

AMERICAN HEALTH LAWYERS ASSOCIATION
DIVERSITY+INCLUSION COUNCIL
Diversity+Inclusion Checklist for In-Person Programs

While AHLA actively encourages diversity throughout the Association, AHLA's volunteer pool and leadership do not yet parallel the rich diversity represented in AHLA's membership, or even the diversity in the legal profession as a whole. This means that achieving diversity and inclusion goals will require conscious attention and effort. In-person programs are one of the most significant and outward-facing activities AHLA conducts. Program Planning Committees play a crucial role in AHLA's commitment to diversity and inclusion and are taking important steps that will further these goals.

In June 2017, AHLA's Board of Directors adopted an updated Diversity+Inclusion mission statement, as follows: "In principle and in practice, the American Health Lawyers Association values and seeks to advance and promote diverse and inclusive participation within the Association regardless of gender, race, ethnicity, religion, age, sexual orientation, gender identity and expression, national origin, or disability. Guided by these values, the Association strongly encourages and embraces participation of diverse individuals as it leads health law to excellence through education, information, and dialogue."

In furtherance of this enhanced mission, the Board of Directors adopted several goals to measure progress on diversity and inclusion, including achieving a minimum range of:

- 1) 10-15% diverse faculty for in-person Programs in the aggregate for each program year, and
- 2) 40-50% female faculty members for in-person Programs in the aggregate for each program year.

Neither of these goals is intended to be construed as a quota or cap. The target ranges set by the Board approximate the current percentages of diverse individuals and females, respectively, in the legal profession. AHLA believes diversity and inclusion enhance quality and will enable the Association to continue to provide top notch programming and networking opportunities. AHLA believes that many more qualified, diverse individuals who meet the Association's high standards for faculty are available, but are not yet involved in AHLA programs. This creates an opportunity for Program Planning Committees to actively and intentionally improve the diversity, and therefore the quality, of faculty at AHLA's in-person programs.

To accomplish these goals, the Board is requiring Program Planning Committees to implement a modified version of the "Rooney Rule" in selecting faculty for its programs. Program Planning Committees are also strongly encouraged to consider diversity and

inclusion objectives in assigning speakers to more prominent speaking opportunities such as plenary sessions.

The Rooney Rule was named after the Pittsburgh Steelers ownership family and initially adopted in the NFL to increase the number of diverse head coaches of professional football teams. The Rooney Rule requires that anyone making a hiring decision ensure that at least one diverse individual is included in the applicant pool and interviewed in good faith. The individuals included in the pool are not guaranteed of selection, but they must be seriously and fairly considered.

This Checklist has been provided as a tool for implementing a modified version of the Rooney Rule that fits AHLA and provides concrete steps that can be taken to further the Association's overarching Diversity+Inclusion goals. Program Planning Committees are expected to use the Checklist to the maximum extent practicable to support identification and consideration of diverse candidates for speaking opportunities for in-person Programs.

A similar checklist has been developed for, and is used by, PG/AG/TF leaders for purposes of identifying diverse faculty for PG/AG/TF-sponsored distance learning events. These two checklists are intended to work similarly for both distance learning and in-person programs. Changes or improvements to either should be considered for both.

While AHLA's current efforts focus upon inclusion of underrepresented groups — racial/ethnic minorities, members of the LGBTQ community, and individuals with disabilities — AHLA values and encourages broader diversity, to include gender, religion, geographic practice settings, practice areas, age, veteran status and other characteristics.

The concept of good faith includes elimination of as much unconscious bias as possible. Because it is "unconscious," such bias is often insidious and difficult to eliminate. AHLA is committed to providing ongoing diversity and inclusion education and training to its leaders, and Program Planning Committee members are encouraged to participate in any such opportunities.

DIVERSITY+INCLUSION CHECKLIST FOR IN-PERSON PROGRAMS

Identifying diverse candidates with an interest in and qualifications to serve as faculty may in some cases be challenging, especially within certain areas of narrow expertise. This Checklist offers practical tips and action items to assist Program Planning Committees in the various phases of program planning. We strongly encourage Committees to implement as many of the items on the Checklist as may be reasonably practicable, depending on time, availability and resources and as appropriate for each program. Committees have the freedom and are encouraged to implement other initiatives beyond those listed in this Checklist.

Pre-Proposal Phase and Year-Round (Building the Pipeline)

- Attend Celebrate Diversity+Inclusion networking receptions at AHLA in-person programs and network with diverse attendees. Share information about your Program and its speaking and networking opportunities. Encourage reception attendees to submit a proposal if they are interested.
- Ask diverse and non-diverse prior Program faculty to canvas their professional networks and identify diverse individuals who might be a good fit for a speaking opportunity and encourage those individuals to submit a proposal for the Program or provide the names of those individuals to a Program Planning Committee member. This might include other attorneys in their law firm or organization; other AHLA members; or colleagues in State Bar Associations, specialty bar associations, or other legal organizations.
- Similarly, ask Program Committee members to canvas their professional networks and to personally reach out to known diverse contacts to encourage them to either submit a speaking proposal himself/herself or to recommend others.
- Obtain input from the AHLA Practice Group that specializes in content related to your Program about diverse individuals within the Practice Group who might be good candidates to speak.
- Coordinate with the AHLA Membership, Diversity+Inclusion (MDI) Committee for recommendations of diverse candidates from its relationships with specialty bar associations. This might also include a review (by the MDI Committee or your Program Committee) of recent programming by specialty bar associations to identify speakers who are diverse who might be a good fit to serve as faculty for your program.
- Reach out to or consider past or present members of the former Diversity+Inclusion Council or current MDI Committee to help identify potential faculty who are diverse.
- To the extent available, use data from AHLA demographic profiles to identify diverse individuals who might be a good fit for a speaking opportunity.

- Ask AHLA staff who work with other Programs or distance learning if they are aware of diverse individuals who have expressed an interest in speaking or who have speaking experience. Where you think there may be interest, contact these individuals to encourage proposal submission.
- Encourage diverse candidates identified through this process who are not interested in submitting a speaking proposal to instead consider volunteering for other opportunities to participate in AHLA activities (e.g., distance learning and/or Practice Group volunteering or leadership).

Proposal Review Phase

- Review information identified on the Call for Speakers forms relating to diversity and demographic information of the candidate. Self-disclosure is the most reliable indication of diversity.
- Examine demographic information provided with the Call for Speakers responses available from AHLA's database and compiled based on members' demographic profile.
- Research the demographics of proposed speakers for whom you don't have diversity information. Sometimes the professional resume, online bio or LinkedIn profile will indicate if an individual is diverse. Alternatively, AHLA staff or leaders may know if the individual is diverse. This is challenging; however, as we should not make assumptions or stereotype people based on physical features or assume they have certain characteristics of ethnicity based on their last name.
- Look for opportunities to select new speakers for your program. Consider pairing a diverse new/unknown speaker with a familiar/known speaker. Consider the speaking experience of the new/unknown speakers outside of AHLA.

During the Program Phase

- Emphasize the importance of AHLA's Diversity+Inclusion goals during Program Chair Welcome Remarks, receptions, breakfasts, and luncheons, and invite attendees to consider submitting a proposal for the following year-
- Set aside time for the Planning Committee to meet in-person during the Program to discuss Diversity+Inclusion action steps and goals.

Post-Program Phase

- Review the demographic data surrounding the pool of speakers who participated in the Program as faculty and assess progress and results. Assess which methods aimed at identifying and encouraging participation of diverse faculty were and were not successful.
- Complete the post-program assessment.

- Assign responsibilities among Program Planning Committee members to begin activities identified under Pre-Proposal Phase in anticipation of the next cycle of your Committee's program.
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This Checklist is not exhaustive, and the MDI Committee would be happy to add items that Planning Committee members have tried and found to be successful. Please submit these suggestions to AHLA Vice President of Membership Kerry Hoggard at khoggard@healthlawyers.org.

Program Planning Committees should also document all the steps taken in following the Checklist. Following the next offering of its annual program, the Planning Committee will be asked to report to the MDI Committee through the Education Committee on its efforts using the assessment tool.

