

# Diversity & Inclusion

Villanova Law, Professional Development II & III  
Fall 2018

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## Goals

- Understand what implicit bias means and how it may influence our decisions
- Understand that having implicit biases does not necessarily mean that we act in explicitly biased ways.
- Recognize some behaviors that may suggest bias or differential treatment.
- Learn techniques to help debias perceptions and improve interactions.

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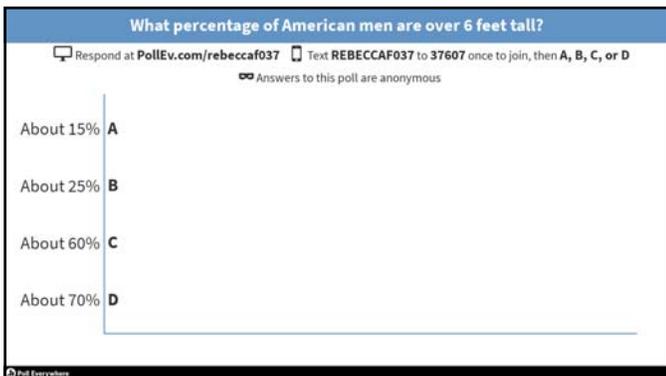
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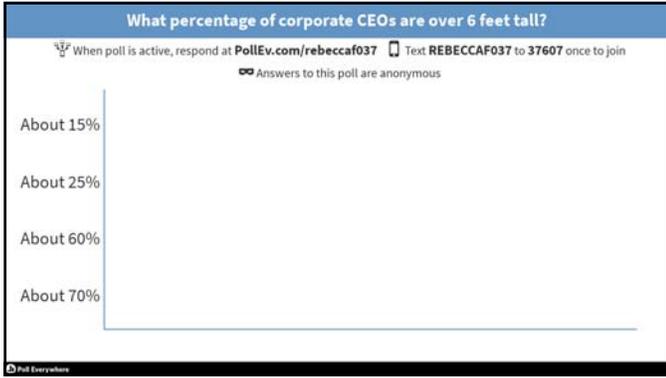
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Even professors...

<https://www.pbs.org/video/pov-implicit-bias-check-our-bias-wreck-our-bias/>

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**What's Going On Here?**

- Researchers sent thousands of identical resumes to employers with job openings. The same resume was roughly 50 percent more likely to result in **callback** for an interview if it had a "white" name.
- Volunteers asked to evaluate a high-powered manager joining a company rated the person as much more **unlikeable** when it was a woman than when it was a man.

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How does our culture shape our biases?

- <https://www.pbs.org/video/pov-implicit-bias-peanut-butter-jelly-and-racism/>

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Stroop Test

RED	GREEN	BLUE	YELLOW	PINK
ORANGE	BLUE	GREEN	BLUE	WHITE
GREEN	YELLOW	ORANGE	BLUE	WHITE
BROWN	RED	BLUE	YELLOW	GREEN
PINK	YELLOW	GREEN	BLUE	RED

RED	GREEN	BLUE	YELLOW	PINK
ORANGE	BLUE	GREEN	BLUE	WHITE
GREEN	YELLOW	ORANGE	BLUE	WHITE
BROWN	RED	BLUE	YELLOW	GREEN
PINK	YELLOW	GREEN	BLUE	RED

<https://www.americanbar.org/groups/litigation/initiatives/task-force-implicit-bias/implicit-bias-101.html>

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We receive **11 million bits of information** every moment.

We can only consciously process **40 bits**.

Content from rework.withgoogle.com

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**99.999996%**  
**UNCONSCIOUS**

Content from rework.withgoogle.com

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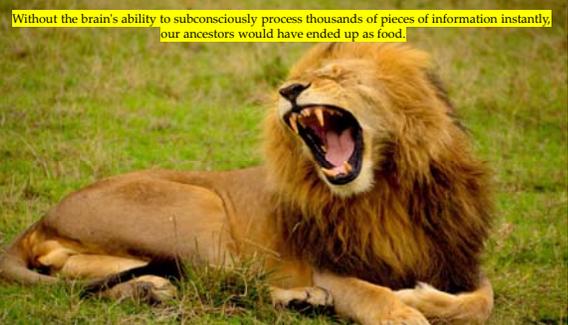
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Without the brain's ability to subconsciously process thousands of pieces of information instantly, our ancestors would have ended up as food.



Content from rework.withgoogle.com

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### Schemas

**Schemas** allow us to make sense of the world. Our unconscious brains:

1. Sort things into categories
2. Create associations
3. Fill in the gaps when receiving partial information



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## Implicit Association Test

Schema consistent pairings v. Schema inconsistent pairings

White and Asian-American test-takers show an implicit preference toward white people over Black people. 50 % of Black test-takers show the same preference, and the other 50% show a preference for Black people.

<https://implicit.harvard.edu/implicit/takeatest.html>

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How might implicit (or explicit) bias affect the practice of law?

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## Example: Job Interviewing

- On what basis have you felt judged while interviewing for a job?
- What assumption(s) have interviewers made about you (either positive or negative)?

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**On what basis did you feel judged?**

When poll is active, respond at [PollEv.com/rebeccaf037](https://poll.ev.com/rebeccaf037) Text REBECCAF037 to 37607 once to join

No responses received yet. They will appear here...

© Poll Everywhere

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Example: Job Interviewing

- Imagine you are now interviewing a candidate for a job. What strategies might you use to counter implicit bias?

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**The good news:**

“Motivation to be fair makes a difference.”

<https://www.americanbar.org/groups/litigation/initiatives/task-force-implicit-bias/implicit-bias-toolbox.html>

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## Strategies

- **Mindfulness:** honestly recognize and acknowledge biases; articulate and question your reasoning for decisions
- **Increase inter-racial or inter-ethnic interactions.**
- Identify and **limit distractions** and sources of **stress**
- **Solicit Feedback** from others

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## The Lawyer's Responsibility

[1] *A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having a special responsibility for the quality of justice.*

[6] *As a public citizen, a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession.*

Preamble, Rules of Professional Conduct (*emphasis supplied*)

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## Other Resources

- [Implicit Association Test: https://implicit.harvard.edu/implicit/takeatest.html](https://implicit.harvard.edu/implicit/takeatest.html)
- <https://www.npr.org/2018/03/09/591895426/the-mind-of-the-village-understanding-our-implicit-biases>
- [https://www.ted.com/talks/verna\\_myers\\_how\\_to\\_overcome\\_our\\_biases\\_walk\\_boldly\\_toward\\_them](https://www.ted.com/talks/verna_myers_how_to_overcome_our_biases_walk_boldly_toward_them)
- <https://ideas.ted.com/little-by-little-we-can-end-the-war-of-racism-inside-ourselves-ga-with-verna-myers/>
- [https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1257&context=cl\\_pubs](https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1257&context=cl_pubs)
- [https://www.nytimes.com/2018/09/06/us/lawyers-bias-racial-gender.html?rref=collection%2Ftimestopic%2FDiscrimination&action=click&contentCollection=timestopics&region=stream&module=stream\\_unit&version=latest&contentPlacement=6&partners=collection](https://www.nytimes.com/2018/09/06/us/lawyers-bias-racial-gender.html?rref=collection%2Ftimestopic%2FDiscrimination&action=click&contentCollection=timestopics&region=stream&module=stream_unit&version=latest&contentPlacement=6&partners=collection)

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