

PUBLICATION

ABA Study Shows Disabled, LGBTQ+ Lawyers Face Discrimination in the Workplace; Sheds Light on Enhancing Experiences for Persons with Visible and Mixed-Visible Identities

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A recent national study by the American Bar Association and the Burton Blatt Institute at Syracuse University examined the experiences of LGBTQ+ attorneys and attorneys with health impairments and conditions, and those who identify as having disabilities, to gain insight into the experiences of attorneys with complex, non-visible or mixed visible identities across the profession. In one of the first and largest studies of its kind, the ABA and the Burton Blatt institute surveyed 3,590 lawyers from every state and the District of Columbia, finding that lawyers identifying as LGBTQ+ or as having a disability report experiencing both overt and subtle forms of discrimination at work. According to the study, "the longer-term objectives of this project are to measurably enhance the professional lives of lawyers and others engaged in the legal profession, and to mitigate pernicious sources of attitudinal stigma and structural bias in the profession."

According to the study, previous diversity studies have largely examined visible social identities such as race, ethnicity and age, which are more readily apparent than social identities of mixed-visible and nonvisible identities such as LGBTQ+ and having a disability. The ABA study sheds light on the lesser-studied experiences of diverse attorneys who are not necessarily visibly diverse. The study also examined the intersectional nature of these identities by studying persons identifying as both LGBTQ+ and as having a disability. As explained in the ABA's [news release](#), "lawyers with a health condition or impairment and who identify as a person with a disability reported experiencing more overt forms of discrimination, such as bullying and harassment, as compared to people who do not have such conditions. Attitudinal biases and structural barriers may be even more challenging for those with multiple identities that intersect."

While studying the experiences of all diverse persons is undoubtedly important, the study's [findings](#) bring to light the intersectional experiences of persons holding these identities, ultimately concluding that "current D&I concepts may be too narrow to adequately address their complexities." While this is only the first of many ABA studies into intersectional diversity, the findings show us that the "experiences of these groups are complex and merit enhanced attention."

Studying the experiences of varied groups of diverse people sheds light on new ways to improve the experiences of diverse attorneys across the legal profession. In light of these findings, the ABA proposes an "expansion of the traditional D&I concept" into a "D&I+" approach with emphasis on accommodation for diverse people in the legal profession. This, according to the study, will serve to enhance the experiences of diverse persons, leading to the maximization of talent and thus adding value to legal organizations.

More information on the study as well a complete analysis of the study's first phase findings can be found [here](#).