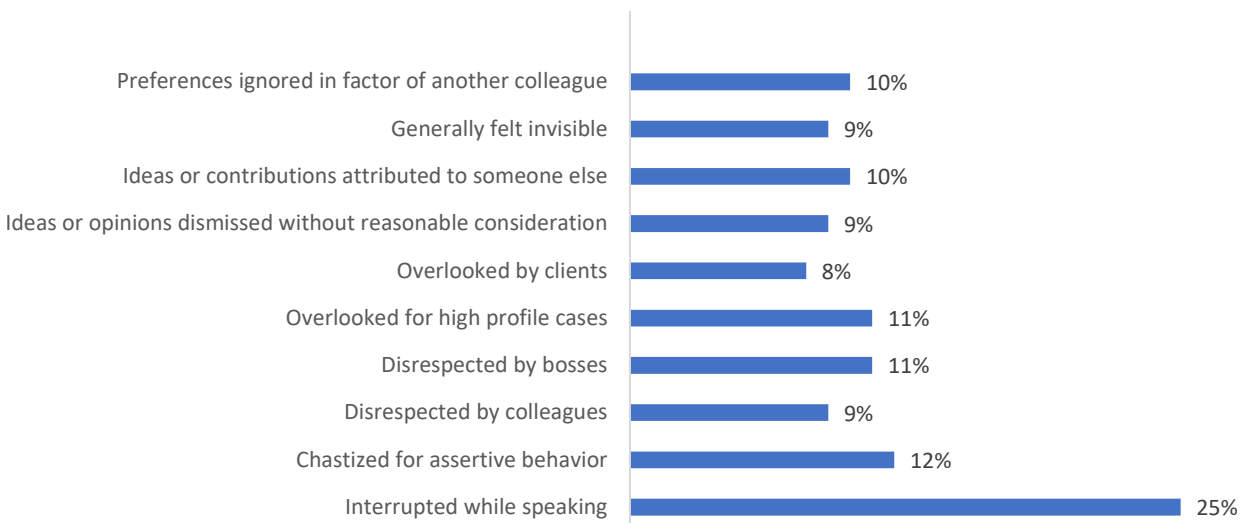
Workplace Treatment (con't.)

- 10. 69% disagreed or strongly disagreed that others do not value their opinions.** Women, minorities, younger attorneys, those with disabilities and those in the public sector were statistically more likely to agree that they others do not value their opinions.
- 11. 72% agreed or strongly agreed that they can closely share professional values and interests.** In contrast, 65% of women, 69% of minorities, 69% of those with disabilities and 68% of solo practitioners agreed with this statement.
- 12. 67% agreed or strongly agreed that they can be their authentic self.** 62% of women, 55% of minorities, 61% of younger attorneys, 58% of those with disabilities and 61% of those in the public sector agreed with this statement.
- 13. 23% agreed or strongly agreed that they are judged more often than others.** 30% of women, 33% of minorities, 29% of those with disabilities and 33% of those in the public sector agreed with this statement.

Implicit Bias in the Workplace

Survey participants were asked a series of questions taken from existing literature to examine implicit bias they may potentially experience or that they have personally experienced. **The most common factor was being interrupted while speaking.**

Implicit Bias Factors with "Often" or "Very Often" Responses



For each of the above categories with a "often" or "very often" response, there were higher ratings among women, minorities, those with disabilities, and those practicing in the public sector. For example:

33% of women reported being interrupted while speaking.

16% of minorities reported being overlooked for a high-profile case or project.

10% of younger attorneys reported being overlooked by clients.

15% of those with a disability reported feeling generally invisible.

15% of those working in the public sector reported they had their preferences ignored in favor of another colleague.

Witnessing Unfair Treatment

We also asked if Nevada attorneys had witnessed unfair treatment of another person in the legal profession within the past five years. Nearly 500 people, or about 40% of the survey respondents stated they had witnessed unfair treatment of another person due to their political beliefs and age. Additionally,

- 29% of respondents reported witnessing unfair treatment based on racial or ethnic identity.
- 28% of respondents reported witnessing unfair treatment based on gender identity.
- 23% of respondents reported witnessing unfair treatment based on religion.
- 20% of respondents reported witnessing unfair treatment based on care-giving responsibilities.

Those who selected “other” as a category for which they witnessed unfair treatment were offered an opportunity to explain. Responses were varied, but included, as examples,

- Firms being dismissive of issues that might occur in a person’s personal life, such as divorce, difficulty with childcare, and pregnancy.
- Being treated unfairly because they spoke up.
- Witnessing unfair treatment based on biological sex (especially females), residing in a rural area, anti-white male bias, polyamory, sexual relations, income, and appearance.
- Experiencing unfair treatment because they were a veteran or because of their military affiliation.

Workplace Climate

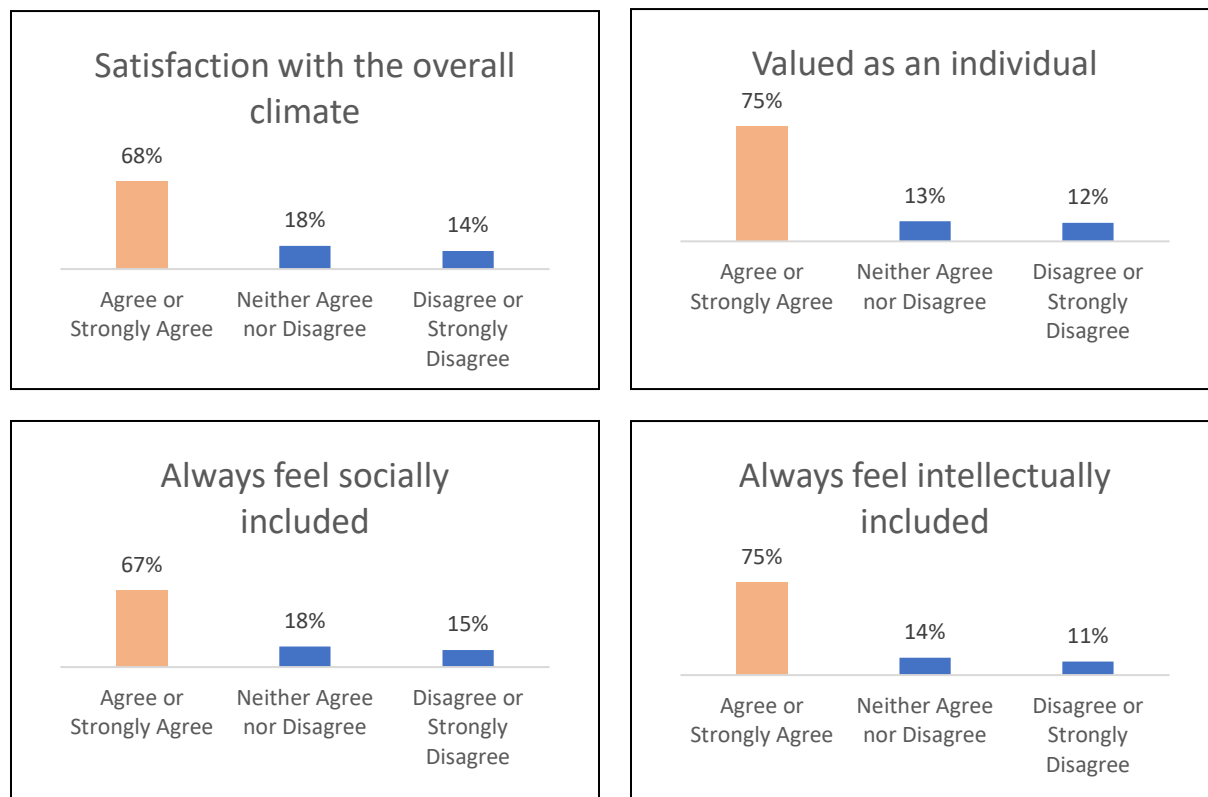
Next, we asked survey participants to rate how much certain adjectives represented their current or most recent workplace. Favorable adjectives like “welcoming,” “respectful” and “collegial” were rated most highly at 39% - 40% of the respondents and “competitive” was the least highly rated at 19%.



It should be noted that “diverse” was also rated low, at 27%. Additionally, positive adjectives received lower response rates among women, minorities, younger attorneys, those with disabilities, and those working in the public sector. For example, “friendly,” which rated 39% overall, received a 24% rating among public sector/government attorneys.

Cultural Climate

Finally, survey takers were asked to describe the cultural climate in their current or most recent workplace based on their personal experience by rating the extent to which they agreed with various statements.



Scale Level Analysis

Based on the ratings from each of statements listed above, the Grant Sawyer researchers combined the responses to form a scale measuring the survey takers' perceptions of the workplace cultural climate. Ratings do not vary significantly from one group to the other.

Cultural Climate Scale			
(On a scale of 1-5, 5 is the most favorable perception of workplace cultural climate.)			
Men	3.8	Women	3.53
Whites	3.74	Minorities	3.5
Those Aged 55 and Older	3.73	Those Aged 54 and under	3.6
Heterosexual	3.7	LGBTQ+	3.65
No Disability	3.74	Disability	3.48
Private Practice	3.78	Public Sector	3.49
Practice in a Firm	3.81	Solo Practice	3.67

Survey Comments

The Grant Sawyer researchers coded the comments on the following themes: gender/sex discrimination, race discrimination, white discrimination, negative comments about DEIA, accepting climate, negative climate, favor white males/“old boys club,” age discrimination, sexual harassment, sexual orientation discrimination, religious discrimination, and disability discrimination.

- 250 respondents indicated that the legal community in Nevada favors white males and is based on the “old boys club” mentality.
- 92 respondents indicated that they have experienced discrimination because of their gender identity or sex.
- 35 respondents indicated that they had experienced racial discrimination, but 25 respondents indicated that DEIA efforts have resulted in discrimination against white people. For example, some respondents indicated that their opinions did not matter because they were white, or they were excluded from promotions or opportunities because they were given to a minority based on DEIA initiatives.
- Other respondents indicated that they have experiences with discrimination based on their sexual orientation (6), religion (10), and disability (4).
- Another 11 respondents indicated that they experienced sexual harassment and inappropriate sexual behavior directed towards them.

Additionally, 111 respondents left responses that indicated that the legal community in Nevada is negative. For example,

- Some respondents indicated that the legal community lacked professionalism towards all members, judges are unable to make impartial decisions, and decisions were based on nepotism rather than merit.
- However, 87 respondents indicated that they worked in an accepting, positive climate. For example, some respondents indicated that the Nevada legal community fostered meaningful relationships, accepts all people for hire, and effectively dealt with any discrimination that was witnessed.