

XIII. Gender Neutral Language Policy

A. Report

At its meeting on June 15, 1988, the Council of the Virginia State Bar adopted a resolution expressing its commitment to develop and implement policies to enhance women and minority participation at all levels of State Bar activities. The Committee on Participation by Women and Minorities, which has had a similar objective since its inception, is pleased to present the following recommendation for the Council's consideration in furtherance of the resolution adopted by it in 1988.

While many may believe that changes in language usage are unnecessary, particularly in the ranks of those as well-educated as lawyers, extensive research recently conducted is proving many wrong. And as we said when a similar resolution was presented to and adopted by the House of Delegates of the American Bar Association in February 1989, "the legal profession prides itself on thinking, speaking and writing clearly about complex issues. It is thus our particular obligation to employ language that conveys precisely what we mean."

The Committee urges the Council to adopt the proposed resolution.

B. Recommendation

BE IT RESOLVED, that the Virginia State Bar and each of its entities should use gender neutral language in all documents establishing policy and procedure.

BE IT FURTHER RESOLVED, that the Virginia State Bar calls upon its members, sections and conferences actively and with due diligence to implement this resolution.

Adopted by Council
June 15, 1989

C. General Examples of Gender Neutral Language

1. Avoid the generic use of the term "man" or "men."
Example: The (chairman) *chair* of the committee . . .
2. Avoid the use of the masculine or feminine pronouns "he," "she," "his" or "her."
Example: The President or (his) *the President's* designee . . .

If the attorney knows that the witness (he is examining) *being examined* has testified before . . .

A lawyer may amend (his) *the* petition until . . .

If (an individual) *individuals* seek(s) nomination to the council, (he) *they* must submit . . .
3. Choose a generic noun in place of a gender specific noun.
Example: (wife) *spouse*

(widower/widow) *surviving spouse*
4. Add the feminine pronoun in places where only the masculine pronoun appears.
Example: If the President is unable to attend the meeting, his *or her* designee may attend . . .