

IMPLICIT BIAS TRAINING: 2 Hours

Effective Implicit Bias training has three parts: (1) the **Law**, (2) the **Science** and (3) **Practical and Relatable Examples** of how implicit bias manifests itself in the workplace. Successful programs are best executed with a mandate from top leadership to attend the training, direct involvement with management in the training, and hands on exercises where people can discuss biases using real life examples of situations where implicit bias is evident.

WHAT IS THE FORMAT? Introduction by firm chair or member of the executive committee with an explanation that the training is designed to raise consciousness and describing the firm's commitment to a work environment where everyone feels welcomed.

- A presentation by me (which usually qualifies for CLE) on the origins of implicit bias as a legal theory and the science behind biases - with examples of studies that have been done to examine biases and how they are manifested. I use a lot of humor, which takes the edge off and is extremely helpful for retention. I give examples of my own biases, and emphasize that we are not here to change people's opinions, rather, to ensure that people recognize their own biases and are given permission to call out other people's biases when they see them.
- We then divide the participants into groups and each group has a different scenario that is developed through a collaborative effort with me and representatives from the firm. Having represented law firms and large companies during my career as a management side employment litigator, I have many examples of actual situations where implicit bias impacted an employment decision or created an issue in the workplace. I can use these actual scenarios or use my preferred approach, which is to talk with representatives from your firm to see how we can tweak these actual cases to resonate with the firm's culture and experiences.
- Each group discusses a different scenario and is told to select a team speaker to report the group's findings. However, when we reconvene, instead of reporting on the group's discussion, we begin to role play with the speaker. I generally like to have someone from management involved in the role playing as it personalizes the discussion and shows commitment from the top to the training.

DOES IT WORK? This style of discussing implicit biases and how they can play out is engaging, and the participants see different perspectives unfold. Because of the interactive and lively nature of the discussions and that the scenarios are relatable, people relax and feel comfortable talking about their views and opinions which is critical to effective training on this issue.

IS THAT ALL IT TAKES TO ELIMINATE IMPLICIT BIAS IN LAW FIRMS? Of course not. This program should be part of a broader approach to addressing implicit biases in the firm. I am happy to discuss what that looks like. This is the first step: acknowledging the issue and giving people the tools to recognize it in themselves and others. I am happy to provide references upon request.

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