



# The National Federation of Paralegal Associations, Inc.

## Position Statement on Diversity

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The National Federation of Paralegal Associations, Inc. (NFPA) believes that a diverse group of talented legal professionals is critically important to the success of every law firm, corporate or governmental legal department, paralegal education program, public service organization and every other organization that includes paralegals. Diversity is an inclusive concept and encompasses, without limitation, race, color, ethnicity, age, gender, sexual orientation, gender identity and expression, religion, nationality, any disability, and marital and parental status. Valuing diversity means appreciating the many advantages that different people contribute to the richness of our culture. It means behaving in a way that fosters respect for individual differences and the treatment of each person based on his or her own merit. To foster this belief, NFPA has adopted the following diversity statement:

One of the greatest assets of the paralegal profession is the ethnic, cultural, and social diversity of its members. The National Federation of Paralegal Associations, Inc. ("NFPA") takes great pride in this diversity. The NFPA welcomes, respects, and supports diversity, in all its forms, in its membership, its vendors and its contractors, as well as with paralegal educators, the paralegal profession, legal profession, bar associations, and the courts.

### **BACKGROUND.**

Over the past few years, many large and small U.S. law firms and corporations have devoted increasing resources to diversity initiatives as well as to the management and administration of these efforts.

Indeed, according to the U.S. Supreme Court, the benefits of understanding cultural diversity "are not theoretical but real, as major American businesses have made clear that the skills needed in today's increasingly global marketplace can only be developed through exposure to widely diverse people, cultures, ideas, and viewpoints." *Grutter v. Bollinger*, 539 US 306, 330, 123 5 Ct 2325, 2340, 156 L Ed 2d 304 (2003).

Demographic changes in our society and an increasingly global economy are fueling the need for a greater understanding of cultural diversity. Consider these national trends outlined by the Committee for Economic Development in *An America That Works*:

- Labor force growth, which averaged 2.6 percent in the 1970s, averaged only 1.2 percent during the 1990s, and is projected to slow to 1 percent during the first decade of this century.
- The slow growth of the working-age population will cause labor markets to tighten, thereby putting a premium on using everyone's work capabilities.
- More women are working; 81.4 percent of women between the ages of 25 and 54 were participating in the work force as of 2000.
- A significant proportion of recent growth in the labor force has been due to increases in African-American and Hispanic workers. When blacks and Latinos are combined with Asian Americans, these three groups account for more than half of net labor force growth in the last decade.
- In the last decade, the number of Asian-American workers increased by 74 percent, the number of Hispanic workers grew by 75 percent, and the number of African-American workers grew by 33 percent.
- Only 15 percent of new entrants into the work force were white, native-born males.
- By 2020, one in three Americans will be black, Hispanic, or Asian.
- Three-quarters of families will be dual-career, with both parents in the work force.
- Some 700 to 800 different religious denominations have been added to the American landscape.

These demographic trends are already hitting home in many businesses, according to a recent survey of nearly 600 companies completed by the Olsten Corporation. The survey, "Workplace Social Issues of the 1990s," reported these findings:

- The need for employees with multicultural communication skills has increased over the past five years, according to more than one-third of the responding companies.
- The percentage of women and minorities in the work force has increased over the past five years in more than half of the surveyed organizations. The role of women in management has increased dramatically, and more than a third of the companies reported increases in minority managers.
- Most companies are using their formal communications channels to promote awareness about diversity. Many are also implementing or considering training programs for employees and managers. Programs to accommodate disabled employees are present in only a

fraction (less than one-fifth) of the companies surveyed but are under consideration by most respondents.

- Sixty-two percent of the surveyed human resources executives reported that corporate cultures and embedded attitudes are the most widespread impediment to managing diversity.

Finally, we must remember that the disciplinary rules that regulate the practice of law, in many instances, require lawyers to understand and embrace diversity in a multicultural society. A lawyer who fails to recognize cultural diversity and fails to incorporate this understanding into his or her practice risks discipline. And as paralegals who are frequently held to the same ethical standards as the attorneys we support, a paralegal who fails to incorporate this understanding into his or her practice risks placing their supervising attorney, law firm, or corporate legal department, at risk for disciplinary action as well.

## **CONCLUSION**

When looking at diversity, the focus can be on the common traits of our members or the wider diversity of cultures they represent. While the concept of culture can be broad or narrow, it is also important to note that the concept changes over time and achieving diversity is an evolutionary process. Working in a diverse society requires being responsive to those changes. Diversity is not about different standards. Rather, the opportunity to increase diversity should be one important consideration in the decision making process.

Prepared for the National Federation of Paralegal Associations, Inc. by Wayne D. Akin, NFPA's 2005-2006 Vice President and Director of Positions and Issues (VPPI). The Diversity Statement was presented to and adopted by the NFPA delegates at the 2006 Annual Policy Meeting held May 6-7, 2006, in Chicago, Illinois, as Resolution 06-07. This Position Statement on Diversity was presented to the Board of Directors at the Summer board meeting held July 21-22, 2006, in Little Rock, Arkansas.

### **Wayne D. Akin.**

Wayne Akin is a litigation paralegal with the law firm Miller Nash, LLP in Portland, Oregon. His primary practice is in securities litigation, but he also works in civil, construction, and employment litigation, insolvency and reorganization, and creditors' rights. Wayne also handles garnishments, background checks, skip-tracings, online information retrieval, asset evaluations, discovery and judgment searches, and trial preparation. Wayne also manages a number of the firm's document hubs and serves as his firm's Summation expert. Previously Wayne focused on intellectual property with an emphasis on patents.

Wayne has been involved with the Oregon Paralegal Association (OPA) and the National Federation of Paralegal Associations (NFPA). He has served as a chairperson of OPA's Intellectual Property Specialty Group, as a member of OPA's Board of Directors for two years, as OPA's Treasurer for two years, and was recipient of OPA's Outstanding New Member Award for 2000-2001. For the NFPA, Wayne served two and a half years as Special Research Coordinator. Wayne has written a number of articles for OPA's Paragram newsletter and NFPA's The National Paralegal Reporter.

Wayne currently serves as NFPA's Vice President and Director of Positions and Issues where he is responsible for the Bar Association, Case Law, Ethics & Professional Responsibility, Legislative, Special Research, Regulation Review, and Unauthorized Practice of Law Research Coordinators, and serves on the Ethics Board.

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