

## ***Advocating for Ourselves and Our Peers: How to Gain Ground and Maintain the Momentum***

California Women Lawyers Annual Conference

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### What is Gender Bias

Gender bias is an “inclination towards or prejudice against one’s gender”.<sup>1</sup>

A subconscious gender bias is “an implicit association or attitude about ...gender that operates beyond our control and awareness, informs our perception of a person or social group, and can influence our decision-making and behavior toward the target of the bias.”<sup>2</sup>

### Tools for Recognizing Bias & Moving Forward

#### **Project Implicit & the Implicit Association Test**

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

Project Implicit is a non-profit organization and international collaboration between researchers who are interested in implicit social cognition - thoughts and feelings outside of conscious awareness and control. The goal of the organization is to educate the public about hidden biases and to provide a “virtual laboratory” for collecting data on the Internet.

The Implicit Association Test (IAT) measures the strength of associations between concepts (e.g., black people, gay people) and evaluations (e.g., good, bad) or stereotypes (e.g., athletic, clumsy). The main idea is that making a response is easier when closely related items share the same response key. There are thirteen (13) IAT’s available to the public on the Project Implicit website.

Project Implicit defines implicit and explicit stereotypes as the belief most members of a group have as to some characteristics. Some examples of stereotypes are the belief that women are nurturing or the belief that police officers like donuts. An explicit stereotype is the kind that you deliberately think about and report. An implicit stereotype is one that is relatively inaccessible to conscious awareness and/or control. Even if you say that men and women are equally good at math, it is possible that you associate math more strongly with men without being actively aware of it. In this case we would say that you have an implicit math + men stereotype.

***Gender - Career.*** I strongly suggest taking the *Gender-Career IAT* which Project Implicit notes often reveals a relative link between family and females and between career and males. <https://implicit.harvard.edu/implicit/Study?tid=-1>. I found my results particularly interesting.

IAT’s also include *Gender-Science* (often reveals a relative link between liberal arts and females and between science and males), *Weight* (often reveals an automatic preference for thin

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<sup>1</sup> [https://en.oxforddictionaries.com/definition/gender\\_bias](https://en.oxforddictionaries.com/definition/gender_bias)

<sup>2</sup> <http://blogs.aecom.com/womenexcel-are-you-aware-of-your-unconscious-bias/>.

people relative to fat people), *Age* (often indicates that Americans have automatic preference for young over old), as well as several other tests including those based on Race, National Origin, Religion, Disability, etc. <https://implicit.harvard.edu/implicit/selectatest.html>.

**What if I Say the Wrong Thing?: 25 Habits for Culturally Effective People**, by Verna A. Myers, American Bar Association, April 17, 2014.

Designed as a handbook for the individual and organization wishing to develop habits of culturally effective people. Within, *What if I Say the Wrong Thing?*, there are answers to questions about diversity issues and tips about how to practice culturally effective habits, a variety of suggested follow-ups and actions contained within. For example, the book includes, Habit #2 “I HOPE SHE CAN DRIVE, Get Familiar With Your Bias”, and Habit #12 “SHE WAS SO ARTICULATE, Avoid Micro-Inequities”, Habit #17 “I KNOW YOU HAVEN’T DONE THIS BEFORE, Don’t Be Afraid To ASK”, and much more. (Sold on Amazon, Apple as well as other platforms.)

**Blind Spot, Hidden Biases of Good People**, by Mahzarin R. Banaji & Anthony G. Greenwald, Random House Publishing Group, February 12, 2013 (Sold on Amazon, Apple as well as other platforms.)

As described in part on Amazon - “Blindspot” is the authors’ metaphor for the portion of the mind that houses hidden biases. The book explores the hidden biases we all carry from a lifetime of exposure to cultural attitudes about age, gender, race, ethnicity, religion, social class, sexuality, disability status, and nationality. The authors question the extent to which our perceptions of social groups—without our awareness or conscious control—shape our likes and dislikes and our judgments about people’s character, abilities, and potential. In *Blindspot*, the authors reveal hidden biases based on their experience with the Implicit Association Test (*see above*), a method that has revolutionized the way scientists learn about the human mind and that gives us a glimpse into what lies within the metaphoric blindspot.

The title’s “good people” are those of us who strive to align our behavior with our intentions. The aim of *Blindspot* is to explain the science in plain enough language to help well-intentioned people achieve that alignment. By gaining awareness, we can adapt beliefs and behavior and “outsmart the machine” in our heads so we can be fairer to those around us. Venturing into this book is an invitation to understand our own minds.

**Guidelines for Achieving Bias-Free Communication, Anti-Bias Education**, Anti-Defamation League (Adapted from *Without Bias: A Guidebook for Nondiscriminatory Communication*, Second Edition with permission from John Wiley & Sons, Inc. 1982), <https://www.adl.org/education/resources/tools-and-strategies/guidelines-for-achieving-bias-free-communication>

The Anti-Defamation League (“ADL”) provides free education tools and strategies for Kindergarten through High School students including Anti-Bias training. The tools provided are still relevant and important despite our more mature status. Educating minors is an invaluable step,

while we also carry a significant duty to help effect change of the current landscape for future generations.

### Female Legal Networking Platforms

There are countless networking opportunities available to female attorneys, a few are noted herewith.

**California Women Lawyers** <http://www.cwl.org/> - California Women Lawyers (CWL) has recently began a members only private list service, a positive way to give and receive support. Similar to the supportive network of peers within CWL, one may find a strong group of peers within their local Bar Association Women Section.

**Girl Attorney, LLC** <https://girlattorney.com/> - Founded by Susan Carns Curtiss, an Oklahoma based litigator who advised in the early days of her career clients would call her firm and “ask for the girl attorney” as she was the only female lawyer hence inspiring the name of the social network. The Facebook group began in July 2016 with 46 of Crans Curtiss friends and has grown to 16,000 lawyers nationwide.<sup>3</sup>

**#LadyLawyerDiaries, @LadyLawyerDiary** – a private direct message and e-mail community on Twitter which discusses amongst many topics gender bias and sexual harassment in the legal community.<sup>4</sup>

**Law Mama** – Facebook private invite only group for lawyer mothers founded by an attorney mother for peers to ask and give advice, help and support on a wide range of issues. Currently Law Mama has over 10,600 members nationwide.

**Boss Lady, Esq.** – Facebook private group for lady lawyer’s running their own law firms focused on the business of the practice and providing support in relation thereto. Boss Lady, Esq. currently has over 4,000 members nationwide.

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<sup>3</sup> *Beyond #MeToo: How Female Lawyers Are Mobilizing Online*, by Natalie Rodriguez at Law 360, March 18, 2018. <https://www.law360.com/legalethics/articles/1022908/beyond-metoo-how-female-lawyers-are-mobilizing-online> subscription required, thus see attached.

<sup>4</sup> *Beyond #MeToo: How Female Lawyers Are Mobilizing Online*, by Natalie Rodriguez at Law 360, March 18, 2018. <https://www.law360.com/legalethics/articles/1022908/beyond-metoo-how-female-lawyers-are-mobilizing-online> subscription required, thus see attached.