

## Multicultural Lawyering



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# **Multicultural Lawyering**

Navigating the Culture of the Law,  
the Lawyer, and the Client

**Kimberly E. O'Leary**  
**Mable Martin-Scott**

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# Introduction

When we graduated from law school in the early 1980s, 3% of lawyers were women even though 51% of the U.S. population was female (as is still true today). Today, 37% of lawyers are women, but over 50% of first-year law students are female, so the change in the demographics of who are lawyers is coming. Today, non-Hispanic white people make up 86% of the attorneys in the U.S., but only 60% of the U.S. population. In the late 1970s — when we entered law school — 9.4% of U.S. first-year law students were classified as “minority” (anyone other than non-Hispanic White students). Today, 38% of first-year law students are classified as “minority.” While change has been slow — sometimes two steps back for every step forward — it is happening. As people from diverse cultures enter the legal profession, they enter a profession with long-standing cultural dominance by a few cultural groups, which are typically categorized as White and male.

The first goal of this book is to train lawyers from every cultural background to help them understand the importance of their own cultures in shaping the law and legal systems. We want to help all lawyers navigate a multicultural environment that honors the cultures and histories of the origin of the profession, while incorporating new — sometimes better — ideas from new cultures. We want all lawyers to open their minds to the opportunities that are present when people from diverse cultures offer new perspectives and new ways of thinking and operating. We want lawyers who are from non-dominant cultures to honor their own unique voices and views. We want lawyers who are from dominant cultures to honor their own views, but to realize their views are part of a bigger tapestry of views and voices that will further the profession.

The second goal of this book is to help lawyers from diverse cultures assist clients from diverse cultures. Once lawyers understand how their own cultures relate to legal systems, they can begin to understand how their culture, and the culture of the law, relate to clients’ cultures. A lawyer is a helper — and as such, must understand what clients want. Challenging one’s own cultural assumptions is a precursor to learning to really listen.

The final goal of this book is to help lawyers understand how ordinary people see the law and legal systems. In a democracy, the law should be administered as fairly

as possible, within rules of law and equity. Lawyers should seek to remove systematic bias, even when unintended. If ordinary people do not view the law as fair, democracy itself is in peril. We want to train lawyers who listen to critiques of the law and course-correct for fairness. Always.

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— Kim

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In loving memory of my dad, Fredrick Scott, who never met a stranger.

— Mable