

# **“I’M SPEAKING”—A DISCUSSION ON DIVERSITY, ALLYSHIP, AND ELIMINATION OF BIAS**

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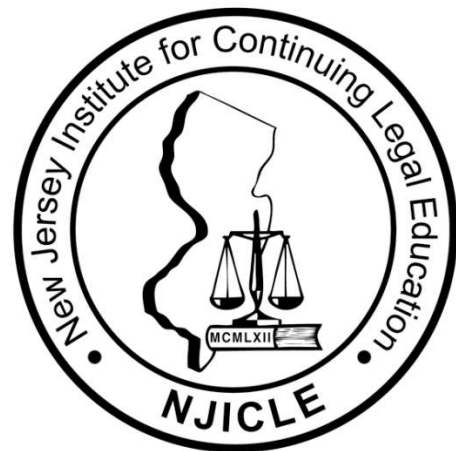
**2021 Seminar Material**

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New Jersey Institute for  
Continuing Legal Education

A Division of the State Bar Association  
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# **“I’M SPEAKING”—A DISCUSSION ON DIVERSITY, ALLYSHIP, AND ELIMINATION OF BIAS**

## **Moderator/Speaker**

**Alexandra Loprete, Esq.**  
*O’Connor, Parsons, Lane & Noble LLC  
(Springfield)*

## **Speakers**

**Aastha Madaan Farr, Esq.**  
*SCAN Health Plan  
(Long Beach, CA)*

**Robert N. Holup, Esq.**  
*Riker Danzig Scherer Hyland & Perretti LLP  
(Morristown, Trenton; New York City)*

**Leonard V. Jones, Esq.**  
*Chasan Lamparello Mallon &  
Cappuzzo, P.C. (Secaucus)*

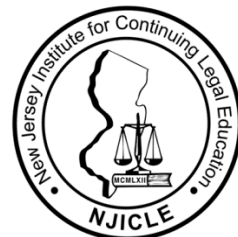
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*Union County Prosecutor’s Office  
(Elizabeth)*

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*Chasan Lamparello Mallon &  
Cappuzzo, P.C. (Secaucus)*

In cooperation with the New Jersey State Bar Association **Minorities in the  
Profession Section and Young Lawyers Division**

**M0961.211**



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Cheyne Scott, Esq.


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**“I’M SPEAKING”**  
Allyship, Inclusion & Elimination of Bias

*Moderated by:*  
**Alexandra Loprete, Esq.**  
O’Connor Parsons Lane & Noble

*Featuring:*  
**Diana-Maria Laventure, Esq.**  
Kaufman Borgeest & Ryan LLP

**Aastha Madaan Farr, Esq.**  
SCAN Health Plan

**NaSheena Porter, Esq.**  
Union County Prosecutors Office

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**Robert Holup, Esq.**  
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# “I’M SPEAKING”

## Outline of Topics

<b>Allyship &amp; Inclusion</b>	<b>Implicit Bias</b>	<b>Microaggressions</b>	<b>Imposter Syndrome</b>	<b>Impact on our profession</b>	<b>Anti-racist</b>
<i>What is allyship?</i>	<i>What is implicit bias?</i>	<i>What are microaggressions?</i>	<i>What is imposter syndrome?</i>	<i>What impact does racism &amp; implicit bias have on the legal profession?</i>	<i>What does it mean to be anti-racist?</i>
<i>What is inclusion?</i>	<i>How does implicit bias impact attorneys?</i>	<i>What are some examples?</i>	<i>Who is affected?</i>		<i>How can I practice being anti-racist?</i>
<i>Why are allyship &amp; inclusion important?</i>		<i>How do I respond to microaggressions?</i>	<i>How can I combat it?</i>		

*This event is offered by NJICLE & co-sponsored by:  
The New Jersey Women Lawyers Association, The NJSBA Young Lawyers Division, and the NJSBA Diversity Committee*



## Know Your Definitions and Don't be Diversity Dave

Don't be Diversity Dave: <https://www.youtube.com/watch?v=qOFMcFSD-OA>



## **What is Allyship?**

A lifelong process of building relationships based on trust, consistency and accountability with marginalized, oppressed and underrepresented groups.\*

***It is not “self-defined”.***

***Efforts must be recognized by those you are seeking to ally with.***

\*This commonly used definition was first found in Forbes in 2016 used in connection with the anti-racist & anti-oppression conversation



## ***What is inclusion?***

***The practice or policy of equal access to opportunities and resources for those who might otherwise be excluded or marginalized.***

***Such as those who have physical or mental disabilities and members of other minority groups.***

## What is Implicit Bias?

When people act based on prejudice and stereotypes *without* intending to. Research implicit biases most commonly affect members of socially stigmatized groups, such as African-Americans, women, and the LGBTQIA community.



litigation\_god



Female Associate: \*makes suggestion\*

Male Associate: \*makes same suggestion just louder\*

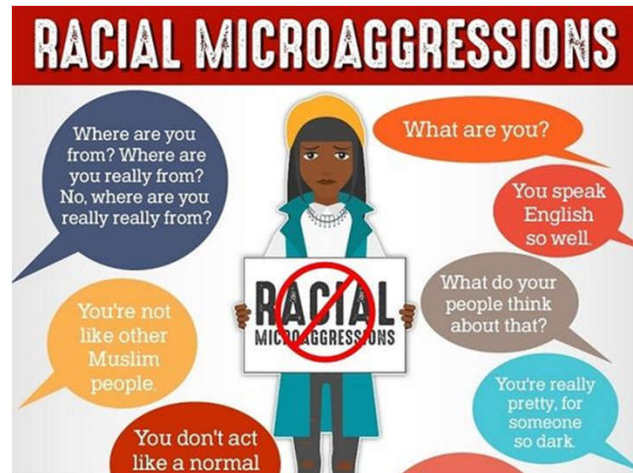
Partner:



## Microaggressions

Brief statements or behaviors that, intentionally *or not*, communicate a negative message.

Sometimes subtle, but psychologists say they are even harder to shake off than more overt forms of discrimination because they leave the recipient wondering whether the interaction was due to their race, sex, ancestry, religion, sexual orientation etc.



<https://www.furiarubel.com/what-were-up-to-do-you-understand-microaggressions-and-their-impact-on-diverse-groups/> \*graphic taken from University Of California article & study on microaggressions

## Imposter Syndrome

Impostor syndrome refers to an internal experience of believing that you are not as competent as you are.

Occurs among high achievers who are unable to internalize and accept their success.

They often attribute their accomplishments to luck rather than ability, and they fear that others will unmask them as a fraud.



<https://www.apa.org/gradpsych/2013/11/fraud>

When you're in a meeting and you have no idea what's going on and the imposter syndrome starts kicking in:

## What impact does racism and discrimination have?

85% of lawyers are White  
 64% of lawyers are Men  
 5% of lawyers are Black  
 5% of lawyers are Hispanic  
 3% of lawyers are Asian

Black male lawyers are more than 1.5 times more likely to be a partner than black female lawyers

*None of these statistics have significantly improved over the past decade.*

1.7 % of partners are African American

0.64% of partners are Black women

The partner gender pay gap has grown in the last decade from 24% to 35%.

Statistics available from: The National Association of Law Placement (NALP); *Intersectionality and the Careers of Black Women Lawyers*, Results from the Harvard Law School Black Alumni Survey, by Kimberlé Crenshaw; Catalyst, Quick Take: Women's Earnings – The Pay Gap (March 2, 2020); <https://www.mycase.com/blog/2019/08/aba-2019-report-lawyer-demographics-earnings-tech-choices-and-more/>

## We can do better.

Do the best you  
can until you  
know better.  
Then when you  
know better, do  
better.

- Maya Angelou

- 21% of men are reluctant to hire women for a job requiring close interaction
- 27% of men avoid one-on-one meetings with female co-workers

- 90% of LGBTQIA people polled said they have experienced discrimination
- 1 in 5 LGBTQIA people have had trouble getting a job because of how they identified

<https://www.theguardian.com/lifeandstyle/2019/aug/29/men-women-workplace-study-harassment-harvard-metoo>, <https://victoryinstitute.org/issue-at-a-glance-lgbtq-employment-discrimination/>, <https://news.bloomberglaw.com/us-law-week/lgbtq-lawyers-on-job-hunt-still-fear-facing-firms-barriers>



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## What does it mean to be Anti-Racist?

“Racism” is a systematic problem and not isolated incidents. “Not racist” refers to a passive response.

Being “anti-racist” requires *proactive resistance* to and *dismantling* of the system of racism.

We must work within ourselves, our networks, and our institutions to challenge racism.

The practice of anti-racism is everyone’s ongoing work.

**If you are  
neutral  
in situations  
of injustice,  
you have chosen  
the side  
of the oppressor.  
-Desmond Tutu**

**What specific challenges have you faced or witnessed?**



**In Court.**

*Counsel table is for attorneys only.*

*You must be the court reporter/interpreter/defendant.*

*Maybe you should talk to the partner about this.*

**In proceedings.**

*Frequent interruptions or talking over you.*

*Being rude and assuming you don't know the rules or law.*

*Asking if you are married or have a boyfriend.*

**In the office.**

*Feeling like different office policies apply to different people.*

*Being passed over for promotion, raise, assignments.*

## How can I be an Ally and Anti-Racist?

Acknowledge challenges other face.

Implement anti-racist policies and support those in place.

Educate Yourself.

Understand our nation's violent racial history and the biases that exist within each of us.

Be self aware and self audit.

Hold your networks and institutions accountable.

Act when you witness inequities.

Promote honest dialogue by calling people out or calling people in.

## How to stay more educated and aware?

*While education is the first step, allyship is about action.*

*Information is power — you decide what you do with it.*

**READ:**

Caste, Isabel Wilkerson  
Talking with Strangers, Malcolm Gladwell  
The New Jim Crow, Michelle Alexander  
Hood Feminism, Mikki Kendall  
Kindred, Octavia Butler

**LISTEN & WATCH:**

Colin in Black & White, Netflix  
Intersectionality Matters with Kimberlé Crenshaw on SoundCloud  
MLK/FBI, Netflix  
13<sup>th</sup>, Netflix  
Throughline, from NPR

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**THANK YOU FOR JOINING US**



**Please submit any questions to the chat and we will respond to them time permitting**

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### About the Panelists...

**Aastha Madaan Farr** is Legal Counsel, SCAN Health Plan, in Long Beach, California. A transactional and healthcare law attorney, she is a pioneer in legal technology and the delivery of legal services and efficient data delivery systems, and is a fan of automation and streamlined workflows. She has advised numerous businesses, including health care companies, tech startups and franchises, on a wide range of contract, licensing and intellectual property issues.

Ms. Farr often writes articles and speaks about cultural competency, allyship and access to the law. She was a Professor at Pacific Coast University School of Law, where she taught Legal Writing and Research for almost three years.

Ms. Farr received her B.A. from UC Irvine and her J.D. from Whittier Law School. She served as a Judicial Extern for the Superior Court of California and as a Legal Extern to County Counsel.

**Robert N. Holup** is an associate in the Securities Litigation, Arbitration, Regulation and Investigations Group of Riker Danzig Scherer Hyland & Perrett LLP with offices in Morristown and Trenton, New Jersey, and New York City. Prior to joining Riker Danzig, he was a Deputy Attorney General for the State of New Jersey, in both the Consumer Fraud Prosecution Section, where he represented the New Jersey Division of Consumer Affairs, and the Professional Boards Prosecution Section.

Admitted to practice in New Jersey and before the United States District Court for the District of New Jersey, Mr. Holup is a member of the Executive Committee the New Jersey State Bar Association's Young Lawyers Division. In 2021 he was the recipient of the NJSBA Young Lawyers Division's Service to the Community Award.

Mr. Holup received his B.S. from Florida State University and his J.D. from George Washington University Law School, where he was the recipient of the President's Volunteer Service Award. He was Law Clerk to the Honorable Walter Koprowski, Jr., Superior Court of New Jersey, Chancery Division.

**Leonard V. Jones** is a civil litigation attorney an associate with Chasan, Lamparello, Mallon & Cappuzzo, P.C. in Secaucus, New Jersey, where he focuses his practice in contracts, governmental entity representation, and labor and employment law; and represents individuals, municipalities, counties, authorities and school boards in litigation and compliance matters arising under New Jersey's *Tort Claims Act* (Title 59). He has experience representing public entities and served as an Assistant Prosecutor with the Union County Prosecutor's Office, prosecuting cases involving narcotics, violent crimes, and economic crimes.

Admitted to practice in New Jersey and New York, and before the United States District Court for the District of New Jersey, Mr. Jones was appointed by the New Jersey Supreme Court to a four-year term as a Member of the District XII Fee Arbitration Committee and is a member of the New Jersey State, Garden State, Union County and Hudson County Bar Associations. He is a member of several sections and committees of the New Jersey State Bar Association, including the Diversity Committee, Minorities in the Profession Section, Civil Trial Bar Section

and Federal Practice and Procedure Section, as well as the Young Lawyers Division. He is also a member of the Union County Bar Association Diversity, Inclusion & the Elimination of Bias Committee and the Program Committee of the Sidney Reitman American Inn of Court.

Mr. Jones received his B.A., *magna cum laude*, and his Masters in Public Administration from Seton Hall University, and his J.D. from Rutgers University School of Law, where he was the recipient of the Eagleton Institute of Politics Governor's Executive Fellowship. He clerked for the Honorable James P. Wilson, J.S.C., Superior Court of New Jersey, Family Division, Union Vicinage.

**Diana-Marie Laventure** is an associate with Kaufman Borgeest & Ryan LLP in Parsippany, New Jersey, and focuses her practice in medical malpractice and professional liability. She represents medical and mental health professionals, hospitals, nursing homes, assisted living facilities, lawyers, home inspectors and other professionals and semi-professionals in proceedings throughout New Jersey. Prior to joining KBR, she served as an assistant prosecutor at the Union County Prosecutor's Office.

Admitted to practice in New Jersey and New York, Ms. Laventure has been Vice Director of the Young Lawyer's Division Legal Services Program at the American Bar Association, where she has assisted with the organization and implementation of providing legal services to victims of natural disasters. She has also been a member of the Executive Committee of the New Jersey State Bar Association and has helped organize activities that are of assistance to new lawyers.

Ms. Laventure received her B.A., *summa cum laude*, and her M.A. from St. John's University and her J. D., *cum laude*, from Indiana University's Maurer School of Law. She clerked for the Honorable Michael L. Ravin, J.S.C., Essex County Superior Court.

**Alexandra Loprete** is an associate with O'Connor, Parsons, Lane & Nobel, LLC in Springfield, New Jersey. She focuses her practice in plaintiffs' personal injury and medical malpractice cases and has experience pursuing claims against doctors, hospitals, nurses, nursing homes and anyone that has negligently caused avoidable harm to others. She has acted as a pivotal part of many medical malpractice and catastrophic injury cases that have resulted in multi-million-dollar settlements, including a medical malpractice trial that resulted in a \$5.1 million jury verdict awarded to a patient that had experienced a stroke after undergoing an unnecessary procedure.

Admitted to practice in New Jersey and New York, and before the United States District Court for the District of New Jersey and the Southern District of New York., Ms. Loprete has been a member of the New Jersey Women Lawyers Association (NJWLA), the New Jersey Association for Justice, and the New Jersey State, Essex County and Hudson County Bar Associations. She was elected by her peers to serve in leadership positions in both the NJWLA and the NJSBA Young Lawyer's Divisions, and was the recipient of the Trial Attorneys of New Jersey (TANJ) Scholarship.

Ms. Loprete received her undergraduate degree from Auburn University and her J.D. from Seton Hall University School of Law, where she wrote for the *Legislative Journal* and was a member of the Interscholastic Moot Court Board. She clerked for the Honorable Patrick J. Arre, J.S.C., Civil Division, Hudson County.



**NaSheena Porter** is Assistant Prosecutor, Union County, in Elizabeth, New Jersey, where she prosecutes criminal cases on behalf of the State of New Jersey. She previously was assigned to the Appellate Unit, Domestic Violence Unit, and Trial Team Unit; and in addition to handling her caseload, serves as Co-Chair of the Legal Hiring Committee for the office. Prior to joining the Prosecutor's Office, she worked as a Staff Attorney for the Louisiana Third Circuit Court of Appeal in Lake Charles, Louisiana.

Admitted to practice in New Jersey and Pennsylvania, Ms. Porter has been a member of the National Association of Parliamentarians and has served on the Executive Committee of the New Jersey State Bar Association Young Lawyers Division as a Diversity Representative. She has also served as the North Jersey Representative for the Association of Black Women Lawyers (ABWL) where she hopes to bring uplifting (virtual) programs to the region.

Ms. Porter received her B.S. from Carnegie Mellon University, where she was a Student Senate Representative, and her J.D. from Tulane University Law School, where, among other activities, she was active in the Student Bar Association and served as a student attorney in the Criminal Litigation Law Clinic.

**Cheyne R. Scott** is a civil litigation attorney and a Partner in Chasan Lamparello Mallon & Cappuzzo, P.C. in Secaucus, New Jersey. She concentrates her practice in contracts, governmental entity representation, and labor and employment law; and represents individuals, municipalities, counties, authorities and school boards in litigation and compliance matters arising under New Jersey's *Tort Claims Act* (Title 59).

Admitted to practice in New Jersey and Michigan, and before the United States District Court for the District of New Jersey, Ms. Scott is Past President of the Hudson County Bar Association's Young Lawyers Division and has been a Trustee of the Association. She is a member of the New Jersey State Bar Association's Diversity Committee, the NJSBA Labor and Employment Law Section's Executive Committee and was selected by the Association as a 2016-2017 Leadership Academy Fellow.

Ms. Scott has lectured for ICLE on labor and employment matters and has also lectured and written on mindfulness and self-care for attorneys. Her article "Mindfulness: A Simpler Way to Alleviate Attorney Stress" was published in the American Bar Association's *GPSOLO Magazine* (July/August 2017). She is also the author of "The ABCs of Emotional Health" which appeared in the July 2019 issue of *New Jersey Lawyer*.

Ms. Scott received her B.A. from Michigan State University and her J.D., *cum laude*, from Thomas M. Cooley Law School. She served as a Judicial Intern to the Honorable Patrick J. Duggan, United States District Court for the Eastern District of Michigan. She was also Law Clerk to the Honorable Sheila A. Venable, Presiding Judge, Criminal Division, Hudson County, Superior Court of New Jersey.

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