

The Millennium Diversity Initiative: Knocking Down Barriers, Building Bridges

by Joseph A. Condo

It is no accident that a recent report concluded that minorities in Virginia perceive our justice system as tilted against them. When they look at the bar and the bench, they see few faces that look like theirs. Admission to law school and admission to the bar continue to be insurmountable barriers for too many people of color in Virginia. So do recruitment and employment by law firms and, later, retention and advancement in those firms. And while we have made great strides in diversifying the bench, elevating more women and African-Americans, no Asian has yet donned a judicial robe in Virginia; and only one Hispanic has. The imperative of diversifying our profession, and the benefits to be derived from doing so, are manifest. To be truly responsive to the public we serve, to be able to truly empathize with their legal needs, their troubles, and their struggles, our profession (and, by extension, the legal system) must reflect their diversity. At the moment, we do not: in a nation that will soon comprise more than 50 percent people of color, the legal profession is 92 percent white.

The Millennium Diversity Initiative began with a meeting last August that brought together representatives of virtually all of the minority bars, as well as a number of individuals who have distinguished themselves by their strenuous and creative efforts to make the legal profession more accessible to people of color.

In my opening remarks to the gathering, I recited a poem called “The Bridge Builder.” It tells the story of an old man on a journey who, as darkness is falling at the end of the day, encounters a deep, wide chasm with a treacherous river flowing through it. He crosses the chasm with little difficulty, and then, in the fading light, turns and builds a bridge across the gorge. Another traveler asks the old man why, having already crossed, he is wasting his energy to build the bridge. The poem concludes with his response:

*The builder lifted his old gray head.
“Good friend, in the path I have come,” he said,
“There followeth after me today
A youth whose feet must pass this way.
This chasm that has been naught to me
To that untried youth may a pitfall be.
He, too, must cross in the twilight dim;
Good friend, I am building the bridge for him.”*

I confessed to those assembled that I had only recently come to appreciate the relative ease with which I had crossed the chasm into this profession, and I had only recently realized that even

now, at the dawn of the 21st Century, that chasm is still treacherous and impassible for many people of color who want to cross it. Like many others, I had wanted to believe that the increase over the years in the numbers of African-, Asian-, and Hispanic-Americans that I saw around me in the bar meant that we were achieving racial equity in this profession. But I came to realize that this is not so, and I resolved to make it a priority of my presidency to address this deficiency.

My initial focus was the bar-exam-passage disparity. But in talking with many people familiar with the issue of minority access, I learned that the problem extends along a continuum—one that stretches from the age when minority children begin thinking about their choice of career, through high school, college and law school, extending to law firm recruitment and retention, and into the judiciary.

In addressing that first meeting, I acknowledged that many others have tried, and failed, to solve this stubborn problem, and that it was ambitious (some would say foolhardy or grandiose) to think that we could attack such an enormous, multi-faceted challenge, and make any real difference. But I said then—and I say to you now—that we can, and we must. Only those of us who have crossed the chasm can turn and build that bridge. There is no one else.

Quoting Anatole France, who said, “To accomplish great things, we must not only act but also dream; not only plan but also believe,” I challenged my colleagues last August to dream, and to believe. They clearly accepted and rose to this challenge, as you will see in the pages that follow. They believe passionately in the innovative projects they have already taken up, as well as the ones they dream of for the future. I urge you to read about these projects and ideas. And as you read, I hope you will catch the spirit and excitement of this endeavor, and that you will resolve to join it. Of course, we need financial contributions, but what we need most of all is you: your time, your talent, your commitment. In the words of poet/songwriter Gil Scott Heron:

*Nobody can do everything
But everybody can do something
And if everybody does something
Everything will get done.*

The Millennium Diversity Initiative has gotten off to a more promising start than we could ever have hoped. With your help, it will soar. ☺