

Diversity Commission Report

To the Board of Governors of the Alaska Bar Association



Approved by the Board of Governors of the Alaska Bar
Association on:

June 12, 2023

Table of Contents

- 1. About the Commission..... 3
- 2. State of Diversity in the Alaska Bar Association..... 4
 - a. Alaska Bar Association Diversity Statistics..... 4
 - b. Stakeholders and Current Diversity Programs..... 4
- 3. Work of the Commission..... 5
 - a. Summary of Work.....5
 - b. Diversity Survey of Alaska Bar Association.....5
 - c. Outreach to BIPOC Non-Alaska Bar Association Members.....13
 - d. Public Meetings.....15
- 4. Barriers and Impediments.....16
- 5. Proposed Actions.....19
- 6. Diversity Commission Bios.....24

1. ABOUT THE COMMISSION

In the American Bar Association’s 2010 report on Diversity in the Legal Profession, *The Next Steps*, the ABA concluded that: “The overarching message is that a diverse legal profession is more just, productive and intelligent because diversity, both cognitive and cultural, often leads to better questions, analyses, solutions, and processes.”ⁱ

The benefits of a diverse legal profession are also in line with the purposes of the Alaska Bar Association, which are to: (1) cultivate and advance the science of jurisprudence; (2) promote reform in the law and in judicial procedure; (3) facilitate the administration of justice; (4) encourage continuing legal education for the membership; and (5) increase the public service and efficiency of the Bar.ⁱⁱ To that end, the diversity of the membership is a critical component of the Board of Governor’s purpose and charge.

While the benefits of a diverse legal profession have been established, the diversity of Alaska’s legal community lags far behind its general population. In 2020, 35% of Alaska’s population were Black, indigenous, and people of color (BIPOC); however, only 6% of Alaskan attorneys were BIPOC.

In May 2021, the Board of Governors of the Alaska Bar Association voted to approve a Diversity Initiative Resolution.ⁱⁱⁱ The Initiative created a Commission tasked with identifying barriers, impediments, and other access issues that affect, foster, and contribute—implicitly and structurally—to the lack of diversity in Alaska Bar membership. Specifically, the goal of the resolution was to create a more equitable, inclusive, and diverse organization and to increase the membership of BIPOC attorneys in the Alaska Bar Association.

The Commission consists of eleven positions—nine voting members and two ex officio members. The nine voting positions are held by BIPOC members, seven of whom are current members of the Alaska Bar Association. The remaining two positions are non-attorneys. The Commission members were selected by the 2021 Alaska Bar Association President Ben Hofmeister with the advice and recommendations of the Board of Governors, the Alaska Court System, the Alaska Judicial Council, and the Diversity Subcommittee. Efforts were made to include at least one member from each judicial district, and include rural as well as urban representation. The two ex officio positions served to help facilitate the work of the Commission and were filled by: (1) a voting member of the Board of Governors, and (2) a member of the Fairness and Access Commission of the Alaska Court System. Finally, the Commission had support from staff members of the Alaska Bar Association and the Alaska Judicial Council.

Diversity Commission Members

Attorney Members:

- Kendri Cesar (Co-chair)
- Renee Wardlaw (Co-chair)
- Liz Hensley
- Shaun Lucas
- Greg Razo
- Natasha Singh
- Judge Sen K. Tan

Non-attorney Members:

- La quen náay Liz Medicine Crow
- Xavier Mason

Ex Officio Members:

- Judge Kari McCrea (FAC)
- Jeffrey Robinson (BOG)

Staff Support:

- Danielle Bailey
- Susanne DiPietro
- Krista Scully

2. STATE OF DIVERSITY IN THE ALASKA BAR ASSOCIATION

a. Alaska Bar Association Diversity Statistics

The Alaska Bar Association currently tracks two diversity related statistics: race and gender. The 2020 statistical breakdown for race and gender in Alaska and the United States is as follows:^{iv}

	White alone (not Hispanic)	All other Race/Ethnicity		Male	Female
2020 U.S Population	60%	40%	2020 U.S Population	49%	51%
2020 U.S. Lawyers	86%	14%	2020 U.S. Lawyers	63%	37%
2019 1L enrollment	69%	31%	2019 1L enrollment	46%	54%
Alaska Population est. 2020	65%	35%	Alaska Population est. 2020	52%	48%
Alaska lawyers est. 2020	94%	6%	Alaska lawyers est. 2020	59%	41%

Based on this demographic breakdown, it is clear that Alaskan lawyers are not racially representative of Alaska’s population. In addition, Alaskan lawyers are significantly less racially diverse than the US lawyer population.

b. Stakeholders and Current Diversity Programs

There are many agencies and programs which have been addressing issues related to diversity in the Alaska legal community for quite some time. Alaska Court System’s Fairness and Access Commission was formally recognized by the American Bar Association as an ATJ Commission in 2014. It is comprised of two separate committees: the Access to Justice Committee and the Fairness, Diversity and Equality Committee. Both committees have broad membership composed of leaders representing the state courts, the bar association, legal aid providers, and various other community groups and organizations.

Access to Justice Committee: The Access to Justice Committee focuses on projects and strategies to improve access to civil justice statewide. The Committee additionally works to support the initiatives and work of the court system’s Access to Justice Department, which includes the Family Law Self-Help Center. Some of the Committee’s present initiatives include regulatory reform, improving technology and access in more rural parts of the state, and working to improve state and tribal court working relationships.

Fairness, Diversity and Equality Committee: The Fairness, Diversity, and Equality Committee aims to increase fairness and equity in the courts

through training and education, programs to diversify the legal profession, and initiatives to improve outcomes for underrepresented groups. Community partners include the Alaska Bar Association, Alaska Judicial Council, Alaska Native Justice Center, Anchorage Association of Women Judges, and the National Association of Women Judges. Annual programs include Color of Justice, MLK Law Day, Success Inside and Out and the YWCA Justice Camp.

The Alaska Supreme Court also released a letter about racial injustice in Alaska on June 8, 2020.^v The letter stated, “We recognize that too often African-Americans, Alaska Natives, and other people of color are not treated with the same dignity and respect as white members of our communities.” In addition, the letter stated, “we must also work to attract more people of color to practice law, and ultimately, to judicial careers.”

The Alaska Judicial Council has also taken many steps to respond to the public who want a more diverse bench that is representative of the Alaska population. Currently, approximately 9% of sitting judges are BIPOC. Partially due to the fact that BIPOC attorneys only make up 6% of the Alaskan attorney base, attorneys of color have not often applied for judgeships in Alaska, but when they have applied the Council has nominated them at rates similar to those of other applicants. The Judicial Council adopted a bylaw stating, “The Council shall actively encourage qualified members of the bar to seek nomination to such offices, making every effort to promote diversity, including gender and ethnic diversity, and shall strive to inform the public of Alaska’s judicial and public defender selection process.” In addition, members of the Alaska Federation of Natives resolved in 2018 to call on the Alaska Judicial Council to “commence a study of charging and sentencing in cases involving non-Native offenders and Native victims in comparison to Native offenders and non-Native victims.”^{vi}

3. WORK OF THE COMMISSION

a. Summary of Work

The commission was formed in August 2021. While the Commission was originally slated to run until May of 2022, the Board of Governors extended their timeline until May 2023. Since formation, the Commission has held 16 meetings. While most of these meetings were held virtually due to the COVID-19 pandemic, one meeting was in person. In addition, two of the Commission’s meetings were open to the public. They have also held 8 subcommittee meetings to plan for public meetings, draft a survey to all Bar membership, and to write the report.

b. Diversity Survey of Alaska Bar Association

The purpose of the survey to the Bar membership was to collect information about the diverse Bar members’ experiences, to better understand how to support diverse members, and to learn about the experiences and attitudes of all Bar members about diversity and inclusivity in the legal profession in Alaska.

The survey, which was developed by the Diversity Commission, was distributed to all Bar members via email in September 2022. Areas of inquiry included demographic questions; opinions about the importance of diversity and inclusivity in the practice of law in Alaska; experiences with and opinions about bias and inclusiveness in the Bar and in the practice of law in Alaska; experiences with bias or discrimination and the frequency of those experiences; any examples of bias and discrimination, and any examples of inclusiveness and support. Other questions asked about motivations for and challenges to career choices, including any desire to serve as a judge. Space also was given for general feedback and suggestions to aid the Diversity Commission in its work.

A total of 674 Bar members completed the survey, for a response rate of about 14%. However, analysis of the demographic questions revealed that Bar members who took the survey were younger, more diverse, more likely to be female, and less likely to be from the Third Judicial District than the Bar membership as a whole. Almost 22% (147/674) of survey respondents identified themselves as non-white. The higher proportion of diverse members among survey respondents was consistent with the Diversity Commission's goal of seeking information specifically from diverse Bar members.

The final survey included 55 questions, many calling for narrative responses. The following section summarizes some of the most salient findings.

Positive opinions about inclusivity. Asked their opinions about the inclusivity of law practice in Alaska, about 63% of survey respondents said the practice of law in Alaska is moderately to very inclusive. Among the smaller group of diverse respondents, about 44% said they found the practice of law here to be moderately to very inclusive. Many who found the practice inclusive observed that the Bar membership as a whole is lacking diversity but that people generally were accepted and judged on their merits. Quite a few mentioned systemic barriers to diversification, such as lack of a law school in Alaska, studying for and passing the bar exam, and difficulty recruiting attorneys from other states. A few thought the inclusiveness of the Bar had improved over time.

“I think the main hurdle is a lack of BIPOC lawyers/judges, which inherently creates an isolating experience for BIPOC lawyers; I have not seen a large amount of explicit racism or overt exclusion, but the lack of diversity creates an underlying exclusivity.”

“I think Alaska is generally more inclusive in terms of opportunities for young attorneys to get started; it seems easier to get a foot in the door here with clerkships, entry-level positions at different agencies, etc. That said, because there is no law school here, it is generally young people who have the financial ability and the motivation to come to Alaska who become part of the Bar. And, there is still an element of ‘old boys’ club’ mentality in the profession, especially in terms of firm managing partners, judges, etc.”

“Aside from two possibly non-white legal assistants, I can't think of any non-white person I've meaningfully interacted with in my present position. Ever.”

“It is as inclusive as it needs to be.”

“The Anchorage bench and bar do not know how to pronounce common Yupik names and villages.... I can imagine its very alienating for Yupik people to hear these names mangled.... Our court operates on Alaska Native lands and yet so many players in the legal system remain uneducated about tribal custom.”

“There is no law school in Alaska, greatly increasing the cost of attending law school, meaning few Alaskans will attend law school and return to practice in Alaska. The extreme shortage of affordable and safe childcare in Alaska, as well as lack of paid family leave, drives out attorneys of child-rearing age to markets with better essential infrastructure unless they have independent family wealth, something historically disadvantaged families are less likely to have.”

“Racism against Alaska Natives and Alaska Native attorneys is pervasive. When a number of us got together we thought we were being individually blacklisted but we realized it was much broader discrimination and that it was extremely subtle in some cases.”

General Support for the Importance of Diversity. Most (63%) respondents said racial and ethnic diversity is important or very important to the legal profession. Of those who gave this answer, 28% were diverse respondents.

Explanations of this opinion centered on the principle that representation matters and the Bar and Bench should resemble the community it serves. Other narrative themes included elimination of bias (implicit bias; removing societal biases and discrimination); offering different perspectives to improve access to legal services; and promoting trust and confidence in the system.

“Legal professionals advise, counsel, and support members of their community. Even if clients are entities, they are made up of individuals who act on the entities' behalf. Therefore, it is important that legal professionals be accustomed to, comfortable with, and representative of a diverse population.”

“If we do not have diversity, we have blind spots to how we might not be fully representing our clients.”

“...I think it is axiomatic that people trust a system when they see themselves as represented in that system.”

“The legal profession plays a powerful role in shaping our society to be more fair and just and in distributing resources. I think diversity in the profession increases access to justice, which makes our society more equitable.”

“We need a multitude of perspectives to accurately bring about justice in the community. When one group is over-represented, that group's interests are served often to the exclusion of others. Our society benefits from diversity, and it appears that we as a profession are not enjoying the same benefits.”

“...It also just makes good business sense. People often gravitate to lawyers who resemble them in some way.”

Some support for the role of employers in supporting diversity and inclusivity.

Roughly half of respondents thought public and private sector employers have a responsibility to support diversity and inclusivity in the practice of law. Narrative responses suggested that supporting diversity would increase client bases and have other positive results. On the other hand was the feeling that businesses should hire the best-qualified people regardless of diversity of the applicants.

“It is the government's responsibility to provide equal access. Diversity will provide a better work product.”

“Having leadership that doesn't reflect the population inherently leads to barriers in the profession and biases in the understanding of and interactions with minority clients.”

“Those organizations that are charged with enforcing the laws in a community should have voices that reflect that community.”

“Government service is an entry point for many non-majority, non-elite school lawyers.”

“All employers, should hire the most qualified individual for the position without any regard for gender or race. Even asking the question is racially discriminatory.”

Examples of Alaska employer’s commitment to diversity, equity and inclusion.

Respondents were asked for examples of ways in which their employer demonstrated a commitment to racial and ethnic diversity, equity, and inclusion of its employees. A significant number of the narrative responses mentioned that their employers had diversity, equity, and inclusion committees, or inclusivity guidelines for recruiting and hiring minority applicants. Other examples included employers who have a hiring preference for Alaska Native or diverse candidates as lawyers and staff, recruiting at historically Black law schools or other law schools with diverse student bodies, requiring cultural diversity or anti-racism training, and celebrating diverse cultures.

“We need to do more. We’ve tried to reach out to more diverse law schools but have not been very successful.”

“Our agency has an equity work group to focus on "operationalizing equity" in our workplace, through offering education for staff and looking at processes and policies to ensure equity is infused throughout our work.”

“We affirmatively look for summer clerk and associate candidates of color, particularly Alaska Native/American Indian. Then we push them along to broaden their experience and participate in the Alaska Bar and Federal Bar. And encourage them to stay in the practice of law.”

“We have a DEI committee and we celebrate diverse cultures all year long and the events are supported by management. The events include things like lunches, fashion shows, historical speakers, and native dance and culture presentations. We recruit interns at HBCUs and non- traditional law schools. We have mandatory training and team building on court holidays.”

“Having ethnically diverse staff to begin with - automatically makes it more inviting to other minority applicants to see; making commitment to racial and ethnic diversity explicitly part of the employment listing and hiring process.”


Positive impressions of Alaska Bar Association’s role. Asked whether the Bar Association engages in practices that discriminate against BIPOC members, a third (32%) had no opinion, while another 40% (N = 270/674) said “not at all” or “not often.” However, 20 respondents said the Bar discriminated “often.” A few of those 20 gave explanations, which included the Bar exam; the Bar doesn’t effectively outreach to BIPOC members to participate in Bar committees, conventions, and activities; systemic racism; and the judicial selection system.

Respondents were asked to think of ways the Alaska Bar Association has demonstrated that it values diversity and inclusion. A little over half the respondents (373, 55%) said they could think of examples, but not many examples were provided. Among those who gave examples, a few appreciated the survey, several said the Bar treats everyone

equally, or that the Bar has positive messaging around diversity. There were also a handful of hostile comments (“woke,” “identity politics,” etc.).

Respondents were asked how much Bar Association activities promote and encourage diversity and inclusion for BIPOC members. Although about 28% of respondents had no opinion, almost 30% said “some” Bar activities promote and encourage diversity and inclusion, while another 18% chose either “a lot” or “quite a bit”.

Suggestions for the Alaska Bar Association & legal community. Asked what the leadership of the Bar and the legal community generally could do to recruit and retain attorneys from racially and ethnically diverse backgrounds to practice law in Alaska, respondents suggested:

- 
- targeted outreach (to diverse law schools outside, to diverse colleges and universities outside, to student and youth groups in the state, to rural communities);
 - scholarships or other funds to defray economic barriers;
 - internships and mentorships;
 - partnering with Native Corporations’ general counsels and other groups for ideas and recruitment;
 - including statements and images on the Bar web site and elsewhere to promote diversity and inclusion.

Experiences of bias or discrimination based on race or ethnicity. About half of the diverse respondents reported experiencing bias either “almost always” or “a little” in their employment as a lawyer in Alaska, or while engaged in professional activities. Examples of discrimination given by the diverse group included microaggressions or seemingly inadvertent treatment, but also overt actions such as questioning the respondent’s race, or even utterance of slurs.

“When I submitted my application for appointment to the District Court, a member of the Judicial Counsel [sic] was heard referring to me as a “fag.” I was often called a “fag” or “faggot” by litigants.”

“....In a profession that favors homogeneity and rewards western style ambition, I have always felt I had an extra burden to overcome in every aspect of being a licensed attorney.”

“I have encountered the occasional obvious snub by colleagues, new client that was unaware I was of color.”

“It's been minor, but just questions after oral argument or discussion amongst judges wondering what I “am.” I don't think many white attorneys are frequently asked what they “are” in terms of their European ancestry or ethnicity.”

“I have, on at least 2 -3 occasions, had security guards and other attorneys question my presence in the attorney security line at the courthouse.”

“I've been asked what my title is. People assume I'm an assistant or paralegal rather than an attorney. It makes me feel that people give less weight to my legal advice because I am a Native woman.”

“When I first started practicing in court I was asked by the Judge if I had passed the bar. When he did not ask anyone else that question.”

“In criminal court, when I would go into a courtroom where the staff did not know me, they never assumed I was an attorney. They always assumed I was a defendant and told me to go back behind the bar.”

“There is a sense of familiarity and respect between white male judges and attorneys, usually over the age of 55 or so, that is very disconcerting to witness as a female POC who may be arguing a motion or participating in other court activities. When an older white male judge is calling opposing counsel, also an older white male, by his first name or otherwise conferring with him during an argument or hearing, it is very hard not to wonder if your gender or race is affecting the judge's perception of your case.”

“On occasion, some practitioners may have used racial epithets. Unacceptable even if the person was stressed out.”

“Sometimes co-workers would joke about my race. One colleague thought it was funny to refer to me as ‘Señor’ in open court....”

“Some of my clients questioned my legal credentials. In a complex litigation setting I was mistaken by the opposing team as the associate and not as the lead counsel.”

“Overt discrimination is rare. Racial and ethnic microaggressions are more common because people simply are not aware of their biases.”

“I have been asked ‘if I am a lawyer’ when entering the attorney screening line. I have felt dismissed by judges in favor of older white male members of the profession, to name a couple of examples. I was told at one time when interviewing with a large private firm that I needed to find a “government” job.”

Diverse respondents experienced challenges or barriers related to their race or ethnicity in entering into the legal profession in Alaska. Some respondents mentioned systemic barriers such as access to education, and challenges associated with testing (the LSAT and the bar exam). Others mentioned clients who were less accepting of them due to their race, micro-aggressions, or unconscious biases.

“Lack of job opportunities at firms/organizations specifically focused on serving BIPOC communities.”

“I could perceive when others, particularly clients, were less accepting of me because I am a woman of color. I was perceived as less capable than male counterparts who were my equals and/ or I was not given the opportunities to prove that I was just as capable.”

“My colleagues and clients aren't familiar with Alaska Native people, so I feel like part of my job is educating people. Which is fine, but not really part of my job description.”

“I look vaguely like a Native Alaskan, and have been mistaken for that. People generally sigh with relief when they learn that I am half Asian.”

“I sometimes felt that despite a world-class education, I was discounted for being a young Native woman.”

“On at least two occasions, I had potential clients decline my representation once they met me and saw that I was African American.”

“There were few black attorneys in [my town]. When I showed up in the courtroom or at the jail, the assumption was that I was part of the family or intimate partner of the Defendant. I was required to explain and often times prove I was the lawyer. A few times, I was disrespected until I made it known I was a lawyer. So I realized lawyers could have a general disregard for the people they represented and their families....”

“I was not treated as a serious prospect when I attended an event in Anchorage hosted by a law school. As the first in my family to attempt law school, I had no guidance or support system - especially in preparation for the LSAT and law school application process.”

Positive experiences of mentoring. Most respondents to this survey reported having had mentors, including diverse respondents. Respondents said mentors supported them with career advice, emotional support and encouragement, and introduction to others who could help their careers.

About half of respondents feel supported at work. Around half of respondents said they feel supported or valued by colleagues at their current employment. A similar percentage of diverse respondents reported feeling supported “a lot” or “frequently” at work, although fewer diverse respondents reported feeling valued “a lot” (30% of non-diverse versus 19% of diverse). Those who felt supported mentioned being able to work remotely, being listened to and taken seriously when reporting concerns, and (somewhat ironically) working alone.

Most respondents have received opportunities for professional advancement. Most respondents reported receiving opportunities for professional growth, achievement, and leadership such as networking, training opportunities, committee assignments/chairs, “bridge” assignments, and supervisor/management opportunities. In the narrative comments, some of the diverse respondents said they had been invited into these roles, but many indicated that they volunteered.

Career paths. The survey showed that a significant minority of respondents (48%) have considered a non-legal profession. A very few (18%) said they are interested in serving as a judge. The results were similar for diverse respondents.

Asked what factors would impact their decision to apply for a judgeship in Alaska, respondents listed barriers that included: age (too old; too young/not experienced enough); the difficulty (long hours, hard work, bureaucracy); would rather be an advocate; limits on social life; don’t live in Alaska; and don’t have the right kind of court-focused work experience.

Respondents who indicated they had not applied through the Alaska Judicial Council to become a state court judge were asked why they had not applied. Reasons included lack of interest in the job, contentment with current practice, and a couple of comments criticizing the judicial selection process as unfair or racist.

c. Outreach to BIPOC Non-Alaska Bar Association Members

The Commission recognized that by only surveying Alaska barred attorneys they would be severely limiting their data to individuals who had already overcome the obstacle of becoming admitted to the practice of law in Alaska and chose to continue to work in Alaska. As a result, the Commission wanted to do outreach to BIPOC individuals with Alaska ties who chose not to practice law in Alaska, or were unable to become Bar members. Each member of the Commission was tasked with interviewing two people that fit the above criteria. The goal of these interviews was to provide insight into each individual’s journey and the circumstances and decisions that influenced where they practice now. Each Commissioner was requested to have two open-ended conversations with someone that they know and record the following:

1. Race/Ethnicity
2. Gender
3. Age
4. Did you go to law school?
5. Are you currently a lawyer?
6. Did you ever practice law in Alaska?
7. Why did you decide to leave Alaska or the law?
8. Do you think you had to overcome any particular obstacles to practicing law in Alaska as a result of your race or ethnicity?
9. What would make you consider returning to Alaska or the legal practice?

While the Commission originally set out to do formal reports for every interview, only five formal reports were submitted. Several other interviews were conducted, although

the Commission did not reach their target number. Many Commission members found value in informal discussions which provided insight to other aspects of the report.

Results. Five people participated in the formally reported interviews. The results of this study mirror many of the assumptions that this study were based upon, and the quantitative results from the Diversity Survey. One of the big picture similarities that was universal amongst all five participants is that they moved out of state for law school and never returned to Alaska to practice. A summary of our findings are below:

1. **Race or Ethnicity:** Of the five respondents, three identified as black. One identified as Alaska Native and the other identified as Native American.
2. **Gender Identity:** Of the five respondents, 80%, four, identified as female. One individual identified as male.
3. **Age:** Sixty percent of the respondents, three, were between the ages of 30 and 39. For the ages of 40-49 and 50-59, both had one individual in that age range.
4. **Did you go to law school?** All five of the respondents reported that they did attend law school; however, one did not pass the bar examination.
5. **Are you currently a lawyer?** Of the respondents 60% are currently lawyers, all of which were within the 30-39 age range. One of the respondents did not pass the bar exam, hence was unable to become a lawyer. One individual did pass the bar exam but never joined the bar due to finding a more feasible option to pay off their school debts through their employer.
6. **Did you ever practice law in Alaska?** Four of the respondents did not practice in Alaska (80%). However, the individual that did practice law in Alaska practiced as a judicial law clerk for one year and then returned to the lower 48 to practice law.
7. **Why did you decide to leave Alaska or the law?** Four of the respondents listed the need to go to go to law school as the reason that they left Alaska. The other one was only a law clerk for a year and indicated they never intended to practice law in Alaska full time and always planned to return closer to home to practice.
8. **Do you think you had to overcome any particular obstacles to practicing law in Alaska as a result of your race or ethnicity?** All three of the respondents that identified as black responded affirmatively that they did have obstacles in practicing law as a result of their race. An overarching theme in the narratives were generally related to the lack of finances or a social network to capitalize on. Other parallels among those three narratives are the following:
 - The lack of exposure to law as a profession, rather than a consequence, during adolescence,
 - Micro-aggressions and controversial conversations that are political or racial in nature and the consequence of them; and
 - Lack of a supportive network (i.e., family, peers, mentors).

One of the respondents made an interesting observation in their narrative that the barriers they had faced were not limited to the legal profession, but these were systemic barriers within American society that they would have endured regardless of the profession they chose.

The narrative that was written by the respondent that identified as Alaskan Native, suggested that the obstacles that they endured was due to the structure of legal professional practice, saying “It is harder for people who don’t have a lot of money to take the LSAT, get into law school, [and] afford to pay law school debt”. In many ways this response mirrors the difficulty in attaining the credentials necessary to become a lawyer that the black respondents referred to; however, this narrative did not expound upon their treatment, as a person or the quality of their work, after becoming a lawyer.

The respondent who identified as American Indian, did not express that their race or ethnicity presented any obstacles to their practicing law. Interestingly, their explanation mentions a peer group that was created during their time as a clerk.

9. **What would make you consider returning to Alaska or the legal practice?**

Three of the respondents expressed an interest in returning to Alaska if certain conditions were met. Those conditions usually were based upon financial goals or that they would have similar professional opportunities that they have at their current locations. Two of the respondents did not express any interest in returning to Alaska. One respondent seemed adamant about not returning, stating nothing would make them consider it.

d. Public Meetings

The Commission held two meetings that were open to the public. The first meeting was a combined virtual meeting that was hosted in collaboration with the Anchorage Association of Women Lawyers (AAWL). At that event, the Diversity Commission described the background of the Commission, what they were charged to do, why they considered their work important, and the end goals of the Commission. The Commission then led all participants to break out groups. The groups were led by one AAWL member and one Commission member. In advance of the meeting, the Commission had prepared a list of identified barriers. Each breakout group discussed the barrier and were encouraged to propose an action to help lessen that barrier.

The second meeting that was open to the public was held in-person at the 2022 Alaska Bar Convention in Anchorage. At this meeting the Commission Co-chairs with the Bar’s Executive Director described background on the Commission and barriers that had been identified. They then went on to highlight some of the preliminary results from the survey that had been distributed to members.

4. BARRIERS AND IMPEDIMENTS

Based on the above work of the Commission, we have outlined what we believe to be the main barriers and impediments that the Alaska Bar must overcome to attract more BIPOC members. Many of the barriers we list below point out the financial obstacles that are present for individuals joining the legal field. It has been documented that the average Black and Hispanic or Latino households earned about half as much as the average White household in the United States in 2021. This racial wealth gap has only grown over the past 30 years. As a result, when financial obstacles are mentioned, it is important to acknowledge that these obstacles disproportionately impact BIPOC individuals from accessing the legal field. Playing into this gap are the lack of certain essential infrastructure in Alaska like affordable child care options which drives out attorneys of child-rearing age further limiting the pool of potential attorneys.

1. **No law school in Alaska.** Alaska is the only state in the country that does not have an ABA accredited or non-accredited law school.^{vii} Without an in-state law school, the lack of diversity of the Alaska bar will continue indefinitely. Pursuing an out-of-state legal education is expensive, (out-of-state tuition) making it inaccessible to those with limited financial resources. Law school may also not be an option for individuals with family or cultural obligations tying them to Alaska, or who need or wish to remain close to their home. The absence of a law school in Alaska therefore puts a legal education beyond the reach of many Alaskans. This severely limits our ability to foster a diverse legal community, reflecting our diverse population. Those who do leave the state to attend law school may not return, to pursue opportunities elsewhere. Without an Alaskan law school, there are lost opportunities for creating educational pipelines, and conducting effective outreach through involvement at all levels of Alaska's education system, including partnerships with undergraduate pre-law programs. Moreover, there are lost opportunities to recruit candidates from outside who have an interest in living or practicing law in Alaska.

2. **Lack of paid internships.** There are limited opportunities for law students to have paid internships in Alaska. Much like clerkships, internships are a valuable opportunity for law students to gain exposure to or interest in legal practice in Alaska. Without paid internship opportunities, this limits who is able to intern in Alaska to those with the necessary financial resources and support. While many law schools offer some financial support for unpaid internships, they may not be adequate to cover the higher costs of Alaska living.

3. **Inadequate educational resources.** There are inadequate resources dedicated to certain existing educational systems. Specifically, the state of Alaska has not prioritized the professional development of its population, and there continues to be a disparity between rural and urban Alaska in terms of access to educational resources. Cultivating a diverse workforce which is more reflective of our population requires ensuring that all Alaskan students have access to quality educational resources and support throughout their educational careers. State financial assistance has decreased over time while the price of law school is increasing with the

average total tuition increasing by \$1,070 per year. Currently, the average total cost of law school is \$206,180 with the average total cost of tuition alone for law school at \$137,970 or \$45,990 per year, and living expenses on average total at \$68,210, or \$22,740 per year.^{viii}

4. **Lack of exposure to the legal career.** Many individuals reported that it was personal exposure to people in the legal profession that influenced them to pursue a similar path, but that BIPOC individuals often do not have the same exposure to lawyers as in other communities. As a result, there is a lack of knowledge on what the profession does, the different types of legal careers and how they can be used to help your community, and how to pursue the profession. In addition, there are often different cultural impediments to the legal profession based on race or ethnicity. While lawyers may be seen as a highly respected or desirable profession, that is not the same across all demographics. For example, the Commission heard from Filipino Americans that they are typically pushed into going into the medical profession and legal careers are rarely talked about. The Commission heard from Alaska Natives that there is a disconnect between wanting to advocate for the rights and interests of indigenous peoples, and participating in a system that has often eradicated those rights, as this inherently means using the tools of another culture and political system to be involved.

5. **Not enough outreach or recruitment.** There is not enough outreach and recruitment to law schools or diverse student organizations to garner interest in and expose law students to legal opportunities in Alaska, promote the state, and demystify Alaska living, so that diverse individuals across the U.S. might see Alaska as a realistic and attractive option. In a sampling of admission statistics from 2006-2021, the Alaska Bar Association found that the schools they often receive admissions from were also law schools that are often represented as being ranked in the bottom for representation of ethnic minorities. This has reinforced an established pipeline of lawyers that come from less racially diverse law schools. The Commission lists several proposed solutions to further outreach or recruitment initiatives to diverse bar candidates.

6. **The bar exam.** The high passing score requirement for the UBE has previously served as an economic barrier to practice in Alaska, prioritizing those with the economic ability to study without having to work, to dedicate more time to studying, and to access the best Bar preparation courses. While the Alaska Bar Association recently lowered its UBE passing score to better align with the rest of the country, we expect that the Bar passage requirement will continue to be a barrier for BIPOC individuals. According to a report in Bloomberg Law: One of the main factors that predicts bar passage is the ability to have extensive time to dedicate to bar exam preparation. Candidates who studied 40 or more hours per week for the two months preceding the exam were significantly more likely to pass than other test-takers. So were those with higher household income, who received financial support from families during law school, or who purchased commercial bar prep courses. The Bloomberg law articles stated: “the bar exam is a test of resources. Candidates who can afford to study full-time for two months after law school, who can purchase expensive prep courses, and who have few family demands are most likely to pass

the exam. Given racial disparities in family resources, the exam’s disparate racial impact is predictable.”^{ix}

7. **Not knowing how to recruit or encourage inclusivity.** Legal employers don't often feel that they have the experience or relationships to recruit diverse candidates or create a more inclusive environment which may be more attractive to or supportive of diverse individuals.

8. **Diversity and inclusion are not widely accepted as important.** There is not enough awareness as to why diversity and inclusion are important to the Bar and the legal system as a whole, or about the challenges that BIPOC attorneys face while practicing in Alaska. Several survey respondents pointedly stated that they had never heard of any discriminatory behavior towards BIPOC attorneys, and that in their personal experience the Bar is a very inclusive organization. However, several BIPOC and other survey respondents provided examples of racism and discrimination that they or other BIPOC individuals have encountered. Several also disagreed that the Bar is inclusive to diverse individuals, although not necessarily due to an intent to exclude. Greater awareness and understanding are necessary if we are to succeed in any efforts to create a more diverse and inclusive Bar. We cannot expect diverse individuals to want to practice in our state if the legal community is largely blind to its biases or exclusionary practices, whether intentional or not. We also cannot expect community members to see the legal profession as an attractive or realistic possibility, if the legal system does not reflect their community, or respect diverse customs and values.

9. **Feeling of isolation among BIPOC members.** While many Bars struggle with lack of BIPOC diversity, this issue is particularly acute in Alaska where only approximately 6% of Alaska Bar members identify as non-white, and a relatively small population is spread across an expansive geography. As a result, it is very common for BIPOC attorneys to feel isolated, and without the support of peers who might have similar experiences in their path to becoming an attorney or in their legal practice, or greater awareness of the challenges BIPOC individuals face at all levels when engaging in the legal system. BIPOC attorneys also often face increased pressure to represent an entire race or community, take on additional roles or responsibilities to ensure better advocacy and representation, and to constantly educate others on their cultural values or topics such as inherent bias, racism and the importance of diversity. This can be very emotionally draining and often adversarial, in a profession that is already adversarial and high stress.

10. **Legal opportunities are focused in urban Alaska communities.** Alaska is geographically a huge state. However, 80% of Alaska’s population is in the following five boroughs: Municipality of Anchorage (40%), Matanuska-Susitna Borough (15%), Fairbanks North Star Borough (13%), Kenai Peninsula Borough (8%), and City and Borough of Juneau (4%). The concentration of Alaska’s attorneys in these boroughs is even higher than the population. As a result, legal opportunities are often most available in urban communities, and particularly Anchorage. This can be problematic for BIPOC individuals who wish to live and work in rural or other parts of the state, such as their home communities. The lack of legal opportunities outside of urban Alaska may deter some Alaskans from pursuing a legal education, resulting in lost

opportunities to recruit from our own population, and especially from rural Alaska. It can also deter BIPOC attorneys originally from Alaska from returning to the state, as they may opt to practice elsewhere if they cannot return to their home community.

5. PROPOSED ACTIONS

While the commission realizes that there are likely an infinite amount of solutions that could help increase the diversity of the legal profession in Alaska, the Commission has chosen to focus both on addressing the specific barriers that they identified and also has chosen to try to focus on solutions that can at least be in part supported or carried out by the Alaska Bar Association. The Commission also recognizes that these action items are only suggested as first steps. The barriers identified have no easy cure or fix. Additionally, the Commission recognizes that there may be logistics that make a proposed solution not feasible in practice.

1. **No law school in Alaska.**

- Establish a well-funded ABA accredited Alaska Law School focused on serving the legal needs of Alaskans.
- Design a law school program partnering with an existing law school that allows some legal education to be completed in Alaska, either with an Alaskan satellite campus, online lectures, or a combination of both.
- Request that the University of Alaska comply with AS 08.08.207 and provide a process where an applicant through an educational clerkship can qualify as a general applicant for admission to the Alaska Bar without having graduated from an approved law school.
- In the alternative, should the University of Alaska decline to abide by AS 08.08.207, amend the bar admission rules to create a separate admission pathway that does not involve graduating from an ABA accredited school.
- The Bar could list every ABA approved law school that allows remote learning on the Bar's website to provide an option for those unable to attend a law school outside.

2. **Lack of paid internships.**

- Legal employers (i.e., government, firm, corporations, etc.) should create paid internships for BIPOC individuals with a specific focus on the period between May to August (for college and law students) and May to October (for recent law school graduates).
- Legal employers can enhance the internship experience for BIPOC individuals by connecting said individuals with BIPOC lawyers in Alaska. The BIPOC lawyer can serve as a support system for BIPOC lawyers with a specific focus on retaining those BIPOC lawyers for long term service in Alaska.
- Legal employers can further incentivize the internship experience by offering a monetary amount to assist BIPOC individuals with loan repayment after the BIPOC individual has worked for the legal employer for a specific number of years.

3. **Inadequate educational resources.**

- Alaska Student Loan - In 1968, the Alaska Legislature established the first state education loan program as financial assistance to its citizenry and to incent them to utilize that education and training in Alaska. From 1974 until 1987, law students returning to work in Alaska could receive a 50% forgiveness of their student loan. In 1987, dwindling oil revenue to Alaska resulted in the loan forgiveness program ending. Student loan forgiveness incentivized Alaska law students and others to return home to Alaska. Alaska needs to establish a new law school student loan program with debt forgiveness to incentivize Alaskans to go to law school and return to Alaska.
- Western Interstate Commission on Higher Education (WICHE) historically works to lower the cost of tuition for students from 16 participating States. While many public and private law schools used to participate by offering out-of-state students in-state tuition. WICHE's 16 State members, through participating Western public universities allow WICHE-region students the chance to attend select out-of-state graduate certificate, master's, and doctoral programs - and pay up to 150 percent of resident tuition. Unfortunately, currently only two WICHE universities, offer Law as a covered degree program. Historically, many more WICHE region institutions offered Law as a covered postgraduate degree. Alaska needs to work with other institutions to ensure that Law is covered as a postgraduate degree under the WICHE.

4. **Lack of exposure to the legal career.**

- Alaska recently adopted a rule change that would allow non-attorneys from the Alaska Legal Services Corporation to engage in the limited practice of law. This will likely involve rural communities being exposed to these community justice workers. The Alaska Bar and greater legal community should engage in outreach with schools while they work within these more rural communities.
- Conduct or improve outreach and education regarding the legal profession beginning in high school, in both urban and rural Alaska, such as by sending lawyers, paralegals and judges to schools or communities to speak about their experiences. Provide information about resources and individuals that are available to students interested in exploring a legal career. Alaska has the most diversified high schools in the nation, and there is a lot of opportunity to promote the legal profession amongst BIPOC individuals in our existing population.
- Continue to support and expand youth programs like Color of Justice, but also track and gather statistics regarding youth after their participation in the programs. This would be helpful to understanding which youth programs actually result in students pursuing the legal profession.
- Work with tribes and tribal entities to conduct outreach and education and support law school attendance, develop educational pipelines leading back to Alaska, and promote recognition of indigenous credentials such as for individuals pursuing a judgeship.
- Recruiting in rural areas for high school age youths. Youths in rural areas are frequently disassociated from communities along the Alaskan road system

including the larger municipalities. By reaching out to youths in rural communities, Alaska Bar members can create interest in the Alaskan legal field. Youths from rural communities can bring diverse points-of-view regarding rural legal practice and lifestyles which larger municipalities may lack.

- Promoting the practice of law at the high school level; providing college scholarships; offering jobs to the recipients when they graduate. Giving youths early opportunities into the Alaskan legal field, even though the process may take a few years, can help youths maintain interest in practicing in Alaska. By offering a clear career plan and support for that career plan, youths will be encouraged to practice in Alaska.

5. Not enough outreach or recruitment.

- Providing financial support and an affirmative outreach program to underrepresented communities to participate in summer associate or intern programs. For many underrepresented communities, joining the legal field – as well as practicing law in Alaska – is not viewed as a realistic opportunity. Even if considered, participating in summer associate or internship programs in Alaska requires considerable finances including travel costs and increased cost of living adjustments. Financial support can mitigate concerns with coming to Alaska, and summer programs can create interest in the exciting Alaskan legal field – an interest easily overlooked given plentiful opportunities to practicing in the Lower 48.
- Hiring and recruiting from HBCUs.^x The Higher Education Act of 1965, as amended, defines an HBCU as: “. . . any historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary [of Education] to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation.”^{xi} HBCUs offer students of all backgrounds unique training and experience which can help foster the importance of creating a more diverse Alaskan Bar.
- Hosting social activities with JAG lawyers. With multiple military bases in Alaska, JAG attorneys from all walks of life frequently shuffle into Alaska. Inviting JAG members to interact with Alaska Bar members can help persuade JAG members to stay and practice in Alaska especially if they are nearing the end of their military service.
- Having Alaska Bar members mentor younger attorneys from different backgrounds. Mentors can have lasting, positive effects on younger attorneys who are starting their legal journeys. By interacting with younger attorneys from different backgrounds, mentors can better understand those from differing cultures or heritages while also encouraging those younger attorneys to stay and practice in Alaska.
- Seeking out diverse candidates from States which offer reciprocity. Most states offer the Uniform Bar Exam, and many of those states allow examinees to

transfer their scores to Alaska. Additionally, numerous states offer reciprocity to others who have practiced in different jurisdictions for a few years. Alaska Bar members or volunteers can recruit diverse individuals who meet the requirements for reciprocity by creating interest in the adventurous state of Alaska.

- Contacting law schools in the Lower 48 that have diversity liaisons. Eager law students have a myriad of opportunities before them – opportunities that should include coming to Alaska. By contacting diversity liaisons in law schools, those liaisons can cultivate an interest in coming and staying in Alaska. The Lower 48 offers many amenities which may not be found in Alaska. Diversity liaisons can focus on exciting amenities that only Alaska can offer and spark an interest in diverse candidates coming to Alaska.
- Partnering with the Attorney General’s Office, Office of Public Advocacy, Public Defender Agency, and District Attorney’s offices to recruit at law school employment fairs. Public agencies offer a wide variety of civil and criminal careers, and frequently recruit individuals from the Lower 48. By partnering with public agencies, the Alaska Bar can increase the allure of Alaska at law school employment fairs.
- Collaborating with the Alaska Court System to educate judges on Alaskan diversity issues. The Alaska Court System already has the Color of Justice program which “brings diverse youth from across the state together for exciting workshops and activities designed to introduce them to the study of law and to encourage them to consider legal and judicial careers.”^{xii} By collaborating with the Alaska Court System, the Alaska Bar can encourage judges to take into account the diversity gap when hiring law clerks and when enticing law clerks to practice in Alaska.

6. The bar exam.

- The Alaska Bar could move away from reciprocity and instead pursue comity. There are some states (such as California) that will not offer reciprocity to Alaska and offer a different written exam than the UBE. If we allowed individuals from those states to practice in Alaska it would remove a barrier for applicants from those states to practice in Alaska.
- The Alaska Bar could create a separate pathway to admission that does not involve taking the Bar exam. This could be something small like allowing comity for applicants admitted in other states even if they did not take a written exam. It could also be something more unique to Alaska such as a supervised practice to a licensure option. Currently ME, OR, GA, and ND are currently exploring practice to licensure options. In addition, CA, VA, WA, and VT already have lawyer apprenticeship programs.

7. Not knowing how to recruit or encourage inclusivity.

- The Bar should evaluate and continue the utilization of existing programs and networks, as an effort to determine how they can improve and encourage recruitment and inclusivity efforts. Some of the existing programs that served to provide exposure to youth included the Anchorage Youth Court, the Color of Justice Program, and even career fairs. An underutilized network that the

Bar could consider as a recruiting source is the Tribal Court Groups throughout Alaska.

- Additionally, the Bar can look at other communities and grassroots initiatives around the country to determine effective recruiting strategies that other communities are implementing.
- Legal entities and those voting in Judicial Council polls need to value the backgrounds of those who have worked in tribal courts.

8. Diversity and inclusion are not widely accepted as important.

- The Alaska legal community needs to have frank discussions on systemic racism and how that permeates areas of the Bar such as the Bar exam, judicial selection, hiring decisions, and a lack of an understanding of BIPOC and Alaska native culture.
- Provide funding to bring in top legal speakers/academics on diverse topics and with diverse backgrounds (e.g., immigration, civil rights, health law, etc.). The Bar should prioritize engaging top legal speakers and academics in the nation which will provide an opportunity for membership to increase perspectives in a safe place. In addition to the annual conference and Bar sponsored CLE's, the Bar should increase membership opportunities to learn pressing issues facing BIPOC from BIPOC attorneys. Meaningful funding dedicated to this action is key to increase the possibility of respected speakers that carry the most influence.
- Have Bar members share stories on acts of discrimination that current members are facing so that people are aware this is not just an issue from the past. The outcome of this solution is aimed to create awareness of current discrimination so the Bar membership as a whole is able to prioritize further action to end discriminatory practices. Stories should be shared in a variety of ways including in-person facilitated discussions, online platforms, and printed material. Both solutions for Barrier 8 could be combined so that following top legal speakers, Alaskan BIPOC members are able to share personal stories.

9. Feeling of isolation among BIPOC members.

- Increase the number of CLE presenters who are BIPOC or from other underrepresented or marginalized communities.
- Increase the number of Bar staff, section chairs, or Board of Governors members who are BIPOC or from other underrepresented or marginalized communities. To this end, make race and ethnicity information about Bar members available to the Board of Governors President when making committee appointments so that these factors can be considered. However, the Bar must be mindful that these individuals are often already overloaded with requests to serve in various roles in order to increase diversity and representation, and therefore other avenues for engagement should also be considered.
- Continue efforts towards increasing diversity in the judiciary.
- Provide opportunities for existing BIPOC attorneys to connect with one another. BIPOC attorneys don't always encounter one another in their legal practice or personal lives. So while it may take some time to increase the

number of BIPOC attorneys, there should be effort towards fostering community and support for BIPOC attorneys within the Bar, and creating an environment that better supports and retains BIPOC attorneys, and is also attractive to potential Bar members.

- Create a BIPOC or diversity section of the Bar, free to BIPOC members. In addition, notify the section of new BIPOC Bar members so that there can be outreach to these individuals.
- Provide opportunities and financial support to BIPOC members to travel to different Alaskan communities to speak in classrooms or at community events, to increase exposure to the legal profession and the experiences of BIPOC practitioners.

10. Legal opportunities are focused in urban Alaska communities.

- Legal employers should advertise and allow remote work options that allow their employees to work from anywhere in Alaska.
- The state or other legal employers should look to partially supplement salaries or pay loans for individuals who choose to return to work in their rural communities.
- The Alaska Bar Association should consider waivers to practice in areas with low population. For instance, NV currently has a waiver to allow an attorney admitted to practice law in any other jurisdiction may apply for limited practice certification if the attorney is employed by the district attorney or public defender (or county equivalent) in a county whose population is fewer than 100,000 persons.

6. DIVERSITY COMMISSION BIOS

Attorney Members

Kendri Cesar (Co-Chair): Kendri Cesar was a partner at Sonosky, Chambers, Sachse, Miller & Monkman, LLP, working in their Juneau office from 2013 to 2023. She is from the Kaach.ádi clan in Wrangell and was raised in Juneau. She is an enrolled citizen of Central Council of the Tlingit & Haida Indian Tribes of Alaska, and is a Goldbelt and Sealaska shareholder. Kendri graduated from Dartmouth College in 2008 and Harvard Law School in 2012, and clerked for Judge Michael Jeffery in the Barrow Superior Court.

Renee Wardlaw (Co-Chair): Renee Wardlaw serves as Vice President, Corporate Compliance and Administration for Bristol Bay Native Corporation (BBNC). She earned her law degree and MBA in 2010. Renee is a member of several community service organizations: the NAACP, Jack and Jill of America, and the Rasmuson Foundation, Black in Alaska Advisory Committee. She also serves in various leadership roles: Alaska State Coordinator for Delta Sigma Theta Sorority, Inc., Communications Chair for AAWL, Alaska Humanities Forum Board of Directors, and Co-chair of the Alaska Bar Association Diversity Commission. In 2021, Renee was selected as one of Alaska’s Top Forty under 40.

Liz Hensley: Elizabeth Saagulik Hensley, J.D., is vice president of external and government affairs, responsible for developing, managing and leveraging relationships with key stakeholders and partners to advance NANA's mission. She has worked as general counsel for Maniilaq Association, a senior policy advisor to the assistant secretary for Indian Affairs at the U.S. Department of the Interior, and an aide for the Alaska Legislature. Saagulik is a NANA shareholder and a tribal citizen of the Native Village of Kotzebue. She holds a Bachelor of Arts in Anthropology and Native American Studies from Dartmouth College and a Juris Doctor from the University of Arizona, James E. Rogers College of Law.

Shaun Lucas: Moving to Nome in 2020, Shaun began working for the Alaska Court System as a law clerk. In 2021, he traveled to Fairbanks and joined the Alaska Department of Law. Whether it's chasing auroras, spending the summer backpacking throughout Alaska, or working on the Diversity Commission, Shaun is committed to protecting what makes Alaska unique.

Greg Razo: Greg Razo is a retired attorney and former Vice President with Cook Inlet Region, Inc. (CIRI), the Alaska Native Corporation for south-central Alaska. Razo is Yupik/Hispanic and a CIRI shareholder. Currently, Mr. Razo serves as vice-chair of the Alaska Native Justice Center and as a Director of Cook Inlet Native Head Start.

Natasha Singh: Natasha Singh (Sela Kh'onsinlh) joined the Alaska Native Tribal Health Consortium as Vice President of Legal Affairs. Prior to that, she served as General Counsel for Tanana Chiefs Conference. Natasha is a graduate of the University of Washington School of Law and Dartmouth College. Natasha is a tribal citizen of Stevens Village. She is the daughter of Renee and Karm Singh and granddaughter of Lucile Lopez and the late Valerie and Stephen Matthew.

Judge Sen K. Tan: Before semi-retirement, Sen K. Tan served as a Superior Court Judge in Anchorage for 17 years. He serves on a number of non-profit boards and commissions. He also teaches, mediates, and arbitrates cases. Judge Tan was born in Malaysia and lived in England before moving to the United States.

Public Members

La quen náay Liz Medicine Crow: La quen náay (Haida/Lingít) is from K̄éex̄ Kwáan (Kake), Alaska. She is an enrolled Tribal Citizen of the Organized Village of Kake. On her Haida side she is Eagle, Tíits G'itanée, Hummingbird. On her Tlingit side she is Raven Kaach.ádi, Fresh Water-marked Sockeye Salmon, of the X'áakw Hít House. She received her BA (BFA Equivalency) from Fort Lewis College in Durango, Colorado, and her law degree from Arizona State University Sandra Day O'Connor College of Law, graduating with a Juris Doctorate and a Certificate in Indian Law. She is currently the President/CEO of First Alaskans Institute. Her work and life focus is to serve her peoples.

Xavier Mason: Xavier Mason serves as the Acting Director of Finance for the City of Bethel. Prior to his current role, he has worked in several start-ups and as a staffer in the

United States Senate. Xavier is a third generation Alaskan, and a proud graduate of the University of Alaska Anchorage and commencement speaker of his graduating class. He earned an MBA and an MSc in Education from the University of Oxford. In 2022, Xavier was selected as one of Alaska's Top Forty under 40. Following in the footsteps of so many in his family before him, Xavier is a constant advocate for civic responsibility and civic duty.

Ex-Officio Members:

Judge Kari McCrea (FAC): Judge Kari McCrea was appointed to the Anchorage District Court in 2017. She previously worked as a magistrate judge and an attorney with the Alaska Public Defender Agency. She co-chairs the Alaska Supreme Court's Fairness, Diversity and Equality Committee and the Diversity Subcommittee. She is a member of the Alaska Court System's Newer Judges Training Committee, the Statewide Magistrate Judge Evaluation Panel, and the Judicial Conduct Code Revision Committee.

Jeff Robinson (BOG): Jeff is a shareholder with Lane Powell. Outside of the office, Jeff enjoys spending time in the mountains with his family and traveling to warmer climates. He has served for several years on the Alaska Bar Association's Board of Governors and was recently appointed as its President-Elect. In 2021, Jeff received the Alaska Association of Criminal Defense Lawyers' "Champion of Liberty Award" for pro bono litigation on behalf of incarcerated inmates seeking access to counsel.

Staff Support:

Danielle Bailey: Danielle Bailey is the Executive Director of the Alaska Bar Association. She previously worked with the Alaska Court System. She received her J.D. and M.U.R.P. from the University of Minnesota. She spends her free time recreating in the outdoors, traveling, and volunteering in her communities. She has served on the boards or commissions of Anchorage Planning and Zoning Commission, Turnagain Community Council, and Anchorage Downtown Partnership.

Susanne DiPietro: Susanne DiPietro is the Executive Director of the Alaska Judicial Council. Before coming to the Judicial Council, she worked for the Alaska Court System. She has authored research papers on civil and criminal litigation. She received her J.D. from Northwestern University, and is a Fellow of the National Center for State Courts' Institute for Court Management. She has worked as a consultant to the court systems in Albania and Mongolia.

Krista Scully: Krista Scully is a long-time Alaskan and life-long volunteer. She is the Pro Bono Director at the Alaska Bar Association and considers her job as focused on three efforts: convener, collaborator, and catalyst. Her professional experiences range from strategic planning, policy and project development, research, teaching, and mediation/facilitation. She's a former fly fishing instructor for Casting for Recovery – a program that teaches fly fishing to breast cancer survivors, volunteer Wish Granter for the Make A Wish Foundation, one of Alaska's Top 40 Under 40, 2006 Pro Bono Professional of the Year by NAPBPRO, and 2018 YWCA Woman of Achievement.

ⁱ See <https://law.lclark.edu/live/files/8835-aba-next-steps>.

ⁱⁱ Alaska Bar Bylaws, Art. I, Section 3(2) and (3).

ⁱⁱⁱ See <https://alaskabar.org/wp-content/uploads/Diversity-Commission-Resolution.pdf>.

^{iv} Statistics received from: Alaska Judicial Council, Alaska Bar Association Clear Vantage Reports, <https://news.com/us-law-week/law-school-enrollment-up-overall-but-not-for-minorities>, and <https://www.americanbar.org/content/dam/aba/administrative/news/2020/07/potlp2020.pdf>.

^v <https://public.courts.alaska.gov/web/media/docs/sc-2020-stmt.pdf>

^{vi} AFN Resolution 18-11.

^{vii} From 2016 to 2020, Seattle University School of law established a ABA accredited satellite campus for third-year students in Alaska at the Alaska Pacific University campus in Anchorage. That program ended in 2020 because of the Covid 19 pandemic.

^{viii} Hanson, Melanie. "Average Cost of Law School" EducationData.org, November 14, 2022,

<https://educationdata.org/average-cost-of-law-school>.

^{ix} <https://news.bloomberglaw.com/us-law-week/racial-disparities-in-bar-exam-results-causes-and-remedies>

^x "What is an HBCU?," White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity through Historically Black Colleges and Universities, U.S. Department of Education, <https://sites.ed.gov/whhbcu/one-hundred-and-five-historically-black-colleges-and-universities/> (accessed on April 16, 2023).

^{xi} *Id.*

^{xii} "Color of Justice," Alaska Court System,

<https://courts.alaska.gov/media/outreach.htm#:~:text=Color%20of%20Justice%20is%20a,careers%20as%20lawyer%20and%20judges> (accessed April 16, 2023).