

Corporate Counsel Series: Ethics and Elimination of Bias

Tuesday, May 18, 2021
Zoom Webinar

Agenda

1:00 p.m. – 1:05 p.m.

Opening remarks

1:05 p.m. – 2:45 p.m.

Navigating Real Rules of Legal Ethics in a Virtual World

Holly Dyer, Jeremy Graber, and Jason Lacey

Even when the rules don't change, sometimes changed circumstances give us reason to think about the rules in a new or different way. Such is the case as we continue to navigate the COVID-19 pandemic and plan for what may be ahead. Our ethical duties as lawyers remain the same, but just about everything else seems different. Is working from home – or wherever – the new norm? Does it matter where we're licensed if we can have a virtual presence anywhere? Do we really have to know how to use Zoom, and Teams, and Google Meet, and BlueJeans? This program will review key ethical considerations in light of the challenges brought about by the pandemic and the post-pandemic world. Other recent opinions and developments will be addressed as well. Topics will include the following:

- Ethical considerations when working remotely, including use of technology, maintaining confidentiality, and supervision of staff and subordinate lawyers
- Considerations regarding multijurisdictional practice and unauthorized practice of law when working virtually
- Dealing with stress and wellbeing during a time of heightened anxiety
- Recognizing when a personal relationship may give rise to a conflict of interest
- Other recent cases and opinions addressing legal ethics and professional responsibility
- **Rules:** 1.1, 1.4, 1.6, 1.7, 5.1, 5.3, 5.5

2:45 p.m. – 2:50 p.m.

Break

2:50 p.m. – 3:40 p.m.

Understanding Unconscious Bias and the Automatic Mind

Sarah Otto and Sarah Stula

Did you know that blind orchestra auditions, where the candidate performs behind a screen, increased the presence of women in U.S. orchestras from 5% to between 40% and 50%? Did you know that identical resumes with "typically white" names received 50% more callbacks for interviews than "typically black" names? Emerging research shows that unconscious bias can lead to unequal racial, gender, and other outcomes. And the research is clear – discriminatory implicit biases can impact our responses, even when the responding individual has egalitarian conscious views. This presentation will address:

- Increasing your own awareness of automatic thoughts and responses through interactive activities and real-world examples
- The impact unconscious bias can play on perception
- Research-based strategies for combating implicit bias – both at the individual and institutional level
- The importance of cultural competency
- Kansas Rules of Professional Conduct 1.1, 1.4, 8.4
- Missouri Rules of Professional Conduct 4-1.1, 4-1.4, 4-8.4

3:40 p.m. – 3:45 p.m.

Closing