

First-Generation Professionals

in the Nevada Legal Community

BY BRIANA MARTINEZ, ESQ., AND JORGE "COCO" PADILLA, ESQ.

The bar exam results just dropped. Emotion overcomes you as you see your name on the list of people who passed. You think back on all you have accomplished – you were the first person in your immediate family to graduate high school, college, or law school. You are the first person in your family to become an attorney. As your dreams become a reality, it sets in that you will begin to navigate the legal profession as a First-Generation Professional (FGP).

In 2019, the Office of Civil Rights (OCR), under the U.S. Department of Commerce and the U.S. Census Bureau, conducted focus groups and qualitative interviews to investigate potential barriers to workplace inclusion for FGPs.¹ The purpose of this research was to investigate whether socio-

economic status may also be a diversity characteristic for which there are barriers to inclusion for employees from low-income backgrounds.² While the study aimed to investigate whether FGPs experience barriers to inclusion and advancement in the federal government workplace, this article contemplates the study's research questions and applies them in the context of FGPs in the Nevada legal community.

RESEARCH QUESTION 1: What are the specific biases, policies, and/or practices that may impact a FGP's inclusion and/or career ascension?

The OCR study demonstrated that FGPs noted barriers for career ascension in three settings:

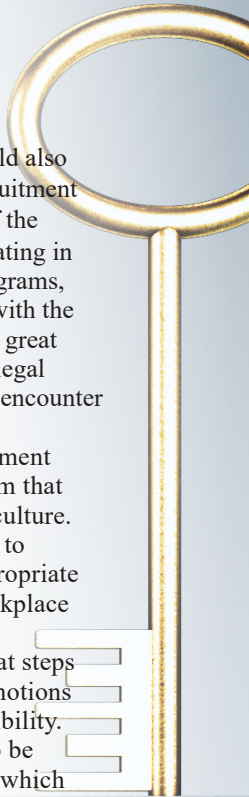
1. developmental programs,
2. networking skills, and
3. office-culture.³

- Specifically, the study indicated that FGPs felt they lacked the resources to participate in developmental programs, such

as unpaid internships, travel abroad, or leisure activities.⁴ As to networking, FGPs voiced that they did not grow up knowing how important networking is for their careers, because their households did not have white-collar professional backgrounds.⁵ Finally, the study demonstrated that FGPs often did not know how to navigate office culture and career-path ascension, and were left to learn these principles without the mentorship of a white-collar professional in their family.⁶

- These same barriers ring true to FGPs navigating Nevada's legal profession. Below are several barriers faced by FGPs in law school and in their legal careers that should be taken into consideration by law schools and legal employers. These situations should be improved to bridge the gap.





- **Unpaid Experiences:** Part of the law school experience may include prestigious unpaid externships or internships. Participating in judicial internships is encouraged and emphasized during law school. While these experiences may be pivotal to a law student’s professional development, it is important to note that not all students can afford to participate in these experiences, and a student’s financial position may leave them at an inherent disadvantage. It is worth noting that the bigger-picture issue may be that internships should not be unpaid, or some other incentive should be offered to bridge this disparity.

- **Judicial Clerkships:** In the same vein, a judicial clerkship is deemed a coveted position. FGPs who cannot afford to live off a government salary may choose not to pursue a judicial clerkship. The value of a judicial clerkship may not be so obvious to a FGP. Yet, a judicial clerkship may be the catalyst for career ascension.

- **Networking:** While networking may be a learned quality, FGPs face a steep learning curve. FGPs may not fully understand having to “put yourself out there” and how it may lead to a potential career-altering opportunity. This circumstance is true especially if FGPs did not grow up knowing the importance of networking. Then there are the added barriers of not having the financial means to attend networking events or having limited things in common with the established legal professionals in the room. Also, a home situation may not allow FGPs to attend these events.

- **Career-path navigation:** As an FGP, career-path navigation is complicated. FGPs cannot come home and ask their immediate family for career advice because they are the first in their family to reach this level of professional achievement. As a result, FGPs did not grow up

with a mentor to orient them to the legal professional workplace environment, and as such, may be unaware of basic-level career essentials. These essentials may include salary norms, firm hierarchy, and exposure to different areas of law. This limited knowledge on career-path navigation makes it difficult for FGPs to ascend in their careers further than what they think they are capable of.

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**RESEARCH QUESTION 2:
At both individual and organizational levels, what strategies can address any potential barriers or biases toward FGPs?**

The second research question asked the FGP participants what strategies, at the individual and organizational levels, they felt could address any potential barriers or biases toward them.⁷ The OCR study identified the following areas of development:

1. an advanced orientation to workplace culture,
2. networking skills development,
3. etiquette for social events, and
4. supervisor training on how to engage and supervise FGPs.⁸

Taking the biases and policies that may impact FGPs above, these same strategies can be applied in the greater context of our Nevada legal community. Some of these strategies can be implemented in law school to help FGPs in the initial stages of their legal careers. These strategies include providing networking skills and development, and etiquette classes or training during law school.

As law students make career-altering decisions that can affect their future, students should make efforts to be informed about the benefits of unpaid experiences and judicial clerkships.

Legal employers, however, should also make efforts to change their recruitment practices to be more inclusive of the barriers that FGPs face. Participating in pipeline programs, diversity programs, and having a close relationship with the affinity bar associations can be a great way to recognize top talent that legal employers may not traditionally encounter in other settings.

Legal employers can implement a firm-based mentorship program that has an emphasis on workplace culture. The purpose of this emphasis is to assist FGPs in knowing the appropriate interpersonal skills needed, workplace terminology, understanding the hierarchy of a law firm, and what steps and strategies can result in promotions and greater amounts of responsibility. Firm-based mentors should also be adept in interacting with FGPs, which would necessarily include understanding the FGP’s cultural and socioeconomic background to avoid creating a negative stigma for being a FGP.

The skills learned through a mentorship program would help FGPs with networking as well. Harping on the fact that FGPs did not grow up with any understanding of the importance of networking, a firm-based mentor can help FGPs navigate a social setting—even if it means having a familiar face to approach. FGPs would also benefit from firm-based networking events. These events promote a firm culture that demonstrates the importance of networking to FGPs while also tackling the issue of financial hardship that might deter

FGPs from attending such events in other settings. Firms can take it a step further by allowing these networking events to count towards billable hours as part of a diversity and inclusion activity.

As our legal community continues to grow and becomes more representative of our general population, legal employers can make the effort to be aware of the biases and barriers that FGPs face when entering the legal profession. While no proposed solution is “enough” to help FGPs with the biases and barriers that

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are unique to their identities, legal employers can take a variety of measures to make even their newest FGP employee feel welcomed and on the same level as the rest of the team. However, to only focus on an incoming or new FGP employee is viewing half the picture. Legal employers should take steps to bolster professional relationships with local law schools and affinity bar associations to find up-and-coming talent.

For these same reasons, we encourage legal employers to become a State Bar of Nevada recognized 2023 Partner in Diversity, Equity, and Inclusion.⁹ Law firms that participate in at least five initiatives outlined by the state bar receive a medallion to display on their website, letterhead, and social media feeds. The state bar also shares the recognition through its weekly eNews, in *Nevada Lawyer* magazine, on its website, and through its own social media channels. The proposed initiatives include various ideas for recruitment practices, retention practices, pipeline and community initiatives, and coaching and training, which coincide with the findings and recommendations in this article. Qualification for this medallion is earned annually and can show FGPs a demonstrated commitment to diversity, equity, and inclusion practices that go beyond words on a website. For more information on this program, see the article on page 8.

ENDNOTES:

1. Rodney L. Terry & Aleia Clark Fobia, Qualitative Research on Barriers to Workplace Inclusion for First Generation Professionals, U.S. Census Bureau (May 1, 2019) <https://www.census.gov/content/dam/Census/library/working-papers/2019/adrm/rsm2019-03.pdf>.
2. *Id.*
3. *Id.*
4. *Id.*
5. *Id.*
6. *Id.*
7. *Id.*
8. *Id.*
9. State Bar of Nev., Become a State Bar of Nevada Partner in Diversity, Equity, and Inclusion!, <https://nvbar.org/wp-content/uploads/Become-a-2023-Partner-in-DEI.pdf> (last visited Mar. 12, 2023).

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