







## Executive Summary

The U.S. Department of Justice has recognized the importance of having a diverse attorney workforce—both to ensure that it performs at its best and to ensure that it maintains the confidence of the American people. As the “nation’s law firm,” DOJ must represent the nation.

DOJ commissioned KPMG Consulting and Taylor Cox & Associates to analyze its human resources management practices for their effect on the Department’s ability to recruit, hire, promote, retain, and utilize an attorney workforce that is diverse with respect to gender, race, and ethnicity. Our analytical framework, the Interactional Model for Cultural Diversity, focuses on how the work climate at DOJ impacts individual and organizational outcomes.

In order to achieve its diversity goals, the Department must attain the following:

- Female and racial/ethnic minorities are represented at all levels of the Department at a rate consistent with their representation in the overall population of attorneys in the United States.
- All gender and racial/ethnic groups of attorneys achieve parity in job satisfaction and perceptions of fairness in the work climate.

The study involved assessing the Department’s human resources administration by interviewing HR managers, analyzing workforce data, conducting interviews and focus groups with attorneys, and administering an employee survey to the attorney workforce. In all, approximately 1,400 DOJ attorneys (out of an approximate total of 9,200) provided input into the study. In addition, we gathered input for the study from the American Bar Association, minority bar associations, and DOJ attorney employee associations. We also explored public- and private-sector organizations for benchmarks and best practices.

Following are the key findings of the study:

Attorneys across demographic groups believe that the Department **is a good place to work**. Most attorneys across race/ethnicity, gender, and component groups report that the environment is **collegial and productive**. They cite their autonomy and the challenging, rewarding work that they perform. Most cite satisfaction with their jobs, an expectation to stay, and a high degree of positive identification with DOJ. Moreover, private industry cites DOJ as a trend-setter for diversity.

However, the Department does face **significant diversity issues**. Whites and minorities as well as men and women perceive differences in many aspects of the work climate. For example, minorities are significantly more likely than whites to cite stereotyping, harassment, and racial tension as characteristics of the work climate. Many of these differences are also present between men and women, although to a lesser extent.

**Minorities perceive unfairness** in a number of human resources practices, such as hiring and promotion. Among the most common concerns cited were perceptions of unfairness in case assignment and a belief that exclusive informal networks limit access to communication with managers, premium job assignments, mentoring, and promotion.

The Department suffers from an **inadequate human resources management infrastructure**. There is widespread perception, especially among minorities, that HR practices lack transparency. This results in attorneys perceiving that practices are unfair. The Department does not emphasize career development, and tools for performance appraisal are deficient. As a result, attorneys cite poor “people management” by supervisors.

**Section Chiefs are an extremely critical element** of the Department’s diversity climate. They have significant authority in recruitment, hiring, promotion, performance appraisal, case assignment, and career development. The Section Chief workforce is not diverse and turnover is low. This pattern, combined with the generally low attention that these managers pay to staff career development, leads minorities to perceive a lack of advancement opportunities.

The Department’s attorney workforce is **more diverse than the U.S. legal workforce**: 38% female, compared to 30% in the U.S. legal labor pool, and 15% minority, compared to 12% in the labor pool. The Department’s attorney workforce is about **as diverse as the federal government legal workforce**, whose attorneys are 38% female and 16% minority.

**Hiring is serving to make the Department even more diverse**: hires in 2001 were 40% female and 21% minority. In particular, **the Attorney General’s Honors Program is an important tool** for increasing diversity. Honors Program hires in 2001 were 63% female, compared to 45% of the law school graduating class, and 30% minority, compared to 21% of the class of 2001.

Minorities are **significantly under-represented in management ranks**. They comprise only 7% of (career) SES attorneys and 11% of supervisory Assistant U.S. Attorneys. Women constitute 31% of SESs and 37% of supervisory AUSAs. Among GS-15 attorneys in the Litigating Divisions, minorities comprise 11% of non-supervisors and 6% of supervisors, and women comprise 37% of non-supervisors and 33% of supervisors.

**Minorities are substantially more likely to leave the Department than whites**. In 2001, the attrition rate was 49% higher among minorities than whites. There was no difference in recent attrition between men and women.

There are also statistically **significant race and/or gender effects** on a number of HR outcomes, including starting grade, current grade, promotions, and compensation. For example, the average minority GS attorney is currently 0.4 steps lower than the average white, and the average woman is 0.3 steps lower than the average man, controlling for seniority, grade, and component.

Based on these findings, we recommend that the Department take the following actions:

**Exercise AG- and DAG-level leadership** to stress the importance of diversity and their commitment to it. Publicly commit the Department to parity both in diversity outcomes (e.g., comparable representation at all levels) and in attitudes (e.g., job satisfaction) among all demographic groups. Identify levers for change, focusing on AAGs (who are diverse) and Section Chiefs. Implement training of leaders to identify their role in shaping work climate issues and in effectuating change.

Create a **diversity measurement plan** which addresses key elements of diversity by component. Hold management accountable for adhering to the plan and base their rewards on success. As components develop solutions, implement them department-wide.

Implement a **performance measurement system** to track diversity results against measurement plans. Routinize reporting of diversity outcomes by component and section. What gets measured gets done—managers do not like to be at the bottom of lists in areas that senior leadership finds important.

Implement a **career development** process. Hold managers accountable for career development of staff. Emphasize skill in and attention to career development in selecting and nurturing managers. Implement a **staff performance management** system with more than two performance levels, and enforce its use in a value-adding way. Further develop mentoring capabilities in a systematic program with ongoing analysis and improvement. Good diversity management begins with good HR management.

**Address the perceived lack of transparency and unfairness** in HR systems. Conduct a study of case assignments to determine whether they are fair. Involve more diverse and more junior staff in recruiting and other HR functions. Promulgate consistent standards and policies for employee performance and HR administration.

Administer **exit surveys** and **attitudinal surveys** on an ongoing basis to track diversity climate changes. Statistically model the relationship between survey results and poor staff performance and attrition. Devise proactive strategies to reduce the likelihood of these adverse outcomes.

Leverage some of the successes of the Honors Program for **lateral hiring diversity**. Circulate vacancy announcements more widely, including in DOJ components other than that in which the vacancy occurs. Be more creative about defining qualifications, including partnerships with industry to increase outreach to a diverse audience—especially for fields with historically low diversity. Track data on applicants through the recruiting and selection process for more informed planning and sourcing of candidates.

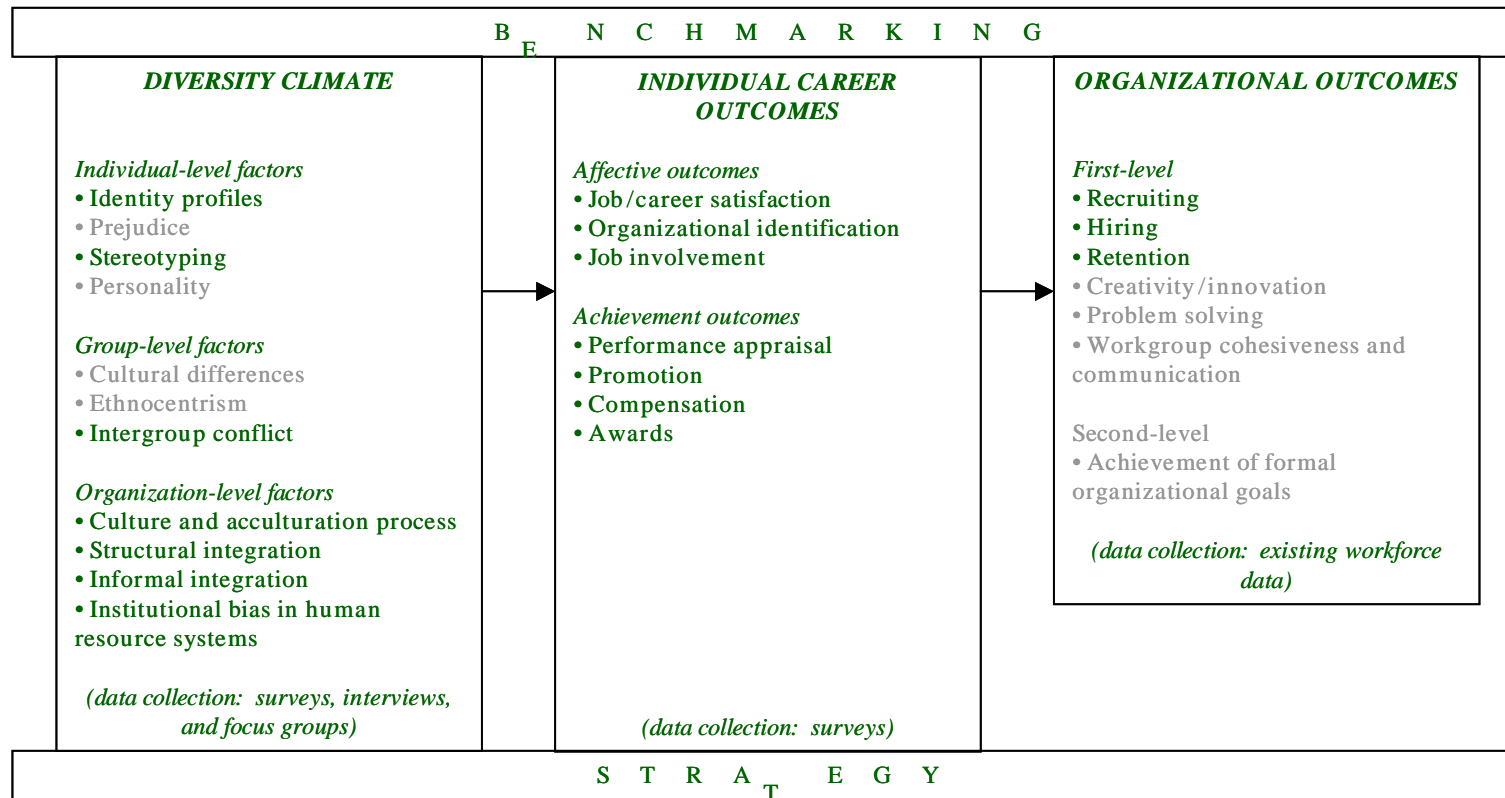








Figure 2.1.0.1. Interactional Model of Cultural Diversity (adapted with permission from Cox, 1993)



Note: Elements in gray are parts of the template IMCD model that were not studied in this project

We selected this model for the study for a number of reasons. First, it provides a comprehensive view of the factors that require attention if an organization aspires to attract, retain, and leverage the full potential of a diverse workforce. Second, the model is based on leading-edge theory and empirical research about phenomena related to diversity. Third, as mentioned earlier, the model has been demonstrated to produce measurable results when applied with diligence over a reasonable period of time.<sup>3</sup>

An important part of the study was to provide a definition of diversity in light of the model and DOJ's goals. While workforce composition is an important dimension of workforce diversity, there is increasing recognition in the federal government management community<sup>4</sup> that true workforce diversity must mean more than just appropriate representation of all gender and racial/ethnic groups in the workforce. A well-balanced diversity effort must also include creating an environment in which people of all cultural and social backgrounds can achieve their potential unencumbered by barriers related to their personal identity (e.g., as women, as Hispanics, etc.). A central characteristic of such an environment is that people of all gender and racial/ethnic backgrounds perceive the same level of job satisfaction, organizational identification, career development prospects, and other individual outcomes. Such efforts are more focused on retention and creating a diversity climate that will make recruitment easier in the future.

To understand why these environmental, or *climate*, factors are as important as workforce-composition outcomes, consider an organization that had achieved appropriate representation of women and minorities at all levels of its hierarchy but did not achieve parity in the positive climate factors. The likely result would be that women and/or minorities would be leaving the organization at a greater rate than men and/or whites, so that the organization would have to recruit a larger proportion of women and/or minorities to counteract their higher attrition. Thus, at any given time, the organization would appear to have no diversity problem if diversity were defined only in terms of the numerical composition of the workforce. However, the organization's hiring and attrition patterns would be *masking* what is a bona fide diversity problem—that women and/or minorities were not as satisfied or successful as they could be. In turn, the organization would not be able to realize the full potential of a diverse workforce.

Therefore, for the purpose of this study, we propose that the Department of Justice use the following definition to characterize its diversity goals:

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<sup>3</sup> For details, see Cox, Jr., Taylor, 2001. *Creating the Multicultural Organization*. San Francisco, CA: Jossey-Bass.

<sup>4</sup> See, e.g., U.S. General Accounting Office, 1997. *Hispanic Employment Best Practices Used by Selected Agencies and Companies*. GAO/GGD-97-46, and U.S. Equal Employment Opportunity Commission, 1997. *Best Equal Employment Opportunity Policies, Programs, and Practices in the Private Sector*. EEOC.

Workforce diversity is achieved at DOJ when:

- Female and racial/ethnic minorities are represented at all levels of the Department at a rate consistent with their representation in the overall population of attorneys (government and non-government) in the United States.
- All gender and racial/ethnic groups of attorneys achieve parity in job satisfaction and perceptions of fairness in the work climate.

The definition makes a few key points about diversity at DOJ that should not be overlooked. First of all, women and minorities should be sufficiently represented *at all levels of the Department*, meaning in both attorney staff and management positions. Also, we suggest that the relevant comparison be made to *the market of attorneys in the United States*. This may not necessarily represent the true applicable labor force for the Department, as employment law teaches us that a true applicable labor force is the population of those qualified individuals interested in working in an organization. However, given that DOJ attorneys practice in virtually every field of law, its client base is the entire nation, its legal adversaries may be virtually any type of practitioner, it practices in every jurisdiction in the nation, and the market views DOJ attorney jobs as attractive, the entire population of lawyers in the U.S. may be used as a reasonable proxy for the DOJ labor force.

This definition, which reflects the premise of the Interactional Model, informed the study throughout.





### *Participant selection*

We developed a data collection strategy to account for the population of attorneys in each studied component as well as for diversity in terms of geography and demographics of the component. We also collected data at field sites<sup>5</sup> based on the number of components present and areas where minority groups tended to have higher representation to help broaden the interview pool. The outcome of this strategy was a data collection plan that specified target focus group and individual sample sizes by component, demographic, and location.

For focus groups and individual interviews, it is imperative that a control mechanism be put in place to reduce the likelihood of any forms of bias regarding selection. In the case of the DOJ focus groups, as well as individual interviews, we employed a very straightforward selection process, in light of the devised data collection plan, that attempted to select a random sample of attorneys for each session. The specific methodology employed varied according to the component, but overall the process remained consistent.

KPMG Consulting relied heavily on our component contacts, who were managers designated by each component head to facilitate our data collection within that component. Due to the short duration of data collection and our lack of direct access to the attorney population, we asked the component contacts to assist us in selecting the samples of interview subjects. For the most part, the contacts provided a list of attorneys, including their demographic groups, from which we randomly selected participants for either focus groups or individual interviews. Other components disseminated an open interview invitation that asked attorneys to respond to a KPMG Consulting representative with their particular demographic group and time slot of interest. Upon receiving the list of volunteers, we randomly selected those candidates to be interviewed. In both cases, we relied on the DOJ component contacts to identify the relevant population of attorneys and disseminate these requests. During the course of the study, it became apparent that most attorneys tended to select out of focus groups and into individual interviews due to the increased confidentiality. As a result, we shifted our data collection approach somewhat to hold more individual interviews and fewer focus groups.

It became apparent that a fear of adverse repercussions from participating in this study was very real for many attorneys.

### *Focus group methodology*

Focus groups are an efficient way to collect data that is somewhat less structured and more robust than results from a closed-ended attitudinal survey. For this study, we convened a series of focus groups comprised of a target of between six and ten respondents each. All but a few focus groups were homogeneous with respect to component, job level (supervisory or non-supervisory), and demographic group. We divided the population into five demographics: white males, white females, gender-mixed African-Americans, gender-mixed Hispanics, and gender-mixed other minorities. In areas with small populations, some focus groups consisted of gender-mixed sets of all non-white racial/ethnic groups. For managers, in virtually all cases our data

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<sup>5</sup> Field sites visited were Denver, CO; San Francisco, CA; Los Angeles, CA; Miami, FL; Dallas, TX; and New York, NY.

collection was via individual interviews or small group interviews with the management team of a component or office within a component.

In most cases the facilitator of the group, a trained and experienced moderator from KPMG Consulting or Taylor Cox & Associates, was of the same demographic group as the participants. In our experience, having homogeneous focus groups with a moderator of the same demographic maximizes subjects' candor.

For the focus groups and individual interviews, we employed a series of high-level questions—asking about the work climate, recruiting and hiring, promotions, case assignments, and previous diversity initiatives of which the group was aware. The interview protocol is provided in appendix A.

#### *Using both focus groups and individual interviews to increase robustness*

In a focus group, it is important to leverage the group dynamic but not let it alter results. This group dynamic allows individuals to react to statements made by their peers, and in some cases enables the group to attain a consensus on their own terms. On the other hand, it is important that participants do not get unduly swayed by a particularly charismatic member of the group.

For this reason we used both individual interviews and focus groups to collect data. In individual interviews we asked the participant directly about a number of issues, such as whether he/she believes that men and women have an equal opportunity to be promoted, and used the results to compute objective statistics and corresponding tests to determine whether men and women as well as whites and minorities answered differently from each other. We asked the same questions in focus groups, and indicated the consensus of the group when there was one, but did not use the group results for statistical tests.

In general, responses were similar in individual interviews and focus groups.

#### *Self-selected nature of participation*

For all modes of data collection in the study—and in any study in which participation is not compulsory—participation is inherently self-selected. That is, we will only obtain the input of individuals who choose to provide it.

It is a tenet of survey research that self-selected participants may not give representative results. At the very least, in some studies only individuals with more emphatic opinions are likely to participate if everyone is given an equal chance to participate. It is also possible in a study that not only are individuals with more emphatic opinions likely to participate, but individuals with more emphatic opinions *of a certain nature*—for example, either particularly negative opinions or particularly positive opinions—are likely to participate.

Thus it is important in a study such as this to limit the ability of self-selection to undermine the validity of the results. Both the research design and conduct of data collection can assist in assuring validity, and we incorporated such techniques in the design of this study:



- *Including a broad base of opinion in the study.* We included opinion from all eleven components, including all racial and gender demographics and job levels, in a variety of geographic locales, to ensure that no stratum of the population had undue influence on the results. Because the climate is so varied across DOJ, this approach reduced the likelihood that the sample was tainted. Moreover, including the survey results in our findings means that the opinion of over 1,400 DOJ attorneys informed the results of the study.
- *Skillfully moderating with a well-defined agenda.* For each interview and focus group, we had a specific agenda of questions to answer. Thus, if an individual came to the group with a specific agenda of his/her own, it would be confined to the discussion of general comments and be less likely to permeate the individual's response to any specific questions. Additionally, we used experienced and skilled moderators, who focused on the answers to the questions and did not allow individuals' preconceptions to unduly influence the results or the opinions of others in the group.
- *Including a variety of data collection modes.* Using interviews, focus groups, and surveys reduces the ability of self-selection to impact the results because the nature of data collected is varied. Agreement between the themes manifested in each mode indicates stability—and validity—of results. (We discuss our analytical approach to the various data modes in section 2.4.)

Respondent self-selection can impact any study; in this study, we were aware of the issues and incorporated several measures to limit its impact.

### ***Anonymity***

Anonymity of participants was essential given the sensitivity of the subject. Many interview subjects expressed concern about anonymity, and we assured them that it would be protected in the sense that no individual findings would be attributed to any individual. We also protected the confidentiality of individuals' participation, subject to the limitation of some components' requirement to involve HR administrators and/or attorney supervisors in participant selection. DOJ should be cognizant of the importance participants placed on anonymity.

### ***Respondent receptiveness***

Despite our difficulty at times to recruit participants for the focus groups and individual interviews, we found the vast majority of subjects to be quite receptive to the study. Most expressed the view the project had value, and participated thoughtfully and (as far as we can ascertain) truthfully. Many expressed concern that numerous similar studies had been conducted in the past without much follow-up action, but, still, most were not cynical about the effort and envisioned that the study would yield positive results for the Department.

















### *Litigating Divisions*

The Litigating Divisions are headquartered in Washington, D.C., with most attorneys practicing there. Each Assistant Attorney General (AAG) and most Deputy Assistant Attorneys General (DAAG) are located in the main DOJ building, but most Executive Officers, who serve as the chief administrative officers of the Divisions, are not. AAGs, DAAGs, Executive Officers, and attorneys agree that even within each Division, the human resources administration, work climate—and, ultimately, diversity climate—vary by organizational unit. These units, known as Branches in the Civil Division and Sections in the other Divisions, are clearly the salient work environment (and location in which change would actually be implemented) for attorneys in the Litigating Divisions. (In some Sections, especially in the Civil Division, there exist additional layers of division below the Section level. Management of these layers is also influential in establishing the work climate in some cases.)

One of our key findings in this study is that the Section Chief (or Branch Director in the Civil Division) is extremely pivotal in establishing the work climate in his/her Section. The Chief, who is almost always a member of the Senior Executive Service, can be largely responsible for any climate problem in a Section, and be largely influential in implementing solutions. The Chief is ultimately accountable for the performance of the Section. He/she is the ultimate supervisor of attorneys, and has substantial influence in hiring, promotions, case assignments, and career development. He/she is the most senior attorney in the Division that most attorneys routinely come into contact with (and the most junior attorney that most DAAGs and AAGs routinely come into contact with). As mentioned earlier, most AAGs and DAAGs are physically separated from their attorney staffs—which has a significant impact on the analysis of these Divisions' climates and their strategies for implementing change. As discussed in the section of this report on recommendations, any approach to diversity management in the Litigating Divisions must focus substantially on the Section Chiefs.

Virtually all Sections also have Deputy and/or Assistant Chiefs (or Directors). The influence on human resources management and diversity climate that these individuals have varies widely and is significant in some cases. In most Sections, these individuals participate substantially in hiring decisions; in some, they handle most case assignments; and in a few, they have formal supervisory duties.

We found that these Deputy and Assistant Chief (and similar) positions are also important to the diversity climate for a number of reasons:

- Their human resources management role gives them influence on the environment in the organization.
- Many of the positions were created partially to increase the number of management opportunities available in their respective divisions. Given the low turnover in the Chief positions, Divisions created these Deputy and Assistant Chief positions partially to serve as a place into which to promote talented attorneys, thereby serving as a retention tool. Most attorneys and Executive Office personnel to whom we spoke indicated that, although turnover in these positions is also low, they are somewhat

successful in their aim to create an additional rung in the career ladder for talented attorneys.

- These positions are more diverse than the Chief positions, but less diverse than the attorney population as a whole and the GS-15 population as a whole.

In all, we found that the Litigating Divisions are generally viewed as a better place to work than other components except U.S. Attorneys' Offices. This is due to the greater opportunity for advancement (see section 3.2.7.4. ), more desirable cases, the higher profile and greater prestige that these components carry, and their organizational structure which promotes autonomy.

### ***Immigration and Naturalization Service***

Most INS attorneys are located in the field. The INS General Counsel oversees three Regions, each headed by a Regional Counsel (one of whom is an SES member) and 32 District offices, each headed by a District Counsel. The District Counsel, who are in most cases the only GS-15 attorneys in the component, and some of whom have deputies, are the day-to-day supervisors for the INS attorney workforce. The organizational culture varies by office and is influenced by the leadership in each office and the Regional Counsel that oversees it.

### ***Executive Office for Immigration Review***

Most EOIR attorneys are located in Falls Church, VA in the General Counsel's office or as staff support to the Board of Immigration Appeals. The component also has a significant field presence, but most EOIR staff located in the field are immigration judges, who were not covered in this study. The promotion potential for staff attorneys is GS-15.

### ***Bureau of Prisons***

Most of the BOP attorney workforce has historically been located in federal prison institutions. This organization significantly impacts the work climate in a number of ways:

- In most cases, only one attorney is present in each facility. Thus the attorney does not have colleagues with whom to share ideas and experiences.
- There are few advancement opportunities for attorneys.
- The attorney is frequently called upon to perform non-legal, largely administrative, duties.
- Federal prison atmospheres are cited as unpleasant places to work, especially for professionals.
- Most facilities are geographically isolated, in locales with few amenities. This factor has been cited as especially adverse to minorities.

Moreover, legal practice is not the core of BOP's mission, unlike the other components involved in the study (except, to some extent, the INS). This has resulted, in the opinion of attorneys, in BOP being characterized by a law-enforcement culture, and, as a result, the attorney workforce being regarded with lower esteem than the law-enforcement workforce throughout the component.





Separately from the role of an office like OARM in principle, most participants in the study agreed that *in practice* the organization of OARM is flawed. OARM managers say that the office cannot rely on steady, sufficient funding because it is not part of mainstream JMD. However, OARM sees the exposure and attention that it gets from the Deputy Attorney General's office as important to its success.

The role of OARM is important for the study and our recommendations. We sought in the study to determine whether OARM has contributed to the Department's current positive standing with respect to diversity (we believe that it has), whether an office like OARM could be an important lever for improving diversity in the Department (we believe that it could), and, if so, how it should be structured. We discuss the potential role of OARM throughout the sections on findings and recommendations.

### ***The roles of other JMD offices***

Other parts of the Justice Management Division impact the diversity of the attorney workforce and merit recognition in the study. The Equal Employment Opportunity Staff (EEOS) is an active and important part of the Department. It consults with OARM and the components, especially the Litigating Divisions, on EEO issues, especially hiring and discrimination complaints. It has also offered diversity training in the past. EEOS managers believe that the office is currently underutilized, partially due to communication barriers between itself and the components.

The EEOS's Special Emphasis Programs consist of a staff of ombudsmen who provide counseling for minority DOJ employees. The Personnel Staff manages human resources for non-attorney staff in the Litigating Divisions and occasionally collaborates with OARM on human resources management best practices. The Finance Staff maintains DOJ's employment records, including demographic information.

### ***Conclusion***

Throughout our interviews with JMD, OARM, and the component front offices, senior leaders, managers, and staff, we focused on each party's insight on attorney diversity and the leverage that it has to impact that diversity. These findings informed the way that we posed questions to interview subjects, and we took them into account as we formulated our overall findings for the study and recommendations.

More importantly, these findings are relevant for how the Department addresses the issues that we uncovered in the study. We believe that it will take extraordinarily strong leadership from the Attorney General's and Deputy Attorney General's Offices to implement change, and in turn very strong leadership from the Assistant Attorneys General, INS Commissioner, individual U.S. Attorneys, the U.S. Trustees Director, and heads of the other components for any change to occur. The Attorney General and Strategic Management Council will face significant challenges in leveraging the key managers within components—e.g., the Section Chiefs and District Counsel—to achieve the necessary results.

















The data in figures 3.2.2.1 and 3.2.2.2. show that views on these general culture items are statistically significantly different<sup>14</sup> depending on the DOJ member's race and gender. A pattern emerges here that is prevalent throughout the assessment—namely that women in DOJ are less likely than men to hold favorable views on the measures of work climate and that racial minorities (as a group) are less likely than whites to hold favorable views on measures of work climate.

It is especially noteworthy that a large majority of both women and minorities answered unfavorably about the item asking about tolerance of dissent. In interviews, managers suggested that the Department is *more* tolerant of criticism of the institution from employees than other organizations are.

In focus groups and individual interviews we also asked attorneys to describe the outstanding features of the work culture in their own words. Following are the eight pervasive themes—cited across gender, racial/ethnic, and component groups—that were reported<sup>15</sup>:

- family-friendly environment;
- members have high autonomy to perform jobs;
- highly collegial environment (i.e., people support and help each other);
- challenging work;
- accessibility of mentoring;
- high pressure and heavy workload;
- gaps in diversity (i.e., less-than-ideal representation of women and minorities in a variety of areas); and
- presence of cliques and favoritism (e.g., bias in favor of whites, bias in favor of graduates of Ivy League law schools, and bias in favor of other groups that are not necessarily based on race or gender identity).

There are two striking findings about this list: five of the themes characterize the culture in unequivocally positive terms. (A sixth, high pressure and heavy workload, could be positive, although the way that participants expressed it was in negative terms). It is clear that DOJ is generally viewed as a good place to work by people of all gender and racial/ethnic backgrounds.

Second, the two themes that are unfavorable characterizations deal directly with diversity issues. (Although this study focused on diversity, this particular question asked only about the general work culture. The fact that racial and/or gender identity was cited by some participants as a factor in clique membership and that minorities were somewhat more likely than whites to cite this aspect of the culture establish that it is related to diversity.)

We also studied those factors from which culture derives. In the Department's case, the nature of the work and the workforce are responsible for a good deal of the culture. Although the eight

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<sup>14</sup> Throughout the report, when we say "significant," we mean that the effect is *statistically* significant (where applicable).

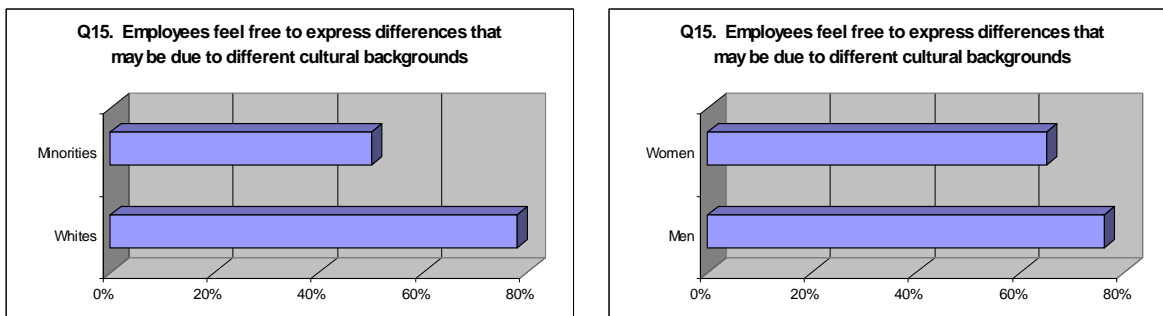
<sup>15</sup> The prevalence of these themes derives from two criteria: (1) they were mentioned in at least 50 percent of the DOJ components studied; and (2) they were mentioned by a preponderance of participants from three or more of the five gender/race strata (white men, white women, African-Americans, Hispanics, and other minorities). Thus, they are pervasive across components, genders, and races.

factors mentioned above are present across the Department, nuances within them and other aspects of the culture vary a good deal by component and location. As in any organization, the leadership of each office plays an important role in setting the tone as well. The Section Chief (or equivalent) in the Litigating Divisions, Regional Counsel or District Counsel in the INS, U.S. Trustee or Assistant U.S. Trustee, U.S. Attorney, and local office head in EOIR and BOP are those managers at the level within their respective organization who are at the most critical position to impact culture.

### ***Acculturation***

Acculturation deals with the organization's acceptance of cultural differences among employees. One survey question dealt with this topic. The following figure shows the percentage of each group that expressed agreement with the statement, "Employees feel free to express differences that may be due to different cultural backgrounds":

**Figure 3.2.2.3. Acculturation survey responses**



There was a significant difference between men's and women's as well as whites' and minorities' perceptions of their freedom to express differences that may be due to cultural backgrounds.

In addition, we tested for differences related to combinations of gender and race identity on this survey question and found the following pattern in percent favorable response:

- white men: 83%;
- white women: 73%;
- minority men: 56%; and
- minority women: 42%.

Note that the proportion of favorable response declines continually as the identity profile of the group is less similar to white male (the majority culture group) and, in particular, minority women are the only group in which a majority of attorneys give an unfavorable response.

These results give an important insight into how culture and diversity relate to one another. The more different a person is from the traditional group of power in an organization, the more likely that person is to experience cultural distance or separation from the dominant norms and ways of operating in that organization. White men, having essentially created the culture of the organization, are most comfortable working in it. The amount of discomfort experienced by people of other backgrounds will be greater when there is strong pressure for newcomers to conform (assimilate) to the existing dominant culture norms.

The fact that attorneys who are both female and members of racial minority groups have the least favorable reported experience is generally true throughout this study. This outcome includes not just results based on individual perceptions, but also on organizational outcomes such as upward mobility and compensation levels.

To illustrate how strong this result is, consider that across 49 survey items whose results can be reasonably compared across race/gender groups, minority women were the least likely of the four race/gender groups (white men, white women, minority men, minority women) to give a favorable response on 77% of the measures and second least likely to give a favorable response on another 19% of items. Moreover, the average difference in favorable response scores (across all survey items) for minority women compared to white men was 20 percentage points.





grades. Hispanics (12%), Asian Americans (13%), and minority women (17%) are least likely to be supervisory AUSAs.

The following graphs display the percentage of the attorney workforce within each grade that is a racial and/or ethnic minority. First, the following figures display the racial and gender breakdown of attorneys in components which use the General Schedule<sup>17</sup>:

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<sup>17</sup> Noncareer SES positions are excluded.







*Workforce diversity by job title*

Because the promotion potential for attorneys in the Litigating Divisions is to grade 15, and most attorneys achieve that grade early in their careers, exploring diversity simply by grade as discussed above is not sufficient to assess the diversity of the leadership of the Department. We should examine the demographic breakdowns by job title within the top grade as well.

Attorneys at grade 15 can fall into one of three categories:

- general non-supervisory attorneys;
- supervisory attorneys, such as Assistant Section Chiefs, Deputy Section Chiefs, or occasionally Section Chiefs; or
- other categories denoting special status but not supervisory duties, such as Senior Litigation Counsel, Special Litigation Counsel, Senior Counsel, Counsel or Special Assistant to the Assistant Attorney General or Deputy Assistant Attorney General, Attorney Advisor, or other ad hoc or component-specific titles.

The distinction between these groups—particularly the supervisory and line non-supervisory attorneys—is very important as a practical matter. Deputy and Assistant Section Chiefs have a fair deal of management responsibility in some Divisions, and accession to one of these positions is considered a promotion. Although many GS-15 non-supervisory attorneys, particularly those at the Senior Counsel and similar levels, may have significant authority and responsibility for major cases and play a key role in the Department of Justice’s organizational mission, it is the attorneys at the supervisory levels who have the most significant impact on structural integration—because they are most likely to be on hiring or promotion committees, contribute to performance appraisal and promotion decisions, and allocate case assignments and rewards.

We analyzed the breakdown of Litigating Division attorneys into these categories to attempt to ascertain whether the diversity illustrated at the GS-15 levels is independent of job title within the grade. The following graphs divide the GS-15 attorney workforce into the three categories outlined above and display the gender and racial diversity in each category. Each Division uses different titles, but all follow the general framework described, so that each Division’s attorneys can be comparably mapped to these three categories:









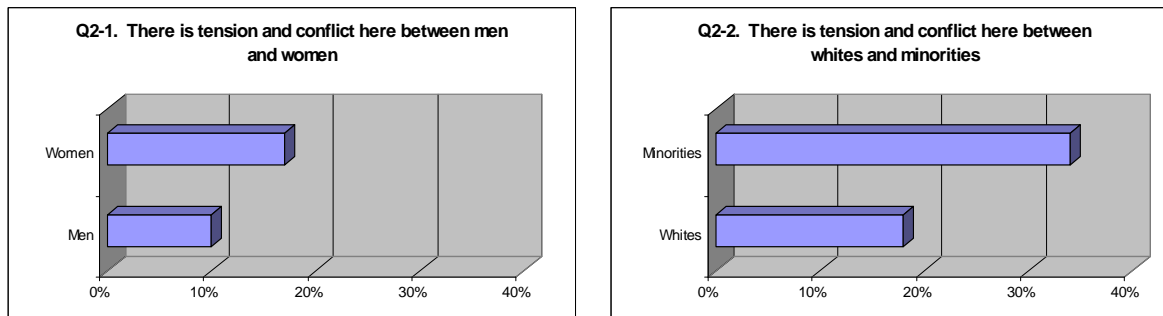


significantly less likely than men to say they would report observed incidents—84% for women, versus 93% for men.

### ***Racial and gender tension***

We also measured the inter-group conflict climate factor by asking directly about levels of specific types of conflict and tension within the Department. Although most respondents reported a lack of gender- and race-related conflict on the survey, there were statistically significant different responses to this question across demographic groups. The following figure displays these responses:

**Figure 3.2.4.2. Racial and gender tension survey responses**



Another element related to this finding is communication between gender and racial/ethnic groups. We provide these results in section 3.2.5.

### ***Summary of inter-group conflict findings***

Findings on this factor are mixed. When we asked attorneys to characterize the climate overall, they stressed the collegiality and inclusiveness of their peer interactions. However, when we explicitly asked in the survey whether sexual or racial/ethnic tension or harassment occurred in the workplace, a substantial portion of minority attorneys answered in the affirmative.

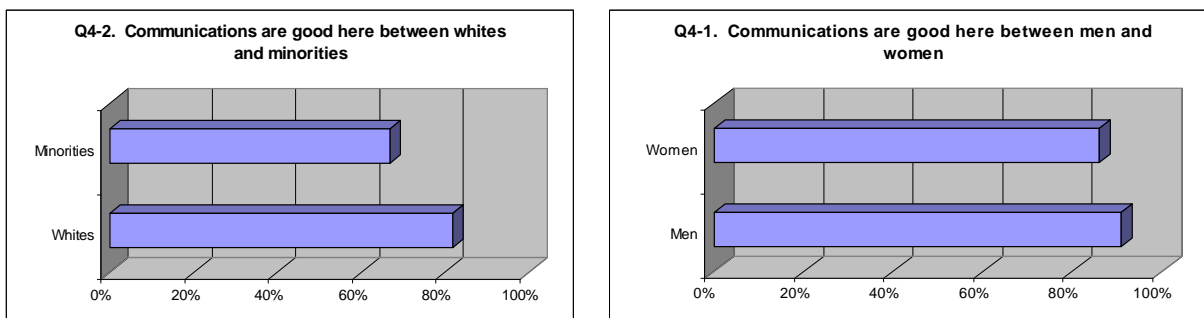


Many attorneys reported that cliques and other informal networks are a part of daily interaction. These types of networks are, of course, present in any organization, but we sought to determine both whether they have a racial/ethnic or gender effect and whether they are perceived as especially important to attorneys' career opportunities and advancement outcomes. In focus groups and interviews, minorities repeatedly expressed the belief that exclusive, informal networks limit their access to communication with managers, premium job assignments, mentoring, promotions, and other career growth outcomes.

### *Communication*

Another element of informal integration is communication—in particular, respondents' perception of their ability to communicate with other groups in the organization. The following figure provides results from the survey about this aspect:

**Figure 3.2.5.2. Communication survey responses**



Note that, on the whole, attorneys rate communication as a positive element of the work climate. Again, though, there is a statistically significant gap between whites and minorities.

### *Summary of informal integration findings*

As discussed in the previous section on inter-group conflict, DOJ is characterized by collegiality and inclusiveness across demographic lines. However, those results combine with the findings presented in this section to make the study inconclusive in this area. It is possible that minorities perceive that their interactions and communication with their peers are healthy, but their interactions with their superiors—which will eventually result in improved career opportunity and increased advancement—are less fair.

While we were unable to determine whether this negative perception corresponds to reality, we do find that the perception in and of itself is relevant for the Department. We also note two other findings cited throughout this report—the lack of diversity in management ranks and a lack of transparency in HR practices—which contribute to this perception and which can be improved.





OARM does not participate in candidate selection; it only administers recruiting on components' behalf and arranges components to interview candidates on campus and take over the selection process from there. OARM does, however, keep substantial data on the number of applicants, interviewees, selectees, and new hires (i.e., who accepted offers).

OARM also administers the Summer Law Intern Program, which provides paid internships to law school students, and a volunteer intern program. The Summer Program is administered comparably to and simultaneously with the Honors Program. Components use the Summer Program as a pipeline to generate Honors Program candidates to varying degrees, although not as much as might be expected.

Components utilize the Honors Program to varying degrees. Participating components generally identify vacancies by Section (or the equivalent, including by locale in some components)—numbering in the handful per year for each component—and use committees of attorneys and managers to conduct the interviewing and hiring, and then use committees of managers and senior managers to make final selections. The Litigating Divisions, BOP, INS, and EOIR make heavy use of the Honors Program. The U.S. Trustees program uses it sparingly, due to the nature of its workforce, and U.S. Attorneys' Offices generally do not hire entry-level attorneys, with some recent exceptions.

Managers throughout the Department are virtually unanimous in their acclaim for the program, particularly its outreach targeted at a diverse student pool. In fact, OARM cites two main benefits of the Honors Program:

- it allows the Department to have a unified, professional presence on campus and economies of scale in the recruiting process; and
- its ability to conduct outreach to a diverse market, which OARM bolsters by maintaining extensive contact lists for minority organizations.

Others throughout the components echo the success of the Honors Program in recruiting a high-quality labor force as well as a diverse one. Some participants, however, expressed the concern that the Honors Program does not recruit at a wide enough variety of law schools (especially those that are likely to have an especially high population of minority students), although results of our independent assessment do not concur with this perception.

The Summer Law Intern Program is also regarded as successful throughout the Department.

Above all, the Department reports that it does not have difficulty recruiting a diverse pool of entry-level attorneys because of the desirability of the job. Figures on applicant flow bolster this point, as the Department routinely gets hundreds of applicants for every entry-level position that it has open. Therefore, it is unknown to what degree OARM can be credited for this diversity, or whether the office is simply not necessary to achieve it. At the very least, DOJ benefits from the unified campus presence and centralized recruiting logistics that the Honors Program provides.





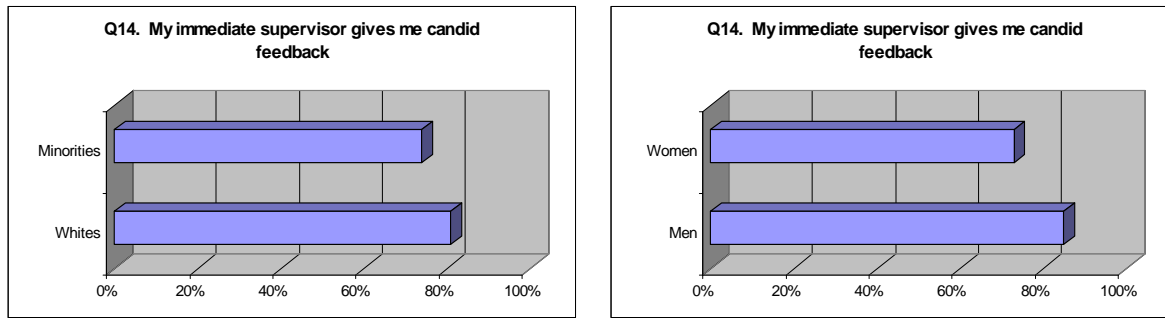








Figure 3.2.7.1. Performance feedback survey responses



Some components conduct evaluations semi-annually, and others annually. All of the Litigating Divisions, U.S. Trustees, and INS recently switched from a five-point to a “pass”/“fail” evaluation system. The Executive Office for Immigration Review uses a three-point scale (“outstanding”/“fully successful”/“unacceptable”). Only the Bureau of Prisons has maintained a five-step system, largely because that is what it uses for non-attorneys and it wishes the policy to be consistent. Each U.S. Attorney’s Office devises its own system.<sup>23</sup>

Each component cited the same reason for the switch to the two-point system (and BOP cites the same reason in desiring to switch)—the perceived cumbersomeness of a five-point system, especially in light of the perceived excellent performance of virtually all attorneys. Each component reported that virtually all attorneys scored one of the top two ratings, and undue staff energy was spent negotiating whether one was “excellent” or “outstanding.”

We believe that the “pass”/“fail” evaluation system does not serve the interests of the Department, nor of diversity. This is especially true considering that components reported making the switch merely for the purpose of expediency. Near-unanimous input from components suggested that use of the “pass”/“fail” system is a symptom that managers and staff attorneys tend not to take the performance evaluation process seriously in general. It was reported common for attorneys not to receive an annual evaluation.

It is certainly a management challenge to conduct candid, thoughtful discussions about performance with each staff member at least once a year—but this feedback is an important part of professionals’ career development. The lack of any real performance evaluation process in most components is symptomatic of the deficits in human resources management quality and attention to career development from which the Department suffers—and which is a theme throughout this report.

Furthermore, absent objective, realistic performance evaluations, components expose themselves to charges that personnel decisions—such as promotions and awards—are arbitrary or discriminatory and adversely impact women or minorities. In the study, attorneys and HR

<sup>23</sup> We did not gather data on the systems used in each of the 94 Districts.



































*Starting grades*

The following figures compare the average starting grade of all attorneys, both Honors Program and lateral hires, by demographic. They do not control for background prior to being hired at DOJ. Results are presented for all GS attorneys and all AD non-supervisory attorneys<sup>30</sup>:

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<sup>30</sup> Data are for all attorneys hired in calendar years 1997-2001. (Data for year 2001 alone show analogous effects.)





There exist notable differences between groups. In the GS ranks, whites start on average at 0.4 grades higher than minorities and men 0.4 grades higher than women. In the AD ranks, the figures are 0.5 and 0.6, respectively. Considering that the components (not including U.S. Attorneys' Offices) have hired an average of 800 attorneys per year over the last several years, these differences translate to a substantial difference in the makeup of the overall entering group by demographic.













*Duration between promotions*

The data corroborate the claim that most attorneys are promoted based on tenure—i.e., when they first become eligible based on time-in-grade minimum thresholds. The following graphs show the average duration, in days, between promotions (or between appointment, in the case of attorneys' base grade), for whites versus minorities and men versus women on the General Schedule for each of the last several years<sup>35</sup>:

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<sup>35</sup> Totals include attorneys on the GM scale. These figures do not take into account time at each individual's current grade. For example, if an attorney was promoted to grade 14 three years ago, this tenure is not included in this analysis. (See below for an analysis of tenure without a promotion.) The fact that we could not obtain personnel records prior to 04/18/93 imposes significant limitations on this analysis. The consequences of the missing data are that (1) we cannot determine time between promotions for any promotion, if any, before 04/18/93; and (2) we cannot determine the time between any individual's first promotion after 04/18/93 and his/her immediate prior promotion, if any. Although these data limitations exclude a significant proportion of GS attorneys (about 55%), it does add insight into the recent experiences of relatively junior attorneys.

Figure 3.3.7.1. Average number of days between promotions between GS grades, whites and minorities

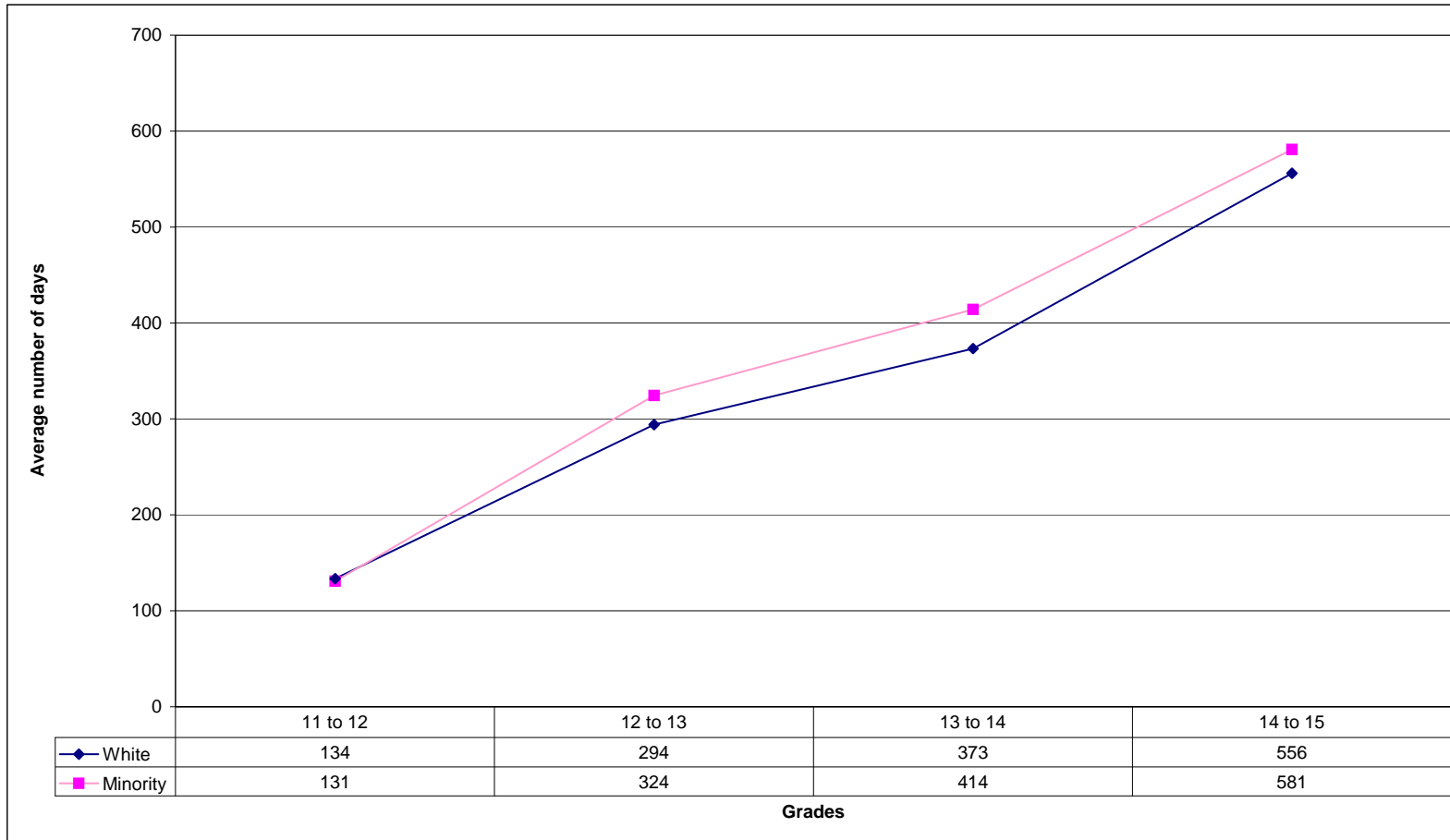
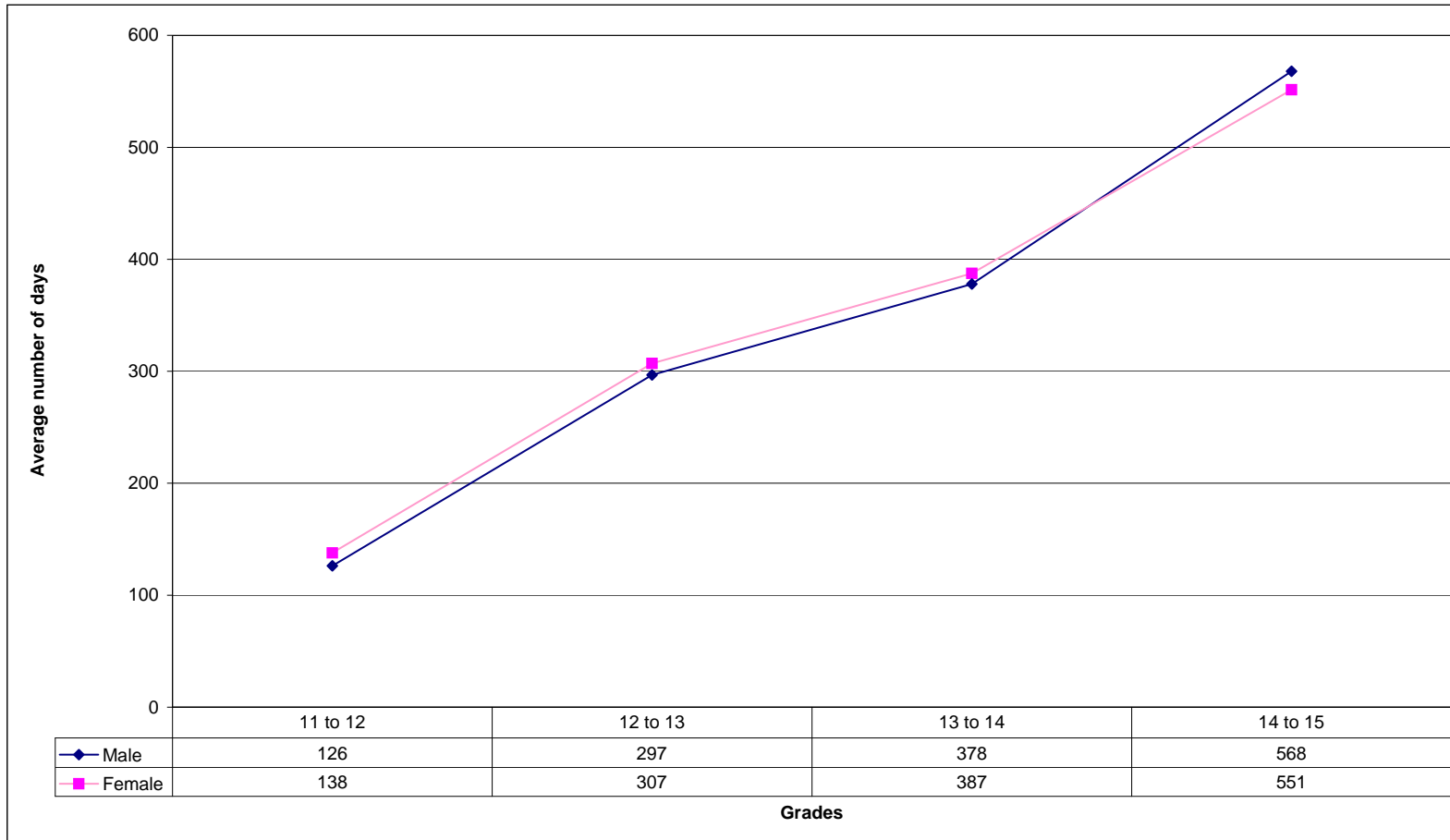


Figure 3.3.7.2. Average number of days between promotions between GS grades, men and women





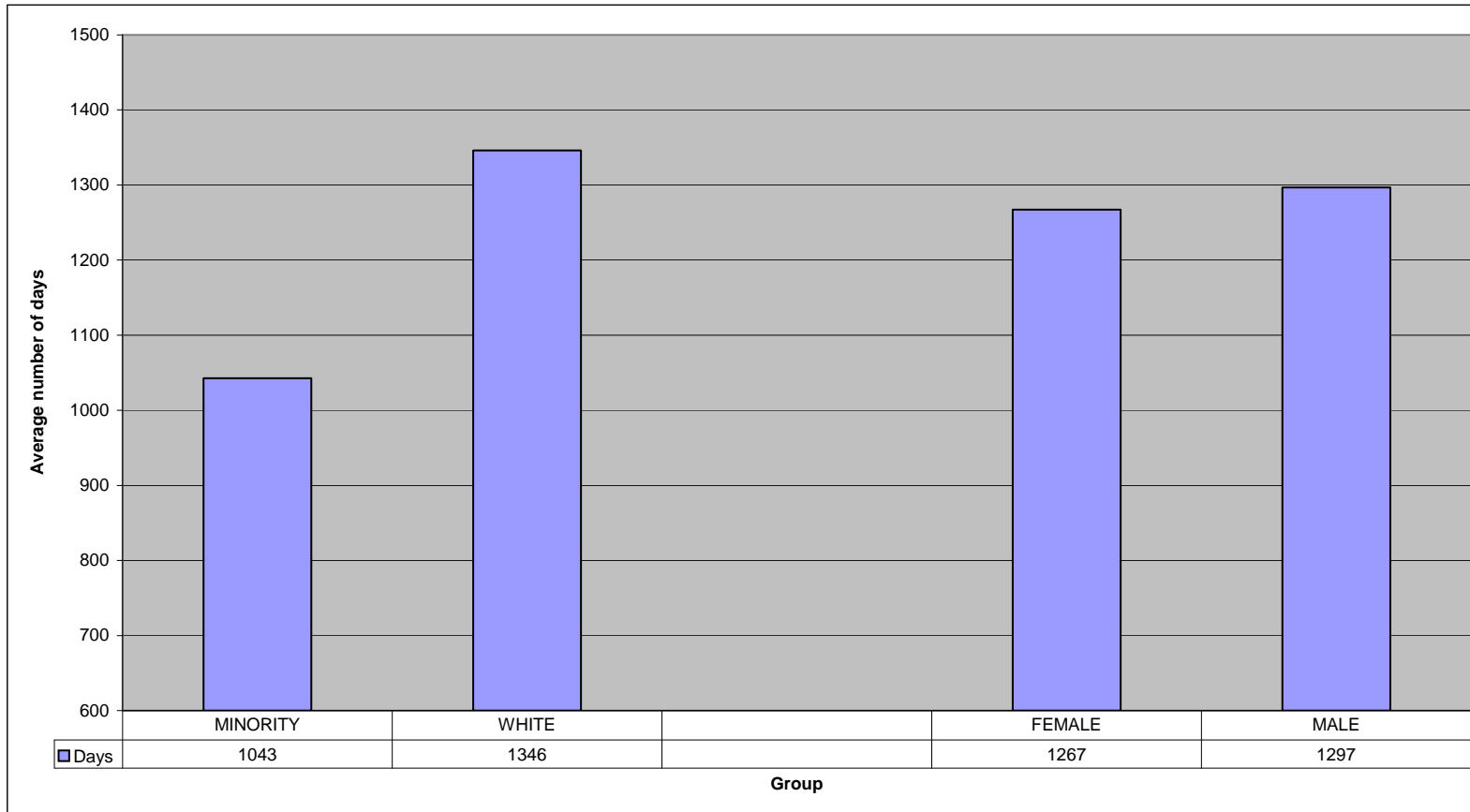
Note that promotion rates for minorities are highly correlated with, but consistently less than, promotion rates for whites. Promotion rates for men and women are virtually indistinguishable.

These figures illustrate the time between promotions for employees who eventually made it to the higher level. They could, however, mask a diversity issue if there were large groups of female or minority attorneys who reached a level below their potential and stalled there. The following graphs analyze this phenomenon, by exploring the average duration that current employees at GS-14 have been at that level. We chose GS-14 because it is unlikely that an attorney would be stalled at a level below that<sup>36</sup>:

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<sup>36</sup> Attorneys on the GM pay plan are also included. Durations are as of December 31, 2001.

Figure 3.3.7.3. Average duration to date at grade for current GS-14 attorneys



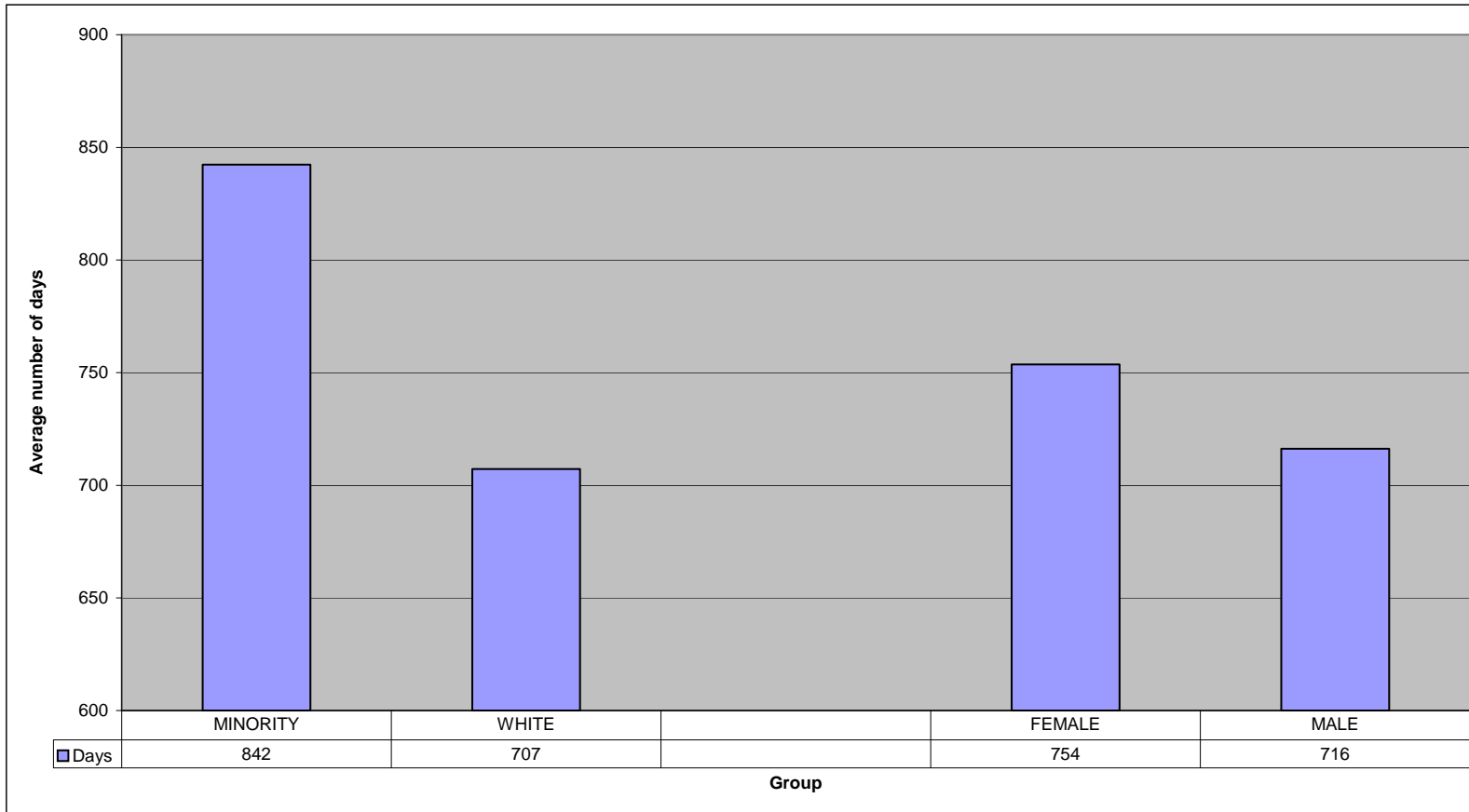
Note that the average GS-14 white attorney has been at that level nearly a year longer than the average GS-14 minority attorney, and that the average GS-14 male and female attorneys have been at that level approximately the same duration.

Those attorneys not in the Litigating Divisions and especially outside Washington who have promotion potential only to GS-14 should be considered separately, since an indefinite duration at GS-14 is not evidence of an adverse impact of HRM practices.<sup>37</sup> The following figure, hence, repeats this analysis, except for attorneys in the Litigating Divisions only:

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<sup>37</sup> This might be evidence of disparate impact if minorities or women *tended to reside* in positions with only a GS-14 promotion potential at a disproportionate rate. Note that this appears to be true based on the discussion in section 3.2.1. —the INS, Bureau of Prisons, and Executive Office for Immigration Review field offices are three major workforce strata with the highest proportion of minorities, and two of the three components (INS and BOP) offer promotion potential to only GS-14 for most attorneys.

Figure 3.3.7.4. Average duration to date at grade for current GS-14 attorneys, Litigating Divisions







residing approximately one-half step lower than the average man. These effects are statistically significant.







The data in table 3.3.9.3. indicate that only a small percentage (less than 5%) of the workforce received step increases within grade during 2001.<sup>41</sup> However, women were significantly more likely than men to get the step increase while Hispanics and Asians were significantly more likely to get one than members of other race groups. Another noteworthy finding is that no increases went to Native Americans.

In summary, the available data on performance-based rewards present a mixed picture of identity effects. A number of effects are present but they do not consistently favor either cultural majority group members or cultural minority group members.

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<sup>41</sup> Most employees at GS-14 or below in the Litigating Divisions, Executive Office for Immigration Review, and U.S. Trustees, and at GS-13 or below in the Bureau of Prisons and INS, will rarely receive step increases because they tend to not remain at these grades long enough. The number of employees at the higher levels who are eligible to receive increases is also limited, either by a short term in the grade or because they have achieved the highest step (for example, of GS-15 attorneys in the Litigating Divisions, 23% are at step 10).







Responses to this question were very positive; the race effect on the survey results is statistically significant, while the gender effect is not. Thus, the data on the relationship of gender and race group on the likelihood of future turnover match those of actual past turnover rates.



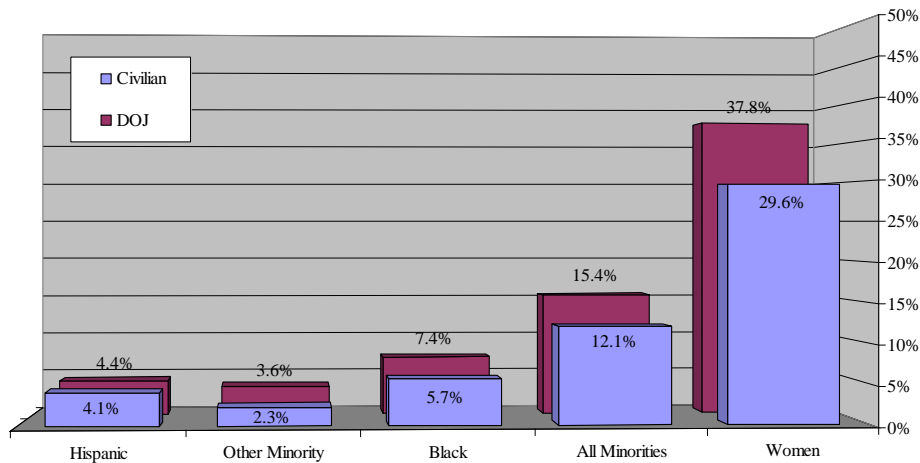




***DOJ attorney workforce versus civilian attorney workforce***

DOJ’s attorney workforce is significantly more representative of the ethnic and gender makeup of the U.S. population than is the attorney workforce in the civilian U.S. labor market. Women make up 38% of DOJ’s attorney workforce, while only 30% of all attorneys are female. Additionally, DOJ minority attorney representation is greater than civilian minority attorney representation by 27%. Other minorities, including Asians, Pacific Islanders, and Native Americans are represented 57% more in the DOJ attorney workforce than in the civilian attorney workforce, while representation of Hispanics is a slight 7% higher:

**Figure 3.4.1.1. Attorney workforce: All civilian versus DOJ (source: 2000 Census)**



***DOJ attorney workforce versus federal attorney workforce***

In comparison to other large federal agencies<sup>46</sup>, however, the Department is only about equivalent in terms of female and minority representation. The federal government attorney workforce as a whole is 38% female, as is DOJ’s attorney labor force. The federal workforce is 16% minority, compared to 15% in DOJ:

<sup>46</sup> We compared to DOJ to all cabinet-level agencies and all other agencies with 500 or more attorneys.







*Equal Employment Opportunity Commission*

The EEOC was established by Title VII of the Civil Rights Act of 1964 and began operating on July 2, 1965. In addition to enforcing the statute protecting equal opportunity based on race, ethnicity, sex, and other protected categories, it is also applicable to later statutes guaranteeing equal pay for equal work and other equal employment areas.

With regard to diversity issues, the EEOC advises organizations to remain proactive and support all cultures and attitudes that are present. According to the EEOC, cultural as well as gender differences may emerge over the course of an individual's career, so it is best to train him/her on the practices used to mitigate and embrace these differences. The EEOC offers Technical Assistance Program Seminars (TAPS) to specifically address these type of issues.

*Conclusion to benchmarking findings*

DOJ must continue to benchmark itself against other federal agencies and stay abreast of the guidance provided by the federal government management community. By doing so, the Department will be able to review processes directly relating to diversity occurring in other federal government agencies and the solutions that are being applied.









<b>Practice</b>	Minority student outreach programs
<b>Organization</b>	United States Department of Agriculture (USDA)
<b>Type of Organization</b>	Federal agency
<b>Description</b>	USDA participates in several programs geared towards minority candidates, including the Hispanic Association of Colleges and Universities Internships., the American Indian Higher Education Consortium – Washington Internships for Native American Students (AIHEC-WINS), a ten-week learning experience for future Native American leaders; and the Law School Civil Rights Intern, which is a shared USDA/Howard University initiative to provide opportunities for Howard University's law students to practice law within the Department for a summer.
<b>Applicability</b>	Provides insight into more creative programs to increase exposure for younger individuals wishing to enter government and the legal profession.

### *Selection and hiring*

This aspect involves interviewing qualified female and minority attorney candidates, evaluating qualifications, extending offers, and bringing in new hires for attorney positions. This step bridges the gap between recruiting female and minority employees and actually bringing them on board.

<b>Practice</b>	Hiring committees for diversity
<b>Organization</b>	Akin, Gump, Strauss, Hauer & Field
<b>Type of Organization</b>	Private law firm
<b>Description</b>	Akin Gump has established a hiring committee to seek minority participants for its summer program from around the country, which enhances both demographic and geographic diversity.
<b>Applicability</b>	Committee process helps lessen the impact of the section chief and also increases possibility of receiving applicants from a variety of untapped sources.

<b>Practice</b>	Diversity committee
<b>Organization</b>	International Paper
<b>Type of Organization</b>	Corporation
<b>Description</b>	International Paper promotes diversity within its own doors as well as within those organizations that it partners with. The Office of General Counsel formed a Diversity Task team to focus and monitor the opportunities being presented to female and/or minority attorneys.
<b>Applicability</b>	Takes hiring control away from a single individual, e.g., Section Chief.

### *Retention*

The retention aspect of diversity management involves using the data to provide explanations as to why female and minority attorneys are or are not retained at the desired rates in DOJ components.

<b>Practice</b>	Networking groups and mentoring
<b>Organization</b>	International Business Machines Corporation (IBM)
<b>Type of Organization</b>	Corporation
<b>Description</b>	IBM has an ad hoc networking group which links women in technological positions around the world. Further opportunities are provided through mentoring programs, which pair high-level executives with women with potential. These mentors are created at the geographic, division and business-unit levels. The success of the combined programs is seen in the rise of women executives from 11% in 1995 to 18% in 1999.
<b>Applicability</b>	Addressing more creative ways to improve DOJ mentoring techniques.

<b>Practice</b>	Work/life balance
<b>Organization</b>	United States Department of Agriculture (USDA)
<b>Type of Organization</b>	Federal agency
<b>Description</b>	Many of USDA's policies today focus on the issue of work/life balance and promoting diversity in its workforce. Through its work life program, USDA provides work/life news, coordinators, programs and services such as child care programs
<b>Applicability</b>	Provides more flexibility and a communication outlet for those attorneys attempting to balance a family and a career at DOJ.

<b>Practice</b>	Diversity counsels
<b>Organization</b>	United States Department of Agriculture (USDA)
<b>Type of Organization</b>	Federal agency
<b>Description</b>	USDA has developed diversity counsels to deal with diversity concerns. Staff members are assigned to a certain counsel, and the counsel serves as a resource where staff members can get information, answer Equal Employment Opportunity (EEO) questions, and address conflicts.
<b>Applicability</b>	Directly addresses communication (informal integration) within the attorney workforce through a diversity-related contact.







<b>Practice</b>	Compensation linkage to diversity initiatives
<b>Organization</b>	Bell Atlantic
<b>Type of Organization</b>	Corporation
<b>Description</b>	In its business plan, Bell Atlantic describes the benefits of a diverse workforce for both the bottom line and the working environment. The company has tied performance to financial rewards. Recruiters are required to submit a list of diverse employees for every job and managers have their compensation linked to their diversity goals. Bell Atlantic then monitors the progress of their diversity efforts through a four-person diversity committee headed by the company's general counsel.
<b>Applicability</b>	Addresses accountability regarding diversity initiatives

<b>Practice</b>	Compensation linkage to diversity initiatives
<b>Organization</b>	Allstate
<b>Type of Organization</b>	Corporation
<b>Description</b>	Allstate ensures that diversity initiatives are being implemented by linking all managers' bonuses to how well they develop and maintain a diverse workforce. The strategy has produced impressive results: 41.5% of the company's executives are women and 21% of top spots are held by minorities, 10% more than the national average.
<b>Applicability</b>	Addresses accountability regarding diversity initiatives.

<b>Practice</b>	Management openness and accountability
<b>Organization</b>	Microsoft Corporation
<b>Type of Organization</b>	Corporation
<b>Description</b>	Microsoft promotes an open environment through transparency into their policies by listing it as one of its eight corporate values as well as dedicating an entire web-page to the subject. At Microsoft's diversity page, an employee and potential hires have access to where the company is advertising, the organization's goals, the recruiting events calendar, partnership organizations, employee groups, as well as a bi-monthly diversity newsletter, <i>Microsoft Pathways</i> . The company has also created a Diversity Advisory Council with many members from its employee groups.
<b>Applicability</b>	Creates more transparency into HR practices.

<b>Practice</b>	Diversity training
<b>Organization</b>	Federal Communications Commission (FCC)
<b>Type of Organization</b>	Federal agency
<b>Description</b>	The FCC's development of the Office of Workplace Diversity has helped the leadership team understand internal issues that are facing the Agency. This office manages the internal EEO Compliance Program, recruits and trains EEO counselors, coordinates special observances, trains Commission staff on workplace issues such as race relations and dealing with the disabled individuals issues.
<b>Applicability</b>	Creates a more knowledgeable attorney workforce regarding diversity.





provide explanations as to why this practice exists and what measures can be taken to address each accordingly.

<b>Practice</b>	Networking groups
<b>Organization</b>	International Business Machines (IBM)
<b>Type of Organization</b>	Corporation
<b>Description</b>	IBM wants women to rise to top-level managerial positions. The best way to do this is to keep women informed of opportunities and give them access to the people making promotion decisions. That's why the company established a series of networking groups for women. There are ad hoc groups that come together at meetings and conferences. Another networking group links women in technological positions around the world.
<b>Applicability</b>	Provides groups with advice regarding a number of areas including case/job assignments and career development.

<b>Practice</b>	Discussion of partnership potential
<b>Organization</b>	Hogan & Hartson
<b>Type of Organization</b>	Private law firm
<b>Description</b>	In terms of attorney advancement, Hogan & Hartson is open and honest by providing an attorney's standing with regards to achieving partner through a transparent evaluation system. The attorney's partnership potential is evaluated every other evaluation period and feedback is provided to the attorney.
<b>Applicability</b>	Provides attorneys with more insight regarding promotions.





























## Appendix A. Interview, Focus Group, and Employee Survey Questions

### *Interview and focus groups questions*

Note: For individual interviews, the moderator recorded the “yes” or “no” response (where applicable). For focus groups, the moderator recorded a consensus “yes” or “no” if there was one.

1. Describe the culture (most noticeable characteristics of the work climate) in your own words.

2. Do you believe that men and women have equal opportunity to be hired here?

YES      NO

Explain your answer (what indicators cause you to answer as you have?).

Follow up: Are there things about the recruiting process that make it more difficult for one gender versus the other to be hired?

3. Do you believe that people of all racial/ethnic backgrounds have equal opportunity to be hired here?

YES      NO

Explain your answer (what indicators cause you to answer as you have?).

Follow-up: Are there things about the recruiting process that make it more difficult for people of one race/ethnic group versus others to be hired?

4. Is there equal opportunity for both men and women to be promoted here?

YES      NO

Explain your answer (what indicators cause you to answer as you have?).

Follow-up: Are there things about the process for promotions that make it more difficult for one gender versus the other to be advanced to higher job grades?





*Survey questions*

Following is the survey.

## Appendix B. Additional Graphs

This appendix provides graphs with additional detail referenced throughout the text.

Figure B.1. Percent of attorneys minority by component

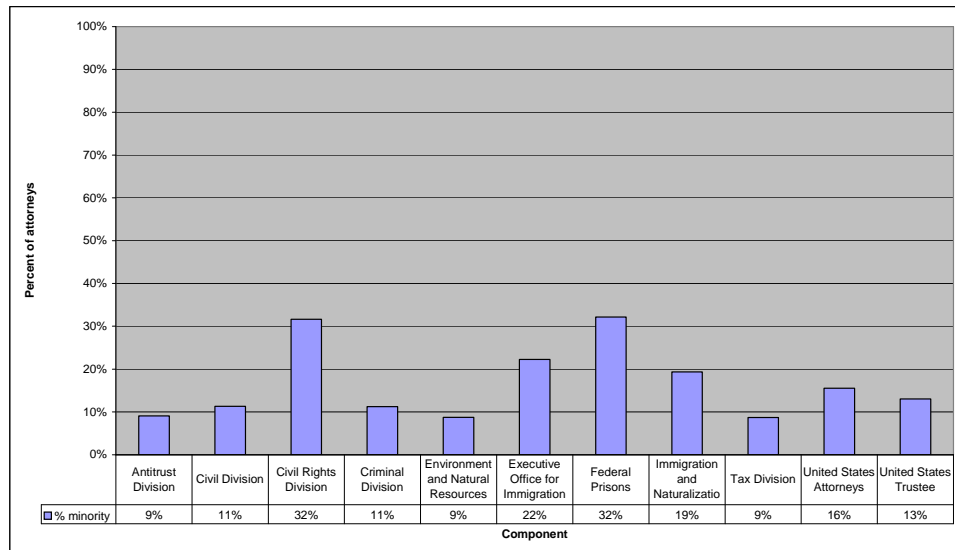


Figure B.2. Percent of attorneys minority by component

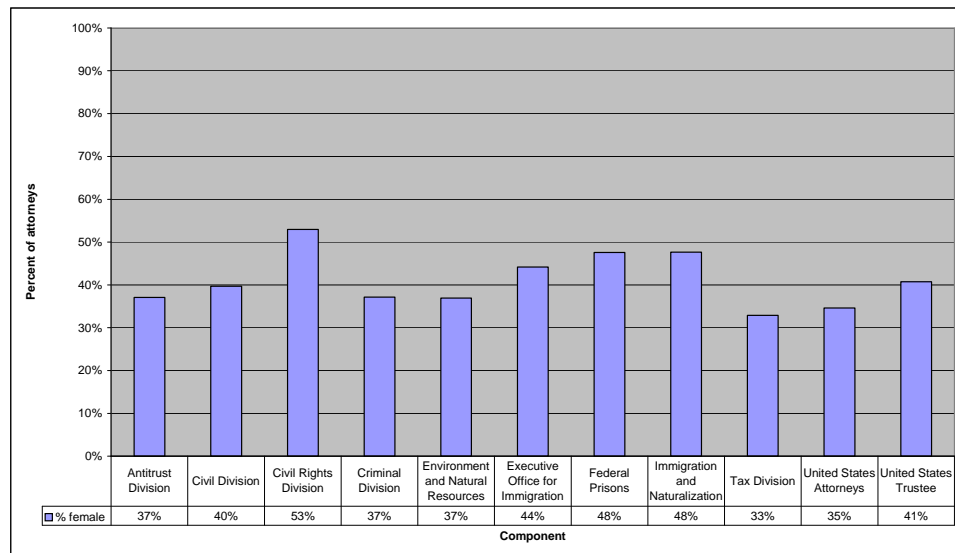


Figure B.3. Percent of attorneys minority by grade, Litigating Divisions

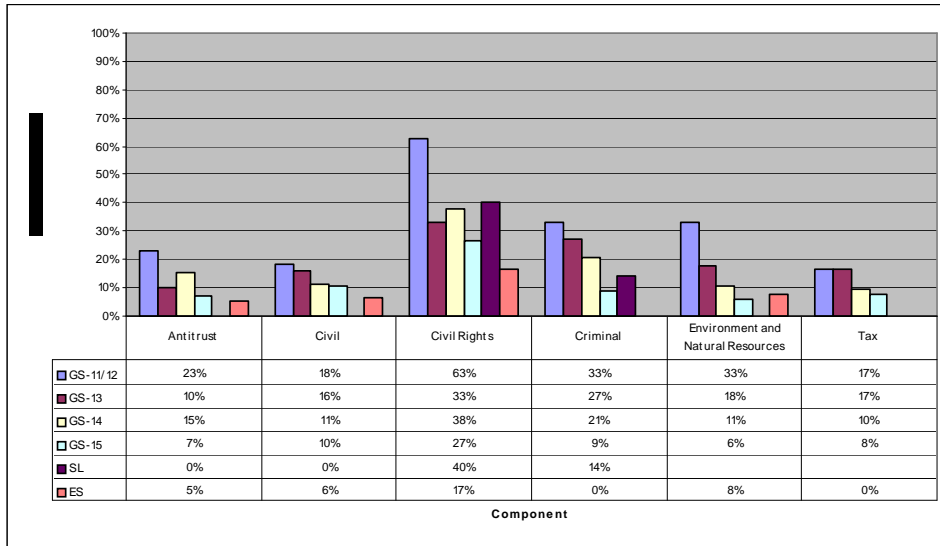


Figure B.4. Percent of attorneys minority by grade, other components

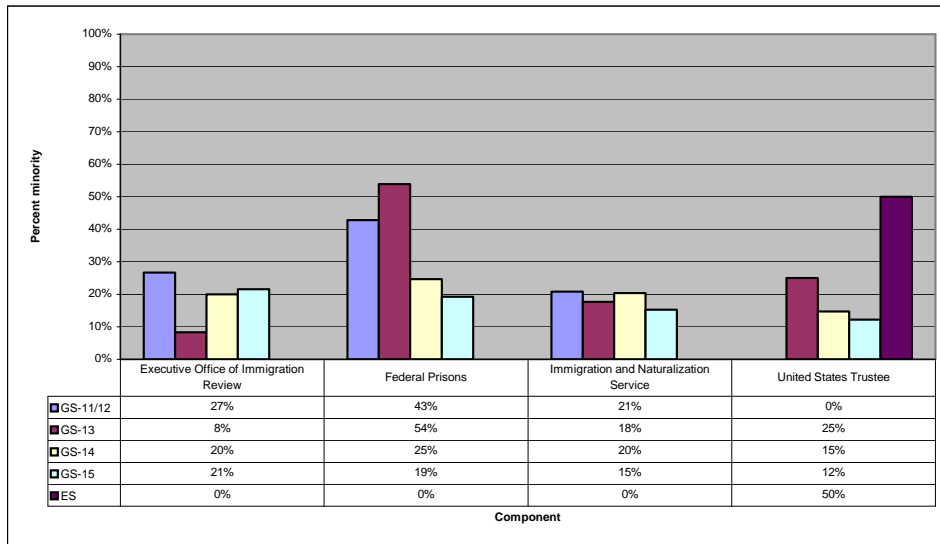


Figure B.5. Percent of attorneys female by grade, Litigating Divisions

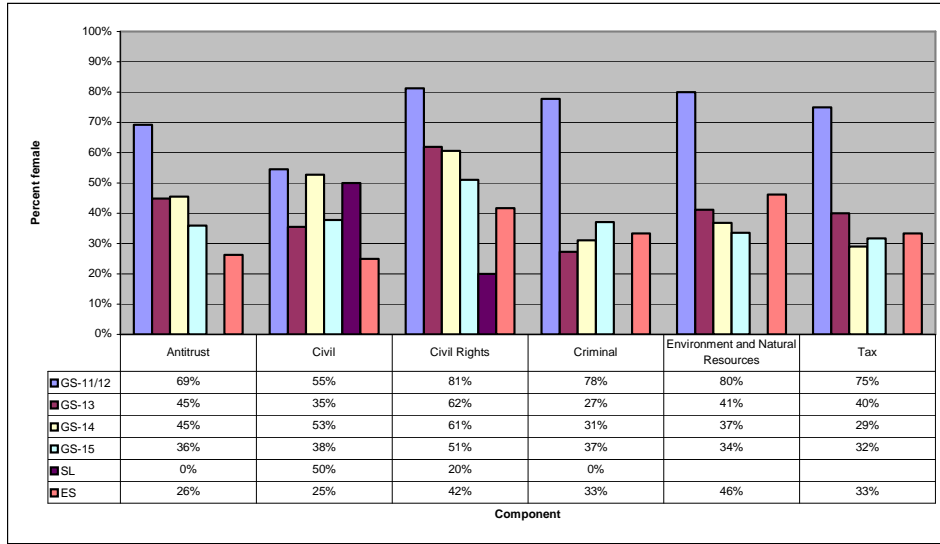


Figure B.6. Percent of attorneys female by grade, other components

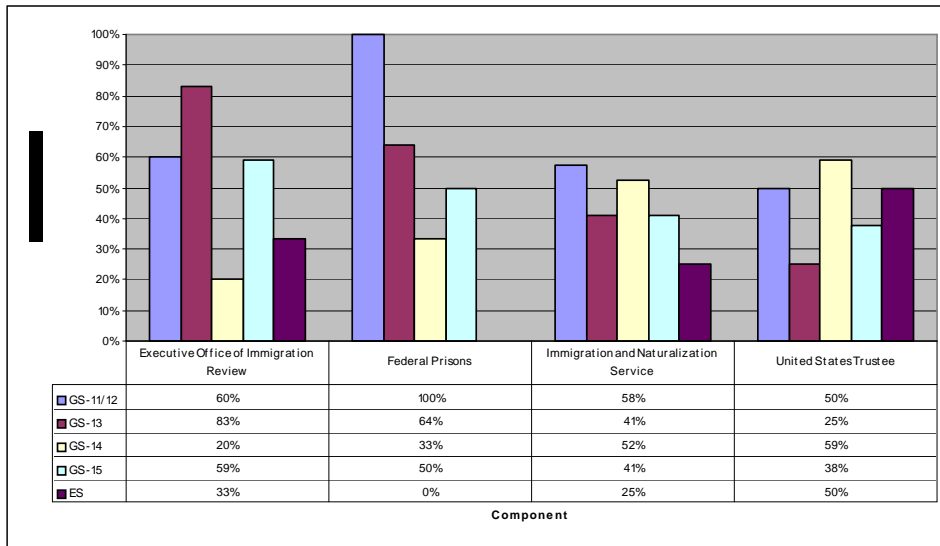


Figure B.7. Percent of attorneys minority, by job title within GS-15 and SES, Litigating Divisions

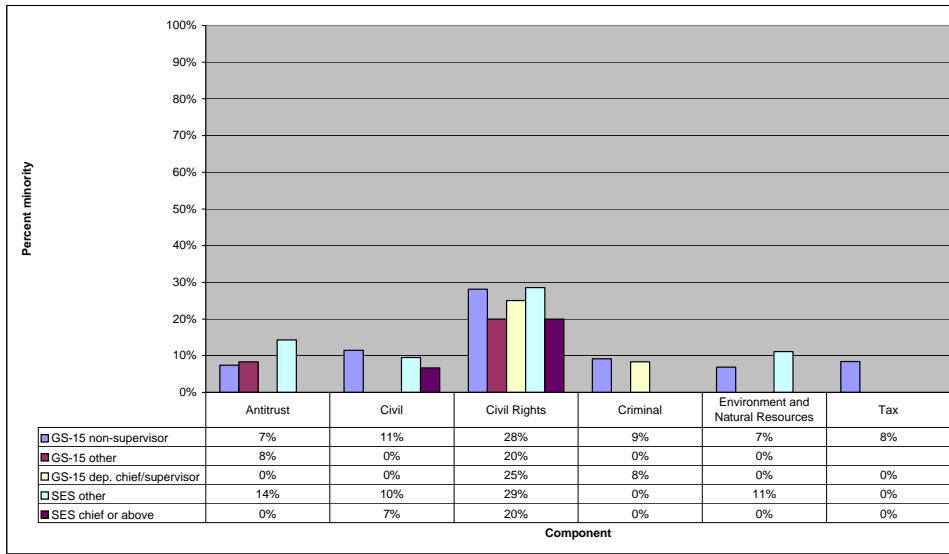


Figure B.8. Percent of attorneys female, by job title within GS-15 and SES, Litigating Divisions

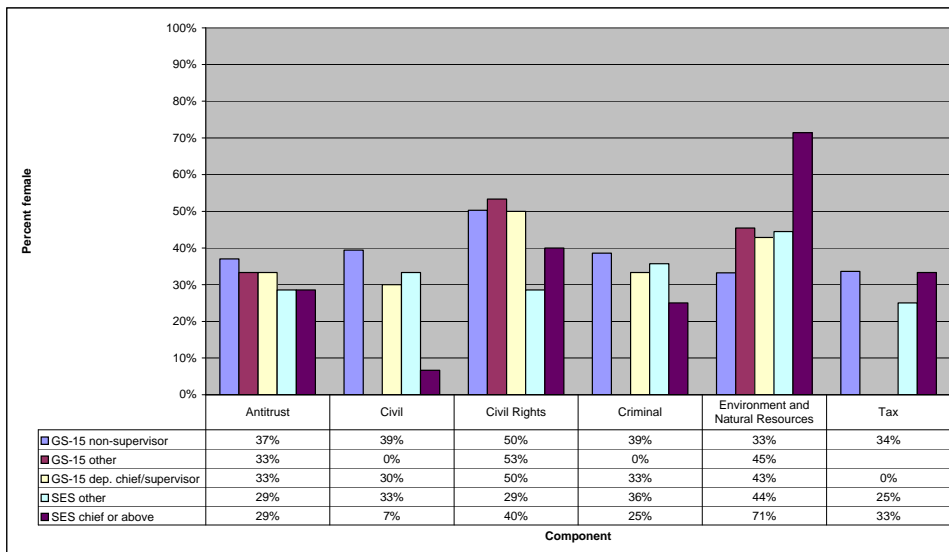


Figure B.9. Percent of base, all hires, and lateral hires minority by component, 2001

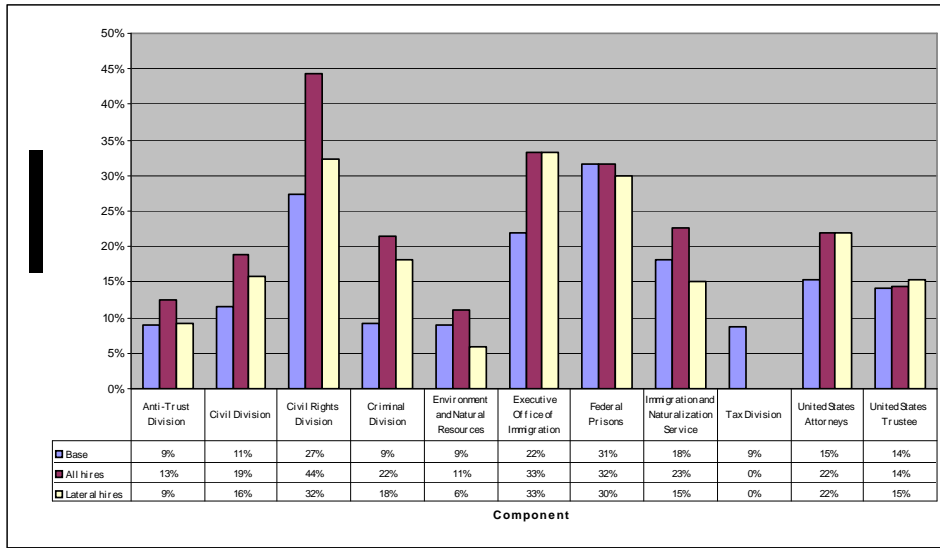


Figure B.10. Percent of base, all hires, and lateral hires minority, 2001

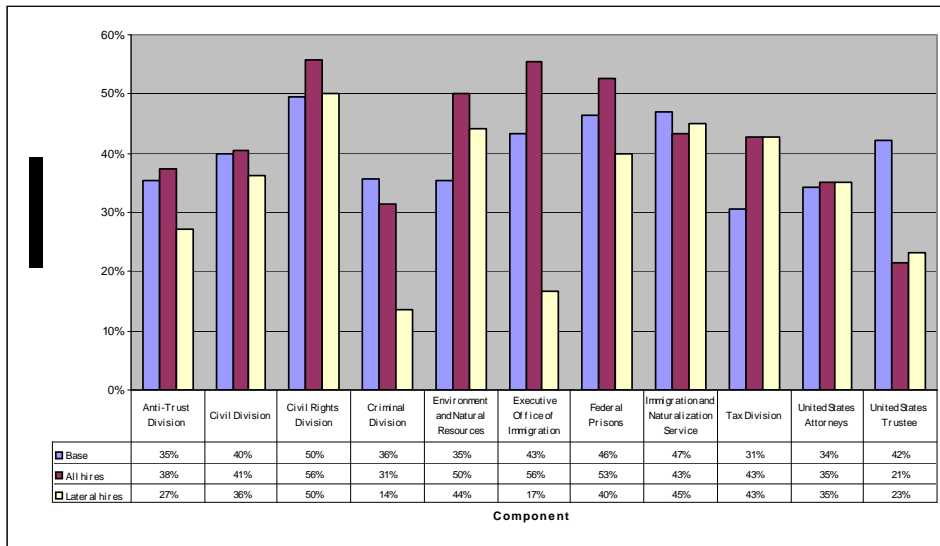


Figure B.11. Attrition rates for all attorneys, women, and minorities by component, 2001

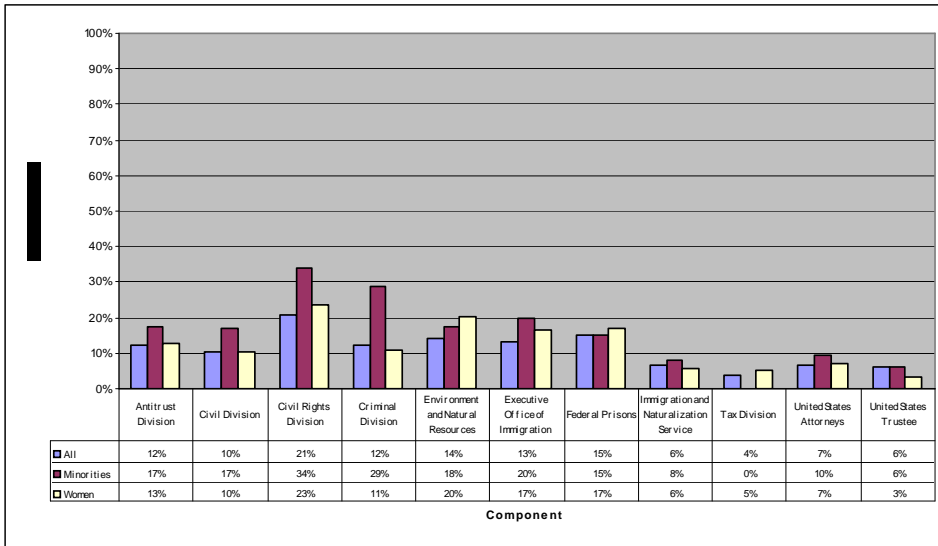
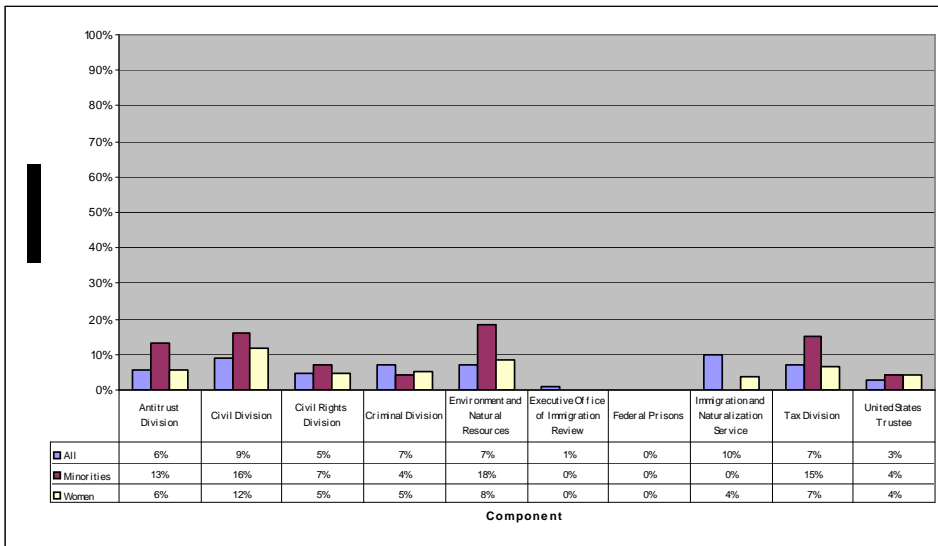


Figure B.12. Attrition rates for all GS-15 attorneys, women, and minorities by component, 2001









*Bibliography of other sources**DOJ correspondence and other documents**Attorney General and Deputy Attorney General*

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