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Multicultural Education And Cultural Competency Standards For Legal Professionals

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Multicultural Education and Cultural Competency Standards for Legal Professionals

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This dissertation, submitted by Stephanie Bono in partial fulfillment of the requirements for the Degree of Doctor of Philosophy from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done is hereby approved.

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ABSTRACT

The development of multicultural education and cultural competency standards for legal professionals is an important topic within the legal field (Bryant, 2001; Weng, 2005; Curcio, Ward, & Dogra, 2013). The legal profession plays a major role in American society, with legal professionals working in prominent positions within the government, financial sector, and business, in addition to private law firms. These professionals create policy, write laws, and advocate on behalf of others. They are leaders and experts who possess enormous power, and we rely on them to make decisions that will allow our society to thrive. In recent decades, however, our society is has begun to change (United States Census Bureau, 2010; Tavaras, 2017). The United States is becoming increasingly diverse, and in order for legal professionals to fulfill their professional duty, they must understand how to work with and represent culturally different others. Multiculturalism has been embraced by other helping professions, including psychology, education, and medicine (Dogra and Karnik, 2003; Sue, 2001). Educators, researchers, and clinicians within these disciplines have developed standards for understanding the cultural background of clients and students, which has allowed them to better meet their needs. The current study utilized the Delphi method (Linstone & Turoff, 1975; Hasson, Keeney, & McKenna, 2000). to explore how multicultural education and cultural competency standards can be translated to the legal profession. Thirteen legal experts completed 1-3 rounds of an anonymous online survey in which they provided 150 suggestions related to multicultural education and cultural competency. They ranked their level of agreement to these suggestions via a Likert scale

and were able to provide feedback related to the ideas of others. Results suggested that while there was nearly unanimous agreement that multicultural education should be provided to law students and professionals, there was no consensus on what multicultural education should be comprised of. Implications of the law field falling behind medicine and psychology (where multicultural education components are already implemented and evolving) is discussed, and future directions are considered.

CHAPTER I

INTRODUCTION

In recent years, systemic problems within the legal system have come into the spotlight. The profession, once deemed a noble calling, has been mired by scandal, questionable ethics, and unscrupulous behavior (Marciano, 2019; Tribe, 2018; Williams, Multhaup, Li, & Korn, 2016). Much of the criticism about the profession comes from within, as there is no shortage of legal scholars and practitioners who are critical of the current professional landscape (Multhaup, Li, & Korn, 2016). Some scholars have cited the development and adherence to ethical standards related to human values as a means of correcting course. This has included the call for developing multicultural competency within the profession (Madaan, 2018). Although many legal educators and scholars have called for increased attention to multiculturalism within the field, to date, there has been little research conducted on this topic. This study is one of the first to provide empirical exploration for multicultural education and cultural competency standards for legal professionals.

Many have linked the development of multicultural competency within the legal field to instilling compassion, developing empathy, and regaining the public's respect and trust (Chopp, 2017). Some professionals who advocate for multicultural lawyering practice argue that other helping professions, such as medicine, have seen the benefits of attending to cultural factors (Chopp). Specifically, they cite patient satisfaction with care, level of disclosure by patients, and higher help seeking rates as evidence that a multicultural approach works. Others argue that multiculturalism is an essential

component of the ethical duties legal professionals are sworn to uphold (Bryant, 2001; Madaan, 2018). Despite these compelling arguments, there is still a wide debate within the field regarding the utility of formally teaching multiculturalism to legal professionals.

Contextually, the legal profession is one of the country's oldest professions and is rooted in history and precedent (Passmore, 2010; Jones, 2017). The issue here is the painful truth that this country was founded and governed by White, upper-class men (Tavaras, 2017). The structure of our government was designed by these white men (Tavaras). The Constitution was written by these white men. The interpretation of all the laws developed by these white men was delivered by these white men (Tavaras). Historically, it took many decades for the interests or voices outside of this demographic to be heard and upheld (Bellamy, 2017). Although it appears that we have made movement toward diversity and inclusion, many argue there is still significant work to do (Bellamy; Jones).

As the United States, and the rest of the world, becomes increasingly diverse, there has been an increase in awareness of whose interests have been most represented within the legal system (Tavaras, 2017). Many of the injustices we see play out now can be best explained by the lack of diversity and inclusion within our legal system over time (Tavaras). This is especially true for within the criminal justice system, where individuals living in poverty and people of color face enormous discrimination (Mauer, 2011; Ghandnoosh, 2014; Cole, 1999). According to the United States Bureau of Justice Statistics (2014), although African Americans and Latinos make up just 29% of the United States population, they comprise over half (57%) of the prison population. This

translates to incarceration rates for African Americans at nearly six times the rate of Whites, and for Latinos, at just over three times the rate of Whites (U.S. Bureau of Justice Statistics).

To understand what these numbers truly represent, it is important to look beyond those alarming statistics. It is not the case that African American and Latino adults disproportionately commit more crimes than Whites (Harriot, 2018). Rather, these numbers are best attributed to complex, systemic oppression involving disparate policing practices, prosecutorial bias, unequal sentencing guidelines, and prejudicial laws and policies (Harriot; Farbota, 2015). Research has shown that African Americans are more heavily policed than Whites and are more likely to be pulled over for a traffic stop and subsequently searched or stopped on the street and frisked (American Civil Liberties Union, 2002; Harriot). And, according to research conducted by the Hamilton Project, despite Whites and African Americans using drugs at about the same rate, African Americas are 6.5 times more likely to be arrested for drug use (The Hamilton Project, 2016). Going one step further, African Americans are also more likely to receive harsher sentences for the same type of drug arrest than Whites (Harriot; Farbota). According to research conducted by Abrams, Bertrand, and Mullainathan (2011), Whites convicted of felonies were incarcerated only 38% of the time, while African Americans were incarcerated 51% of the time. These statistics are relevant to the current study in that legal professionals have the power to correct the course. Prosecutors, criminal defense attorneys, judges, legislators, and policy makers have a responsibility to create an equal, just system that works for all. However, if they do not understand the power and impact

of systemic racism, implicit bias, and majority culture privileges, the pursuit of "equality before the law" will be lost.

Legal professionals who work outside of the criminal justice system have a duty to develop cultural competency, as well. According to recent research, the legal profession is wrought with racism and sexism (Williams, Multhaup, Li, Korn, 2018). According to these researchers, 58% of women attorneys of color and 50% of White women attorneys reported being mistaken for administrative staff or janitors while working in their professional roles as lawyers, while only 7% of White male attorneys reported a similar experience (Williams, Multhaup, Li, & Korn). The study unveiled the disparities women, particularly women of color, faced within the profession, highlighting the need for the development of cultural competency standards within the law. These standards would require legal professionals to be educated and trained to view their work through a multicultural lens, which would likely increase their ability to effectively communicate with others, build relationships with colleagues and clients, and appropriately advocate on behalf of clients who likely hold different values, beliefs, and ideas.

Currently, there are no mandates for multicultural education or training for legal professionals, and there are no standards for establishing culturally competent legal practice (Tavaras, 2017; Madaan, 2018). Although the American Bar Association does require legal professionals to earn continuing education credits (or CLEs) each year, there is no mandate that these CLEs include education or training related to multiculturalism (Tavaras). The purpose of this study was to explore the importance of multicultural

education and cultural competency standards for legal professionals, including what

components of multicultural education and competency standards are most important.

This will be accomplished by asking attorneys who have experience in working with

underserved populations, or writing about multicultural issues, several open-ended

questions related to the development of these standards. Their answers will then be

assessed for degree of consensus across multiple rounds of rated responses by these same

experts, an approach to research referred to as the Delphi Method (Linstone & Turoff,

1975; Hasson, Keeney, & McKenna, 2000).

CHAPTER II

LITERATURE REVIEW

In a world that has become increasingly globalized, cultural competency is emerging as an essential skill for legal professionals. More than ever, attorneys are connecting with clients and colleagues who adhere to cultural norms and practices that are different from their own (Liwen, 2005). In order to effectively communicate, collaborate, and advise, legal scholars are arguing that attorneys must be able to engage with others cross-culturally (Liwen; Patel, 2014). Thus, multicultural competency is a value that should be considered in the legal profession, and the skills associated with developing this competency should be taught in law school, reinforced through practice, and reiterated via continuing educational courses (Liwen; Patel).

Despite this, cultural competency training is, in fact, an area that the legal profession has largely overlooked. Other disciplines have long educated and trained students and professionals to value cultural competency (Bryant, 2001; Weng, 2005; Patel, 2014). Academic courses and professional training dedicated to multiculturalism and the development of cultural competency are a reality for teachers, doctors, social workers, psychologists, and nurses, to name a few (Bryant). In recent years, legal scholars have begun to advocate for cultural competency training for legal professionals, arguing that effective lawyers must possess skills for cross-cultural engagement (Adams, 2012; Patel, 2014; Demers, 2011). However, such training has not become standard curriculum in law schools. As mentioned in the first chapter, the purpose of this paper is to propose a study that would allow legal experts to engage in a dialogue concerning

cultural competency and multicultural training for law school students and legal

professionals. This chapter provides a review of literature related to this important topic.

The Importance of Culturally Competent Legal Professionals

   According to the United States Census Bureau, the next generation of Americans

are likely to experience a country where Whites are no longer the majority (United States

Census Bureau, 2010). This shift in demographics is important in many ways, but

perhaps has particular significance in connection to the legal profession. As it stands, the

legal profession is the least diverse profession, with 88% of attorneys and judges

identifying as White (Anderson, 2009). Clearly, there is a lack of racial and ethnic

diversity within the profession, which is not at all representative of the U.S. as a whole.

Moreover, the roots of the law are firmly implanted in the White majority's cultural

purview. In order to protect all people's rights and ensure equality and justice, it is

imperative for the legal profession to address this disparity. Legal education, including

continuing education, must shift as well in order to prepare professionals to understand

the needs of an ever-changing, evolving society.

   As society is evolving, many believe that the legal professionals should be

evolving, too (Binder, Bergman, & Price, 1990; Liwen, 2005). Specifically, attorneys and

judges should be interacting with non-legal individuals in a new way. Traditionally,

lawyers have been viewed as experts whom clients seek out for assistance in achieving a

particular goal. While this traditional view supports the idea that attorneys are experts

who owe a special duty of care to their clients, this standard has begun to change. In

1990, Binder, Bergman, and Price developed a model of client-centered lawyering which

aimed to reduce the power differential between lawyer and client. This client-centered approach was revised in 2004 (Binder, Bergman, Price, & Tremblay). The model, commonly known as the Binder-Price model, recognizes that clients are the experts of their worlds. Because the client understands their own values, goals, and context of their situation, they will be able to choose a resolution to their legal dilemma that is satisfactory to them (Binder, Bergman, Price, & Tremblay, 2004). This approach, which is now the dominant model taught by law schools today, ultimately shifts some of the power to the client, allowing them to be more autonomous in their decision making.

It is this shift in thinking about the lawyer-client relationship that opens the door for cultural competency within the legal profession. Rather than using their authority position to coerce clients into decisions, or into approaching problems in a certain manner, lawyers are increasingly being taught to let the client's best judgment take precedent (Tremblay, 2010). This requires the attorney to work with their client in mind, understanding and respecting their client's values and goals. This is a departure from the more traditional view of the lawyer-client relationship, wherein there is an inherent power differential (Weng, 2005).

In order to assist lawyers and law students in learning the process of client-centered counseling, the Binder-Price Model suggested an outline for counseling sessions (Binder & Price, 1977). This outline was developed with the structure of a counseling session in mind. It is not a rigid script that attorneys must abide by, but rather, a general suggestion for the process of a counseling session (Binder & Price). First, the lawyer must understand the client's needs, and he or she should provide the client with a

thorough explanation of potential courses of action that might be taken in order to meet the client's needs. It is the legal professional's job to relay each option available to the client and to help the client understand how each course may impact the client (Binder & Price). This should be done in a way that does not influence the client to choose the course of action the lawyer believes is right based upon their own bias. In the end, the lawyer must assist the client to make a decision that fits best with their needs and values (Binder & Price).

The client-centered approach proposed by the Binder-Price model was the legal profession's way of dealing with the power imbalance naturally occurring in lawyer-client relationships. It was assumed that because this approach allowed clients to be their own experts, their cultural perspectives would automatically be assumed in the process. However, critics did not feel that the original Binder-Price model incorporated cultural perspectives or truly allowed for a shift in the power dynamic of a lawyer-client relationship (Shelleck, 1993). Specifically, the Binder-Price model required the lawyer to determine relevant legal or non-legal concerns, which could undermine the client's culturally specific values or goals (Shelleck). The Binder-Price model also assumed that the client is high-functioning and capable of reasonable and rational decisions, and it required a structured narrative of events or recollection of facts, rather than other narratives that may be more culturally appropriate (Shelleck). Additionally, the Binder-Price model was criticized because it ignored the power imbalance in the lawyer-client relationship (Shelleck). Finally, the original Binder-Price model assumed that all clients would be willing and capable participants in the legal process (Shelleck). However, in

reality, clients may not be so quick to engage in the process, or they may not feel comfortable divulging personal information to a stranger, regardless of their professional role. While the original Binder-Price model did acknowledge that some clients may present as difficult, the model did not take into account cultural factors or difficulty in communication between the lawyer and client due to cultural differences.

In the years that followed the Binder-Price Model's development, legal researchers and scholars continued the impetus to reconceptualize the way legal professionals interact with clients (Daicoff, 2006; Bellamy, 2017). The client-centered approach opened the door to a new way of counseling clients, but many scholars and advocates were still unhappy with their experiences with the legal system. In the mid 1990's, the comprehensive law movement developed in response to the dissatisfaction many were feeling with the legal system (Daicoff). This movement used interdisciplinary approaches to understand how clients interact with lawyers and the legal system, paying particular attention to the client's context (Daicoff). With the comprehensive law movement, a new view of the law was proposed – specifically, law is a healing profession (Daicoff). In Daicoff's 2006 article, collaborative, law, creative problem solving, holistic justice, preventive law, problem solving courts, procedural justice, restorative justice, therapeutic jurisprudence, and transformative mediation emerged as new directions for the legal profession. These approaches emerged, in large part, due to clients' overall dissatisfaction and mistrust of the legal system (Daicoff). Legal scholars determined that there were two common features to all of these approaches. The first commonality was that each approach recognizes and values the law's potential as an

agent of positive change, and seeks resolve legal matters in a positive way (Daicoff). The second common feature is that each approach integrates and values factors that go beyond legal rights or duties alone. Specifically, the approaches factor in the needs, resources, morals, goals, values, beliefs, psychological wellbeing, personal wellbeing, human development, interpersonal relationships, and goals (Daicoff). While these approaches clearly go beyond the traditional approach to lawyering, culture was not specifically addressed in any of these approaches, nor was it particularly understood (Daicoff). Again, this movement considers culture in only an indirect way.

In light of the criticisms attached to the previous movements, Weng (2005) called for an evolution – a shift from client-centered lawyering and the comprehensive law movement to multicultural lawyering. Weng argued that counseling trainers use a three-fold approach to develop cultural competency. First, the individual develops awareness and knowledge of his or her own culture; second, the individual develops awareness of the client's culture; and third, the individual learns specific skills to minimize the impact of their biases toward their client and the relationship they have with their client (Weng). The multicultural lawyering approach proposed by Weng is similar to the tripartite model used in many other disciplines, including psychology and medicine.

More specifically, Weng (2005) suggested that multicultural lawyering should adopt methods and approaches for cultural competency that are currently used in psychology because the discipline can provide a foundation for understanding biases and schemas. Further, psychology encourages the development of self-awareness. According to Weng, it is this self-awareness that allows one to understand his or her own culture,

including the beliefs, values, and attitudes that shapes the unconscious assumptions and influences interactions with others. In order to develop cultural self-awareness, Weng relies on the attitudes, beliefs, and skills framework, but notes that this is not a linear process. Instead, the framework Weng presents identifies issues that one must work though in order to acknowledge oneself as a cultural being.

Defining Culture and Cultural Competency

To understand Weng's (2005) argument, culture and cultural competency must first be defined. According to Bryant (2001), culture constitutes many things: "ethnicity, race, gender, nationality, age, economic status, social status, language, sexual orientation, physical characteristics, marital status, role in family, birth order, immigrant status, religion, accent, skin color" are all cultures (p. 41). While culture refers to many things, it should be noted that race, ethnicity, and national origin are usually the most prominent cultural constructs in American society today. Bryant's definition of culture has been widely used and accepted by legal scholars who write in the area of culture and cultural competency (Weng, 2005; Adams, 2012; Patel, 2014).

Some legal scholars have taken the definition of culture one step further by defining the construct in a broad manner. O'Donnell and Johnstone (1997) described culture as a "social construct, steeped in the history, politics, and economics of a given community" (p. 7). This definition highlights not only the importance of culture, but the need to understand how a given society chooses to define the concept over time. Other legal scholars have taken the definition of culture further by specifically relating it to the practice of law American society. One such scholar, Anderson (2009), highlighted both

the lack of diversity in the legal profession and the implications of the same on the profession as a whole. Anderson asserted that because law schools are the gatekeepers of the legal profession, there is an onus on these institutions not only teach multiculturalism, but also to admit a more diverse group of students. According to Anderson, a more diverse student body would create a genuine cultural experience of multicultural learning for law school students, wherein different ideas and perspectives would be shared, assumptions would be challenged, and views on race, ethnicity, and culture would be broadened. And, a more diverse student body would certainly reflect the changing landscape of American society.

The medical profession has also weighed in with its own ideas of what constitutes culture. The Association of American Medical Colleges (AAMC) (2005) described culture as "Integrated patterns of human behavior that include the language, thoughts, [communications], actions, customs, beliefs, [values], and institutions of racial, ethnic, social, or religious groups" (p. 1). The inclusion of "social groups" provides for an expansive definition of culture that has often been overlooked. According to this definition, occupations such as police officers or military families may constitute a culture. Or, hobby groups such as gamers or "Trekkies" may constitute a culture. Indeed, the definition provided by the AAMC is one of the most comprehensive definitions of culture, and arguably one of the most accurate.

Medical scholars have also weighed in on the definition of culture. Dogra and Karim (2005) discussed culture and cultural diversity training for psychiatrists. In their article, Dogra and Karim assert that culture requires one to self-identify with a particular

group. Essentially, people make sense of themselves in connection to the groups they identify with, and how much they identify with that group is up to them. Additionally, people are assigned to categories by others (Dogra and Karim), but the extent to which they align themselves with the groups they are associated with remain up to the individual. Their definition of culture was a patient-centered approach that suggests culture is ultimately unique to everyone.

Although many definitions of culture exist, psychologists appear to have one of the longest standing and most comprehensive descriptions of what constitutes culture. Fiske (2002) defined culture as a "socially transmitted or socially constructed constellation consisting of such things as practices, competencies, ideas, schemas, symbols, values, norms, institutions, goals, constitutive rules, artifacts, and modifications of the physical environment" (p. 85). Using this conceptualization, culture can essentially be nearly anything – geographic location, profession, sexual orientation, religious preference, gender, age, hobby or special interest, and so on.

Psychologists have also been some of the first to emphasize the need to view people as being multicultural (Cohen, 2009), or comprised of many cultures. Although many individuals are compelled to think of culture as primarily differences in race, ethnicity, and nation of origin, what constitutes a culture is far more expansive and complex, and people are comprised of many identities. Because culture serves not only to provide information, but to also assign meaning, viewing culture in the broadest sense provides the broadest understanding of one's identity.

Although the definition of culture has expanded throughout time, there is still no singular definition that embodies the construct. Similarly, cultural competency does not have one standard definition. Cultural competency, the term used most often by social scientists, has been labeled in many different ways, depending on the scholarly focus and area of interest. Cultural sensitivity, cross-cultural competence, cultural awareness, and cultural sensibility are virtually interchangeable with the term cultural competence (Demers, 2011). Because much of the research on cultural competency and its associated monikers has been completed in academic "silos," there is no singular definition or term that everyone seems to agree on. However, the core concept of cultural competency - acknowledging and understanding differences, gaining skills to effectively communicate despite those differences, and continuing to self-evaluate one's own cultural lens and biases over time – is essentially the same across these like terms (Dogra & Karnik, 2003; Tervalon & Murray-Garcia, 1998; Curcio, Ward, & Dogra 2013).

Despite a focus on culture in the fields of both medicine and psychology, legal educational programs have essentially been operating in a vacuum in attempting to navigate the place of cultural competency. While some legal scholars have called for interdisciplinary work to develop these standards, how to bridge the gap between law schools and other disciplines is a relatively nascent area of research. Although many professions have recognized the importance of multicultural competency, applied psychology, the medical profession, and the teaching profession provides some of the best examples for long-standing, comprehensive, and empirically-based cultural competency standards. It stands to reason that in order to meet the emerging need for

cultural competency in the legal profession, legal scholars should call upon other

professions to lend their expertise in multicultural education.

Cultural Competency in the Legal Profession

Legal scholars and researchers have also struggled to develop a singular definition

of cultural competency. One of the only empirical studies devoted to the concept was

conducted by Curcio, Ward, and Dogra (2014). Those researchers referred to the concept

of cultural competency as "cultural sensibility," a term originally coined by Dogra and

Karnik (2003). Curcio, Ward, and Dogra (2014) claim that cultural sensibility is a more

appropriate term than "cultural competency," as it adds additional elements to that

framework. Their research sought to draw parallels from the medical profession,

suggesting that legal education is most comparable to health care education. The cultural

competence model adopted by medical schools required students to obtain a level of

knowledge about cultures of their patients (Curcio, Ward, & Dogra). Students were then

expected to develop skills in accordance with that knowledge, and were expected to

understand and respect their patient's cultural beliefs. (Curcio, Ward & Dogra). One of

the major criticism of this early model, according to the authors, is that students were not

required to examine their own cultural influences in the process. And, as learning

outcomes emerged, it became clear that this model not only provided a narrow view of

culture, but also suggested one could become an expert in diversity by studying cultures

different from their own (Curcio, Ward, & Dogra).

Curcio, Ward, and Dogra (2014) sought to not only explore the practical and

theoretical aspects of cultural sensibility, but also to develop a psychometrically sound

survey to aid law schools in assessing baseline knowledge of students' cultural

knowledge, attitudes, and skills. These authors noted the importance of approaching

multicultural education from a humility or sensibility approach, but noted a few missing

components. First, these approaches did not encourage students to be life-long learners,

emphasizing the importance of continued self-evaluation as world-views or life

experiences change our perspectives. Second, these approaches may encourage accepting

everything we are told falls within a culture's purview (Curcio, Ward, and Dogra). For

example, domestic violence may not be challenged because it is acceptable in an

individual's culture for wives to be submissive, and therefore punished by their

husband's if they fall out of line (Curcio, Ward, and Dogra).

The research conducted by Curcio, Ward, & Dogra (2014) resulted in one of the

first survey instruments used to measure cultural competence outcomes for law school

students. Those researchers used survey instruments developed by health care educators

and scholarly work presented by clinical legal educators to develop a twenty-nine

question measure using a likert scale. The survey asked students to self-report how they

believe culture impacts the legal profession, their attitudes about multicultural education,

and their awareness of how their own culture impacts the ways in which they

communicate and interact with others. The survey also included several open-ended

questions regarding the survey design and the role culture plays in the students' world-

view. A total of 138 students participated in the initial survey (Curcio, Ward, & Dogra).

The data collected in the initial round was used to refine the instrument. Additionally,

faculty members with various cultural and political perspectives provided feedback. The

revised instrument included a definition of culture, and questions that encompassed a broader view of culture factors were included, and the likert scale was expanded to include six answer choices (Curcio, Ward, & Dogra). Five factors emerged from the results of this work: cultural influences, self-awareness, desire to learn, client behaviors, and self-assessment (Curcio, Ward, & Dogra). This research resulted in an instrument that can be used by faculties to gauge students' receptivity to learning about culture. Further, it can assist educators in deciding how and what to teach in connection to multiculturalism.

While the empirical research in connection to law and cultural competency is in its earliest stage of development, many scholars have been calling for cultural competency training for legal professionals for years. One of the most influential contributions to multicultural lawyering comes from Bryant and Koh-Peters (2001). This work attempted to answer two important questions: what does cross-cultural lawyering look like, and how can we develop effective culturally competent legal professionals. These authors emphasize the importance of teaching students how significant culture is to our lives, our interactions, and our work. Essentially, everything we do, say, or value is connected to our culture, and we view the world through our own cultural lens. This knowledge helps students examine their own assumptions and biases, and provides a basis for understanding stereotypes (Bryant & Koh-Peters). New conceptualizations of people and the world can begin to form when we think critically about culture, and more effective forms of cross-cultural interactions can emerge.

In order to teach cross-cultural lawyering, Bryant (2001) proposes "Five Habits of Cross-Cultural Lawyering." The first habit asks students to acknowledge similarities and differences between themselves and others (Bryant). This awareness can be crucial in acknowledging existing stereotypes. The second habit requires students to examine how culture may influence a case (Bryant). To accomplish this, students must be able to identify how clients are similar to the legal system. Students are challenged to explore alternative explanations for their clients' behavior during the third habit (Bryant). By doing so, students may be able to reframe their assessment of a "difficult client." The fourth habit centers on cross-cultural communication, and serves to provide students with skills necessary for effective communication (Bryant). And finally, the fifth habit requires students to engage in self-evaluation instead of self-judgment (Bryant). These five habits provide a framework for teaching cross-cultural competency to law students.

Since Bryant's seminal work, other legal researchers and scholars have reiterated the need for cross-cultural lawyering. Many propose this education be provided by law schools in some capacity. Patel (2014) suggested a semester long seminar format would be the optimal format for teaching cross-cultural lawyering. Specific advantages of a semester long seminar include small class size that allows for discussion of sensitive or difficult topics; time to challenge oneself and fully engage in the process of exploring personal biases; and development of a supportive environment that helps students cope with exploring difficult topics while also challenging them to do so (Patel). Although many legal scholars have made a case for multicultural education and cultural competency standards in the legal profession, these practices have yet to be implemented.

In order to navigate a course for multiculturalism in the legal field, an examination of other disciplines that have successfully implemented cultural competency into professional standards may prove beneficial.

Cultural Competency in Applied Psychology

Counseling Psychology was one of the first professions to call for cultural competence amongst its professionals. In 1982, D.W. Sue et al., proposed cross-cultural counseling for psychologists in training in order to meet the needs of a diverse society. A tripartite model of competency was developed, wherein skills, knowledge, and awareness were the foundations of cultural competency (Sue, 1982). Since that time, the concept of cultural competency has evolved, and while the three domains of cultural competency have remained, the way they are conceptualized has changed, as well.

The concept of cultural competency and its core features was reiterated in several subsequent articles. Sue, Bernier, Durran, Feinberg, Pedersen, Smith, and Vasquez-Nuttal (1992), claimed that cultural competency involves a constellation of personal characteristics one possesses that allows them to connect with culturally diverse clients. These authors reiterated the notion that culturally competent professionals possess cultural awareness, cultural knowledge, and cultural skills (Sue, et al.). This definition of cultural competency and its identified components is the perhaps the most widely recognized, and it provided the basis for the American Psychological Association's multicultural guidelines (Sue, Zane, Nagayama-Hall, & Berger, 2009). This concept of cultural competency was also adopted by Division 17 of the American Psychological

Association as a core professional competency for psychologists (Sue, Zane, Nagayama-Hall, & Berger).

In 2002, the American Psychological Association (APA) adopted the *Guidelines on Multicultural Education, Training, Research, Practice, and Organizational Change for Psychologists* (APA, 2003). While this policy established suggestions for creating and implementing multicultural education programs, the value of addressing culturally-based care was endorsed several decades earlier. The APA's conference on professional training in 1973 included discussions regarding the ethics of engaging in cross-cultural therapy (Fouad, 2006). Not only did participants at the conference discuss the importance of recognizing cultural differences, but they also determined that psychologists who were unwilling or unable to develop cross-cultural skills were practicing unethically (Fouad). Since that time, psychology (especially counseling psychology) has adopted formal cultural competency standards. Graduate training programs, as the gatekeepers of the profession, are tasked with the responsibility of ensuring students meet this competency standard before they enter the profession. This is done in a variety of ways, but almost all programs include a formal course in multiculturalism.

It is important to note that the concept of cultural competency has evolved over time, and counseling psychologists are aware that awareness, knowledge, and skills alone are likely insufficient in determining cultural competency (Sue & Sue, 2016). In fact, other attributes such as open-mindedness toward diversity and cultural humility have been identified as key characteristics of multiculturally competent counseling professionals (Sue & Sue; Hook, Owen, Davis, Worthington, & Utsey, 2016). There must

also be an acknowledgment that cultural competency does not have a definitive end – there is no box one can check off to say they are completely culturally competent (Sue & Sue). Rather, cultural competency is an aspirational goal toward which one strives, with the understanding that moving toward cultural competency is truly an endless journey that requires lifelong learning.

In light of the widely accepted and used definition of cultural competency that includes the tripartite model, for the duration of this study, the term "cultural competency, as defined by Sue and Sue (2016), will be used to describe the central idea of obtaining the knowledge, skills, and awareness to work with others who are culturally different. This term is meant to be synonymous with similar terms used in other disciplines to describe the same general concept. The specific components of the tripartite model are described below:

Awareness. The first step toward cultural awareness begins with examining one's own beliefs and attitudes (Sodowsky, Taffe, Gutkin, & Wise, 1994). Sodowsky, Taffe, Gutkin, and Wise explained the concept of cultural competency as they developed the Multicultural Counseling Inventory, which is a self-report measure of cultural competency. According to those researchers, introspection and reflection are the keys to self-evaluation of one's own attitudes and beliefs. This process can also help one understand how their own culture impacts their personality, behaviors, and interpersonal style. This understanding, in turn, leads to a better understanding of how a client is impacted by their cultural subscriptions (Sodowsky, Taffe, Gutkin, & Wise).

Knowledge. Understanding how cultural variables influence clients is essential for psychologists to effectively conceptualize their clients, plan interventions, and set meaningful and realistic goals (Sodowsky & Taffe, 1991). Early on, counseling psychologists identified the need for professionals to gain knowledge about minority groups, but there were few suggestions regarding how this goal could be achieved (Leong & Kim, 1991). It was also understood that simply knowing general information about the practices and beliefs of different cultural groups was not enough. In order to be culturally competent, one must have knowledge of the sociopolitical system's impact on minorities, as well as an understanding of systemic and institutional barriers minorities in the United States face (Leong & Kim).

Skills. Skill development allows professionals to effectively engage with their culturally different client (McRae & Johnson, 1991). Essentially, skill development allows for the cultural knowledge one has gained to be applied interpersonally.

Cultural Sensibility in the Medical Profession

Medical researchers and scholars have also struggled with the idea of cultural competency and what role it should play in the medical profession. As previously mentioned, Tervalon and Murray-Garcia (1998) called for a reconceptualization of the term competency and viewed the cultural competency training models being used in medical schools as falling short of providing effective care to diverse groups of patients. The authors proposed "cultural humility" as a more appropriate way of providing multicultural education to medical students. Cultural humility is a practice that emphasizes self-evaluation, recognizes and attempts to correct power differentials in the

doctor-patient dynamic, and advocates and cares for marginalized groups (Tervalon and Murray-Garcia). As noted above, cultural humility is considered to be a state of being, where a professional's inherent beliefs about culturally different others and their ability to empathize with a patient's cultural concerns has a significant impact on the professional relationship. According to these authors, cultural humility allowed for an even greater culturally sensitive approach than cultural competency alone.

Other medical researchers began to refer to this reconceptualized version of cultural competence as cultural sensibility, rather than cultural humility. Dogra and Karnik (2003) proposed this term as a means of broadening the definition of cultural competency. These authors suggested that cultural competence is a categorical approach that emphasizes learning about groups that are different from one's own. And, conceptualizing culture as specific to groups insinuates that members of the group are all the same. Moreover, competence suggests that one can learn everything about a particular group. Thus, Dogra and Karnik suggested teaching medical students to think critically about culture by using the sensibility approach, which emphasizes students' self-awareness and reflection. Cultural sensibility, like cultural humility, emphasized self-critique and evaluation of one's own culture and biases. These evaluations are not judged, but rather, students are required to think about how their perspectives influence them as professionals (Dogra and Karnik). Ultimately, cultural sensibility aims to teach students to not rely on broad generalizations about culture. Instead, students are encouraged to ask patients who they are, what they believe in, and what they value (Dogra and Karnik).

Dogra and Karnik (2003) explored the concept of cultural sensibility with first-year medical students at two institutions – one in a major city, and the other in a smaller, more rural city. A total of 111 students participated in the study, which included completion of a questionnaire. The first section of the questionnaire consisted of 25 statements relating to attitudes about different cultures (Dogra & Karnik). The first section of the study also included statements on diversity and how diversity relates to medical practice. Results from that portion of the survey show strong agreement that doctors have biases, but participants did not strongly agree that doctors should be aware of patients' cultural identification (Dogra & Karnik). In another section of the questionnaire, students were asked to define the terms culture, ethnicity, multiculturalism, and race. Results for this portion of the survey varied greatly, with many different definitions emerging. Overall, first-year medical students were not familiar with key terms in connection to diversity, and they appeared to conceptualize culture as a discrete concept. However, students did show a preference for non-categorical approaches, indicating a disparity between the way they view culture and their preference for approaching cultural differences.

Cultural Humility

Cultural humility is a term originated in medical education, where it was characterized as a way of being (Tervalon & Murray-Garcia, 1998). Counseling professionals have since adopted this term. Cultural humility is exemplified by an open attitude toward diversity, including working with individuals who are culturally diverse (Owen, Tao, Leach, & Rodolfa, 2011). Cultural humility refers to one's attitude and

disposition toward culturally different others, whereas cultural competence traditionally referred to one's acquired knowledge and skill (Sue & Sue, 2016). Cultural humility is "other-focused," wherein professionals have respect for their clients and an egalitarian view of the counselor-client relationship (Sue & Sue).

In recent years, research involving cultural humility has taken off, particularly within the field of psychology. In 2016, Hook, Davis, Owen, Worthington, and Utsey published work defining cultural humility as "having an interpersonal stance that is other-oriented rather than self-focused, characterized by respect and lack of superiority toward an individual's cultural background in experience" (p. 353). In this work, researchers acknowledged the importance of the foundational components of cultural competency (i.e., knowledge, awareness, and skills), but emphasized the importance of creating an innovative approach (Hook, Davis, Owen, Worthington, & Utsey). These authors emphasized that therapists who failed to create open, affirming, and safe environments often struggled to work effectively with diverse clients (Hook, Davis, Owen, Worthington, & Utsey). They asserted that cultural humility may be the key to counteracting and regulating the privilege, or superiority, that exists when cultural differences between a professional and client arise (Hook, Davis, Owen, Worthington, & Utsey).

Intercultural Competency and Multicultural Teacher Education

Education is yet another field concerned with cultural competency, although the term most used to describe this concept is multicultural teacher education (MTE) (Aveling, 2006). Like other professions, the call to develop multicultural models of

training and education for future professionals is relatively new and still developing. Banks (1990) was one of the pioneers of multicultural teacher education. The Transformational Approach, wherein teachers are encouraged to imbue cultural perspectives into their curriculum, was proposed by Banks. The Decision Making Social Action Approach, also proposed by Banks, encourages teachers to become an agent of change who guides students into reflecting upon important social issues and subsequently making decisions that bring about social change. There was some criticism of these approaches, however, as they require teachers to be comfortable with multiculturalism. For many teachers, especially new teachers, this expectation was somewhat overwhelming (Evans & Michael, 2006).

Evans and Michael (2006) studied pre-service teachers' awareness of multicultural issues. Prior studies had shown that pre-service teachers were unclear about the definition of multiculturalism, and indicated they had little knowledge of how to incorporate cultural perspectives into classroom curriculums (Evans & Michael). In an effort to measure students' knowledge of multicultural issues, Evans and Michael developed a measure to present to pre-service students pre and post a required multiculturalism course. The measure, which was divided into two sections, measured the students' exposure to multiculturalism as well as an essay question aimed at assessing knowledge and awareness of multicultural issues. A total of 32 students took the pretest, while 28 took the posttest. Results of the study indicated that there was an increase in awareness of multicultural issues after the course had been completed (Evans & Michael).

Research in connection to MTE quickly expanded in the mid 2000's. It became clear that the importance of including multiculturalism in teacher education could not be overlooked. The impetus behind this focus is recognition of an increasingly diverse American society, wherein the coming decades, the majority of children will be from non-White, non-European, and non-English speaking homes (Yang & Montgomery, 2013). Despite the shift in student demographics, the majority of teachers will likely continue to be White, European, and English speaking (Yang & Montgomery).

Gorski (2009) noted that scholars have called for MTE in the United States, but what sometimes passes for MTE is not actually multicultural. Gorski further noted the lack of empirical evidence examining the gap between MTE paradigms and the actual practice of multicultural education for educators. Gorski collected data from 45 syllabi from multicultural education courses across the country. Analysis was limited to course descriptions, goals, objectives, and other descriptive texts, as these content areas represent the overall philosophy and theoretical framework of the course (Gorski).

After several rounds of coding and analysis, five approaches to MTE emerged: teaching the "other"; teaching with tolerance and cultural sensitivity; teaching with multicultural competence; teaching in a sociopolitical context; and teaching as resistance and counter-hegemonic practice (Gorski, 2009). These categories of approaches to MTE supported, for the most part, the existing scholarship on MTE. With the exception of the teaching for the "other" category, these approaches supported the ideas that effective teachers must be multiculturally competent (Gorski). Additionally, effective teachers need pragmatic teaching skills and strategies in connection to multiculturalism, and they

must be able to reflect upon their own biases and how these impact their teaching approach (Gorski).

The Legal System as a Culture

Some legal scholars have noted that the legal system serves as its own culture, and as a whole, is painfully lacking in diversity. In fact, the legal profession remains one of the "whitest" professions, lagging behind doctors, engineers, and accountants (Anderson, 2009). Legal scholars have noted the inequality in the legal system begins during the application process. For example, law schools heavily rely on LSAT scores to make admissions determinations. While the test itself is thought of as a basis for comparison, there are several factors that can negatively influence scores – namely, life complexities such as financial stressors, stereotype threats, and test anxiety largely influenced by lack of confidence (Anderson). And, because the test itself can be difficult for many to afford, along with the increasingly expensive application process to attend law schools, many minority applicants may not have the opportunity to even apply (Anderson).

Although the legal profession may be more diverse now than ever before, it is still far from where it needs to be. The profession today is still dominated by white males, as it has been throughout the nation's history (Hull, 2013). When examining data through the year 2009, the Law School Admissions Council's summary data found that although Whites made up 67 percent of the United States population, nearly 90 percent of lawyers were White. The first woman admitted to practice law in the United States was admitted in 1868, although women were not formally admitted into the American Bar Association

(ABA) until 1918. And, African Americans were not knowingly admitted to the

American Bar Association until 1943. It was not until the 1980's that the ABA became

actively interested in creating a membership rich in diversity (Hull, 2013). Now, the ABA

has recognized the importance of a diverse legal profession, although the ABA's

accreditation standard for supporting equal opportunity and diversity falls short of

creating real change to the admissions process (Anderson, 2009). Few law schools go

beyond the basic ABA standard of requiring regular recruitment and financial aid as a

means of enhancing diversity. Thus, the lack of diversity in the profession continues.

In order to meet the needs of an increasingly diverse society that relies on legal

professionals to serve as experts, advocates, and catalysts for social change, the legal

profession has a duty to commit itself to multicultural education (Anderson, 2009;

Madaan, 2016, Johnson, 2017). Implementing cultural competency standards would

make the legal profession competitive with other professional disciplines, such as

medicine. However, multiculturalism is a value that not all legal professionals identify as

necessary, and enforcing multicultural education may prove particularly challenging for

law schools.

Currently, there is little information available regarding which law schools offer

multicultural education as part of their standard curriculum (Tavaras, 2017). While it has

become increasingly popular for law schools to promote diversity and inclusion, the

tangible steps they taken to create these environments are not often readily apparent

(Tavaras). It may be common for some schools to provide multicultural education in the

form of a lecture embedded in standard courses, such as an Ethics or Professional

Foundations (Tavaras). For others, multicultural education is taught, but only as part of clinical education (Tavaras). There is an increasing call for law schools to shift curriculum to more experiential learning, which includes clinical education courses (Tavaras).

In terms of CLE requirements, there are currently no American Bar Association mandates that require legal professionals to maintain cultural competency. However, the American Bar Association's Rule 1.1 addresses competency broadly and states that "a lawyer shall provide competent representation to a client (American Bar Association, 2019). Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation" (American Bar Association). According to Model Rule 1.3, "a lawyer shall act with reasonable diligence and promptness in representing a client" (American Bar Association; Madaan, 2018). The comments associated with this rule further explains that "a lawyer must also act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf" (Madaan). While these rules do not specifically mention cultural competency, it is not a stretch to imagine the difficulty a legal professional might face in adhering to these standards if they failed to utilize a culturally sensitive framework. Although the ABA has failed to adopt cultural competency standards or requirements for CLEs related to multiculturalism, some state bar associations, such as Minnesota, are developing such standards (Madaan).

The Role of Implicit Bias in the Legal System

Any discussion of cultural competency would not be complete without the exploration of implicit bias. Implicit bias can be defined as an "unintentional or unaware act of grouping persons or things into categories that can lead to discriminatory behaviors" (Madaan, 2016, p.3). These attitudes and beliefs are automatic in nature and are not based on self-evaluation or introspection. Further, implicit bias is a characteristic inherent in all humans (Madaan). Given the power and authority many legal professionals have, it is important to understand how implicit bias impacts professional relationships with clients.

Negowetti (2015) explored the diversity crisis in the legal profession through the lens of social science insights. In that article, Negowetti notes that the continued lack of diversity in the legal profession is not likely due to explicit bias – rather, the underrepresentation of women and minorities can be attributed to implicit bias. According to Negowetti, implicit bias impacts our judgement and decision making, and it has an impact upon who we establish relationships with, who we employ, or who we promote. This is particularly concerning for legal professionals, who value themselves as rational, analytical beings. While legal professionals may be taught to analyze, implicit bias is a process that happens so quickly (automatically), one does not have an opportunity to deliberate (Kang & Lane, 2010). Thus, even the most rational, analytical professionals are susceptible to implicit bias.

In order for the human brain to work quickly and efficiently, schemas are developed. These schemas help categorize information to determine what it is like, how it

works, and what it is related to (Kang & Lane, 2010). Stereotypes also serve to help our brains categorize quickly. These associations are made between two concepts, and are developed in a variety of ways, such as early experiences in life, friends, families, communities, and the media (Kang & Lane). These schemas and stereotypes play an important role in both our conscious and unconscious bias toward others.

Stereotypes and schemas are unconscious lenses through which all information is viewed – including information about other people. While stereotypes may help our brains quickly categorize, "the price we pay for such efficiency is bias in our perceptions and judgments" (Nugent, 1994, p. 4). Because legal professionals are human beings, they are not immune to these processes. The schemas or stereotypes held by legal professionals may lead to discrimination if there are no checks to the system, or if legal professionals are unable to acknowledge that these brain processes occur. Prior research has found that implicit bias plays a role in the hiring process for female and minority attorneys (Negowetti, 2015; Bertrand & Mullainathan, 2004). Implicit bias has also been implicated in promoting women and minorities who work in the legal profession (Negowetti, 2015; Smith, 2008).

A lack of diversity within a profession is harmful in itself, but it may also influence the way the public perceive the profession as a whole (Negowetti, 2015). In order for the legal system to build trust with an increasingly diverse society, the role of implicit bias as a potential barrier for multiculturalism within the legal profession must be considered. Addressing implicit bias may be an essential component of cultural competency education.

Purpose of the Study

Many scholars have emphasized that the legal profession, in response to an ever-changing and increasingly globalized world, must evolve in order to meet society's needs (Bryant & Koh-Peters, 2001; Weng, 2005; Curcio, Ward & Dogra, 2014). Those needs, as identified in other disciplines as well, include effective communication with culturally different others (Sue, 1982; Yang & Montgomery, 2013). It is particularly important for individuals working in helping professions to understand the significance of culture and its impact on the lives of the people these professionals serve (Sue, 1982; Bryant & Koh-Peters, 2001). Professionals who are part of the culturally dominant group may potentially inflict harm on minority clients if they are unable to understand the client's values, goals, boundaries, and other cultural norms. Additionally, diversity amongst legal professionals is also elusive. This creates a legal system wherein the dominant group is making laws, creating systems, enforcing judgments, and representing clients on the behalf of minority groups who have, essentially, no voice (Anderson, 2009; Weng, 2005).

The purpose of this study is to engage legal experts in a collective dialogue concerning how multicultural education can be integrated into the legal profession. This was done through the use of the Delphi method (Linstone & Turoff, 1975). To date, there has been no national discussion specifically related to culture and cultural competency in law school training and continuing education. The participants in this study were specifically asked to offer insight into how legal professionals can be cross-culturally trained and how instilling the value of cultural competency may impact the legal profession as a whole. Additionally, participants may identify barriers to creating a

multiculturally competent legal profession. Ultimately, we sought to create a

comprehensive view of the role cultural competency plays in legal profession by

surveying a group of trained practicing lawyers, judiciaries, legislators, and scholars.

Due to the exploratory nature of this study and methodology, there are no expected

results or stated hypotheses for this study. Instead, our primary research questions were

as follows:

1. Please identify the role of cultural competency or cross-cultural lawyering in the
legal profession.

2. Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism.

3. Please identify 3-7 key content areas a multicultural legal course should cover.

4. Please identify 1-3 barriers and facilitators to implementing multicultural training in law school.

5. In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?

6. Please identify the advantages and disadvantages of including multiculturalism courses as a part of a standard law school curriculum.

7. Tell me a story about your experience with culture as it relates to your professional experiences.

CHAPTER III

METHODS

In this study, the Delphi method (Linstone & Turoff, 1975) was used to obtain a consensus opinion from a panel of legal professionals concerning perceptions of cultural competency and the need to include multicultural education as a component of law school curriculum. The Delphi method is a group facilitation method that is performed in stages. Ultimately, the expert panelists arrive at a consensus opinion regarding the topic at hand (Hasson, Keeney, & McKenna, 2000). The Delphi method allows experts to respond to questionnaires anonymously, thereby increasing the likelihood of soliciting open and honest opinions regarding a potentially controversial topic (Hasson). The number of panelists required for the Delphi method ranges, but most commonly, the panel must include at least 10 experts (Cochran, 1983). When experts are a homogenous group, prior research has determined that few original ideas are generated once the panel size exceeds 30 (Hasson).

Procedurally, the Delphi method is similar to a focus group (Yousuf, 2007) in that opinions about a topic are solicited from participants. Participants also receive comparative feedback regarding the opinions of other participants. However, participants give their responses to a Delphi study anonymously, and there is no group meetings or conversations amongst participants. Instead, the researcher is required to receive each participant's responses, analyze those responses, and provide each participant with feedback regarding others' opinions (Yousuf). Additionally, the participants involved in a Delphi study are considered experts in their respective fields, where a focus group usually

does not require such status. Applying the Delphi method to cultural competency in the legal profession proved particularly useful, as this was exploratory research. By using the Delphi method, researchers began to build a knowledge base with the collective insight of experts chosen for their ability to provide insight to understanding cultural competency in connection to the legal profession.

There are several distinct advantages and disadvantages to utilizing the Delphi method. One major advantage is the method uses group decision-making techniques involving knowledgeable experts, which provides greater validity to responses (Mortorella, 1991). In addition, by using questionnaires to collect answers anonymously, the potential for social response bias is significantly reduced (Mortorella). The Delphi method also reduces conformity responses amongst participants (Mittnacht & Bulik, 2015). Conformity responses can be problematic when performing research with a group, as some participants may feel the need to match the group's overall opinion. They may reject their own initial thoughts on a topic if it appears their thoughts do not match what others are putting forward (Mittnacht & Bulik). The Delphi method reduces conformity responses, as the participants are anonymously submitting their opinions and rating the opinions of others. While participants may still be inclined to answer questions in a socially desirable manner, the lack of direct communication with the researcher and other participants may reduce responding in this way. Finally, the Delphi method allows experts from geographically different areas to provide responses, which may allow for a broader perspective on the subject at hand (Murray & Hammons, 1995).

The major disadvantage to the Delphi method is the length of time it may take to complete the process (Murray & Hammons, 1995). Additional drawbacks include the

researcher's influence in formulating the questionnaire and the potential attrition rate (Murray & Hammons). The present study will implement several strategies in order to minimize these drawbacks. First, in an effort to minimize attrition, all three rounds of data collection will be conducted over a period of six months. Because the expert panel consists of working attorneys, educators, and judges, there is a narrow time frame for keeping participants engaged. Therefore, data will be analyzed quickly between rounds. Another strategy implored will be the use of an auditor, who will review the primary investigator's data analysis to reduce lack of researcher bias (Morrow, 2005). Finally, participants will be given the opportunity to win a $50 gift card, or they may choose to have $50 donated to the charity of their choice. A drawing was held at the end of data collection and the winner was notified via email.

Participant Selection

The selection of participants is an essential component of the Delphi method. Prior research has indicated that the heterogeneity or homogeneity of a group will influence the number of participants needed (Skulmoski, Hartman, & Krahn, 2007). According to those researchers, a heterogeneous group of experts will require more members than a homogenous group. A review of prior Delphi studies revealed that 10-15 participants would allow for eventual data saturation (Rofkhar, 2014). While some researchers preferred using as many as 30 participants on an expert panel was ideal to account for attrition, another way to account for drop-out is to recruit additional experts during the Delphi process (Rountree 2004; Rofkhar, 2014).

In the present study, expert participants from different racial and ethnic groups were included in the expert panel, and participants varied widely in age, sexual orientation and gender (see demographics below). Legal educators, practicing attorneys, and judges served as experts, all of whom had a wide range of practice experience or area of expertise. Experts who have both a juris doctorate as well as a psychology doctorate were recruited, but no panelist in the present study had both degrees.

In order to be considered an expert, participants were required to have five years of legal experience post-licensure. Participants also needed: 1) the ability to commit to providing several rounds of feedback; 2) a history of working with traditionally underserved populations or publishing articles regarding multicultural issues in lawyering; 3) the ability to effectively communicate opinions when prompted. Recruitment of participants occurred primarily through email solicitations. Bar Associations connected to multiple states were also contacted. Legal scholars who have written law journal articles about cultural competency in the legal profession were also identified and solicited for participation.

Participants

In Round 1 of the study, 13 participants completed questionnaires in full. Six participants (46%) identified as White/European American; 2 participants (15%) identified as Asian American; 2 participants (15%) identified as Black/African American; 1 participant (8%) identified as Native American/Alaska Native; and 2 participants (15%) identified as Biracial. A total of 5 participants (38%) identified as male; 7 (54%) identified as female; and 1 participant (8%) identified as a transgender female. There

were 5 participants (38%) who fell within the age group of 35-44; 3 participants (23%) between the ages of 45-54; 3 participants (23%) between the ages of 55-64; and 2 participants (15%) between the ages of 25-34. In terms of sexual orientation, eight participants (61.5%) identified as straight; 3 identified (23%) identified as Gay/Lesbian; and 2 (15%) identified as Bisexual. Undergraduate major varied considerably, with 4 participants (31%) majoring in political science; 2 (15%) majoring in pre-law; 2 (15%) majoring in psychology/social sciences; 2 (15%) majoring in education; 1 (8%) majoring in business; 1 (8%) majoring in international relations; and 1 (8%) majoring in history. Four participants (31%) had between 11-15 years of experience; 3 participants (23%) had between 16-20 years of experience; 2 participants (15%) had between 5-10 years of experience; 2 participants (15%) had between 21-25 years of experience; 1 participant (8%) had between 26-30 years of experience; and 1 participant (8%) had over 31 years of experience.

Participants were provided with a list of underserved client populations encountered, including LGBT+ Clients, Indigent Clients, Clients of Color, Mentally Ill Clients, Cognitively Impaired Clients, and Clients with Disabilities. Panelists were allowed to check all of these client groups that applied. Interestingly, 13 panelists (100%) indicated they had significant experience in working with all of these client groups except Clients with Disabilities. For that category, 12 (92%) of panelists indicated they had significant experience the population. Although there was such significant exposure to these specialized groups of clients, many panelists did not indicate receiving specialized training in working with these populations. Specifically, only 4 participants (31%)

received training for working with Mentally Ill Clients; 3 panelists (23%) had received

training for working with LGBT+ Clients; 2 participants (15%) had received training for

working with Clients with Disabilities; 2 participants (15%) received training in working

with Clients of Color; 1 (8%) had received training in working with Indigent Clients; and

1 (8%) had received training in working with Cognitively Impaired Clients.

Several participants indicated they had attended a course that at least partially

addressed multiculturalism. Specifically, 6 participants (46%) stated they received some

formal education regarding culture, and 3 participants (23%) reported attending a class

entirely devoted to multiculturalism.

All experts participating in the subsequent two rounds of data collection also

participated in the initial round. For demographic information on the remaining panelists

in each round, see Table 1 below.

Table 1.
Demographic information for all participants who participated in rounds 1-3.

Participant Variable	n	%	n	%	n	%
	R1		R2		R3	
Age						
25-34	2	15	1	9	1	12.5
35-44	5	38	4	36	3	37.5
45-54	3	23	3	27	2	25
55-64	3	23	3	27	2	25
Race/Ethnicity						
White/European American	6	46	5	45.5	3	37.5
Black/African American	2	15	2	18	1	12.5
Asian American	2	15	2	18.	1	12.5
Native American/Alaska Native	1	8	1	9	0	0
Biracial	2	15	1	9	1	12.5
Gender						
Male	5	38	4	36	3	12.5
Female	7	54	6	54.5	5	87.5

Transgender Female	1	8	1	9	0	0
Sexual Orientation						
Heterosexual	8	61.5	7	64	6	75
Gay/Lesbian	3	23	3	27	1	12.5
Bisexual	2	15	1	9	1	12.5
Undergraduate Major						
Business	1	8	1	9	0	0
Pre-law	2	15	2	18	2	25
Political Science	4	31	4	36	3	37.5
Psychology/Social Science	2	15	2	18	2	25
Education	2	15	1	9	0	0
History	1	8	1	9	1	12.5
International Relations	1	8	0	0	0	0
Years of Experience (post-licensure)						
5-10	2	15	1	9	1	12.5
11-15	4	31	4	26	3	37.5
16-20	3	23	2	18	2	25
21-25	2	15	2	18	1	12.5
26-30	1	8	1	9	1	12.5
31-35	1	8	1	9	0	0
Client Populations Encountered						
LGBT+ Clients	13	100	11	100	8	100
Non-Christian Clients	13	100	11	100	8	100
Indigent Clients	13	100	11	100	8	100
Clients of Color	13	100	11	100	8	100
Mentally Ill Clients	13	100	11	100	8	100
Cognitively Impaired Clients	13	100	11	100	8	100
Clients with Disabilities	12	92	11	100	8	100
Special Training for Working with Specific Client Populations						
L LGBT+ Clients	3	23	3	27	1	12.5
Indigent Clients	1	8	1	9	1	12.5
Clients of Color	2	15	1	9	1	12.5
Mentally Ill Clients	4	31	4	26	2	25
Cognitively Impaired Clients	1	8	1	9	1	12.5
Clients with Disabilities	2	15	1	9	1	12.5
Taken a Multicultural Course						
Yes	3	23	3	27	2	12.5
No	10	77	8	73	6	75

Taken a Course Partially Dedicated to Multiculturalism						
Yes	6	46	5	54.5	3	37.5
No	7	54	6	45.5	5	87.5

Although attrition rates were relatively low, some participants failed to complete all or parts of Round 2 or Round 3 surveys. A total of 11 participants completed Round 2, and 8 participants completed Round 3. No additional panelists were recruited for this study beyond the initial round.

Procedures

All rounds of this study were completed through an online survey tool, Qualtrics. At the beginning of the study, an informed consent page describing the study, outlining the expectation of the participants, highlighting the risks involved (if any), and identifying the benefits to participation was presented. Participants were expected to mark their agreement to the study's terms indicating they would like to participate.

Participants who choose to continue entered the study, where they first responded to a demographic questionnaire. Demographic information included Age, Race/Ethnicity, Gender, Sexual Orientation, Undergraduate Major, Years of Experience, Client Populations Encountered, Special Training for Working with Specific Client Populations, Prior Attendance in a Multicultural Class, and Prior Attendance in a Class Partially Including Multiculturalism. These questions were necessary to assess participant appropriateness for inclusion as an expert panelist. In addition to the thirteen surveys referenced above, two participants began the study but did not complete all questions. This resulted in their exclusion from the study.

After panelists provided demographic information, they continued on to the survey questions. The initial prompt was a broad, open-ended question designed to elicit varied responses. For the first question, participants were asked, "*Please identify the importance of cultural competency in the legal profession*." When participants were ready to move on, they clicked a submit button, which took them to the next question. Participants were then asked, "*Please provide your thoughts regarding a cultural competency standard for graduating law school students and the requirement of continuing education courses related to multiculturalism*." Participants then moved on to the third question, which was "*Please identify 3-7 key content areas a multicultural legal course should cover*." For the fourth question, participants were asked, "*In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering*?" Participants were then asked to answer the question "*Please identify the advantages and disadvantages of including multiculturalism courses as part of a standard law school curriculum*." Finally, participants were asked to answer the last question, "*Please tell me a story about your experience with culture as it relates to your professional experiences.*"

Participants were notified via email when the second round of data collection began. At that time, participants were given a list of responses compiled by the researcher from the first round. They were asked to indicate their level of agreement with the statements previously provided. Those responses were downloaded by the researcher and compiled to send to the participants for the final round. For the third round, participants

were once again notified when data collection began. They were asked to review the analyzed data and to rate their level of agreement with each statement one final time.

Data Analysis

The Delphi Method is a mixed-methods approach that incorporates quantitative and qualitative analysis (Skulmoski, Hartman, & Krahn, 2007; Murray & Hammons, 1995). In this study, content analysis was used as the qualitative approach to analyzing participant responses in each round of data collection. Prior research on the Delphi method has offered few formal guidelines or procedures for specific qualitative methods (Skulmoski, Hartman, & Krahn; Krippendorff, 2015). Content analysis was chosen for this study because of its usefulness in organizing content based on similarities and developing codes (Krippendorff). The data was reviewed multiple times by the principal investigator prior to code development to allow for an inductive approach to data analysis.

Round 1 Analysis

Participants were provided with a two week timeframe to respond to the research request in each round. After the collection period ended in Round 1, the data was downloaded and a list of the responses was created. The content was reviewed to determine if any information was incomplete or unclear. This researcher did not follow-up with any participants for clarity or completeness, as responses appeared straightforward in their provided form. The items were then added to the full list of responses according to their associated questions.

The second step of analysis included a review of participant responses and the development of codes based upon the participants' written statements. Participant's responses were categorized according to question number. The main idea from each participant's responses were added to a code list. The wording of each response was copied verbatim. The coded list was de-identified to preserve the confidentiality of each participant. Codes that appeared multiple times were clustered together. A second coder was used to review the code list to determine if additional clustering was needed. At the end ot his process, 150 unique codes emerged. It is worth noting that in this study, codes were inherently sorted into categories based upon the research question asked. Because the Delphi method does not require the creation of categories (Krippendorff, 2013), no additional categories was created.

Third, aggregate data was compiled into a new questionnaire according to question number for rating in Round 2. The items presented to experts in Round 2 was an aggregate theme based off multiple codes in order to eliminate redundancy of similar ideas. This step is essential for content analysis when a large number of similar codes are present (Cho & Lee, 2014). All unique codes were added to the list in their original form.

The last step of data analysis included a review for specific, specialized items. Because data was collected from legal experts with specialized knowledge, and the content was related to multiculturalism, terms that may not be widely known outside of those contexts were flagged. The researcher provided a definition of these items to participants in Rounds 2 and 3 or data collection.

Round 2 Analysis

At the end of data collection for Round 2, quantitative statistics were used to determine the experts' level of agreement to the codes that emerged from Round 1. A likert scale was used to provide a numerical basis for their level of agreement with each code, ranging from 1 ("Strongly Disagree") to 5 ("Strongly Agree"). For each item, the mean, standard deviation, and variance were analyzed. The mean scores indicated how much panelists agreed with the statements set forth by others in Round 1 of the study, while the standard deviation and variance were used to determine a general consensus level of participants.

Round 3 Analysis

After Round 3, data was analyzed using the same statistical procedures as used in Round 2. Rankins were compared, and the level of agreement changes between the rounds were identified. Those changes are outlined in the Results section of this paper.

CHAPTER IV

RESULTS

Round 1 Results

For Round 1 of the study, conventional content analysis was used (Krippendorff, 2013). First, the responses of each participant were downloaded for each of the seven research questions posed. Responses from each question were parsed into discrete codes by aggregating repeat phrases and concepts. There were 244 initial codes submitted by participants for Round 1. Due to redundancy and overlap in content, they were condensed during qualitative analysis into 150 discrete categories. This includes 22 initial codes for Question 1, which were broken down into 13 discrete codes; 21 initial codes for Question 2, broken down into 15 discrete codes; 48 initial codes for Question 3 which were broken down into 24 discrete codes; 71 initial codes for Question 4, which were broken down into 48 discrete codes; 42 initial codes for Question 5, broken down into 19 discrete codes; 34 initial codes for Question 6, which were broken down into 25 discrete codes; and 6 initial codes for Question 7, which remained steady as 6 discrete codes.

Table two documents the frequency (or number) of codes within each question contained in Round 1. The most common code that emerged in response to Question 1, which was "Please identify the role of cultural competency or cross-cultural lawyering in the legal profession," was "it is necessary for effective advocacy." This feedback directly connects cultural competency to a core component of what lawyers do. Other popular codes that emerged throughout the survey demonstrated the importance of cultural competency, as evidenced by codes such as "Requirements for this education are

necessary" (See Question 2), "There is a growing awareness of the importance of this topic" (See Question 4); "It is necessary" (See Question 6); and "It is valuable" (See also Question 6).

Panelists also provided significant insight into what would be helpful, or what is already unhelpful, when considering multicultural education. In Question 3, experts were asked to provide suggestions for content areas. Nearly half of the survey's respondents indicated that including information regarding working with interpreters would be helpful. Many of the other common codes included education around broader concepts or systems, such as understanding and addressing power and privilege, talking about oppressive systems, and understanding the oppression faced by marginalized groups.

Experts also seemed to have several ideas regarding who should be delivering this type of education and raised several concerns. One of the most common codes that emerged in the survey was "faculty may not be qualified." Many other unique codes related to facilitator qualifications also emerged, including "Professors do not keep up with diversity topics," "Facilitators not within the marginalized group being addressed may be less effective or less trusted," "Faculty may be afraid to discuss the topic," and "Facilitators should be well-equipped to discuss the topic."

Table 2.
Round 1 Questions with Identified Critical Factors and Frequency

Critical Factors	n
Question 1: "Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."	
1. Cultural competency is critical	2
2. Cultural competency is extremely important	2
3. It is important based on current sociopolitical climate	1

4. It plays a role because the Model Rules of Professional
   responsibility and state ethics licensure rules require
   respect for cultural differences   1
5. It plays a role because federal and state constitutional
   practice uphold civil rights related to protected statuses   1
6. It leads to an appreciation of others   2
7. It helps in gaining an understanding of client's
   circumstances that have legal implications   2
8. Cross-cultural exchange is necessary for promoting
   law reform   1
9. It allows the helping profession the ability to
   empathize   1
10. It allows for understanding historical and systems
    structures that oppress   2
11. Cultural competency is necessary for communication   1
12. The diverse needs of parties, witness, and professionals
    require familiarity and respect for cross-cultural
    exchange   1
13. It is necessary for effective advocacy   5

Question 2: "Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."
1. Requirements for this education are necessary   4
2. CLEs are necessary, but not sufficient, and there needs to be   1
   an effort to recruit, retain, and support professionals who hold
   marginalized identities
3. More CLEs on this topic are needed   1
4. ABA support for multicultural education is necessary   2
   for more CLEs on this topic
5. CLEs on multiculturalism relate to ethics   2
6. CLEs in this area may help shine a light on why and how   1
   Issues arise
*In response to the question, some respondents included considerations for this type of education, as follows:
7. CLE facilitators should be knowledgeable   2
8. The facilitators should be social justice advocates   1
9. People of color or who hold marginalized identities   1
   should be involved in creating and delivering these CLEs
10. CLE courses should offer innovative ideas about making   1
    the profession open for all
11. CLE framework should be changed to focus on the   1
    inadequacy of those in power rather than focusing on the
    harm they cause
12. CLEs should not rely on those with marginalized identities   1

to teach those with privileged identities

13. CLEs should provide a general understanding of   1
multiculturalism rather than focusing on individual groups

14. Multiculturalism should be taught in law schools but should   1
be continued through CLEs

15. CLEs are necessary but not sufficient, and there needs to be   1
an effort to recruit, retain, and support professionals who
hold marginalized identities

Question 3: "Please identify 3-7 key content areas a multicultural legal course should cover."

1. How to work with interpreters   6
2. Assessing degrees of similarity and separation between   1
individuals
3. How to learn about others who have different identities   2
4. How to honor a client's identities   2
5. How to understand other cultures   2
6. How to discuss identity with clients   1
7. How to communicate with others holding different   4
identities, including nonverbal communication
8. Talking about race with clients   2
9. Talking about poverty with clients   1
10. Implicit bias   3
11. Disparate policing   1
12. Redlining   1
13. Oppressive structures and systems   3
14. History   2
15. Understanding power, privilege, dominance,   3
subordination, and marginalization
16. Privilege   2
17. Understanding oppression faced by marginalized groups   3
18. PTSD, including impact of poverty and multiple forms   2
of violence
19. Trauma informed legal practice   2

*In response to the question "what content should be taught," some respondents included considerations for this type of education, as follows:

20. There is additional emotional labor or burden of minority   1
students and professionals engaging in the work
21. Facilitators not within the marginalized group being addressed   1
may be less effective or less trusted
22. Facilitators should be well-equipped to discuss the topic   1
23. Courses focusing on specific identities would be inappropriate   1
24. Weaving multiculturalism into core law school courses is the   1
most effective way to teach multiculturalism

Question 4(a): "Please identify 1-3 barriers to implementing multicultural training in law school."

1. Faculty may not be qualified	7
2. Faculty may not be willing to provide a multicultural perspective	1
3. Faculty members' practice experience fades and becomes outdated once they have taught for a while	1
4. Professors do not keep up with diversity issues	2
5. Faculty may be afraid to discuss the topic	2
6. Faculty may believe they are already doing the work	1
7. Faculty lacks diversity	1
8. Faculty may not be interested in this topic	1
9. Curricula are already set	3
10. Curricula are already demanding	2
11. White dominated classrooms would make this challenging	1
12. Male dominated classrooms would make this challenging	1
13. There are not enough resources/materials related to this topic	1
14. There is a lack of desire to change policy	1
15. The number of law schools across the country would make this challenging	1
16. Law schools are slow to adapt to change	2
17. There is no uniform way to establish and implement new Curriculum across the country	2
18. There can be a lack of support from administration	2
19. It is difficult to build a consensus among faculty and leadership	1
20. Belief that a multi-cultural education is not needed because it's not tested on the bar	3
21. This (multicultural education) is viewed as a "soft skill"	1
22. State by state willingness to implement diversity requirements creates a barrier	1 / 1
23. Lack of understanding of importance of multicultural training for law students and future legal professionals	2
24. Lack of student interest in and understanding of the importance of this topic	1
25. State Bar Associations providing CLEs related to multiculturalism are perpetually out of touch	1
26. The individuals facilitating trainings are not credible	1
27. Most courses talk AT attorneys and judges and one-way trainings are too passive to be effective or accurate	1 / 1
28. CLE accreditation rules generally do not count discussion in training hours, and issues of diversity have to include discussion by a facilitator with credibility to be effective	1

29. Faculty may not know how to address students with   1
marginalized identities and privileged identities within the
same space

Question 4(b): "Please identify 1-3 facilitators to implementing multicultural training in law school."
    1. There is an increase in ABA requirements   1
    2. ABA has the power to make recommendations for change   1
        to include more multicultural education
    3. There are CLE requirements regarding implicit bias in some   1
        places, such as Minnesota
    4. Research shows the benefits   1
    5. There is an increase in diversity in the country which would   2
        make the training beneficial   2
    6. Multicultural training should be mandatory   2
    7. There is a drive to recruit and retain law school students   1
        and lawyers of color and multicultural education would aid
        in those efforts
    8. There are multicultural student bodies   1
    9. This type of education would help law schools hire more   1
        diverse faculty members
    10. This type of training would create safe spaces for discussion   1
    11. Younger faculty members bring a more diverse education or   1
        experience
    12. Individual law schools should be approached to make changes   1
        in states that might e hesitant to require multicultural
        education/training
    13. There is a growing awareness of the importance of this topic   3
    14. There is a growing interest in this topic within the legal   1
        academy (AALS workshops)
    15. There are motivated student bodies who would benefit from   1
        this topic
    16. Training on multiculturalism is already available for clinic   2
        law professors
    17. This would present an opportunity for multicultural speakers   1
    18. Diversity and inclusion council or other organizing body   1
        for these initiatives can be called upon
    19. There are a growing number of advocacy groups across the   1
        country who can approach law schools in their states

Question 5: "In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"
    1. Internships at non-profits or public interest law firms   2
    2. Pro bono work   2

3. Clinical education within law schools 4
4. Observing specialty courts such as sentencing circles or 1
    drug courts
5. Law school orientation 4
6. Professional training at law firms for management in how to 2
    work with diverse others
7. Symposiums 2
8. CLEs on the topic 2
9. Workshops 3
10. Seminars 3
11. Mandatory programming in law schools 2
12. Conferences 3
13. Webinars 1
14. Student organizations 2
15. Professional organizations/associations 4
16. Small working groups 1
17. Utilizing a "buddy system" with colleagues 1
18. Advocacy groups 1
19. Through supervision of licensed, experienced attorneys 1

Question 6(a): "Please identify the advantages of including multiculturalism courses as a part of a standard law school curriculum."
1. It is necessary 4
2. It is valuable 3
3. It is much needed for a well-rounded education 1
4. It is already done in clinics and should be included as part 2
    of a standard curriculum
5. Students can be taught to consider multiculturalism at the 2
    beginning of their careers
6. Early education may help change mindsets 1
7. It will increase competency working with diverse clients 5
    and colleagues
8. It would create empathy toward clients 3
9. Students would e taught about a wider range of issues for 4
    people who come from different backgrounds
10. Students would understand how issues people face play into 3
    the law

Question 6(b): "Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."
1. There would have to be major changes in attitudes and practices 2
2. There is a disincentive to incorporate through curriculum 1
3. There is not enough space in classes or within curriculum to 4
    incorporate

4. The topic must e taken seriously	1
5. The courses must be taught by experienced individuals	2
6. Course load is already demanding	3
7. Students may spend less effort in the course to focus on core courses	1
8. Stand alone courses might be challenging because it takes away from bar classes or other important classes	3
9. Terrible and ineffective as part of a curriculum	1
10. This would stigmatize minority groups in classrooms	1
11. The power differential between professor and students creates a difficult context to discuss the issues	1
12. We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason	1
13. We should focus on training people to reflect upon policy implications/the impact of policy on different groups	1
14. Discussing the context of policy is the best way to educate attorneys about multiculturalism	1
15. Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities	1

Question 7: "Tell me a story about your experience with culture as it relates to your professional experiences."

1. Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues	1
2. Legal professionals should understand that the client is the expert of their own life	1
3. It is important to honor client autonomy	1
4. Cultural differences are important to understand	1
5. Cultural practices should always be considered when working with clients	1
6. Understanding the client's overall context helps meet their needs	1

_____

_____

Round 2 Results

In Round 2, critical item codes from each question in Round 1 were presented to

participants in aggregate form. Participants rated the codes from Round 1 on a scale from

1 (strongly disagree) to 5 (strongly agree). The survey's design included an alert for

missed items. All areas were rated by returning participants (N=11) who had completed

Round 1 of the study. Quantitative analysis of critical ratings, including the mean,

standard deviation, and variance, was used in line with standard Delphi method procedure

(Murray & Hammons, 1995; Skulmoski, Hartman, & Krahn, 2007).

For Question 1 (Table 3), which asked "Please identify the role of cultural

competency or cross-cultural lawyering in the legal profession," the highest rated

response was "Cultural competency is extremely important" (M=4.91, SD=.302,

V=.0909) (meets consensus criteria). The lowest rated item was "Multiculturalism leads

to an appreciation of others" (M=4.09, SD=.505, V=.255) (meets consensus criteria). In

Question 2 (Table 4), participants were asked "Please provide your thoughts regarding

the requirement of continuing legal education (CLE) courses related specifically to

multiculturalism." Here, both "People of color or who hold marginalized identities should

be involved in creating and delivering these CLEs" and "CLE courses should offer

innovative ideas about making the profession open for all" were the highest rated

(M=4.45, SD=.522, V=.273) (meets consensus criteria). The lowest rated statement for

Question 2 was "CLEs are necessary but not sufficient, and there needs to be an effort to

recruit, retain, and support professionals who hold marginalized identities (M=3.45,

SD=1.21, V=1.47) (does not meet consensus criteria).

For Question 3 (Table 4), participants were asked, "Please identify 3-7 key

content areas a multicultural legal course should cover." The lowest rated statements for

this Question was "Redlining" (M=2.18, SD=1.08, V=1.06) (does not meet consensus

criteria) and "Courses focusing on specific identities would be inappropriate" (M=2.18,

SD=.603, *V*=.634) (does meet consensus criteria). The statement panelists agreed to the

most was "How to work with interpreters" (*M*=3.91, SD=.931, *V*=.691) (does meet

consensus criteria). Question 4, which originally appeared as ""Please identify 1-3

barriers and facilitators to implementing multicultural training in law school" in Round 1

of the study, was broken down into two sections in Round 2 and beyond. For Question

4(a) (Table 6), which focused on barriers, participants showed the lowest level of

agreement to the statement "There are not enough resources/materials on the topic

(*M*=1.91, SD=.701, *V*=.491) (does meet consensus criteria). They showed the most

agreement to the statement "Faculty lack diversity" (*M*=4.36, SD=.505, *V*=.255) (does

meet consensus criteria). In Question 4(b) (Table 7), which focused on facilitating

factors, participants showed that they least agreed with the statement "This type of

training would create a safe space for discussion" (*M*=2.73, SD=1.35, *V*=1.82) (does not

meet consensus criteria). Panelists showed the highest level of agreement to the statement

"There is a growing awareness of the importance of this topic" (*M*=4.36, SD=.505,

V=.255) (does meet consensus criteria).

In Question 5 (Table 8), panelists were asked to rate their level of agreement to

the critical item codes generated from the question "In what other ways (besides a

dedicated class) should law school students or legal professionals be trained in

multicultural lawyering?" Panelists showed disagreement with the idea of "webinars"

(*M*=2.91, SD=1.30, *V*=1.69) (does not meet consensus criteria). They had the highest

level of agreement to two additional areas where multicultural education would be most

effective, including "Clinical education within law schools" (*M*=4.55, SD=.522, *V*=.273)

(does meet consensus criteria). and "Observing specialty courts such as sentencing circles or drug courts" (*M*=4.55, SD=.522, *V*=.273) (does meet consensus criteria).

Question 6 was also broken down from its original question form. Originally, Question 6 was posed to participants as "Please identify the advantages of including multiculturalism courses as part of a standard law school curriculum." In Question 6(a) (Table 9), participants were asked to rate their level of agreement to the identified advantages of including multicultural education as part of a standard curriculum. The statement they showed the least amount of agreement to was "It is valuable" (*M*=3.82, SD=.874, *V*=.764) (does meet consensus criteria). They agreed most to the statements "It is necessary (*M*=4.73, SD=.467, *V*=.218) (does meet consensus criteria). and "It is already done in law school clinics and should be a standard part of curriculum" (*M*=4.73, SD=.467, *V*=.218) (does meet consensus criteria). For Question 6(b) (Table 10), which focused on the disadvantages, participants showed the lowest level of agreement to the statement "Terrible and ineffective as part of a curriculum" (*M*=1.55, SD=.522, *V*=.273) (does meet consensus criteria). They showed the highest level of agreement to the statement "Courses must be taught by experienced individuals" (*M*=4.55, SD=.522, *V*=.273) (does meet consensus criteria).

Finally, in Question 7 (Table 11), participants were asked to rate their level of agreement with the codes set forth from the prompt "Tell me a story about your experience with culture as it relates to your professional experiences." Panelists showed the least level of agreement to the following statements: "Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues" (*M*=4.36,

SD=.505, V=.255) (does meet consensus criteria); "Legal professionals should

understand that the client is the expert of their own life" (M=4.36, SD=.505, V=.255)

(does meet consensus criteria); and "It is important to honor client autonomy" (M=4.36,

SD=.505, V=.255) (does meet consensus criteria). They most agreed to the statement

"Understanding the client's overall context helps meet their needs" (M=4.82, SD=.405,

V=.164) (does meet consensus criteria).

Tables 3 through 11 include statistical data related to the codes generated from

panelists' responses to questions in Round 1. The purpose of reporting the standard

deviation and variance of each item is to illuminate the level of agreement between each

panelist's rating. A high variance existed due to some panelists rating they "strongly

agreed" to a factor, while others rated they "disagreed" or "strongly disagreed" to the

same factor. The variance can be used to identify which factors had the least amount of

agreement, or consensus, between panelists.

Table 3.
Round 2, Question 1 Level of Agreement to Critical Factors from 1 (Strongly Disagree)
to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 1: "Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."			
1. Cultural competency is critical	4.82	.405	.164
2. Cultural competency is extremely important	4.91	.302	.091
3. It is important based on current sociopolitical climate	4.55	.522	.273
4. It plays a role because the Model Rules of Professional responsibility and state ethics licensure rules require respect for cultural differences	4.73	.467	.218
5. It plays a role because federal and state constitutional practice uphold civil rights related to protected statuses	4.64	.505	.255
6. It leads to an appreciation of others	4.09	.701	.491
7. It helps in gaining an understanding of client's	4.45	.522	.273

circumstances that have legal implications

		M	SD	V
8.	Cross-cultural exchange is necessary for promoting law reform	4.64	.505	.255
9.	It allows the helping profession the ability to empathize	4.36	.674	.455
10.	It allows for understanding historical and systems structures that oppress	4.64	.505	.255
11.	Cultural competency is necessary for communication	4.36	.674	.455
12.	The diverse needs of parties, witness, and professionals require familiarity and respect for cross-cultural exchange	4.27	.647	.418
13.	It is necessary for effective advocacy	4.36	.505	.255

Table 4.

Round 2, Question 2 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V

Question 2: "Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."

		M	SD	V
1.	Requirements for this education are necessary	3.73	1.10	1.22
2.	CLEs are necessary, but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	3.64	.924	.855
3.	More CLEs on this topic are needed	3.64	1.03	1.05
4.	ABA support for multicultural education is necessary for more CLEs on this topic	4.18	.876	.764
5.	CLEs on multiculturalism relate to ethics	3.91	.701	.491
6.	CLEs in this area may help shine a light on why and how Issues arise	4.27	.647	.418

*In response to the question, some respondents included considerations for this type of education, as follows:

		M	SD	V
7.	CLE facilitators should be knowledgeable	4.36	.809	.655
8.	The facilitators should be social justice advocates	4.36	.809	.655
9.	People of color or who hold marginalized identities should be involved in creating and delivering these CLEs	4.45	.522	.273
10.	CLE courses should offer innovative ideas about making the profession open for all	4.45	.522	.273
11.	CLE framework should be changed to focus on the inadequacy of those in power rather than focusing on the harm they cause	3.64	1.03	1.05
12.	CLEs should not rely on those with marginalized	3.82	1.17	1.36

identities to teach those with privileged identities

	M	SD	V
13. CLEs should provide a general understanding of multiculturalism rather than focusing on individual groups	3.82	.603	.364
14. Multiculturalism should be taught in law schools but should be continued through CLEs	3.82	1.08	1.16
15. CLEs are necessary but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	3.45	1.21	1.47

Table 5.

Round 2, Question 3 Identified Critical Factors with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 3: "Please identify 3-7 key content areas a multicultural legal course should cover."			
1. How to work with interpreters	3.91	.831	.691
2. Assessing degrees of similarity and separation between individuals	3.36	.505	.255
3. How to learn about others who have different identities	2.45	1.04	1.07
4. How to honor a client's identities	2.36	1.29	1.65
5. How to understand other cultures	2.55	1.13	1.27
6. How to discuss identity with clients	2.55	1.13	1.27
7. How to communicate with others holding different identities, including nonverbal communication	2.45	1.04	1.07
8. Talking about race with clients	2.64	1.03	1.05
9. Talking about poverty with clients	2.55	.934	.873
10. Implicit bias	2.45	1.13	1.27
11. Disparate policing	2.36	1.21	1.45
12. Redlining	2.18	1.08	1.16
13. Oppressive structures and systems	2.50	1.27	1.61
14. History	2.73	1.01	1.02
15. Understanding power, privilege, dominance, subordination, and marginalization	2.55	1.29	1.67
16. Privilege	2.73	1.01	1.02
17. Understanding oppression faced by marginalized groups	2.73	1.10	1.22
18. PTSD, including impact of poverty and multiple forms of violence	2.91	1.04	1.09
19. Trauma informed legal practice	2.73	1.10	1.22

*In response to the question "what content should be taught," some respondents included considerations for this type of education, as follows:

20. There is additional emotional labor or burden of minority	2.91	1.38	1.89

students and professionals engaging in the work

21. Facilitators not within the marginalized group being Addressed may be less effective or less trusted	3.09	.944	.891
22. Facilitators should be well-equipped to discuss the topic	2.73	1.01	1.02
23. Courses focusing on specific identities would be inappropriate	2.18	.603	.364
24. Weaving multiculturalism into core law school courses is the most effective way to teach multiculturalism	2.45	1.04	1.07

Table 6.

Round 2, Question 4(a) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 4(a): "Please identify 1-3 barriers to implementing multicultural training in law school."			
1. Faculty may not be qualified	4.18	.405	.164
2. Faculty may not be willing to provide a multicultural perspective	3.91	.302	.091
3. Faculty members' practice experience fades and becomes outdated once they have taught for a while	4.27	.467	.218
4. Professors do not keep up with diversity issues	3.91	.701	.491
5. Faculty may be afraid to discuss the topic	4.18	.405	.164
6. Faculty may believe they are already doing the work	3.18	.874	.764
7. Faculty lacks diversity	4.36	.505	.255
8. Faculty may not be interested in this topic	4.18	.405	.164
9. Curricula are already set	2.82	1.08	1.16
10. Curricula are already demanding	3.55	1.21	1.47
11. White dominated classrooms would make this challenging	4.09	.302	.091
12. Male dominated classrooms would make this challenging	4.18	.405	.164
13. There are not enough resources/materials related to this topic	1.91	.701	.491
14. There is a lack of desire to change policy	3.09	.831	.691
15. The number of law schools across the country would Make this challenging	2.09	.701	.491
16. Law schools are slow to adapt to change	3.73	.467	.218
17. There is no uniform way to establish and implement new urriculum across the country	2.64	.505	.255
18. There can be a lack of support from administration	3.82	.405	.164
19. It is difficult to build a consensus among faculty and leadership	3.73	.467	.218

	M	SD	V
20. Belief that a multi-cultural education is not needed because it's not tested on the bar	3.00	.775	.600
21. This (multicultural education) is viewed as a "soft skill"	3.55	.522	.273
22. State by state willingness to implement diversity requirements creates a barrier	3.00	.894	.800
23. Lack of understanding of importance of multicultural training for law students and future legal professionals	3.64	.674	.455
24. Lack of student interest in and understanding of the importance of this topic	2.91	.944	.891
25. State Bar Associations providing CLEs related to multiculturalism are perpetually out of touch	3.64	.505	.255
26. The individuals facilitating trainings are not credible	3.27	.786	.618
27. Most courses talk AT attorneys and judges and one-way trainings are too passive to be effective or accurate	4.00	.632	.400
28. CLE accreditation rules generally do not count discussion in training hours, and issues of diversity have to include discussion by a facilitator with credibility to be effective	4.09	.701	.491
29. Faculty may not know how to address students with marginalized identities and privileged identities within the same space	4.00	.000	.000

Table 7.

Round 2, Question 4(b) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 4(b): "Please identify 1-3 facilitators to implementing multicultural training in law school."			
1. There is an increase in ABA requirements	4.09	.302	.091
2. ABA has the power to make recommendations for change to include more multicultural education	3.64	.505	.255
3. There are CLE requirements regarding implicit bias in some places, such as Minnesota	3.45	.522	.273
4. Research shows the benefits	3.00	1.00	1.00
5. There is an increase in diversity in the country which would make the training beneficial	4.09	.302	.091
6. Multicultural training should be mandatory	2.91	1.38	1.89
7. There is a drive to recruit and retain law school students and lawyers of color and multicultural education would aid in those efforts	3.91	.539	.291
8. There are multicultural student bodies	4.18	.405	.164

Critical Factors	M	SD	V
9. This type of education would help law schools hire more diverse faculty members	3.00	1.10	1.20
10. This type of training would create safe spaces for discussion	2.73	1.35	1.82
11. Younger faculty members bring a more diverse education or experience	3.45	.522	.273
12. Individual law schools should be approached to make changes in states that might e hesitant to require multicultural education/training	3.09	.944	.891
13. There is a growing awareness of the importance of this Topic	4.36	.505	.255
14. There is a growing interest in this topic within the legal academy (AALS workshops)	3.64	.505	.255
15. There are motivated student bodies who would benefit from this topic	4.18	.751	.564
16. Training on multiculturalism is already available for clinic law professors	4.27	.467	.218
17. This would present an opportunity for multicultural speakers	3.64	.674	.455
18. Diversity and inclusion council or other organizing body for these initiatives can be called upon	4.09	.674	.455
19. There are a growing number of advocacy groups across the country who can approach law schools in their states	3.64	0505	.255

Table 8.
Round 2, Question 5 Level of Agreement to Critical Factors from 1 (Strongly Disagree)
to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 5: "In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"			
1. Internships at non-profits or public interest law firms	4.45	.522	.273
2. Pro bono work	4.27	.467	.218
3. Clinical education within law schools	4.55	.522	.273
4. Observing specialty courts such as sentencing circles or drug courts	4.55	.522	.273
5. Law school orientation	4.36	.505	.255
6. Professional training at law firms for management in how to work with diverse others	4.09	.701	.491
7. Symposiums	4.00	.632	.400
8. CLEs on the topic	3.27	1.19	1.42
9. Workshops	3.36	1.12	1.25
10. Seminars	4.00	.775	.600

	M	SD	V
11. Mandatory programming in law schools	3.09	1.38	1.89
12. Conferences	3.55	.820	.673
13. Webinars	2.91	1.30	1.69
14. Student organizations	4.36	.505	.255
15. Professional organizations/associations	4.18	.405	.164
16. Small working groups	3.55	1.04	1.07
17. Utilizing a "buddy system" with colleagues	3.64	.809	.655
18. Advocacy groups	4.18	.405	.164
19. Through supervision of licensed, experienced attorneys	4.09	.701	.491

Table 9.
Round 2, Question 6(a) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 6(b): "Please identify the advantages of including multiculturalism courses as part of a standard law school curriculum."			
1. It is necessary	4.73	.467	.218
2. It is valuable	3.82	.874	.764
3. It is much needed for a well-rounded education	4.00	.775	.600
4. It is already done in clinics and should be included as part of a standard curriculum	4.73	.467	.218
5. Students can be taught to consider multiculturalism at the beginning of their careers	4.55	.522	.273
6. Early education may help change mindsets	4.45	.522	.273
7. It will increase competency working with diverse clients and colleagues	4.45	.522	.273
8. It would create empathy toward clients	4.18	1.40	1.96
9. Students would be taught about a wider range of issues for people who come from different backgrounds	4.27	.467	.218
10. Students would understand how issues people face play into the law	4.45	.522	.273

Table 10.
Round 2, Question 6(b) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 6(b): "Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."			

	M	SD	V
1. There would have to be major changes in attitudes and practices	3.73	.467	.218
2. There is a disincentive to incorporate through curriculum	3.00	.775	.600
3. There is not enough space in classes or within curriculum to incorporate	2.45	.522	.273
4. The topic must be taken seriously	3.45	.820	.673
5. The courses must be taught by experienced individuals	4.55	.522	.273
6. Course load is already demanding	2.91	.944	.891
7. Students may spend less effort in the course to focus on core courses	3.55	.522	.273
8. Stand alone courses might be challenging because it takes away from bar classes or other important classes	3.18	1.08	1.16
9. Terrible and ineffective as part of a curriculum	1.55	.522	.273
10. This would stigmatize minority groups in classrooms	2.73	.647	.418
11. The power differential between professor and students creates a difficult context to discuss the issues	3.55	.522	.273
12. We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason	3.09	.944	.891
13. We should focus on training people to reflect upon policy implications/the impact of policy on different groups	3.45	.934	.873
14. Discussing the context of policy is the best way to educate attorneys about multiculturalism	3.00	1.00	1.00
15. Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities	3.00	.775	.600

Table 11.

Round 2, Question 7 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 7: "Tell me a story about your experience with culture as it relates to your professional experiences."			
1. Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues	4.36	.505	.255
2. Legal professionals should understand that the client is the expert of their own life	4.36	.505	.255
3. It is important to honor client autonomy	4.36	.505	.255
4. Cultural differences are important to understand	4.45	.522	.273
5. Cultural practices should always be considered when working with clients	4.64	.505	.255

| 6. Understanding the client's overall context helps meet their needs | 4.82 | .405 | .164 |

_____

Although it is helpful to explore which items panelists agreed with most and least, a Delphi study aims to reach a consensus between panelists. In this study, consensus was determined by the frequency to which panelists rated their level of agreement for an item. This is in line with prior Delphi studies, who have determined that it takes at least 70% of panelists ranking an items in a similar manner for consensus to be reached. In this study, items that received at least 70% of panelists marking they "agree" or "strongly agree" with an item equates to consensus in agreement. For items that received at least 70% of panelists marking they "disagree" or "strongly disagree" with an item, consensus has been reached in disagreement with the item. Table 12 below includes statistical data related to the level of consensus for each item.

Table 12
Round 2 Questions with Level of Agreement Responses and Frequency to Evaluate Consensus

_____

	Levels Total	Counts	%
Question 1: "Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."			
1. Cultural competency is critical	SD	0	0
	D	0	0
	NA/ND	0	0
	A	2	18.2*
	SA	9	81.8*
2. Cultural competency is extremely important	SD	0	0
	D	0	0
	ND/ND	0	0
	A	1	9.1*
	SA	10	90.9*

3. It is important based on current sociopolitical climate	SD	0	0
	D	0	0
	ND/AD	0	0
	A	5	45.5*
	SA	6	54.5*
4. It plays a role because the Model Rules of Professional responsibility and state ethics licensure rules require respect for cultural differences	SD	0	0
	D	0	0
	NA/ND	0	0
	A	3	27.3*
	SA	8	72.7*
5. It plays a role because federal and state constitutional practice uphold civil rights related to protected statuses	SD	0	0
	D	0	0
	NA/ND	0	0
	A	4	36.4*
	SA	7	63.6*
6. It leads to an appreciation of others	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	6	54.5*
	SA	3	27.3*
7. It helps in gaining an understanding of client's circumstances that have legal implications	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	5	45.5*
8. Cross-cultural exchange is necessary for promoting law reform	SD	0	0
	D	0	0
	NA/ND	0	0
	A	4	36.4*
	SA	7	63.6*
9. It allows the helping profession the ability to empathize	SD	0	0
	D	0	0
	NA/ND	1	9.1
	A	5	45.5*
	SA	5	45.5*

10. It allows for understanding historical and systems structures that oppress	SD	0	0
	D	0	0
	NA/ND	0	0
	A	4	36.4*
	SA	7	63.6*
11. Cultural competency is necessary for communication	SD	0	0
	D	0	0
	NA/ND	1	9.1
	A	5	45.5*
	SA	5	45.5*
12. The diverse needs of parties, witness, and professionals require familiarity and respect for cross-cultural exchange	SD	0	0
	D	0	0
	NA/ND	1	9.1
	A	6	54.5*
	SA	4	36.4*
13. It is necessary for effective advocacy	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*

Question 2: "Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."

1. Requirements for this education are necessary	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	4	36.4
	SA	3	27.3
2. CLEs are necessary, but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	SD	0	0
	D	1	9.1
	NA/ND	4	36.4
	A	4	36.4
	SA	2	18.2
3. More CLEs on this topic are needed	SD	0	0
	D	2	18.2
	NA/ND	2	18.2
	A	5	45.5
	SA	2	18.2

4. ABA support for multicultural education is necessary for more CLEs on this topic	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	3	27.3*
	SA	5	45.5*
5. CLEs on multiculturalism relate to ethics	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	6	54.5*
	SA	2	18.2*
6. CLEs in this area may help shine a light on why and how issues arise	SD	0	0
	D	0	0
	NA/ND	1	9.1
	A	6	54.5*
	SA	4	36.4*

*In response to the question, some respondents included considerations for this type of education, as follows:

7. CLE facilitators should be knowledgeable	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	3	27.3*
	SA	6	54.5*
8. The facilitators should be social justice advocates	SD	0	0
	D	0	0
	NA/ND	1	18.2
	A	3	27.3*
	SA	6	54.5*
9. People of color or who hold marginalized identities should be involved in creating and delivering these CLEs	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	5	45.5*
10. CLE courses should offer innovative ideas about making the profession open for all	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*

	SA	5	45.5*
11. CLE framework should be changed to focus on the inadequacy of those in power rather than focusing on the harm they cause	SD	0	0
	D	2	18.2
	NA/ND	2	18.2
	A	5	45.5
	SA	2	18.2
12. CLEs should not rely on those with marginalized identities to teach those with privileged identities	SD	0	0
	D	2	18.2
	NA/ND	2	18.2
	A	3	27.3
	SA	4	36.4
13. CLEs should provide a general understanding of multiculturalism rather than focusing on individual groups	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	7	63.6*
	SA	1	9.1*
14. Multiculturalism should be taught in law schools but should be continued through CLEs	SD	0	0
	D	2	18.2
	NA/ND	1	9.1
	A	5	45.5*
	SA	3	27.3*
15. CLEs are necessary but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	SD	0	0
	2	3	27.3
	3	3	27.3
	4	2	18.2
	5	3	27.9

Question 3: "Please identify 3-7 key content areas a multicultural legal course should cover."

1. How to work with interpreters	SD	4	36.4
	D	4	36.4
	NA/ND	3	27.3
	A	0	0
	SA	0	0
2. Assessing degrees of similarity and separation between individuals	SD	0	0
	D	0	0
	NA/ND	7	63.6
	A	4	36.4

	SA	0	0
3. How to learn about others who have different identities	SD	2	18.2
	D	4	36.4
	NA/ND	3	27.3
	A	2	18.1
	SA	0	0
4. How to honor a client's identities	SD	4	16.4
	D	2	18.2
	NA/ND	2	18.2
	A	3	27.3
	SA	0	0
5. How to understand other cultures	SD	2	18.2
	D	4	36.4
	NA/ND	2	18.2
	A	3	27.3
	SA	0	0
6. How to discuss identity with clients	SD	2	18.2
	D	4	36.4
	NA/ND	2	18.2
	A	3	27.3
	SA	0	0
7. How to communicate with others holding different identities, including nonverbal communication	SD	2	18.2
	D	4	36.4
	ND/NA	3	27.3
	A	2	18.2
	SA	0	0
8. Talking about race with clients	SD	1	9.1
	D	5	45.5
	NA/ND	2	18.2
	A	3	27.3
	SA	0	0
9. Talking about poverty with clients	SD	1	9.1
	D	5	45.5
	NA/ND	3	27.3
	A	2	18.2
	SA	0	0

10. Implicit bias	SD	2	18.2
	D	5	45.5
	NA/ND	1	9.1
	A	3	27.3
	SA	0	0
11. Disparate policing	SD	3	27.3
	D	4	36.4
	NA/ND	1	9.1
	A	3	27.3
	SA	0	0
12. Redlining	ND	3	27.3*
	D	5	45.5*
	NA/ND	1	9.1
	A	2	18.2
	SA	0	0
13. Oppressive structures and systems	SD	3	30.0
	D	2	20.0
	NA/ND	2	20.0
	A	3	30.0
	SA	0	0
14. History	SD	1	9.1
	D	4	36.4
	NA/ND	3	27.3
	A	3	27.3
	SA	0	0
15. Understanding power, privilege, dominance, subordination, and marginalization	SD	3	27.3
	D	3	27.3
	NA/ND	1	9.1
	A	4	36.4
	SA	0	0
16. Privilege	SD	1	9.1
	D	4	36.4
	NA/ND	3	27.3
	A	3	27.3
	SA	0	0
17. Understanding oppression faced by marginalized groups	SD	1	9.1
	D	5	45.1

	NA/ND	1	9.1
	A	4	36.4
	SA	0	0
18. PTSD, including impact of poverty and multiple forms of violence	SD	2	18.2*
	D	6	54.5*
	NA/ND	3	27.3
	A	0	0
	SA	0	0
19. Trauma informed legal practice	SD	2	18.2
	D	2	18.2
	NA/ND	4	36.4
	A	3	27.3
	SA	0	0

*In response to the question "what content should be taught," some respondents included considerations for this type of education, as follows:

20. There is additional emotional labor or burden of minority students and professionals engaging in the work	SD	2	18.2
	D	2	18.2
	NA/ND	4	36.4
	A	1	9.1
	SA	2	18.2
21. Facilitators not within the marginalized group being addressed may be less effective or less trusted	SD	1	9.1
	D	1	9.1
	NA/ND	5	45.5
	A	4	36.4
	SA	0	0
22. Facilitators should be well-equipped to discuss the topic	SD	1	9.1
	D	4	36.4
	NA/ND	3	27.3
	A	3	27.3
	SA	0	0
23. Courses focusing on specific identities would be inappropriate	SD	1	9.1*
	D	7	63.6*
	NA/ND	3	27.3
	A	0	0
	SA	0	0
24. Weaving multiculturalism into core law school courses is the most effective way to teach multiculturalism	SD	2	18.2
	D	4	16.4
	NA/ND	3	27.3

| | | A | 2 | 18.2 |
| | | SA | 0 | 0 |

Question 4(a): "Please identify 1-3 barriers to implementing multicultural training in law school."

1. Faculty may not be qualified		SD	0	0
		D	0	0
		NA/ND	0	0
		A	9	81.8*
		SA	2	18.2*
2. Faculty may not be willing to provide a multicultural perspective		SD	0	0
		D	0	0
		NA/ND	1	9.1
		A	10	90.9*
		SA	0	0
3. Faculty members' practice experience fades and becomes outdated once they have taught for a while		SD	0	0
		D	0	0
		NA/ND	0	0
		A	8	72.7*
		SA	3	27.3*
4. Professors do not keep up with diversity issues		SD	0	0
		D	0	0
		NA/ND	3	27.3
		A	6	54.5*
		SA	2	18.2*
5. Faculty may be afraid to discuss the topic		SD	0	0
		D	0	0
		NA/ND	0	0
		A	9	81.8*
		SA	2	18.2*
6. Faculty may believe they are already doing the work		SD	0	0
		D	3	27.3
		NA/ND	3	27.3
		A	5	45.5
		SA	0	0
7. Faculty lacks diversity		SD	0	0

	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
8. Faculty may not be interested in this	SD	0	0
	D	0	0
	NA/ND	0	0
	A	9	81.8*
	SA	2	18.2*
9. Curricula are already set	SD	1	9.1
	D	4	36.4
	NA/ND	2	18.2
	A	4	36.4
	SA	0	0
10. Curricula are already demanding	SD	1	9.1
	D	1	9.1
	NA/ND	2	18.2
	A	5	45.5
	SA	2	18.2
11. White dominated classrooms would make this challenging	SD	0	0
	D	0	0
	NA/ND	0	0
	A	10	90.9*
	SA	1	9.1*
12. Male dominated classrooms would make this challenging	SD	0	0
	D	0	0
	NA/ND	0	0
	A	9	81.8*
	SA	2	18.2*
13. There are not enough resources/ materials related to this topic	SD	3	27.3*
	D	6	54.5*
	NA/ND	2	18.2
	A	0	0
	SA	0	0
14. There is a lack of desire to change policy	SD	0	0
	D	3	27.3

	NA/ND	4	36.4
	A	4	36.4
	SA	0	0
15. The number of law schools across the country would make this challenging	SD	2	18.2*
	D	6	54.5*
	NA/ND	3	27.3
	A	0	0
	SA	0	0
16. Law schools are slow to adapt to change	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	8	72.7*
	SA	0	0
17. There is no uniform way to establish and implement new Curriculum across the country	SD	0	0
	D	4	36.4
	NA/ND	7	63.6
	A	0	0
	SA	0	0
18. There can be a lack of support from administration	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	9	81.8*
	SA	0	0
19. It is difficult to build a consensus among faculty and leadership	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	8	72.7*
	SA	0	0
20. Belief that a multi-cultural education is not needed because it's not tested on the bar	SD	0	0
	D	3	27.3
	NA/ND	5	45.5
	A	3	27.3
	SA	0	0
21. This (multicultural education) is viewed as a "soft skill"	SD	0	0
	D	0	0
	NA/ND	5	45.5
	A	6	54.5

	SA	0	0
22. State by state willingness to implement	SD	0	0
diversity requirements creates a barrier	D	4	36.4
	NA/ND	3	27.3
	A	4	36.4
	SA	0	0
23. Lack of understanding of importance	SD	0	0
of multicultural training for law	D	1	9.1
students and future legal professionals	NA/ND	2	18.2
	A	8	72.7*
	SA	0	0
24. Lack of student interest in and	SD	0	0
understanding of the importance of	D	5	45.5
this topic	NA/ND	2	18.2
	A	4	36.4
	SA	0	0
25. State Bar Associations providing	SD	0	0
CLEs related to multiculturalism	D	0	0
are perpetually out of touch	NA/ND	4	36.4
	A	7	63.6
	SA	0	0
26. The individuals facilitating trainings	SD	0	0
are not credible	D	2	18.2
	NA/ND	4	36.4
	A	5	46.5
	SA	0	0
27. Most courses talk AT attorneys and	SD	0	0
judges and one-way trainings are too	D	0	0
passive to be effective or accurate	NA/ND	2	18.2
	A	7	63.6*
	SA	2	18.2*
28. CLE accreditation rules generally do	SD	0	0
not count discussion in training hours,	D	0	0
and issues of diversity have to include	NA/ND	2	18.2
discussion by a facilitator with credibility	A	6	54.5*
to be effective	SA	3	27.3*

29. Faculty may not know how to address students with marginalized identities and privileged identities within the same space	SD	0	0
	D	0	0
	NA/ND	0	0
	A	11	100*
	SA	0	0

Question 4(b): "Please identify 1-3 facilitators to implementing multicultural training in law school."

1. There is an increase in ABA requirements	SD	0	0
	D	0	0
	NA/ND	0	0
	A	10	90.9*
	SA	1	9.1*

2. ABA has the power to make recommendations for change to include more multicultural education	SD	0	0
	D	0	0
	NA/ND	4	36.4
	A	7	63.6
	SA	0	0

3. There are CLE requirements regarding implicit bias in some places, such as Minnesota	SD	0	0
	D	0	0
	NA/ND	6	54.5
	A	5	45.5
	SA	0	0

4. Research shows the benefits	SD	1	9.1
	D	2	18.2
	NA/ND	4	36.4
	A	4	36.4
	SA	0	0

5. There is an increase in diversity in the country which would make the training beneficial	SD	0	0
	D	0	0
	NA/ND	0	0
	A	10	90.9*
	SA	1	9.1*

6. Multicultural training should be mandatory	SD	2	18.2
	D	3	27.3
	NA/ND	1	9.1
	A	4	36.4
	SA	1	9.1

7. There is a drive to recruit and retain law school students and lawyers of color and multicultural education would aid in those efforts	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	8	72.7*
	SA	1	9.1*
8. There are multicultural student bodies	SD	0	0
	D	0	0
	NA/ND	0	0
	A	9	81.8*
	SA	2	18.2*
9. This type of education would help law schools hire more diverse faculty members	SD	0	0
	D	5	45.5
	NA/ND	2	18.2
	A	3	27.3
	SA	1	9.1
10. This type of training would create safe spaces for discussion	SD	2	18.2
	D	4	36.4
	NA/ND	1	9.1
	A	3	27.3
	SA	1	9.1
11. Younger faculty members bring a more diverse education or experience	SD	0	0
	D	0	0
	NA/D	0	0
	A	6	54.5
	SA	5	45.5
12. Individual law schools should be approached to make changes in states that might e hesitant to require multicultural education/training	SD	0	0
	D	4	36.4
	NA/ND	2	18.2
	A	5	45.5
	SA	0	0
13. There is a growing awareness of the importance of this topic	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
14. There is a growing interest in this topic within the legal academy	SD	0	0
	D	0	0

(AALS workshops)	NA/ND	4	36.4
	A	7	63.6
	SA	0	0
15. There are motivated student bodies who would benefit from this topic	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	5	45.5*
	SA	4	36.4*
16. Training on multiculturalism is already available for clinic law professors	SD	0	0
	D	0	0
	NA/ND	0	0
	A	8	72.7*
	SA	3	27.3*
17. This would present an opportunity for multicultural speakers	SD	0	0
	D	0	0
	NA/ND	5	45.5
	A	5	45.5
	SA	1	9.1
18. Diversity and inclusion council or other organizing body for these initiatives can be called upon	SD	0	0
	D	0	0
	NA/ND	0	0
	A	10	90.9*
	SA	1	9.1*
19. There are a growing number of advocacy groups across the country who can approach law schools in their states	SD	0	0
	D	0	0
	NA/ND	4	36.4
	A	7	63.6
	SA	0	0

Question 5: "In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"

1. Internships at non-profits or public interest law firms	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	5	45.5*
2. Pro bono work	SD	0	0
	D	0	0

	NA/ND	0	0
	A	8	72.7*
	SA	3	27.3*
3. Clinical education within law schools	SD	0	0
	D	0	0
	NA/ND	0	0
	A	5	45.5*
	SA	6	54.5*
4. Observing specialty courts such as sentencing circles or drug courts	SD	0	0
	D	0	0
	NA/ND	0	0
	A	5	45.5*
	SA	6	54.5*
5. Law school orientation	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
6. Professional training at law firms for management in how to work with diverse others	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	6	54.5*
	SA	3	27.3*
7. Symposiums	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	7	63.6*
	SA	2	18.2*
8. CLEs on the topic	SD	0	0
	D	4	36.4
	NA/ND	2	18.2
	A	3	27.3
	SA	2	18.2
9. Workshops	SD	0	0
	D	3	27.3
	NA/ND	3	27.3
	A	3	27.3

	SA	2	18.2
10. Seminars	SD	0	0
	D	1	9.1
	NA/ND	0	0
	A	8	72.7*
	SA	2	18.2*
11. Mandatory programming in law schools	SD	2	18.2
	D	2	18.2
	NA/ND	1	9.1
	A	5	45.5
	SA	1	9.1
12. Conferences	SD	0	0
	D	1	9.1
	NA/ND	4	36.4
	A	5	45.5
	SA	1	9.1
13. Webinars	SD	2	18.2
	D	2	18.2
	NA/ND	3	27.3
	A	3	27.3
	SA	1	9.1
14. Student organizations	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
15. Professional organizations/ associations	SD	0	0
	D	0	0
	NA/ND	0	0
	A	9	81.8*
	SA	2	18.2*
16. Small working groups	SD	0	0
	D	2	18.2
	NA/ND	3	27.3
	A	4	36.4
	SA	2	18.2

17. Utilizing a "buddy system" with colleagues	SD	2	18.2
	D	2	18.2
	NA/ND	3	27.3
	A	3	27.3
	SA	1	9.1
18. Advocacy groups	SD	0	0
	D	0	0
	NA/ND	0	0
	A	9	81.8*
	SA	2	18.2*
19. Through supervision of licensed, experienced attorneys	SD	0	0
	D	0	0
	NA/ND	2	18.2
	A	6	54.5*
	SA	3	27.3*

Question 6(a): "Please identify the advantages of including multiculturalism courses as a part of a standard law school curriculum."

1. It is necessary	SD	0	0
	D	0	0
	NA/ND	0	0
	A	3	27.3*
	SA	8	72.7*
2. It is valuable	SD	0	0
	D	1	9.1
	NA/ND	2	18.2
	A	6	54.5*
	SA	2	18.2*
3. It is much needed for a well-rounded education	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	5	45.5*
	SA	3	27.3*
4. It is already done in clinics and should be included as part of a standard curriculum	SD	0	0
	D	0	0
	NA/ND	0	0
	A	3	27.3*
	SA	8	72.7*

5. Students can be taught to consider multiculturalism at the beginning of their careers	SD	0	0
	D	0	0
	NA/ND	0	0
	A	5	45.5*
	SA	6	54.5*
6. Early education may help change mindsets	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	6	54.5*
7. It will increase competency working with diverse clients and colleagues	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	5	45.5*
8. It would create empathy toward clients	SD	0	0
	D	0	0
	NA/SA	3	27.3
	A	6	54.5*
	SA	2	18.2*
9. Students would e taught about a wider range of issues for people who come from different backgrounds	SD	0	0
	D	0	0
	NA/ND	0	0
	A	8	72.7*
	SA	3	27.3*
10. Students would understand how issues people face play into the law	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	5	45.5*

Question 6(b): "Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."

1. There would have to be major changes in attitudes and practices	SD	0	0
	D	0	0
	NA/ND	3	27.3
	A	8	72.7
	SA	0	0

2. There is a disincentive to incorporate through curriculum	SD	0	0
	D	3	27.3
	NA/ND	5	45.5
	A	3	27.3
	SA	0	0
3. There is not enough space in classes or within curriculum to incorporate	SD	0	0
	D	6	54.5
	NA/ND	5	45.5
	A	0	0
	SA	0	0
4. The topic must be taken seriously	SD	0	0
	D	2	18.2
	NA/ND	2	18.2
	A	7	63.6
	SA	0	0
5. The courses must be taught by experienced individuals	SD	0	0
	D	0	0
	NA/ND	0	0
	A	5	45.5*
	SA	6	54.5*
6. Course load is already demanding	SD	0	0
	D	5	45.5
	NA/ND	2	18.2
	A	4	36.4
	SA	0	0
7. Students may spend less effort in the course to focus on core courses	SD	0	0
	D	0	0
	NA/ND	5	45.5
	A	6	54.5
	SA	0	0
8. Stand alone courses might be challenging because it takes away from bar classes or other important classes	SD	0	0
	D	4	36.4
	NA/ND	2	18.2
	A	4	36.4
	SA	1	9.1
9. Terrible and ineffective as part	SD	5	45.5*

of a curriculum	D	6	54.5*
	NA/ND	0	0
	A	0	0
	SA	0	0
10. This would stigmatize minority groups in classrooms	SD	0	0
	D	4	36.4
	NA/ND	6	54.5
	A	1	9.1
	SA	0	0
11. The power differential between professor and students creates a difficult context to discuss the issues	SD	0	0
	D	0	0
	NA/ND	5	45.5
	A	6	54.5
	SA	0	0
12. We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason	SD	0	0
	D	3	27.3
	NA/ND	5	45.5
	A	2	18.2
	SA	1	9.1
13. We should focus on training people to reflect upon policy implications/the impact of policy on different groups	SD	0	0
	D	2	18.2
	NA/ND	3	27.3
	A	5	45.5
	SA	1	9.1
14. Discussing the context of policy is the best way to educate attorneys about multiculturalism	SD	0	0
	D	4	36.4
	NA/ND	4	36.4
	A	2	18.2
	SA	1	9.1
15. Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities	SD	0	0
	D	3	27.3
	NA/ND	5	45.5
	A	3	27.3
	SA	0	0

Question 7: "Tell me a story about your experience with culture as it relates to your professional experiences."

1. Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
2. Legal professionals should understand that the client is the expert of their own life	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
3. It is important to honor client autonomy	SD	0	0
	D	0	0
	NA/ND	0	0
	A	7	63.6*
	SA	4	36.4*
4. Cultural differences are important to understand	SD	0	0
	D	0	0
	NA/ND	0	0
	A	6	54.5*
	SA	5	45.5*
5. Cultural practices should always be considered when working with clients	SD	0	0
	D	0	0
	NA/ND	0	0
	A	4	36.4*
	SA	6	63.6*
6. Understanding the client's overall context helps meet their needs	SD	0	0
	D	0	0
	NA/ND	0	0
	A	2	18.2*
	SA	9	81.8*

Notes Consensus has been met
SD = Strongly Disagree
D = Disagree
NA/ND = Neither Agree nor Disagree
A = Agree
SA = Strongly Agree

Round 3 Results

In Round 3, participants were once again presented with the codes that emerged from Round 1. In addition to the codes, participants were provided with the mean ranking for each code and were given the opportunity to edit their own previous ranking. Of the participants who chose to continue participation in the study (*N*=8), three chose to change none of their rankings. Others chose to re-rank some items, but none of the participants submitted new rankings for all items. The statistics for each code were recalculated with the edited data submitted by experts in Round 3 and are presented in Tables 13 through 21 below.

Table 13.
Round 3, Question 1 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 1: "Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."			
1. Cultural competency is critical	4.86	.378	.143
2. Cultural competency is extremely important	5.00	.000	.000
3. It is important based on current sociopolitical climate	4.71	.488	.238
4. It plays a role because the Model Rules of Professional responsibility and state ethics licensure rules require respect for cultural differences	4.86	.378	.143
5. It plays a role because federal and state constitutional practice uphold civil rights related to protected statuses	4.86	.378	.143
6. It leads to an appreciation of others	4.43	.535	.286
7. It helps in gaining an understanding of client's circumstances that have legal implications	4.57	.535	.286
8. Cross-cultural exchange is necessary for promoting law reform	4.86	.378	.143
9. It allows the helping profession the ability to empathize	4.57	.535	.286
10. It allows for understanding historical and systems structures that oppress	4.71	.488	.238
11. Cultural competency is necessary for communication	4.57	.535	.286
12. The diverse needs of parties, witness, and professionals	4.43	.535	.286

require familiarity and respect for cross-cultural
exchange

Critical Factors	M	SD	V
13. It is necessary for effective advocacy	4.43	.535	.286

Table 14.

Round 3, Question 2 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 2: "Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."			
1. Requirements for this education are necessary	3.71	.951	.905
2. CLEs are necessary, but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	3.71	1.11	1.24
3. More CLEs on this topic are needed	4.00	.816	.667
4. ABA support for multicultural education is necessary for more CLEs on this topic	4.29	.756	.571
5. CLEs on multiculturalism relate to ethics	4.00	.816	.667
6. CLEs in this area may help shine a light on why and how Issues arise	4.57	.535	.286
*In response to the question, some respondents included considerations for this type of education, as follows:			
7. CLE facilitators should be knowledgeable	4.29	.951	.905
8. The facilitators should be social justice advocates	4.43	.787	.619
9. People of color or who hold marginalized identities should be involved in creating and delivering these CLEs	4.57	.535	.286
10. CLE courses should offer innovative ideas about making the profession open for all	4.43	.535	.286
11. CLE framework should be changed to focus on the inadequacy of those in power rather than focusing on the harm they cause	3.29	1.11	1.24
12. CLEs should not rely on those with marginalized identities to teach those with privileged identities	3.86	.816	.667
13. CLEs should provide a general understanding of multiculturalism rather than focusing on individual groups	4.00	.577	.333
14. Multiculturalism should be taught in law schools but should be continued through CLEs	3.86	.690	.476
15. CLEs are necessary but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	3.57	.787	.619

Table 15.

Round 3, Question 3 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 3: "Please identify 3-7 key content areas a multicultural legal course should cover."			
1. How to work with interpreters	3.71	.756	.571
2. Assessing degrees of similarity and separation between individuals	3.43	.535	.286
3. How to learn about others who have different identities	2.14	.690	.476
4. How to honor a client's identities	2.43	1.40	1.95
5. How to understand other cultures	2.43	1.27	1.62
6. How to discuss identity with clients	2.57	1.13	1.29
7. How to communicate with others holding different identities, including nonverbal communication	2.29	1.11	1.24
8. Talking about race with clients	2.57	1.13	1.29
9. Talking about poverty with clients	2.43	.976	.952
10. Implicit bias	2.29	1.25	1.57
11. Disparate policing	2.29	1.25	1.57
12. Redlining	2.14	1.07	1.14
13. Oppressive structures and systems	2.17	1.17	1.37
14. History	2.57	1.13	1.29
15. Understanding power, privilege, dominance, subordination, and marginalization	2.14	1.35	1.81
16. Privilege	2.57	1.13	1.29
17. Understanding oppression faced by marginalized groups	2.57	1.13	1.29
18. PTSD, including impact of poverty and multiple forms of violence	2.71	1.25	1.57
19. Trauma informed legal practice	2.57	1.29	1.62
*In response to the question "what content should be taught," some respondents included considerations for this type of education, as follows:			
20. There is additional emotional labor or burden of minority students and professionals engaging in the work	2.71	1.50	2.24
21. Facilitators not within the marginalized group being addressed may be less effective or less trusted	2.86	1.07	1.14
22. Facilitators should be well-equipped to discuss the topic	2.71	1.11	1.24
23. Courses focusing on specific identities would be inappropriate	2.14	.690	.476
24. Weaving multiculturalism into core law school courses is the most effective way to teach multiculturalism	2.14	1.07	1.14

Table 16.

Round 3, Question 4(a) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 4(a): "Please identify 1-3 barriers to implementing multicultural training in law school."			
1. Faculty may not be qualified	4.00	.000	.000
2. Faculty may not be willing to provide a multicultural perspective	3.86	.378	.143
3. Faculty members' practice experience fades and becomes outdated once they have taught for a while	4.29	.488	.238
4. Professors do not keep up with diversity issues	3.86	.690	.476
5. Faculty may be afraid to discuss the topic	4.29	.488	.238
6. Faculty may believe they are already doing the work	3.29	.951	.905
7. Faculty lacks diversity	4.43	.535	.288
8. Faculty may not be interested in this topic	4.29	.488	.238
9. Curricula are already set	2.86	.900	.810
10. Curricula are already demanding	3.86	1.07	1.14
11. White dominated classrooms would make this challenging	4.14	.378	.143
12. Male dominated classrooms would make this challenging	4.14	.378	.143
13. There are not enough resources/materials related to this topic	1.86	.690	.476
14. There is a lack of desire to change policy	3.14	.690	.476
15. The number of law schools across the country would make this challenging	2.29	.756	.571
16. Law schools are slow to adapt to change	3.71	.488	.238
17. There is no uniform way to establish and implement new Curriculum across the country	2.86	.378	.143
18. There can be a lack of support from administration	3.86	.378	.143
19. It is difficult to build a consensus among faculty and leadership	3.86	.378	.143
20. Belief that a multi-cultural education is not needed because it's not tested on the bar	3.00	.816	.667
21. This (multicultural education) is viewed as a "soft skill"	3.57	.535	.286
22. State by state willingness to implement diversity requirements creates a barrier	3.14	.900	.810
23. Lack of understanding of importance of multicultural training for law students and future legal professionals	3.43	.787	.619
24. Lack of student interest in and understanding of the importance of this topic	3.00	1.00	1.00

	M	SD	V
25. State Bar Associations providing CLEs related to multiculturalism are perpetually out of touch	3.57	.535	.286
26. The individuals facilitating trainings are not credible	3.43	.787	.619
27. Most courses talk AT attorneys and judges and one-way trainings are too passive to be effective or accurate	4.00	.816	.667
28. CLE accreditation rules generally do not count discussion in training hours, and issues of diversity have to include discussion by a facilitator with credibility to be effective	4.00	.577	.333
29. Faculty may not know how to address students with marginalized identities and privileged identities within the same space	4.00	.000	.000

Table 17.

Round 3, Question 4(b) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 4(b): "Please identify 1-3 facilitators to implementing multicultural training in law school."			
1. There is an increase in ABA requirements	4.00	.000	.000
2. ABA has the power to make recommendations for change to include more multicultural education	3.57	.535	.286
3. There are CLE requirements regarding implicit bias in some places, such as Minnesota	373	.488	.236
4. Research shows the benefits	3.14	1.07	1.14
5. There is an increase in diversity in the country which would make the training beneficial	4.00	.000	.000
6. Multicultural training should be mandatory	3.29	1.38	1.90
7. There is a drive to recruit and retain law school students and lawyers of color and multicultural education would aid in those efforts	4.00	.577	.333
8. There are multicultural student bodies	4.29	.488	.238
9. This type of education would help law schools hire more diverse faculty members	3.14	1.21	1.48
10. This type of training would create safe spaces for discussion	3.00	1.41	2.00
11. Younger faculty members bring a more diverse education and experience	3.57	.535	.286
12. Individual law schools should be approached to make changes in states that might be hesitant to require multicultural education/training	3.29	.951	.905
13. There is a growing awareness of the importance of this	4.29	.488	.238

topic

14. There is a growing interest in this topic within the legal academy (AALS workshops)	3.71	.488	.238
15. There are motivated student bodies who would benefit from this topic	4.29	.756	.571
16. Training on multiculturalism is already available for clinic law professors	4.29	.488	.238
17. This would present an opportunity for multicultural Speakers	3.71	.756	.571
18. Diversity and inclusion council or other organizing body for these initiatives can be called upon	4.14	.278	.143
19. There are a growing number of advocacy groups across the country who can approach law schools in their states	3.71	.488	.238

Table 18.

Round 3, Question 5 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 5: "In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"			
1. Internships at non-profits or public interest law firms	4.57	.535	.286
2. Pro bono work	4.29	.488	.238
3. Clinical education within law schools	4.57	.535	.286
4. Observing specialty courts such as sentencing circles or drug courts	4.71	.488	.238
5. Law school orientation	4.43	.535	.286
6. Professional training at law firms for management in how to work with diverse others	4.14	.900	.810
7. Symposiums	4.00	.816	.667
8. CLEs on the topic	3.29	1.38	1.90
9. Workshops	3.71	.535	.286
10. Seminars	4.00	.787	.617
11. Mandatory programming in law schools	3.29	1.38	1.90
12. Conferences	3.57	.976	.952
13. Webinars	3.00	.976	.952
14. Student organizations	4.29	.488	.238
15. Professional organizations/associations	4.14	.378	.143
16. Small working groups	3.57	.976	.952
17. Utilizing a "buddy system" with colleagues	3.57	.787	.617
18. Advocacy groups	4.14	.378	.143
19. Through supervision of licensed, experienced attorneys	4.29	.756	.571

Table 19.

Round 3, Question 6(a) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V

Question 6(b): "Please identify the advantages of including multiculturalism courses as part of a standard law school curriculum."

Critical Factors	M	SD	V
1. It is necessary	4.86	.378	.143
2. It is valuable	3.57	.787	.619
3. It is much needed for a well-rounded education	4.00	.816	.667
4. It is already done in clinics and should be included as part of a standard curriculum	4.71	.488	.238
5. Students can be taught to consider multiculturalism at the beginning of their careers	4.57	.535	.286
6. Early education may help change mindsets	4.71	.488	.238
7. It will increase competency working with diverse clients and colleagues	4.57	.535	.286
8. It would create empathy toward clients	3.57	.535	.286
9. Students would be taught about a wider range of issues for people who come from different backgrounds	4.29	.488	.238
10. Students would understand how issues people face play into the law	4.43	.535	.286

Table 20.

Round 3, Question 6(b) Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V

Question 6(b): "Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."

Critical Factors	M	SD	V
1. There would have to be major changes in attitudes and practices	3.71	.488	.238
2. There is a disincentive to incorporate through curriculum	3.00	.816	.667
3. There is not enough space in classes or within curriculum to incorporate	2.29	.488	.238
4. The topic must be taken seriously	3.43	.976	.952
5. The courses must be taught by experienced individuals	4.57	.535	.286
6. Course load is already demanding	2.86	.900	.810
7. Students may spend less effort in the course to focus on core courses	3.57	.535	.286

8. Stand alone courses might be challenging because it takes away from bar classes or other important classes	3.14	1.21	1.48
9. Terrible and ineffective as part of a curriculum	1.57	.535	.286
10. This would stigmatize minority groups in classrooms	2.16	.690	.476
11. The power differential between professor and students creates a difficult context to discuss the issues	3.57	.535	.286
12. We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason	3.00	.900	.810
13. We should focus on training people to reflect upon policy implications/the impact of policy on different groups	3.43	.973	.952
14. Discussing the context of policy is the best way to educate attorneys about multiculturalism	3.29	1.11	1.24
15. Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities	3.80	.816	.667

Table 21.

Round 2, Question 7 Level of Agreement to Critical Factors from 1 (Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Critical Factors	M	SD	V
Question 7: "Tell me a story about your experience with culture as it relates to your professional experiences."			
1. Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues	4.43	.535	.286
2. Legal professionals should understand that the client is the expert of their own life	4.14	.378	.143
3. It is important to honor client autonomy	4.43	.535	.286
4. Cultural differences are important to understand	4.45	.522	.273
5. Cultural practices should always be considered when working with clients	4.64	.505	.255
6. Understanding the client's overall context helps meet their needs	4.86	.378	.143

In Round 3, each code statistically changed, but few codes changed significantly. It is important to note that Questions 1, 6(a), and 7 achieved total consensus in Round 2, with panelists reaching a level of agreement with each item. For all other questions, many

items remained outside of consensus, with few additional codes reaching consensus after panelists submitted their rankings for Round 3. Specifically, for Question 2, only two more items reached consensus in Round 3, leaving 4 items outside of consensus. In Question 4(a), 1 item reached consensus in Round 3, with 10 items remaining outside of consensus. In 4(b), 2 items reached consensus, with 9 outside of consensus. And, in Question 6(b), 2 items reached consensus in Round 3, leaving 10 items outside of consensus. For Question 3 and 5, no additional items met consensus, leaving 21 and 7 items outside of consensus, respectively. Table 22 provides statistical information related to the level of consensus reached in Round 3.

Table 22

Round 3 Questions with Level of Agreement Responses and Frequency to Evaluate Consensus

	Levels Total	Counts	%
Question 1: "Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."			
*All questions met consensus in Round 2			
Question 2: "Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."			
1. Requirements for this education are necessary	SD	0	0
	D	1	12.5
	NA/ND	1	12.5
	A	5	62.5*
	SA	1	12.5*
2. CLEs are necessary, but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities	SD	0	0
	D	1	12.5
	NA/ND	2	25.0
	A	2	25.0
	SA	3	37.5

3. More CLEs on this topic are needed

SD	0	0
D	0	0
NA/ND	2	25.0
A	3	50.0*
SA	2	25.0*

*In response to the question, some respondents included considerations for this type of education, as follows:

11. CLE framework should be changed to focus on the inadequacy of those in power rather than focusing on the harm they cause

SD	0	0
D	2	25.0
NA/ND	3	37.5
A	2	25.0
SA	1	12.5

12. CLEs should not rely on those with marginalized identities to teach those with privileged identities

SD	0	0
D	1	12.5
NA/ND	2	37.5
A	1	12.5
SA	4	50.0

15. CLEs are necessary but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities

SD	0	0
D	1	12.5
NA/ND	3	37.5
A	1	12.5
SA	3	37.5

Question 3: "Please identify 3-7 key content areas a multicultural legal course should cover."

1. How to work with interpreters

SD	3	37.5
D	4	50.0
NA/ND	1	12.5
A	0	0
SA	0	0

2. Assessing degrees of similarity and separation between individuals

SD	0	0
D	0	0
NA/ND	4	50.0
A	4	50.0
SA	0	0

3. How to learn about others who have different identities

SD	1	12.5
D	4	50.0
NA/ND	3	37.5

	A	0	0
	SA	0	0
4. How to honor a client's identities	SD	3	37.5
	D	0	0
	NA/ND	2	25.0
	A	3	37.5
	SA	0	0
5. How to understand other cultures	SD	2	25.0
	D	2	25.0
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
6. How to discuss identity with clients	SD	1	12.5
	D	3	37.5
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
7. How to communicate with others holding different identities, including nonverbal communication	SD	2	25.0
	D	2	25.0
	NA/ND	3	37.5
	A	1	12.5
	SA	0	0
8. Talking about race with clients	SD	1	12.5
	D	3	37.5
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
9. Talking about poverty with clients	SD	1	12.5
	D	3	37.5
	NA/ND	2	25.0
	A	2	25.0
	SA	0	0
10. Implicit bias	SD	2	25.0
	D	3	37.5
	NA/ND	0	0
	A	3	37.5

	SA	0	0
11. Disparate policing	SD	2	25.0
	D	3	37.5
	NA/ND	0	0
	A	3	37.5
	SA	0	0
13. Oppressive structures and systems	SD	2	25.0
	D	3	37.5
	NA/SA	1	12.5
	A	2	25.0
	SA	0	0
14. History	SD	1	12.5
	D	3	37.5
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
15. Understanding power, privilege, dominance, subordination, and marginalization	SD	3	37.5
	D	2	25.0
	NA/ND	0	0
	A	3	37.5
	SA	0	0
16. Privilege	SD	1	12.5
	D	3	37.5
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
17. Understanding oppression faced by marginalized groups	SD	1	12.5
	D	3	37.5
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
19. Trauma informed legal practice	SD	2	25.0
	D	1	12.5
	NA/ND	2	25.0
	A	3	37.5
	SA	0	0

*In response to the question "what content should be taught," some respondents included considerations for this type of education, as follows:

20. There is additional emotional labor or burden of minority students and professionals engaging in the work	SD	2	25.0
	D	1	12.5
	NA/ND	2	250
	A	1	12.5
	SA	2	25.0
21. Facilitators not within the marginalized group being addressed may be less effective or less trusted	SD	1	12.5
	D	1	12.5
	NA/ND	3	37.5
	A	3	37.5
	SA	0	0
22. Facilitators should be well-equipped to discuss the topic	SD	1	12.5
	D	2	25.0
	NA/ND	2	25.0
	A	3	37.5
	SA	0	0
24. Weaving multiculturalism into core law school courses is the most effective way to teach multiculturalism	SD	2	25.0
	D	4	50.0
	NA/ND	1	12.5
	A	1	12.5
	SA	0	0

Question 4(a): "Please identify 1-3 barriers to implementing multicultural training in law school."

6. Faculty may believe they are already doing the work	SD	0	0
	D	2	25.0
	NA/ND	1	12.5
	A	5	62.5
	SA	0	0
9. Curricula are already set	SD	0	0
	D	4	50.0
	NA/ND	2	25.0
	A	2	25.0
	SA	0	0
10. Curricula are already demanding	SA	0	0
	D	1	12.5
	NA/ND	1	12.5
	A	4	50.0*

	SA	2	25.0*
14. There is a lack of desire to change policy	SD	0	0
	D	1	12.5
	NA/ND	5	62.5
	A	2	25.0
	SA	0	0
17. There is no uniform way to establish and implement new Curriculum across the country	SD	0	0
	D	1	12.5
	NA/ND	7	87.5
	A	0	0
	SA	0	0
20. Belief that a multi-cultural education is not needed because it's not tested on the bar	SD	0	0
	D	2	25.0
	NA/ND	3	37.5
	A	3	37.5
	SA	0	0
21. This (multicultural education) is viewed as a "soft skill"	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	4	62.5
	SA	0	0
22. State by state willingness to implement diversity requirements creates a barrier	SD	0	0
	D	2	25.0
	NA/ ND	2	25.0
	A	4	50.0
	SA	0	0
24. Lack of student interest in and understanding of the importance of this topic	SD	0	0
	D	4	50.0
	NA/ND	1	12.5
	A	3	37.5
	SA	0	0
25. State Bar Associations providing CLEs related to multiculturalism are perpetually out of touch	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	5	62.5
	SA	0	0

26. The individuals facilitating trainings are not credible	SD	0	0
	D	1	12.5
	NA/ND	2	25.0
	A	5	62.5
	SA	0	0

Question 4(b): "Please identify 1-3 facilitators to implementing multicultural training in law school."

2. ABA has the power to make recommendations for change to include more multicultural education	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	5	62.5
	SA	0	0
3. There are CLE requirements regarding implicit bias in some places, such as Minnesota	SD	0	0
	D	0	0
	NA/ND	2	25.0
	A	6	75.0*
	SA	0	0
4. Research shows the benefits	SD	1	12.5
	D	0	0
	NA/ND	3	37.5
	A	4	50.0
	SA	0	0
6. Multicultural training should be mandatory	SD	1	12.5
	D	1	12.5
	NA/ND	1	12.5
	A	3	37.5
	SA	2	25.0
9. This type of education would help law schools hire more diverse faculty members	SD	0	0
	D	3	37.5
	NA/ND	1	12.5
	A	2	25.0
	SA	2	25.0
10. This type of training would create safe spaces for discussion	SD	1	125
	D	2	25.0
	NA/ND	1	12.5
	A	2	25.0

	SA	2	25.0
11. Younger faculty members bring a more diverse education or experience	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	5	62.5
	SA	0	0
12. Individual law schools should be approached to make changes in states that might be hesitant to require multicultural education/training	SD	0	0
	D	2	250
	NA/ND	1	12.5
	A	5	62.5
	SA	0	0
14. There is a growing interest in this topic within the legal academy (AALS workshops)	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	5	62.5
	SA	0	0
17. This would present an opportunity for multicultural speakers	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	3	37.5
	SA	2	25.0
19. There are a growing number of advocacy groups across the country who can approach law schools in their states	SD	0	0
	D	0	0
	NA/ND	2	25.0
	A	6	75.0*
	SA	0	0

Question 5: "In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"

8. CLEs on the topic	SD	0	0
	D	3	37.5
	NA/ND	1	12.5
	A	2	25.0
	SA	2	25.0
9. Workshops	SD	0	0
	D	1	12.5
	NA/ND	2	25.0
	A	2	25.0

	SA	3	37.5
11. Mandatory programming in law	SD	1	12.5
schools	D	1	12.5
	NA/ND	1	12.5
	A	4	50.0
	SA	1	12.5
12. Conferences	SD	0	0
	D	1	12
	NA/ND	2	25.0
	A	4	50.0
	SA	1	12.5
13. Webinars	SD	1	12.5
	D	2	25.0
	NA/ND	3	37.5
	A	1	12.5
	SA	1	12.5
16. Small working groups	SD	0	0
	D	2	25.0
	NA/ND	1	12.5
	A	2	25.0
	SA	3	37.5
17. Utilizing a "buddy system" with	SD	0	0
colleagues	D	0	0
	NA/ND	5	62.5
	A	2	25.0
	SA	1	12.5

Question 6(a): "Please identify the advantages of including multiculturalism courses as a part of a standard law school curriculum."

*All questions met consensus in Round 2

Question 6(b): "Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."

2. There is a disincentive to incorporate through curriculum	SD	0	0
	D	2	25.0
	NA/ND	4	50.0
	A	2	25.0
	SA	0	0
3. There is not enough space in classes or within curriculum to incorporate	SD	0	0
	D	6	75.0*
	NA/ND	2	25.0
	A	0	0
	SA	0	0
4. The topic must be taken seriously	SD	0	0
	D	2	25.0
	NA/ND	0	0
	A	6	75.0*
	SA	0	0
6. Course load is already demanding	SD	0	0
	D	3	37.5
	NA/ND	3	37.5
	A	2	25.0
	SA	0	0
7. Students may spend less effort in the course to focus on core courses	SD	0	0
	D	0	0
	NA/ND	3	37.5
	A	5	62.5
	SA	0	0
8. Stand alone courses might be challenging because it takes away from bar classes or other important classes	SD	0	0
	D	4	50.0
	NA/ND	1	12.5
	A	2	125.
	SA	1	12.5
10. This would stigmatize minority groups in classrooms	SD	0	0
	D	2	25.0
	NA/ND	4	50.0
	A	2	25.0
	SA	0	0
11. The power differential between	SD	0	0

professor and students creates a difficult context to discuss the issues	D	0	0
	NA/ND	3	37.5
	A	5	32.5
	SA	0	0
12. We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason	SD	0	0
	D	2	25.1
	NA/ND	5	62.5
	A	0	0
	SA	1	12.5
13. We should focus on training people to reflect upon policy implications/the impact of policy on different groups	SD	0	0
	D	1	12.5
	NA/ND	4	50.0
	A	2	25.0
	SA	1	12.5
14. Discussing the context of policy is the best way to educate attorneys about multiculturalism	SD	0	0
	D	2	25.0
	NA/ND	3	27.5
	A	2	25.0
	SA	1	12.5
15. Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities	SD	0	0
	D	2	25.0
	NA/ND	4	50.0
	A	2	25.0
	SA	0	0

Question 7: "Tell me a story about your experience with culture as it relates to your professional experiences."

*All questions met consensus in Round 2

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*Notes Consensus has been met
SD = Strongly Disagree
D = Disagree
NA/ND = Neither Agree nor Disagree
A = Agree
SA = Strongly Agree

CHAPTER V

DISCUSSION

This study was designed to explore the importance of providing multicultural education to legal professionals. The Delphi Method (Linstone & Turoff, 1975; Hasson, Keeney, & McKenna, 2000). was used to allow an exchange of ideas between legal professionals who have knowledge and experience working with underserved populations. Participants completed three rounds of data collection using online surveys. The critical items identified by the experts reflect a range of ideas and insights. The main findings of this study support the call to provide multicultural education to legal professionals. However, experts could not provide a clearer picture of what components this type of education should entail, nor could they reach consensus on how bet to deliver multicultural education components.

Legal scholars and educators have identified the following two main reasons for developing cultural competency standards for the profession: 1) standards would allow professionals to successfully represent clients in matters that involve differing cultures, countries, or legal systems, and 2) standards will allow professionals to better serve clients from underrepresented populations, which would in turn allow for greater access to justice (Moran, 2011). Despite these clear arguments, there remains resistance to the integration of multicultural education and the development of cultural competency standards for the profession.

Prior research has found that client satisfaction with their legal representation relates, in large part, to their counsel's communication skills (Curcio, Ward, & Dogra,

2013). For many clients, communication matters as much as the outcome of their cases (Cunningham, 2005). This goes beyond conceptualizing communication in its most basic form, such as replying to messages or answering phone calls. Researchers and scholars across disciplines assert that truly effective communication involves acknowledging and responding to the cultural beliefs identities, and values held by oneself and others (Curcio, Ward, & Dogra; Sue, 2001; Dogra & Karim, 2005).

While the importance of developing cultural competency standards within the profession seem clear to many, there has been little movement toward a more culturally sensitive legal profession. In the current study, when panelists were asked to identify the barriers to adopting cultural competency standards, some themes around the profession's openness and willingness to change emerged. Many of the panelists concerns are reflected within the literature. Sturm and Guinier (2007) wrote extensively about law school culture and its culture of "competition and conformity" (p. 539). According to these scholars, law school students are heavily influenced by their immersion within this culture, which influences their classroom experiences, their perspectives on the law, and their view of themselves as professionals (Sturm & Guinier). Historically, it has been the typical culture within law schools to provide a narrow concept of the legal system and lawyering (Sturm & Guinier). The authors cite the system of evaluation that remains common practice for law schools today, such as the rank ordering system, as hindering students' ability to develop a more robust professional identity that includes social justice and public responsibility (Sturm & Guinier).

Panelists in the current study agreed even if multiculturalism were incorporated into curriculum, students may devote less time or energy to the topic of multiculturalism, as it is viewed as a "soft skill" that is not tested for on the bar exam. Sturm and Guinier (2007) asserted that the culture of competition and conformity does, in fact, lead students to under-value non-core courses. Additionally, the scholars report that many students refrain from taking innovative, progressive courses for fear of deviating from what they understand to required (Sturm & Guinier). Essentially, students develop a concept early on of what constitutes real law and what will prepare them to successfully pass the bar and win future cases.

An argument can be made that in order to move the legal profession forward, there must be an agreement that the future of the field depends on the development of progressive, inclusive education and values. This includes a dedication to training professionals, and future professionals, to not only understand the importance of cultural competency, but also develop a multicultural perspective and purpose.

Importance of Cultural Competency

Although there is a dearth of empirical research related to multicultural training in the legal profession, several articles, primarily found in law review journals, have stressed the importance of cross-cultural training (Bryant, 2001; Patel, 2014; Chopp, 2017). The experts in the present study reiterated many of the principles and ideas found in this literature. Specifically, panelists agreed that multicultural education is necessary for professionals to competently and effectively work in an evolving, increasingly diverse

world. Experts strongly agreed with the idea that cultural competency is extremely important, necessary, and valuable.

Panelists were also in agreement that cross-cultural communication as an essential component of understanding client needs. This is also congruent with assertions made within legal literature (Bryant, 2001; (Daicoff, 2006; Bellamy, 2017). It appears that without this foundational piece, experts believe that legal professionals are unable to offer vigorous, zealous advocacy and representation for their clients in adherence to the American Bar Association's ethical rules. Additionally, while this theme did not specifically emerge from this research, it can be argued that the legal profession is social profession based upon regular interactions with other people. A significant number of scholars have highlighted the interpersonal nature of the legal profession, which can is parallel to a theme that did emerge - cultural competency is necessary for effective communication (Bryant, 2001; Madaan, 2018). While effective communication with clients is essential, it is equally important to effectively communicate with other legal professionals, witnesses, judges, jail staff, law school administrators, faculty, and students, and more. Essentially, legal professionals are required to communicate with a wide range of individuals on a daily basis, thus highlighting the importance of cross-cultural communication (Bryant).

Many panelists eluded to the legal profession as a helping profession, which is consistent with the profession's ethical rules and guidelines outlined in the Model Rules of Professional Behavior (Madaan, 2018). The Model Rules were specifically mentioned by panelists, who strongly agreed that cultural competency plays a role in the legal

profession because ethical licensure rules require respect for cultural differences. As such, lawyers have a vested interest in developing a multicultural perspective and working with clients in culturally competent manner.

Key Components of Effective Multicultural Legal Education

In the initial round of data collection, some experts provided responses in line with current literature related to multicultural education, such as "how to learn about others who have different identities," "how to discuss identity with clients," and "understanding power, privilege, dominance, subordination, and marginalization." Many of these ideas closely align with the traditionally identified components of developing cultural competency identified in other disciplines, such as building knowledge, gaining awareness, and developing skills (Sue, 2001; Sue & Sue, 2016). Although some disciplines (i.e. psychology) have recognized that the knowledge, awareness, and skills framework is often lacking, it has certainly served as the foundation for developing multicultural education (Hook, Owen, Davis, Worthington, & Utsey, 2016).

According to the feedback provided in Round 2 of this study, experts overwhelmingly disagreed with most ideas offered in Round 1 related to content areas of multicultural education and training. This could suggest that while multicultural education is valued and viewed as essential, the legal profession is not yet well-versed in how to develop cultural awareness or instill the value of cultural humility. This theory is not entirely surprising, given the scarcity of empirical research conducted related to cultural competency training for legal professionals. While there is abundant research calling the profession to integrate multicultural education, most suggestions for doing the

work appear anecdotal (Madaan, 2018; Bryant, 2001). While this may seem problematic, the knowledge, experience, and research done in other disciplines, particularly psychology, can be utilized to create curriculum relevant for legal professionals.

Although psychology has developed a means for teaching multiculturalism, it has not been easy, and it has been an ever-changing and evolving process (Sue & Sue, 2016; Hook, Davis, Owen, Worthington, & Utsey, 2013). In the beginning, psychology training programs struggled with how to effectively teach multiculturalism beyond didactically teaching the tripartite model of knowledge, awareness, and skills (Kim & Lyons, 2003). Educators and trainers began to move toward more experiential activities to reinforce what they were teaching in the classroom (Kim & Lyons). For example, students may be asked to write an autobiography about educational experiences that have historically been available (or unavailable) to members of their cultural group (Arredondo & Arciniegra, 2001). This activity may also include asking students to comment on self-expectations and the expectations of others about their educational experiences and to engage in a class discussion to gain the perspectives of others (Arredondo & Arciniegra).

Another common experiential technique involves the use of film or videos related to systemic oppression of marginalized groups, followed by a self-reflection paper or group dialogue (Arredondo & Arciniegra). Often, these experiential activities call upon students to reflect on their own culture and identity and explore how their own history has shaped who they are and how they see the world (Arredondo & Arciniegra; Kim & Lyons). When students are able to see themselves as cultural beings, they are given framework for further exploration of different cultures and identities.

Implementing Multicultural Education and Cultural Competency Standards

In order to understand how to call a profession to move in the direction of developing multicultural competencies or standards for practice, we can draw comparisons to other professions that have adopted multicultural standards of practice. For the purpose of the present study, the call to the field of psychology to develop cultural competency standards and educational programming is explored. In the 1980s, psychologists created a call for multicultural education in response to an increasingly diverse society (Sue & Sue, 1990). Many in the field of psychology understood that a societal shift away from a single, dominant culture was occurring, and that in order to provide the best care for clients, a shift within the profession must also occur (Sue, Arredondo, & McDavis, 1992).

Psychology, as a discipline, began in a space similar to where the legal profession is today. Before there were clear guidelines and competency standards set out by psychology's governing body (the American Psychological Association, or "APA"), teaching multiculturalism to mental health professionals faced many challenges. According to Sue, Arredondo, and McDavis (1992), in the beginning, courses related to multiculturalism in graduate programs were often treated as unimportant or ancillary, as they were not seen as a critical part of the counseling profession. This sentiment was heavily cited in the present study, where experts agreed that courses related specifically to multiculturalism would be taken less seriously by faculty and students. Not only is there a concern that it would be seen as a "soft skill," experts suggested that multicultural

curriculum may be seen as ancillary and less important than courses that prepare students to pass the bar exam.

Currently, psychology has evolved into a discipline that unapologetically embraces social justice and multiculturalism. Ethical standards are clear, and professionals are required to practice in a culturally competent way. Even so, there has been, and continues to be, resistance to these standards. Derald Wang Sue, an expert in multicultural education and a psychologist, has published significant research regarding the development of multicultural competency within the profession. The literature he set forth cites two potential factors for the resistance to integrating multicultural perspectives into the mental health profession: (1) belief in the universality of psychological theories, and (2) the invisibility of monoculturalism (Sue & Sue, 1999; Sue, 2000). According to Sue, in the early 2000s, psychologists were increasingly recognizing that psychological theory, concepts, and treatments were developed by White, Euro-Americans for use with White, Euro-Americans (Sue, 2000). Essentially, the profession was limiting its accessibility and effectiveness for people of color and diverse backgrounds, which was problematic for an increasingly diverse society. Mental health professionals were once again called to embrace a multicultural perspective in all aspects of work. Again, the comparison can be made to the legal profession, as the history of the legal profession is not dissimilar to the history of psychology. The laws that govern our society were created by White, Euro-Americans and often protects and still often promotes the interests of White, Euro-Americans. Many legal scholars and educators are calling for the profession

to embrace multicultural lawyering to increase accessibility and effectiveness of legal services for all.

Barriers and Facilitating Factors

Although comparisons can be made to other disciplines, it is necessary to identify and address the specific barriers or facilitating factors that are uniquely related to the legal field. Panelists identified several barriers to implementing multicultural education or training for legal professionals. Many of these barriers focused on the individuals who would provide the training, such as faculty members in law schools and facilitators of trainings in workshops or CLEs sessions. There was agreement that it can be difficult to find qualified, credible, and effective individuals to teach or train others to be multiculturally competent and aware. This is also in line with the concerns of legal scholars, who have acknowledged the importance of competent educators and trainers (Bryant, 2001; Patel, 2014).

The concerns of the panelists regarding who would deliver these trainings or facilitate these dialogues is not unfounded. In psychology, a field that has worked to develop and evolve cultural competency standards, training the trainers has been key (Dickson & Jepsen, 2007). Those who teach multiculturalism are required to first go through extensive training in this area, often including a semester-long multiculturalism course (Dickson & Jepsen). The dialogue related to culture is not confined to one class, however, as it is a central theme that is attended to and addressed in all courses (Reynolds, 1995). They are also expected to apply a multicultural lens to all of their work with clients, and must be evaluated by faculty members and clinical training directors to

that end (Dickson & Jepsen). Although this rigorous process does not guarantee any one psychologist will emerge culturally competent and capable of teaching multiculturalism, it does produce many skilled professionals who are proficient and able to facilitate difficult discussions.

The ability to engage in or manage challenging conversations is important, as the panel agreed that multiculturalism is a sensitive topic that can be difficult to discuss. There appears to be some concern that discussing multiculturalism in a classroom setting would be too difficult for law students to do. This fear is not unfounded, and has been explored by legal scholars (Tavaras, 2017). However, other professions and disciplines, such as psychology, routinely incorporate diversity discussions into classroom settings (Dickson & Jepsen, 2007). It appears that looking to other disciplines who have established this practice may be beneficial to guide law school professors or other facilitators in conducting these essential dialogues in an affirming and safe way.

Delivering Multicultural Education to Legal Professionals

Panelists agreed that there are many avenues to providing multicultural education to law school students and legal professionals outside of formal classroom education. Notably, in Round 1 of the study, several panelists indicated that including multicultural education during law school orientation would be appropriate, effective, and beneficial. Panelists overwhelmingly agreed with this idea, and further agreed with the notion that educating students early may be more influential, as mindsets have potentially not been well-established.

A strong argument for establishing clear expectations related to multicultural development early in law school can certainly be made. Panelists in this study shared concerns throughout the survey that incorporating multiculturalism into the legal profession would be difficult based upon the little value the law has historically placed upon cultural awareness. In order to create significant shifts in mindsets, future legal professionals should be trained from the beginning of their careers to understand the importance of multiculturalism.

Strengths and Limitations

One strength of this study is the use of the Delphi method, which allowed experts to engage in a conversation, albeit online and indirect, about this topic. Although panelists were anonymous to each other and all information was presented through the researcher, experts were privy to the ideas of others and were able to agree or disagree with the suggestions set forth. This type of design is useful particularly in addressing topics that have not been extensively empirically explored.

Another strength of this study is the data that was gathered came directly from expert panelists. These experts have not only been practicing or educating within the field for several years, but have also worked with or published articles on traditionally underserved populations. These standards provide experts with a unique perspective, and their answers likely reflect this.

A major limitation of this study was the number of participants included within the panel. Although there were 13 participants in Round 1 and 11 participants in Round

2, which is within the standards for a Delphi study, only 8 experts completed surveys in Round 3. Additional ideas may have been generated with a larger sample size.

The demographics of the sample is also considered a limitation of this study. Although there were some important identities represented within the study, the majority of participants identified within the dominant culture. This is true of Race/Ethnicity, Sexual Orientation, and Gender. A more diverse panel of experts may have greatly influenced the results of this study.

Researcher bias is also a limitation of the current study, particularly because this paper was written from the perspective of a law trained counseling psychologist. Further, the auditor used in Rounds 1-2 of data analysis is also a counseling psychologist. As professionals who have significant knowledge, experience, and training in the area of multiculturalism, and who are held to cultural competency standards under the American Psychological Association, it is possible that bias may have influenced this study.

Future Directions

The findings in this study have important implications for training and educating legal professional to work from a culturally competent perspective. First, panelists provided important ideas and considerations for the development of multicultural education for legal professionals both during and after law school. By utilizing a Delphi method to create a consensus for these ideas, curricula may be created that incorporate what the study's participants have proposed using their legal lens and expertise.

Additionally, this study has provided empirical support for not only the desire for, but the perceived need of, multicultural education for legal professionals. Clear

guidelines and standards should be formulated and adopted by the American Bar Association, as well as state bar associations. As it stands, the legal profession is not held accountable by larger entities to practice in culturally competent ways. By comparison, other professionals, such as psychologists, are required by the American Psychological Association to develop cultural competency. This requirement has resulted in graduate programs didactically teaching students about culture and identity, and subsequently assessing students' development in this area. Training programs also assess trainees' ability to work with culturally different others and engage in challenging exchanges in culturally sensitive ways.

Additionally, shared interdisciplinary dialogue between legal professionals and psychologists, educators, or doctors to explore how cultural variables play out on within the disciplines would likely prove beneficial. This would allow professionals across disciplines to discuss how they have experienced shifts within their work with colleagues, clients, patients, and students after adopting a culturally sensitive approach. Within the legal profession, clinic professors are often already teaching students to be mindful of their client's culture and identities. Expanding this training to all students, rather than waiting for them to self-select into working within clinics, may be a way to deliver multicultural education to law students.

This study may also serve as a call for legal professionals, scholars, and researchers to engage in additional empirical research related to training, education, and policy. Empirical research has helped other professions, such as nursing, teaching, and psychology, to establish not only the best standards for care, but also robust training

program for students who are the future representatives of these professions. One

potential study may involve implementing curricular changes at test schools and

evaluating students' cultural competence and their perceived comfort in working with

diverse populations. Another potential research study may involve measuring the

physiological response of students or professionals as they interact with a culturally

different client or colleague. This type of study may be useful, as heart rate and other

physical markers may be measured to indicate a stress response.

Another potential avenue for future research may involve following licensed

attorneys who receive specific CLE training related to multiculturalism to determine best

delivery methods and outcomes. This may help shed light on the type of training that

proves most beneficial for professionals, such as didactic training, experiential training,

or perhaps both.

Finally, a major future direction related to this study involves exploring what the

legal world is doing to recruit and retain a more diverse group of professionals. We know

that the legal profession is one of the least diverse professions in the United States, yet it

is extremely powerful. It is neither fair nor just to have the laws, procedures, and policies

that all people live by continually created by a dominant culture. A Delphi study

exploring the measures law schools in particular might take to attract a more diverse and

inclusive group of faculty, staff, and students would likely provide insight into this

pressing need.

Conclusion

Overall, this study provided important insight into the development of multicultural education and cultural competency standards for legal professionals. It is clear that such training is long overdue, particularly when compared to other professional disciplines. While experts in this study agreed to the centrality of multicultural education, no consensus was reached on the components of multicultural competence within the legal profession.

While educating future professionals about issues of culture and diversity is critical, it is also important to address the need for cultural competency standards for those working within the field. And, because it is impossible for anyone to become completely culturally competent in every way, it is also essential to create CLE courses related to this area. Moreover, the ABA and state bar associations should require practicing professionals to enroll in CLE courses related to multiculturalism, much as ethics courses are required.

APPENDICES

APPENDIX A

Solicitation Email to Participants

Hello! I am Stephanie Bono, a Counseling Psychology doctoral student at the University of North Dakota. I am also a recent graduate of the North Dakota School of Law. I am conducting a national survey of legal professionals regarding multicultural education and the cultural competency of law school graduates. The purpose of this study is to identify how multiculturalism may be effectively taught to future lawyers who will be practicing in an increasingly diverse world. Additionally, this data may provide valuable feedback for increasing the multicultural awareness of current legal professionals.

You may participate in this study if:
- You have been a tribal attorney or judge for over 7 years.
- You have been a licensed attorney for over 2 years and have:
  - Written scholarly work regarding multicultural lawyering, diversity, or underserved populations; or
  - Practiced law serving underrepresented groups for at least one year.
- You have been a licensed attorney for one year AND have an advanced psychology, counseling, or social work degree and have:
  - Written scholarly work regarding multicultural lawyering, diversity, or underserved populations; or
  - Practiced law serving underrepresented groups for at least six months; or
  - Provided clinical services to historically marginalized groups for at least one year.

This project has been approved by the University of North Dakota's Human Subjects Institutional review board (HSIRB).

The survey will be conducted in three rounds. In the first round, you will be provided with a series of open-ended questions. For example, you may be asked to "*Please describe how cultural competency is relevant to the legal profession.*" In the second round, you will be given a summary of ideas shared by all participants, and you will be asked to rank your agreement with each statement. You will be allowed to provide additional information, including why you agree/disagree. This procedure repeats in the final round, with the goal of reaching a consensus. Responses are confidential and there are limited risks associated with participation. If you agree to participate, a link to the study will be provided to your email address. The informed consent letter will be provided at the beginning of the survey, which will provide you with full and complete details concerning the study and your human subjects' rights.

In addition, at the conclusion of the third round, you will be provided with a unique code. You may email this code to the researcher, should you choose to do so, to enter into a

raffle for one of four $100.00 gift cards. Upon the completion of data collection, winners will be chosen, notified, and receive their gift card.

If you have any questions about the materials or the study, please feel free to contact me at stephanie.bono@und.edu.

Thank you for your consideration!

Sincerely,

Stephanie Bono, M.A., J.D.

APPENDIX B

CONSENT FORM

TITLE: Multicultural Education and Cultural Competency Standards for Legal
Professionals

PROJECT DIRECTOR: Stephanie Bono, M.A., J.D.; Kara Wettersten, Ph.D.

PHONE: 701-213-2476

DEPARTMENT: Dept. of Counseling Psychology and Community Services

STATEMENT OF RESEARCH
A person who participates in research must give their informed consent to such
participation. This consent must be based on an understanding of the nature and risks of
the research. This document provides information that is important for this
understanding. Research projects include only subjects who choose to take part. Please
take your time in making your decision as to whether ot participate. If you have questions
at any time, please contact the project director.

PURPOSE OF THE STUDY
You are invited to be in a research study regarding the development of multicultural
education and cultural competency standards for legal professionals.

HOW MANY PEOPLE WILL PARTICIPATE
Approximately 15 experts will participate in this study

HOW LONG WILL I BE IN THIS STUDY
Your participation in this study will last approximately 2.5 hours between three data
collection periods. You will need to complete an online survey for each of the three
rounds of data collection, which will take place over the course of 4-5 months. You will
be notified of the entry period for each data collection period and will have two weeks to
complete the survey for each round.

WHAT WILL HAPPEN DURING THIS STUDY
 Information for this study will be collected in three rounds, with each round consisting of
an online survey. The first round consists of a number of questions about multicultural
education and training, and may take you up to forty-five minutes to complete. Once the
initial is complete, the researcher will analyze survey responses from all participants (we
are anticipating approximately 30 participants) and compile a de-identified list of answers
that will be sent to everyone within two four weeks of completing round one. For the
second round, then, you will be able to rank your level of agreement or disagreement
with the ideas presented on this list, and may provide feedback regarding your decisions.

At the close of round two, the researcher will once again analyze the responses and create a third de-identified, collated list. The third round will consist of providing feedback on this final list.

WHAT ARE THE RISKS OF THE STUDY
We do not expect you to experience any negative effects from participating in this study. The benefits of participating in this study include the chance to voice your expert opinions about multicultural training for law students, and potentially the chance to help shape the conversation about this important issue. If you agree to complete this survey, please click the box below.

WHAT ARE THE BENEFITS OF THIS STUDY
You may benefit from this study by gaining insight into the issues related to cultural competency within the legal profession. You may deepen your own knowledge and understanding based upon the ideas set forth by other anonymous study participants. Your contributions to this study will significantly advance our understanding of developing multicultural education and cultural competency standards within thfield.

WILL IT COST ME ANYTHING TO PARTICIPATE
You will not incur any costs for participating in this study

WILL I BE PAID FOR PARTICIPATING
After you submit the third round (final) survey, you may choose to notify the researcher, and your name will be entered into a drawing for a $50 gift card or a $50 donation to a charity of your choosing. Winners will be notified via email at the conclusion of the study.

IS THIS STUY VOLUNTARY
Participation in this study is voluntary. Participating (or not participating) in this study will have no impact on your relationships or affiliations with the University of North Dakota. You may withdraw at any time without penalty by notifying the researcher..

CONFIDENTIALITY
Your name and email address will be kept on a Master List for the duration of this survey, solely for the purpose of communication regarding the data collection process. At the end of the study, the Master List will be destroyed. All answers will be kept confidential and all outcomes of the study will be reported in aggregate form only, ensuring that individuals can not be identified as participants.

All of the information collected will be stored for a period of seven years in a data file in the Department of Counseling Psychology and Community Services at UND. After a minimum of seven years' time, the original data will be destroyed by complete electronic erasure. Only the researchers and people who audit IRB procedures will have access to the data.

CONTACT AND QUESTIONS

If you have questions regarding your rights as a research subject, you may contact The University of North Dakota Institutional Review Board at (701) 777-4279. You may also call this number with problems, complaints, or concerns about the research. Please call this number if you cannot reach research staff, or you wish to talk with someone who is - an informed individual who is independent of the research team. General information about being a research subject can be found on the Institutional Review Board website "Information for Research Participants" http://und.edu/research/resources/human-subjects/research-participants.cfm.

DEMOGRAPHICS AND ROUND 1 SURVEY

Demographics

What is your age?

_____

What is your gender?
Male
Female
Transgender
Other: _____

Please specify your race or ethnicity:
European American (White)
Hispanic or Latino(a) American
Black or African American
Native American or Alaskan Native
Hawaiian Native
Asian American
Pacific Islander
Arab-American
Persian-American
Other: _____

Please specify your Sexual Orientation:
Heterosexual (Straight)
Gay/Lesbian
Bisexual
Pansexual
Asexual
Other: _____

What was your undergraduate major?
Business
Pre-law
Political Science
Psychology or other social science
Accounting

Biology or other Science
Criminal Justice
Other: _____

Please indicate the area of law in which you have practiced or taught (check all that apply):
Family law
Criminal law
Corporate law
Contract law
Immigration law
Employment/Labor law
Personal Injury law
Real Estate/Property law
Health law
Civil Rights law
Administrative law
Juvenile Law
Civil Litigation
Environmental law
Education law
International Law
Intellectual Property law
Tribal law
Other: _____

Are you primarily practicing or teaching?

Practicing _____
Teaching _____

Please indicate the area of law in which you have primarily practiced or taught:

_____

Please indicate the area of law in which you have served as a Judge or otherwise adjudicated (check all that apply):
Family law
Criminal law
Corporate law
Contract law
Immigration law
Employment/Labor law
Personal Injury law

Real Estate/Property law
Health law
Civil Rights law
Administrative law
Juvenile law
Civil litigation
Environmental law
Education law
International Law
Intellectual Property law
Tribal law
Other: _____

Please indicate the year you graduated law school:

_____

What is your current position?

_____

How long have you worked in your current position?

_____

What specific populations have you represented, tried, or otherwise worked with in your professional capacity (check all that apply):
LGBTQIA Clients
Non-Christian Clients
Indigent Clients
Clients of Color
Mentally Ill Clients
Cognitively Impaired Clients
Clients with physical limitations

Have you ever taken a class that is entirely dedicated to diversity or multicultural education?
Yes
No

If yes, what was the name of this course? _____
What was the focus of this course? _____

Have you taken a college course that was partially or fully dedicated to diversity or multicultural education?
Yes
No

If yes, what was the name of this course? _____
What was the focus of this course? _____
Approximately what percentage of the class addressed multiculturalism? _____

Have you taken a law school course that was partially or fully dedicated to diversity or multicultural education?
Yes
No

If yes, what was the name of this course? _____
What was the focus of this course? _____
Approximately what percentage of the class addressed multiculturalism? _____

Have you taken any continuing legal education credits that were dedicated to diversity or multiculturalism?
Yes
No

If yes, what was the name of this course? _____
What was the focus of this course? _____

Have you received any specialized training for working with any of the following types of clients? If yes, check all that apply:
LGBTQIA
Non-Christians
Indigent Clients
Clients of Color
Mentally Ill Clients
Cognitively Impaired Clients
Clients with physical limitations

Please provide responses to the following:

*1. Please identify the role of cultural competency or cross-cultural lawyering in the
legal profession.*

2. Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism.

3. Please identify 3-7 key content areas a multicultural legal course should cover.

4. Please identify 1-3 barriers and facilitators to implementing multicultural training in law school.

5. In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?

6. Please identify the advantages and disadvantages of including multiculturalism courses as a part of a standard law school curriculum.

7. Tell me a story about your experience with culture as it relates to your professional experiences.

Multicultural Education for Legal Professionals Round Two

The items below are the summarized responses from all participants provided in Round 1 of this study. Responses that were similar in nature were condensed into themes based on meaning and frequency. All responses are sorted into categories based on the questions originally asked in Round 1. These categories include:

(1) The role of cultural competency in the legal profession;
(2) The requirement of CLEs related to multiculturalism;
(3) Important content areas for multicultural education and training;
(4) The barriers and facilitators to providing multicultural education;
(5) Other avenues in which legal professionals might be taught multiculturalism; and
(6) The advantages and disadvantages of requiring multiculturalism courses as part of standard law school curriculum.

The amount of times each response was mentioned by experts in Round 1 are included in parentheses next to the item. ***Please note that we attempted to stay true to the respondents' word choices, so some of the responses below may not have similar structure.**

Please provide your name for tracking purposes: _____

For each section below, please rate your level of agreement to each response as follows:
1:     Strongly disagree
2:     Disagree
3:     Neither agree nor disagree
4:     Agree
5:     Strongly agree

1. **Please rate your level of agreement to the responses on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates the role of cultural competency in the legal profession:**

Participant Responses to the question *"Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Cultural competency is critical (x2)					
Cultural competency is extremely Important (x2)					
It is important based on current sociopolitical climate (x1)					
It plays a role because the Model Rules of Professional Responsibility and state ethics licensure rules require respect for cultural differences (x1)					
It plays a role because federal and state constitutional practice uphold civil rights related to protected statuses (x1)					
It leads to an appreciation of others (x2)					
It helps in gaining an understanding of client's circumstances that have legal implications (x2)					
Cross-cultural exchange is necessary for promoting law reform (x1)					
It allows the helping profession the ability to empathize (x1)					
It allows for understanding historical and systems structures that oppress (x2)					
Cultural competency is Necessary for communication (x1)					

The diverse needs of parties, witnesses, and professionals require familiarity and respect for cross-cultural exchange (x1)					
It is necessary for effective advocacy (x5)					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

2. Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the requirements of CLEs related to multiculturalism</u>:

Participant Responses to the question *"Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Requirements are necessary (x4)					
More CLEs on this topic are needed (x1)					
ABA support is necessary for more CLEs on this topic (x2)					
CLEs on multiculturalism relate to ethics (x2)					
CLEs in this area may help shine a light on why and how issues arise (x1)					

*In response to question "should there be CLE requirements related to multiculturalism," some respondents included considerations for this type of education, as follows:					
CLE facilitators should be knowledgeable (x2)					
The facilitators should be social justice advocates x1)					
People of color or who hold marginalized identities should be involved in creating and delivering CLEs (x1)					
CLE courses should be pragmatic (x1)					
CLE courses should offer innovative ideas about making the profession open for all (x1)					
CLE framework should be changed to focus on the inadequacy of those in power rather than focusing on the harm they cause (x1)					
CLEs should not rely on those with marginalized identities to teach those with privileged identities (x1)					
CLEs should provide a general understanding of multiculturalism rather than focusing on individual groups (x1)					
Multiculturalism should be taught in law schools but should be continued through CLEs (x1)					
CLEs are necessary but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities (x1)					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the content areas that should be included in multicultural education.</u>

Participant Responses to the question *"Please identify 3-7 key content areas a multicultural legal course should cover."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
How to work with interpreters (x6)					
Assessing degrees of similarity and separation between individuals (x1)					
How to learn about others who have different identities (x2)					
How to honor a client's identities (x2)					
How to understand other cultures (x2)					
How to discuss identity with clients (x1)					
How to communicate with others holding different identities, including nonverbal communication (x4)					
Talking about race with clients (x2)					
Talking about poverty with clients (x1)					
Implicit bias (x3)					

*Definition: **implicit bias** is the unconscious attribution of particular qualities to a member of a certain social group.				
Disparate Policing (x1) *Definition: disparate policing refers to biased policing practices that result in negative consequences particularly for people of color				
Redlining (x1) *Definition: **redlining** is the systematic denial of various services to residents of specific, often racially associated, neighborhoods or communities, either directly or through the selective raising of prices.				
Oppressive structures and systems (x3)				
History (x2)				
Understanding power, privilege, dominance, subordination, and marginalization (x3)				
Privilege (x2)				
Understanding oppression faced by marginalized groups (x3)				
PTSD, including impact of poverty and multiple forms of violence (x1)				
Trauma informed legal practice (x2)				
*In response to question "what content should be taught" some respondents included considerations for this type of education, as follows:				
There is additional emotional labor or burden of minority students and professionals engaging in the work (x1)				

Facilitators not within the marginalized group being addressed may be less effective or less trusted (x1)					
Facilitators should be well-equipped to discuss the topic (x1)					
Courses focusing on specific identities would be inappropriate (x1)					
Weaving multiculturalism into core law school courses is the most effective way to teach multiculturalism (x1)					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text
box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the Barriers to implementing multicultural education as part of law school curriculum or through CLEs.</u>

Participant responses to the question*"Please identify 1-3 barriers to implementing multicultural training in law school."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Faculty may not be qualified (x7)					
Faculty may not be willing to provide a multicultural perspective (x1)					
Faculty members' practice experience fades and becomes outdated once					

they have taught for a while (x1)					
Professors do not keep up with diversity issues (x2)					
Faculty may be afraid to discuss the topic (x1)					
Faculty may believe they are already doing this work (x1)					
Faculty lacks diversity (x1)					
Faculty may not be interested in this topic (x1)					
Curricula are already set (x3)					
Curricula are already demanding (x2)					
White dominated classrooms would make this challenging (x1)					
Male dominated classrooms would make this challenging (x1)					
There are not enough resources/materials related to this topic (x1)					
There is a lack of desire to change policy (x1)					
The number of law schools across the country would make this challenging (x1)					
Law schools are slow to adapt to changes (x2)					
There is no uniform way to establish and implement new curriculum across country (x2)					
There can be a lack of support from administration (x2)					
It is difficult to build a consensus among faculty and leadership (x1)					
Belief that a multi-cultural education is not needed					

because it's not tested on the bar (x3)					
This (multicultural education) is viewed as a "soft skill" (x1)					
State by State willingness to implement diversity requirements creates a barrier (x1)					
Lack of understanding of the importance of multicultural training for law students and future legal professionals (x2)					
Lack of student interest in and understanding of the importance of this topic (x1)					
State Bar Associations providing CLEs related to multiculturalism are perpetually out of touch (x1)					
The individuals facilitating trainings are not credible (x1)					
Most courses talk AT attorneys and judges and one-way trainings are too passive to be effective or accurate (x1)					
CLE accreditation rules generally do not count discussion in training hours, and issues of diversity have to include discussion by a facilitator with credibility to be effective (x1)					
Faculty may not know how to address students with marginalized identities and privileged identities within the same space (x1)					

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the Facilitating Factors of implementing multicultural education as part of law school curriculum or through CLEs.</u>

Participant responses to the question *"Please identify 1-3 facilitators to implementing multicultural training in law school."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
There is an Increase in ABA requirements (x1)					
ABA has the power to make recommendations for change to include more multicultural education (x1)					
There are CLE requirements regarding implicit bias in some places, such as Minnesota (x1)					
Research shows the benefits (x1)					
There is an increase in diversity in the country which would make the training beneficial (x2)					
Multicultural training should be mandatory (x2)					
There is a drive to recruit, retain law school students and lawyers of color and multicultural education would aid in those efforts (x1)					
There are multicultural student bodies (x1)					

This type of education would help law schools hire more diverse faculty members (x1)					
This type of training would create safe spaces for discussion (x1)					
Younger faculty members bring in a more diverse education or experience (x1)					
Individual law schools should be approached to make changes in states that might be hesitant to require multicultural education/training (x1)					
There is a growing awareness of the importance of this topic (x3)					
There is a growing interest in this topic within the legal academy (AALS workshops) (x1)					
There are motivated student bodies who would benefit from this topic (x1)					
Training on multiculturalism already available for clinic law professors (x2)					
This would present an opportunity for multicultural speakers (x1)					
Diversity and inclusion Council or other organizing body for these initiatives can be called upon (x1)					
There are a growing number of advocacy groups across the country who can approach law schools in their states (x1)					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>additional spaces or methods in which multiculturalism might be taught</u>.

Participant responses to the question *"In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Internships at non-profits or public interest law firms (x2)					
Pro bono work (x2)					
Clinical education within law schools (x4)					
Observing specialty courts such as sentencing circles or drug courts (x1)					
Law school orientation (x4)					
Professional training at law firms for management in how to work with diverse others (x2)					
Symposiums (x2)					
CLEs on the topic (x2)					
Workshops (x3)					
Seminars (x3)					
Mandatory programming in law schools (x2)					
Conferences (x3)					

Webinars (x1)					
Student organizations (x2)					
Professional organizations/associations (x4)					
Small working groups (x1)					
Utilizing a "buddy system" with colleagues (x1)					
Advocacy groups (x1)					
Through supervision of licensed, experienced attorneys (x1)					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the advantages of requiring multiculturalism courses be included as part of standard law school curriculum</u>.

Participant responses to the question *"Please identify the advantages of including multiculturalism courses as part of a standard law school curriculum."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Necessary (x4)					
Valuable (x3)					
Much needed for well-rounded education (x1)					
Already done in clinics and should be included as part of standard curriculum (x2)					

Students can be taught to consider multiculturalism at the beginning of their careers (x2)					
Early education may help change mindsets (x1)					
Will increase competency working with diverse clients and colleagues (x5)					
Would create empathy toward clients (x3)					
Students would be taught about a wider range of issues for people who come from different backgrounds (x4)					
Students would understand how issues people face play into the law (x3)					

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the disadvantages of requiring multiculturalism courses be included as part of standard law school curriculum</u>.

Participant responses to the question *"Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
There would have to be major changes in attitudes and practices (x2)					

There is a disincentive to incorporate through curriculum (x1)					
There is not enough space in classes or within curriculum to incorporate (x4)					
The topic must be taken seriously (x1)					
The courses must be taught by experienced individuals (x2)					
Course load is already demanding (x2)					
Students may spend less effort in the course to focus on core areas (x1)					
Stand alone courses might be challenging because it takes away from bar classes or other important classes (x3)					
Terrible and ineffective as part of a curriculum (x1)					
This would stigmatize minority groups in classrooms (x1)					
The power differential between professor and students creates a difficult context to discuss the issues (x1)					
We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason (x1)					
We should focus on training people to reflect upon policy implications/the impact of policy on different groups (x1)					

Discussing the context of policy is the best way to educate attorneys about multiculturalism (x1)					
Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities (x1)					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the themes that emerged from the stories participants shared about their own experiences</u>.

Participant responses to the question *"Tell me a story about your experience with culture as it relates to your professional experiences."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues					
Legal professionals should understand that the client is the expert of their own life					
It is important to honor client autonomy					

Cultural differences are important to understand					
Cultural practices should always be considered when working with clients					
Understanding the client's overall context helps meet their needs					

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text
box_____

APPENDIX E

ROUND 3 SURVEY

ROUND 3

Multicultural Competency and Education for Legal Professionals

The items below have been summarized from all the responses from experts in Round 2 of this study. All items remain sorted into categories based on the questions asked in Round 1. Below you will find your answers from Round 2 compared to answers from all other experts (averages and standard deviation).

As a reminder, here is the rating scale you used to rate items in Round 2:

For each section below, please rate your level of agreement to each response as follows:
- 1:   Strongly disagree
- 2:   Disagree
- 3:   Neither agree nor disagree
- 4:   Agree
- 5:   Strongly agree

1. **Please rate your level of agreement to the responses on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates <u>the role of cultural competency in the legal profession</u>:**

Participant Responses to the question *"Please identify the role of cultural competency or cross-cultural lawyering in the legal profession."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
Cultural competency is critical (x2)				
Cultural competency is extremely Important (x2)				
It is important based on current sociopolitical climate (x1)				
It plays a role because the Model Rules of Professional				

Responsibility and state ethics licensure rules require respect for cultural differences (x1)			
It plays a role because federal and state constitutional practice uphold civil rights related to protected statuses (x1)			
It leads to an appreciation of others (x2)			
It helps in gaining an understanding of client's circumstances that have legal implications (x2)			
Cross-cultural exchange is necessary for promoting law reform (x1)			
It allows the helping profession the ability to empathize (x1)			
It allows for understanding historical and systems structures that oppress (x2)			
Cultural competency is Necessary for communication (x1)			
The diverse needs of parties, witnesses, and professionals require familiarity and respect for cross-cultural exchange (x1)			
It is necessary for effective advocacy (x5)			

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

2. Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the requirements of CLEs related to multiculturalism</u>:

Participant Responses to the question *"Please provide your thoughts regarding the requirement of continuing legal education (CLE) courses related specifically to multiculturalism."*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree
Requirements are necessary (x4)				
More CLEs on this topic are needed (x1)				
ABA support is necessary for more CLEs on this topic (x2)				
CLEs on multiculturalism relate to ethics (x2)				
CLEs in this area may help shine a light on why and how issues arise (x1)				
CLE facilitators should be knowledgeable (x2)				
The facilitators should be social justice advocates x1)				
People of color or who hold marginalized identities should be involved in creating and delivering CLEs (x1)				
CLE courses should be pragmatic (x1)				
CLE courses should offer innovative ideas about making the profession open for all (x1)				
CLE framework should be changed to focus on the inadequacy of those in power				

rather than focusing on the harm they cause (x1)			
CLEs should not rely on those with marginalized identities to teach those with privileged identities (x1)			
CLEs should provide a general understanding of multiculturalism rather than focusing on individual groups (x1)			
Multiculturalism should be taught in law schools but should be continued through CLEs (x1)			
CLEs are necessary but not sufficient, and there needs to be an effort to recruit, retain, and support professionals who hold marginalized identities (x1)			

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the content areas that should be included in multicultural education.</u>

Participant Responses to the question *"Please identify 3-7 key content areas a multicultural legal course should cover."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
How to work with interpreters (x6)				

Assessing degrees of similarity and separation between individuals (x1)				
How to learn about others who have different identities (x2)				
How to honor a client's identities (x2)				
How to understand other cultures (x2)				
How to discuss identity with clients (x1)				
How to communicate with others holding different identities, including nonverbal communication (x4)				
Talking about race with clients (x2)				
Talking about poverty with clients (x1)				
Implicit bias (x3) *Definition: **implicit bias** is the unconscious attribution of particular qualities to a member of a certain social group.				
Disparate Policing (x1) *Definition: disparate policing refers to biased policing practices that result in negative consequences particularly for people of color				
Redlining (x1) *Definition: **redlining** is the systematic denial of various services to residents of specific, often racially associated, neighborhoods or communities, either directly or through the selective raising of prices.				
Oppressive structures and systems (x3)				
History (x2)				

Understanding power, privilege, dominance, subordination, and marginalization (x3)				
Privilege (x2)				
Understanding oppression faced by marginalized groups (x3)				
PTSD, including impact of poverty and multiple forms of violence (x1)				
Trauma informed legal practice (x2)				
There is additional emotional labor or burden of minority students and professionals engaging in the work (x1)				
Facilitators not within the marginalized group being addressed may be less effective or less trusted (x1)				
Facilitators should be well-equipped to discuss the topic (x1)				
Courses focusing on specific identities would be inappropriate (x1)				
Weaving multiculturalism into core law school courses is the most effective way to teach multiculturalism (x1)				

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____ include text box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the Barriers to implementing multicultural education as part of law school curriculum or through CLEs.</u>

Participant responses to the question *"Please identify 1-3 barriers to implementing multicultural training in law school."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
Faculty may not be qualified (x7)				
Faculty may not be willing to provide a multicultural perspective (x1)				
Faculty members' practice experience fades and becomes outdated once they have taught for a while (x1)				
Professors do not keep up with diversity issues (x2)				
Faculty may be afraid to discuss the topic (x1)				
Faculty may believe they are already doing this work (x1)				
Faculty lacks diversity (x1)				
Faculty may not be interested in this topic (x1)				
Curricula are already set (x3)				
Curricula are already demanding (x2)				
White dominated classrooms would make this challenging (x1)				
Male dominated classrooms would make this challenging (x1)				
There are not enough resources/materials related to this topic (x1)				
There is a lack of desire to change policy (x1)				
The number of law schools across the country would make this challenging (x1)				
Law schools are slow to adapt to changes (x2)				

There is no uniform way to establish and implement new curriculum across country (x2)				
There can be a lack of support from administration (x2)				
It is difficult to build a consensus among faculty and leadership (x1)				
Belief that a multi-cultural education is not needed because it's not tested on the bar (x3)				
This (multicultural education) is viewed as a "soft skill" (x1)				
State by State willingness to implement diversity requirements creates a barrier (x1)				
Lack of understanding of the importance of multicultural training for law students and future legal professionals (x2)				
Lack of student interest in and understanding of the importance of this topic (x1)				
State Bar Associations providing CLEs related to multiculturalism are perpetually out of touch (x1)				
The individuals facilitating trainings are not credible (x1)				
Most courses talk AT attorneys and judges and one-way trainings are too passive to be effective or accurate (x1)				
CLE accreditation rules generally do not count discussion in training hours, and issues of diversity have to include discussion by a facilitator with credibility to be effective (x1)				

Faculty may not know how to address students with marginalized identities and privileged identities within the same space (x1)				

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the Facilitating Factors of implementing multicultural education as part of law school curriculum or through CLEs.</u>

Participant responses to the question *"Please identify 1-3 facilitators to implementing multicultural training in law school."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
There is an Increase in ABA requirements (x1)				
ABA has the power to make recommendations for change to include more multicultural education (x1)				
There are CLE requirements regarding implicit bias in some places, such as Minnesota (x1)				
Research shows the benefits (x1)				
There is an increase in diversity in the country which would make the training beneficial (x2)				
Multicultural training should be mandatory (x2)				
There is a drive to recruit, retain law school students and lawyers of color and multicultural education would aid in those efforts (x1)				

There are multicultural student bodies (x1)				
This type of education would help law schools hire more diverse faculty members (x1)				
This type of training would create safe spaces for discussion (x1)				
Younger faculty members bring in a more diverse education or experience (x1)				
Individual law schools should be approached to make changes in states that might be hesitant to require multicultural education/training (x1)				
There is a growing awareness of the importance of this topic (x3)				
There is a growing interest in this topic within the legal academy (AALS workshops) (x1)				
There are motivated student bodies who would benefit from this topic (x1)				
Training on multiculturalism already available for clinic law professors (x2)				
This would present an opportunity for multicultural speakers (x1)				
Diversity and inclusion Council or other organizing body for these initiatives can be called upon (x1)				
There are a growing number of advocacy groups across the country who can approach law schools in their states (x1)				

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text
box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>additional spaces or methods in which multiculturalism might be taught</u>.

Participant responses to the question *"In what other ways (besides a dedicated class) should law school students or legal professionals be trained in multicultural lawyering?"*	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree
Internships at non-profits or public interest law firms (x2)				
Pro bono work (x2)				
Clinical education within law schools (x4)				
Observing specialty courts such as sentencing circles or drug courts (x1)				
Law school orientation (x4)				
Professional training at law firms for management in how to work with diverse others (x2)				
Symposiums (x2)				
CLEs on the topic (x2)				
Workshops (x3)				
Seminars (x3)				
Mandatory programming in law schools (x2)				
Conferences (x3)				
Webinars (x1)				
Student organizations (x2)				

Professional organizations/associations (x4)			
Small working groups (x1)			
Utilizing a "buddy system" with colleagues (x1)			
Advocacy groups (x1)			
Through supervision of licensed, experienced attorneys (x1)			

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____ include text
box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the advantages of requiring multiculturalism courses be included as part of standard law school curriculum</u>.

Participant responses to the question *"Please identify the advantages of including multiculturalism courses as part of a standard law school curriculum."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
Necessary (x4)				
Valuable (x3)				
Much needed for well-rounded education (x1)				
Already done in clinics and should be included as part of standard curriculum (x2)				
Students can be taught to consider multiculturalism at the beginning of their careers (x2)				

Early education may help change mindsets (x1)				
Will increase competency working with diverse clients and colleagues (x5)				
Would create empathy toward clients (x3)				
Students would be taught about a wider range of issues for people who come from different backgrounds (x4)				
Students would understand how issues people face play into the law (x3)				

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the disadvantages of requiring multiculturalism courses be included as part of standard law school curriculum</u>.

Participant responses to the question *"Please identify the disadvantages of including multiculturalism courses as part of a standard law school curriculum."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
There would have to be major changes in attitudes and practices (x2)				
There is a disincentive to incorporate through curriculum (x1)				
There is not enough space in classes or within curriculum to incorporate (x4)				
The topic must be taken seriously (x1)				

The courses must be taught by experienced individuals (x2)				
Course load is already demanding (x2)				
Students may spend less effort in the course to focus on core areas (x1)				
Stand alone courses might be challenging because it takes away from bar classes or other important classes (x3)				
Terrible and ineffective as part of a curriculum (x1)				
This would stigmatize minority groups in classrooms (x1)				
The power differential between professor and students creates a difficult context to discuss the issues (x1)				
We should be relying on law or rules to talk about equity because there can be no debate that the rules exist and are there for a reason (x1)				
We should focus on training people to reflect upon policy implications/the impact of policy on different groups (x1)				
Discussing the context of policy is the best way to educate attorneys about multiculturalism (x1)				
Cannot rely on the experiences of marginalized individuals to "teach" those with privileged identities (x1)				

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text
box_____

Please rate the following on a 5-point scale ranging from (1) Strongly Disagree to (5) Strongly Agree as it relates to <u>the themes that emerged from the stories participants shared about their own experiences</u>.

Participant responses to the question *"Tell me a story about your experience with culture as it relates to your professional experiences."*	YOUR RATING	GROUP AVERAGE	GROUP STANDARD DEVIATION	OPTIONAL NEW RATING
Supervision is an effective way to help students or less experienced attorneys navigate multicultural issues				
Legal professionals should understand that the client is the expert of their own life				
It is important to honor client autonomy				
Cultural differences are important to understand				
Cultural practices should always be considered when working with clients				
Understanding the client's overall context helps meet their needs				

Please provide any additional feedback related to the items in this section or your ranking of the items here: _____include text box_____

REFERENCES

Abrams, D., Bertrand, M. and Mullhainathan (2011). Do judges vary in their treatment of

    race, *Journal of Legal Studies, 41*(2), 347-383

American Civil Liberties Union (2002). ACLU reports blasts San Francisco police failure

    to report on racial profiling stops and searches. Retrieved August 29, 2019 from

    https://www.aclu.org/press-releases/aclu-report-blasts-san-francisco-police-

    failure-report- racial-profiling-stops-and?redirect=news/aclu-report-blasts-san-

    francisco-police-failure-report-racial-profiling-stops-and-searches

Anderson, M.J. (2009). Legal education reform, diversity, and access to Justice. *Rutgers*

    Law Review, Vol. 61, 1101

Arredondo, P. & Arciniegra, G. (2001). Strategies and techniques for counselor training

    based on the multicultural counseling competencies, *Journal of Multicultural*

    Counseling and Development, 29, 263-273.

Association of American Medical Colleges (2005). *Cultural competence education.*

    Retrieved from https://www.aamc.org/download/54338/data/

Binder, D.A., Bergman, P., Price, S.C., and Tremblay, P. (2004). Lawyers as counselors:

    A client-centered approach. Rochester, New York: West Publishing.

Boulton-Olson, C. (2008). Critical factors for training in rural psychology. (Unpublished

    doctoral dissertation). University of North Dakota, Grand Forks, ND

Bryant, S. (2001). The five habits: Building cross-cultural competence in lawyering.

    Clinical Law Review 8, 33

Bureau of Justice Statistics (2018). Prisoners in 2016. Retrieved August 29, 2019 from

https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6187

Cohen, A., (2009). Many forms of culture. *American Psychologist, 64*(3), 194-204. doi:

10.1037/a0015308

Cole, D. (1999). *No equal justice: race and class in the American criminal justice system*.

New York, NY. The New Press.

Dickson, G. & Jepsen, D. (2007). Multicultural training experiences as predictors of

multicultural competencies: students' perspectives. *Counseling Education &*

Supervision, 47, 76-95.

Dogra, N. & Karim, K. (2005). Diversity training for psychiatrists. *Advances in*

Psychiatric Treatment, 11, 159-167.

Farbota, K. (2015). Black crime rates: what happens when numbers aren't neutral.

Retrieved August 29, 2019 from https://www.huffpost.com/entry/black-crime-rates-

yourst_b_8078586?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS

8&guce_referrer_sig=AQAAAMg3u5zE472DCG51_FfsECTP51VY5HiQgukB5nhXB7WeS8X

U_DGqXdaR41vT9km1ACTt4zZdkwcr_9XLVGodDQGn20KfyAPkULp6Ecvc29O_B_fONNW

Wm7kJIYxMXKft1dScwqjNMfN_D57xgFPHLIEZ7WpPpmPkFEu6BNPMI_Qs

Fiske, A. P. (2002). Using individualism and collectivism to compare cultures—A

critique of the validity and measurement of the constructs: Comment on

Oyserman et al. (2002). *Psychological Bulletin, 128,* 78 – 88.

Ghandnoosh, N. (2017). *Black lives matter: eliminating racial inequality in the criminal*

justice system. The Sentencing Project. Washington, D.C.

Gorski, P. (2009). What we're teaching teachers: an analysis of multicultural teacher

    education coursework syllabi. *Teacher and Teacher Education, 25*(2), 309-318.

    doi:10.1016/j.tate.2008.07.008

Harriot, M. (2018). Unprotected, underserved: the (false) crimination of black America.

    Retrieved August 29, 2019 from https://www.theroot.com/unprotected-

    underserved-the-false-criminalization-o-1827083795

Hook, J., Davis, D., Owen, J., Worthington, E., and Utsey, S. (2013). Cultural humility;

    measuring openness to culturally diverse clients. *Journal of Counseling*

    Psychology, 60(3), 353-366. doi:10.1037/a/0032595

Hasson, F., Keeney, S., & McKenna, H. (2000). Research guidelines for the Delphi

    survey technique. *Journal of Advanced Nursing*, *32*, 1008-1015. doi:

    10.1046/j.1365-2648.2000.t01-1-01567.x

Kim, B., & Lyons, H. (2003). Experiential activities and multicultural counseling

    competence training, *Journal of Counseling & Development*, 81, 400-408

Leong, F.T. and Kim, H.W. (1991). Going beyond cultural sensitivity on the road to

    multiculturalism: Using the intercultural sensitizer as a counselor training tool.

    Journal of Counseling & Development, 70, 112-118

Liwen, M. (2005). The legal profession faces new faces: How lawyers' professional

    norms should change to serve a changing American population. *California Law*

    Review, 93, 1721

Madaan, A. (2018). Cultural competency and the practice of law in the 21st century.

    Retrieved August 2, 2019 from https://www.americanbar.org/groups

Mauer, M. (2011). Addressing racial disparities in incarceration, *The Prison Journal, 91*(3), 87-88.

McRae, M.B., Johnson, S.D. (1991). Toward training for competence in multicultural counselor education. *Journal of Counseling & Development, 70*, 131-135. doi: 10.1002/j.1556-6676.1991.tb01573.x

Mittnacht, A. M., & Bulik, C. M. (2015). Best nutrition counseling practices for the treatment of anorexia nervosa: A Delphi study. *International Journal of Eating Disorders*, *48*, 111-122. doi:10.1002/eat.22319

Moran, R. (2011). When intercultural competency comes to class: navigating difference in the modern American law school, Presented on August 8, 2011 at the Pacific McGeorge Workshop.

Nugent, D.C. (1994). Judicial bias, *Cleveland State Law Review 1*, 11

O'Donnell, A., & Johnstone, R. (1997). *Developing a cross cultural law curriculum*. Sydney, Australia: Cavendish Publishing

Patel, S (2014). Cultural Competency Training: Preparing law students for practice in our multicultural world. *University of California Los Angeles Law Review, 62*, 140

Reynolds, A. (1995). Challenges and strategies in teaching multicultural counseling courses. In J.G. Ponterotto, J.M. Casas, L.A. Suzuki, & C.M. Alexander (Eds.). *Handbook of multicultural counseling*, 312-330. Thousand Hills, CA: Sage.

Skulmoski, G. J., Hartman, F. T., & Krahn, J. (2007). The Delphi method for graduate research. *Journal of Information Technology Education, 6,* 1-21 doi:10.1080/09537325.2014.941348

Sue, S. (1998). In search of cultural competence in psychotherapy and counseling. *American Psychologist, 53*, 440-448. Doi:10.10370003-066X.53.4.440

Sue, D. W. (2001). Multidimensional facets of cultural competence. *The Counseling Psychologist, 29*, 790-821. doi: 10.1177/0011000001296002

Sue, D.W., Arredondo, P., & McDavis, R.J. (1992). Multicultural counseling competencies and standards: a call to the profession. *Journal of Counseling and Development, 70*, 477-486. doi:10.100(2)/j.1556-66761992.tb01642.x

Sue, D. W., & Sue, D. (2016). *Counseling the culturally diverse: Theory and practice*. Hoboken, NJ: John Wiley & Sons.

Sodowsky, G.R., Taffe, R.C., Gutkin, T.B., Wise, S.L. (1994). Development of the Multicultural Counseling Inventory: A self-report measure of multicultural competencies, *Journal of Counseling Psychology, 41*(2), 137-148

The Hamilton Project (2016). Rates of drug use and sales, by race: rates of drug related criminal justice measures, by race. Retrieved on August 29, 2019 from https://www.hamiltonproject.org/charts/rates_of_drug_use_and_sales_by_race _rates_of_drug_related_criminal_justice

Sturm, S., & Guinier, L. (2007). The law school matrix: reforming legal education in a culture of competition and conformity. Retrieved September 4, 2019 from https://www.mcgeorge.edu/documents/Publications/261_4Moran.pdf

U.S. Bureau of Justice Statistics (2018). Prisoners in 2016. Retrieved August 29, 2019 from https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6187

Weng, C. (2005). Multicultural Lawyering: teaching psychology to develop cultural self-awareness, *Clinical Law Review, 11*, 369-388.

Yousuf, M. I. (2007). Using experts' opinions through Delphi technique. *Practical assessment, research & evaluation*, *12*, 1-8. ISSN 1531-7714