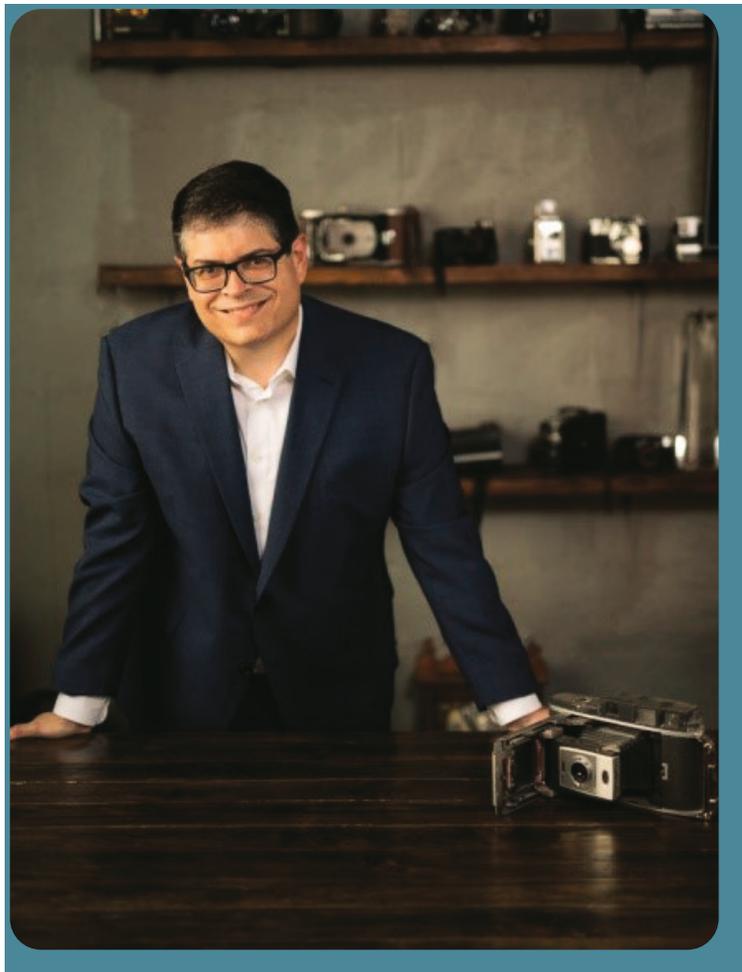


Confessions of a Latino Lawyer

How to Achieve
Diversity in the
Legal Field

By Frank Ramos



*To Ana
Mi Amor*

*To David and Michael
Sigue tocando tu musica*

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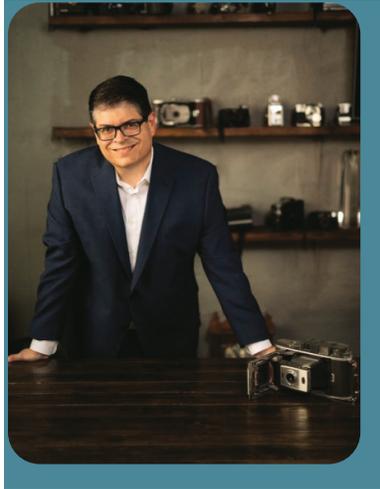
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About the Author



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Prologue

How can law firms retain diverse lawyers? This is the question law firms ask, clients ask, managing partners ask, and practice leaders ask. And despite all the analysis and evaluation and studies and surveys and consultants, the answer remains largely illusory. Based on my personal experiences as a Latino lawyer, I believe the answer lies in understanding the experiences of diverse lawyers and moving toward them as they move toward the needs and expectations of law firms. This book is different from my other books. I don't typically write about my life, my experiences and my stories. But I realize they define me, they direct my decisions and because of them, I am who I am. And this is true for each of us. For all of us. And my experience as a Latino are different from the experiences of Anglos, are different from the experiences of African Americans, are different from the experiences of women and are different from the experiences of those in the LGBT community. And what makes me different, what makes my vantage point and perspective different, is what makes me want to stay or makes me want to leave, makes me want to have a relationship with a person or firm or not have one. And I believe that's true for all of us. So if firms want to keep diverse lawyers, they need to learn their stories, embrace them, understand them and accept them. So let me start this wonderfully messy process by sharing my story. And I encourage you, the reader, to share yours and to accept the stories of others.



Diversity in the Practice

I was admitted to the Florida Bar in the fall of 1997. Back then, as now, law firms were concerned about diversity. They thought they had cracked the diversity code as to both hiring and retention. They were half right. Many firms were making inroads in hiring more diverse lawyers. Fewer were making inroads in keeping them. Diverse lawyers came in, they stayed a while, and then left. Few remained. Few became junior partners. Fewer became equity partners. Firms were flummoxed. They were hiring more diverse lawyers. Why were they leaving disproportionately? Over the years, I have come to know many of these diverse lawyers who joined firms, became disenchanted and left. Diverse lawyers seek out one another, we create bonds across firms and geographic regions, and we share stories, experiences, concerns, successes and failures. And what I was hearing then, and what I heard through the years, and what I still hear now is that firms don't understand us, don't want to understand us and we just desperately want to be understood. Each of us has a need, an insatiable desire to be listened to, really listened to, and be understood. And many diverse lawyers felt ignored and misunderstood.

It seems every year there is a new survey or study addressing diversity in the legal field. It seems every year there is a new call to action, a new demand by in house counsel directed to firms to hire and keep and promote more diverse lawyers. Some of the faces have changed advocating for diversity, but the message remains the same and the results, unfortunately, have largely remained the same too. In preparing for this book I reviewed the articles I have written over the years addressing diversity in the practice. For years, I wrote for *Diversity & The Bar*, the magazine for Minority Corporate Counsel Association (“MCCA”), Hispanic Business, Hispanic Trends and other diverse magazines addressing diversity in the workplace, in firms and in the legal sector. Reading those old articles, I realized two things. First, the struggle for diversity hasn't changed much—progress has been slow and diversification has been incremental. Second, many of the articles on diversity written years ago envisioned a much more diverse legal practice by now. For those of us who predicted enormous diversity by 2020, we proved to be poor prognosticators.

On a positive note, emphasis on diversity remains strong. Many have assumed the mantle to push and advocate for it. In house counsel keep pressuring law firms to diversify. Many continue to study why diversity efforts have fallen short and have offered a variety of proposals and solutions. Diversity hasn't taken more of a foothold for a lack of studying, analyzing, advocating and trying. And firms are trying. They are trying to diversify their ranks. The lack of a foothold is largely due to a lack of understanding. A lack of

understanding of what motivates attorneys to stay and what nudges them to leave. And what drives, motivates, inspires and directs diverse lawyers to stay or go? Why do some diverse lawyers entrench themselves into a firm and others never sink deep roots into a firm's soil? It's a lack of learning, understanding embracing and celebrating their personal stories. Each of us has a personal story, and for many diverse lawyers, that story involves unique experiences and challenges—lower income households, racial inequality, prejudices, fewer educational choices, fewer opportunities, etc.

Many diverse lawyers I know are first generation lawyers and some are first generation college graduates. Many come from working class families. Many have personally experienced prejudice and racism. Many had limited educational, economic and social opportunities. Many relied on grit and hunger and perseverance to make it. Many attended state colleges and state law schools. Many did not have a sufficient support structure and many did not have a mentor to guide them through all the pitfalls, obstacles and challenges of a legal education and career. And all these experiences, individually and collectively, define them, form their story, and to understand them, really understand them, firms need to learn those stories to better relate to, support and mentor diverse lawyers. If firms foster an environment where diverse lawyers feel at home, feel supported and feel understood, more of them will stay. It all starts with learning the stories of diverse lawyers. And firms shouldn't just learn the stories of their diverse lawyers. Firms should learn the stories of all its lawyers. If a firm wants its attorneys to invest in the firm, it must invest in its attorneys. If a firm wants its attorneys to care and support the firm, it must care and support its attorneys. The axiom is simple—if a firm wants its people to care about it, it must care about them. If it wants its people to have a relationship with it, it must have a relationship with them. Holding onto diverse lawyers starts with listening to them, really listening to them. Listening precedes understanding which precedes meaningful relationships that last years, decades and lifetimes.

Our Origins

In the world of comic books, each super hero has an origin story. Each super hero has a story of how they secured their powers and what motivates them to use them for good. Think Peter Parker being bitten by a radioactive spider. Bruce Banner being hit with gamma rays. Superhero stories are universal because each of us has an origin story—each of us has a story that defines our origin—defines who we are, defines our motivation, defines our values, mission and goals. And firms have the impetus and necessity to learn those origin stories and embrace them and make them part of their stories.

How do we learn each other's stories? We listen. Really listen. And to really listen you have to care, really care. We know when others aren't listening to us. Their words tell us. Their body language tells us. They don't make eye contact or they fail to maintain it. They cross their arms or assume other postures that reflect remaining closed. They change the subject. They don't ask follow up questions. They quickly forget what you told them. A common tell is being asked the same or similar question each time you meet or have a conversation. We actively listen to those who matter to us. Those who matter to me don't have to tell me their stories over and over. They don't have to share their anecdotes over and over. Their joy, their pain, their love, their loss—they can share those with me and they bind us, connect us and create connective tissue between us. That's what we want—relationships that create the ties that bind.

So how do firms create these bonds with their lawyers, diverse or otherwise? How do larger firms connect with their lawyers? The larger the firm, the less realistic it is for every lawyer to have a personal relationship with every other lawyer. Each of us is capable of only a finite number of deep, meaningful relationships. So for a firm to create the bonds with its lawyers so that leaving the firm is like abandoning a relationship—a marriage, a friendship, a family—and as the person pulls away the relationship pulls them back—every or most every senior lawyer and lawyer in a leadership position must invest in several of their younger lawyers—diverse and non-diverse—learn their stories, learn their motivations, passions and dreams—and empower them to be fully themselves and realize their destinies. All this requires a shift in paradigms. Some time spent on billable hours and administrative tasks has to shift to developing these relationships. For firms who balk at this suggestion and continue to lose diverse lawyers, who have tried different approaches and find nothing has worked—my response is—is it better to lose billable hours or lose diverse lawyers? Is it better to focus less time on oneself and more on others or focus more time on one's own needs and concerns and wants and issues and ignore that your lawyers are slowly drifting away from the pack and are flirting with joining another herd?

Of course, some firms will say why make the effort? Why is the onus on us? When we were young, no one took the time to learn our stories? Well, let me answer those questions with a question of my own. Is what you're doing working? If it is, you've probably stopped reading by now. If you haven't put down this book, however, you're likely struggling with keeping diverse lawyers. You haven't figured out the secret formula. You don't have the magic pill. If you keep losing diverse lawyers, you have to realize that keeping them is based on having a relationship with them, and as with all relationships, they take proper care and feeding, they take your attention and time, they take your energy and effort. There are no short cuts with people. At any

moment, at every moment, we're growing together or growing apart, we're growing closer or drifting from one another. Many say law school didn't teach us how to be lawyers. It didn't teach us how to run a business. It didn't teach us how to market. And it for sure did not teach us how to form and develop meaningful relationships. And it is through relationships that we build firms, build business, build referrals, build the foundations between individuals, the glue that holds us together, through good and bad times, through the easy times and the challenging times. If you want to keep your lawyers, including your diverse lawyers, learn their stories.

And when it comes to your diverse lawyers, their stories are generally different from the stories of the senior Anglo partners. These stories have their own nomenclature. They have their own feeling, their own vibe, their own community. The lessons learned, the wisdom gained, the grit, the paradigms, the vantage points, the perspectives—they're unique, they're different, and short of experiencing them yourselves the only way to understand them, to understand those who lived them, is to listen to those stories, embrace them and appreciate them.

In the pages that follow, I share my story being a Latino in America, first in Chicago, then in Miami. This is my story of being a Latino in elementary school, in high school, in college, in law school and in the profession. My experiences and my reactions to them are my own. Just as your experiences and your reactions to them are your own. Each of us has a story, and in sharing these stories we create bonds that tie us together, keep us together, ground us, lays root and creates relationships that last and hold firm. When law firms do a better job listening to their lawyers and their stories, they will do a better job holding onto their lawyers.

Growing Up Latino in Chicago

I was born in inner city Chicago in 1971. My parents emigrated from Cuba in 1969, were processed in the Freedom Tower in Miami and each came to Chicago to live with family. Each had been previously married and divorced. Each was in their late 30s. Each was a blue-collar worker. Neither spoke English. Despite best efforts, neither ever learned English. They got by. I was their translator and the prism through which they saw America. More on that later.

My dad was a meatpacker and my mom was a maid. Meatpacking in the 1970s was considered one of the most dangerous jobs in America, and was reminiscent of Sinclair's *The Jungle*, which was set in Chicago's meat packing plants in the early 1900s, where immigrants were exploited in harsh and unpleasant working conditions. In many ways, the exploitation hadn't

changed. Latino immigrants—mostly Mexican and Cuban—were hired to do the work no one else wanted. For the risk of losing a finger or forearm or having a limb crushed or mangled, non-English speaking immigrants received a decent salary for the time, were unionized, and had health insurance. My father worked 80-90 hours a week, which was considered lazy by those who typically put in 100+ hour weeks. In the 1970s and 1980s, America had an insatiable appetite for meat, and Chicago's slaughterhouses and meat packing plants were the engines that fed this demand. My dad had several close calls where he almost lost a thumb or hand. He did it for over 15 years without serious injuries. He was one of the lucky ones.

My mom was a maid. She left home before sunrise and took several buses to clean fancy homes and arrived late after taking several buses home. She was a soldier in an army of Latina maids who served upper class Anglos in the North Side. They knew each other, knew each other's families and struggles, and supported one another. No one else knew or cared about their stories, so they took it upon themselves to learn each other's stories and care for one another.

My mom passed in 2013 due to complications from Parkinson's and Alzheimer's. She never learned English. My dad is 85. He never learned English. Why? Think about Maslow's Hierarchy of Needs. If you spent 80 plus hours a week doing back breaking work, would you have the capacity to learn a second language? If you're at the bottom of the hierarchy, struggling to address the physiological needs of yourself and your family, the top of the hierarchy, achieving self actualization, is a dream, a fantasy of sorts, and not remotely a reality.

One of the biggest disconnects between law firms and first-generation diverse lawyers is their respective experiences. We diverse lawyers have different experiences. We come from diverse backgrounds. We have divergent histories. Our upbringings, our neighborhoods, our cultures, at times our languages, are our own. Our paradigms, our prisms, our perspective and our vantage points are uniquely our own. Our parents expected us to get straight A's in school, to go to college, go to graduate school, become a doctor, lawyer, engineer or accountant and make them, our families, our culture, proud. We try to assimilate but remain outsiders. We have a foot in two cultures, straddling what we perceive as Anglo America and our own race or ethnicity. Being two people is a skill many of us learn to master and navigate early. The problem with being two people, though, is that it's a lot to juggle. It's tough enough to be fully one person. Being two is exponentially more difficult. Of course we all act differently in different social settings, but we acknowledge to ourselves that it's an act, it's a compromise to adjust to societal norms. But this dichotomy, this

schism into two people, is altogether different, and it is unique among diverse professionals.

So, let's get back to Chicago. I remember hearing the phrase that our city was a melting pot. It wasn't. It was one ethnic enclave bumping up against another, each respecting the others but keeping their distance. I grew up in Ravenswood, a mixed-use neighborhood of retail, restaurants and cramped apartments, which came closest to a melting pot. Ravenswood was centrally located. It bordered German Town, wasn't far from Little Italy or China Town and was a quick bus or train ride to the rest of the city and its communities and their respective ethnicities. The Irish had their community. The Filipinos. The Polish. The Chicanos. The Greeks. Everyone had their neighborhood. There were over 200 of them. Ravenswood was unique because it was comprised of Irish, Chicano, Filipino, Polish, Cuban, Italian, Greek, Puerto Rican—you name it. We all, somehow, ended up in the neighborhood together, and we learned to get along. But there was a definite hierarchy in Ravenswood. The politicians were Anglo. The police, priests and nuns were Irish. The store owners were Greek and German. The laborers were Hispanic and African American. And, unfortunately for me, the gangs were Hispanic too. Unfortunately, because the local Chicano and Puerto Rican gang members wanted to recruit one of the few local Cuban boys in the neighborhood, and I wasn't joining. Also unfortunate because the Irish cops assumed all Latino males were gang members. You can see where this is going. Fights with gang members for refusing to join their ranks. Harassed by cops who thought I had. In a city where you wore your ethnicity on your sleeve and everyone saw you as part of your nationality, you never quite get over seeing the world that way. Law firms, generally, don't see the firm that way. That's part of navigating the world as a diverse lawyer. You can't help but notice the differences. Some firms try to make us all the same.

At the heart of our neighborhood was Our Lady of Lourdes parish, which had an ornate Catholic Church and Catholic elementary school. In Chicago, back then, elementary school was comprised of kindergarten through eighth grade. There was no middle school. There was elementary school and high school, that's it. We walked to school, except in the dead of winter, and then we were dropped off. We were kids, and kids don't see color or race or ethnicity, so we were all friends. We took for granted that we spoke a second language at home, we ate differently, we had different customs and different traditions. We played basketball the same, ran track the same, we loved the Bulls, Bears and Cubs, watched the same shows and played the same board and video games. Our parents expected us to excel in school, go to college, do better than them, earn more than them, move out of the neighborhood and eventually buy a house in the North Side. Or move out of the city altogether, to the suburbs. That was the American Dream, and every

family had that dream for every student at Our Lady of Lourdes elementary. We were going to be the next generation of doctors, lawyers, accountants and engineers and make our parents—meat packers, plumbers, construction workers, maids, electricians, truck drivers, hospital techs—proud.

One doesn't typically associate private schools with working class, blue-collar neighborhoods. But Our Lady of Lourdes was just that. To avoid the gang infested, under-funded, poorly run local elementary school, blue-collar families scraped everything they had to send their kids to the local Catholic school. Tuition was subsidized by the parish and by donations by the parishioners during one of the several Sunday services. Even with the subsidies, it was a big sacrifice for many families, including mine. But families did without new cars and new furniture and family vacations and never dreamed of saving for a house of their own to make sure their kids went to a safe, good school. Early on, we all knew our families were sacrificing their futures for ours. We still carry that responsibility and burden to take care of them and pay it forward and take care of others. This moral responsibility is not unique to us, a generation of white-collar professionals descended from a generation of blue-collar manual laborers, but it does feel acute to me and others I know who are similarly situated.

So what was it like being a Latino in Chicago? As I mentioned, my parents never learned English. I read and translated every letter that came in the mail. I translated the news on television and in the papers. I translated when they went to the grocery store, the pharmacy, a restaurant or the mall. Chicago wasn't patient with immigrants who didn't learn English and my parents were often the subject of racial slurs and epithets. I remember police officers, bus drivers, school teachers and administrators, shop keepers and wait staff—you name it—look confused at a young boy speaking for his middle aged parents—translating for them. They would frown, look at me, look at my parents and then look back at me. Invariably, they would tell me to tell them to learn English. This is America. We Speak English in America. My parents would apologize. Look down. Look away. But every so often, the person who was berating them would take it too far, and use a racial epithet and insist I translate it. I always smiled because I knew what was coming. I would tell my father, who would explode with a series of profanities and insist I translate them. I had free reign to say all sorts of profanities to other adults. That was my childhood. That was many moons ago and I can look back at it and laugh. What other 10 year old was told by their father to tell the parish priest or local bus driver to go fuck himself? Good times. Decades later, when a judge during a sidebar during jury selection in Miami would insult three prospective jurors for not speaking English, I had to bite my tongue. Some things never change.

We overlook how important language is and what barriers it creates for those who don't speak it. It was near impossible to assimilate in Chicago and not speak English. Today, I live in Miami and whole communities live, play, work, worship, love and thrive in Spanish. But that wasn't the case in Chicago, and my parents lived isolated lives with a handful of family and friends who spoke Spanish, and me, who provided them a window into the rest of the world. For those diverse lawyers who spent their childhood speaking two languages, acting as translators for their parents and grandparents, navigating the world as a child for parents who needed it navigated for adults, then you know what I'm talking about and you share many of the same memories, good, bad and indifferent.

In addition to the language barrier, there was the perception that all young male Latinos were gang members. The Latin Kings, the largest Latino street gang in the 1970s and '80s, was born in Chicago and spread through the city and the country like a cancer, claiming tens of thousands of members. It was a gang that claimed to honor and promote the Latino culture and history. What they were, in fact, were a bunch of thugs—violent thieves, rapists, and murderers who behaved like our neighborhood was theirs. If you were a Latino male 10 or older, and you lived in my neighborhood, you were expected to join the gang. I never did. Let's say my constant refusals led to a few run-ins with them from 4th through 8th grade, and let's leave it at that. I was one of the few Latino males in my neighborhood who didn't join their ranks. Of course, because the Latin Kings expected all Latino boys to join, all the police assumed if you were a Latino boy, you belonged to them. So, yes, I got harassed by the police. Got harassed running errands, got harassed getting a burger at the local fast food joint, got harassed shooting baskets at the local park. If I wasn't facing off with a gang member for refusing to join, I was facing off with an officer who assumed I already had. It all had a Joseph Heller, *Catch 22* feel, and even as a boy, amidst the fear and anger, I found the dynamic comical. Sometimes, the best defense a child develops under stressful circumstances is a sense of humor, even if it is a warped one.

As a boy, I saw being Latino as a source of pride, a source of violence, a source of anger, a source of strength and a source of shame all at once. Many diverse young lawyers suffer from imposters' syndrome, sensing we don't belong. Those seeds were planted years ago, from which sprung thorns and thistles that make us question our worth, our value, our spirit and our destiny. They were planted by those who mispronounced our names on purpose, who laughed at our accents, who questioned our loyalty to America and thought that the mere fact our last name was Ramos or Sanchez or Gutierrez made us dumb. You pour all this hate and prejudice and misconceptions into a child, and that child carries it like a sack of rocks into adulthood.

I found my escape in books, writing and art. The Hild Regional Public Library was walking distance from my house. I don't know if the building still stands and if it does, if it still houses a library. It was my escape. I walked there every day. I read there every day. The librarians taught me how to read before I learned in school. They picked out books for me and read with me. They told me I was smart, and gifted and I was going to change the world. Because of them, I read *1984* when I was 8. I read *The Jungle* when I was 9. *Animal Farm* and *To Kill a Mockingbird* at 10. Anglo librarians did that. When most other Anglo adults looked down on me, these librarians lifted me up, praised me and pushed me to do more, be more, achieve more. They encouraged me to write and draw. I wrote comics and short stories and started taking the train to the Art Institute with a pad and some pencils to sketch. My parents worked double shifts, and were rarely home. I was a latch key kid and I rode the Chicago Mass Transit and I got around town. Always the same places—libraries and museums. I got to know everyone who worked at these places and they got to know me and they looked out for this Latino kid with his sketch pad, notebook, pens and pencils, sitting on the floor, writing and drawing. Looking back, I have many reasons not to love Chicago, but because of those who looked after me and for the city who gave me books and poetry and art and tapped into an imagination that still serves me today, my heart bursts with gratitude toward it. Chicago is my city. It beat me and lifted me, demeaned me and strengthened me, pushed me to the ground and gave me a hand to stand back up. It was a metaphor for life and it shaped me in good ways and in bad, and my story and its story are intertwined like threads in a tapestry.

Each of us has childhood experiences that molded and transformed us. Bringing those stories to the forefront help us remember where we came from and guide us to where we should go. And sharing those stories enables us to learn these things about one another, so we better understand one another, understand each other's motivations, fears, concerns, hopes and dreams and build relationships and bridges between those who may have little in common.

“It's Pronounced ‘Ramos’”

My name is Frank Ramos. Frank is short for Francisco. I'm named Francisco after my father. No one calls me Francisco except cold callers and folks who don't know me. Frank is easy to pronounce. It's a common name. Frank Sinatra. Frank Zappa. Frank Lloyd Wright. But Ramos, well, not as easy. Anglos typically pronounce it like a long a, like you pronounce it in the words ape, acorn or apron. But that's not how you pronounce it. You pronounce it like ah, like you pronounce the word father. When you pronounce Ramos,

the jaw drops, the lips are relaxed and the tongue presses down in the back. Ramos. Ramos. The voice comes up and down in pitch. Ramos. Ramos. See, you got it. My father taught me that people who respect you make a point to pronounce your name properly. You politely correct them and they politely correct themselves. Those who insisted on pronouncing my surname using a long a after I politely pointed out they should use an ah, often adding how in America my name was pronounced with a long a, well those conversations never ended well. For them, I meant. It never ended well for them. I suppose a digression may be in order about being a southpaw, about jabbing with my right and striking with my left, about always connecting on the chin, nose or cheek. If I had more time, such a digression would be in order, but we have to get back to more pressing matters.

Names matter. My name, your name, others' names—they matter. We typically enjoy when others remember our name, call us by our name, and compliment us by name. When we're introduced to someone, we make a point to catch their name and ensure we have the right pronunciation. We know right away if another is interested in speaking with us by the effort they make to use and remember our name. We are identified by our names. Who we are is inherently intertwined with our names. And those of us who have difficult or different names remember when we were teased, insulted or ridiculed for them. When hiring and retaining diverse lawyers, start with their names. Get their names right. Get to know their stories and the stories behind their names. Think about how you feel when someone uses your name correctly and how you feel when they don't. Whenever interacting with others, do your best to see the world through their eyes, experiences and perspectives.

“Can You at Least Use the Correct Racial Epithets?”

The Chicago vernacular in the '70s and '80s was vulgar and racist toward diverse residents. In fact, every race and ethnicity had slurs directed to them by most every other race and ethnicity. And Latinos were particularly singled out for racial epithets. The Latinos in my neighborhood were almost exclusively of Mexican or Puerto Rican descent. I was one of three Cuban kids in my school and neighborhood. So often I was the recipient of epithets that weren't even suited to my Cuban heritage. I believed that if you're going to hurl slurs at me, use the right ones. I mean come on, you racists, language matters. Words matter. How can I trust your racist bona fides if you're addressing slurs to me that are meant for Latinos of other Hispanic descent? It's just sloppy racism. Mediocre prejudice. Do better. Be better.

Did I correct others who addressed me with the wrong racial slurs? Oh yes. How did that play out? Like this:

“Leave the [basketball] court, wetback. We’re going to use it.”

“I’m sorry. I’m not Mexican.”

“What?!”

“I’m not Mexican. That derogatory comment—that’s a racial epithet directed to those of Mexican descent. I’m Cuban. If you’re going to use racist slurs, I’d ask that you use the right ones.”

“Well, why don’t you walk back to Cuba, you dirty Cuban.”

“Walk back? You know it’s an island right? I mean tell me to go back on a banana boat or an inner tube or something that goes on water. You gotta work on your geography.”

“You can suck me, Spic.”

“That’s funny. That’s what your momma told me last night.”

As soon as those words, or similar ones, came out of my mouth, I took the first swing, I connected and rarely needed to take a second one. That’s how we dealt with issues back then. Ironically, the local Latin Kings would watch with bemusement, encourage me to join, get upset when I refused, and as I walked home with my basketball, I would be harassed by the police—WWH—walking while Hispanic. Like I said, sometimes you just have to laugh.

The prevalence of racial slurs and epithets has receded and to the extent others bear racial animus, as a society, we’ve used social and peer pressure to clamp down on any overt expressions of racism and prejudice. The odds are, though, that your diverse lawyers have been, at some point during their lives, the subject of a racial or ethnic slur. More likely than not, they have experienced such slurs multiple times. These experiences have shaped their perspective and have affected how they see the world, the firm and you. Never forget that, because they will never forget each and every racial slur directed towards them.

Sister Emily

As I mentioned, I attended a Catholic school. I attended Our Lady of Lourdes Elementary from 1st through 8th grade. Sister Emily, the principal, ran the school with an iron fist. She wore a perpetual scowl, with her glasses hanging from a silver chain around her neck. If she lifted her glasses to her eyes to address you, you were in trouble. The deliberateness she took to slowly raise her glasses to her eyes, never actually putting them on, but letting them hang in mid air inches from her face, as she squinted through them to look

at you—those moments before she opened her mouth to address you, lasted an eternity. Invariably a rhetorical question, in a raised voice, insulting or demeaning you, followed. She cut through you the way my dad cut through sides of beef with his stainless steel knives. You didn't mess with Sister Emily. The Latin Kings and police didn't scare me, but I was petrified of Sister Emily.

She was 5'3", with a mop of gray hair. Unlike other nuns, who wore black and white habits, she dressed in solid colored skirts, matching jackets, and plain white or pastel blouses. She always made eye contact first, kept it and refused to look away. She liked me, except when she didn't, and she shared her wisdom with me except when she scolded or yelled at me. I think it was her way of keeping you on your toes. Never letting you feel too comfortable, too safe. I think this because I remember two things she taught me that I still remember to this day. First, always make and keep eye contact. Make the other person break eye contact. That's control. That's power. That's respect. Second, life, when you least expect it, will hurt you. Someone you know will get sick. They may die. You may get hit by a car. Your father may lose his job. A gang may beat you within an inch of your life. Life doesn't play fair. Always be ready for that. I think that's why she could go from stern but pleasant to mean and volcanic at the drop of a dime. She always kept you guessing, much like life, and you were always prepared for anything, which served me well at school and beyond.

To her credit, she treated all her students the same, irrespective of race, creed, nationality or socioeconomic status. She treated us harsh, because life is harsh, but she was an equal opportunity task master, and was capable of kindness and even let a smile slip in moments of weakness. Other than the habit, she was from central casting as far as disciplinarian nuns who run elementary schools was concerned—but there's something to be said about discipline. I still walk with my shoulders back, always conscious of my posture, my handshake is firm, I always make eye contact and to this day I promise you, you'll break eye contact before I do. You can take that to the bank.

The Token Altar Boy

So yeah, I was an altar boy. It wasn't by choice. The parish church needed altar boys for the daily 8:00 a.m. mass, and there weren't many volunteers and few if any Latino altar boys in a community with a large Hispanic contingency. So, Sister Emily suggested I become an altar boy. I politely declined. Sister Emily corrected herself. "Did I say do you want to be an altar boy? I meant to say you will be an altar boy." And of course I had only response. "I'm sorry Sister Emily, I misunderstood you. I would love to become an altar boy."

And so it began, starting in fourth grade, I became an altar boy. I wish I could tell you it was rewarding, that it was spiritual, that it was enlightening. It wasn't. It was a pain in the ass. I had to get up early, rush to church, set everything up, serve alongside our priests, clean everything up and then run to class before the morning bell, which sometimes I was late for because the mass ran long or the priest needed something before I ran out or something else happened. And Sister Emily, true to form, didn't want to hear excuses. "Run faster." You learned to do the impossible for Sister Emily.

What I did notice was that I was one of the few Latino altar boys and the Latino parishioners noticed that too. From time to time, elderly Hispanic women would come up to me and thank me for being an altar boy, for representing them before God. I was always polite. I always thanked them for their kind words while keeping an eye on the clock in the back of the church, because these ladies were sometimes the reason I was late for school. At the time, I didn't think much of it. How I was somehow representing them up there, on the altar, next to an Anglo priest. I was the responsible one among the altar boys. Always paying attention. Always doing his job. Always setting up, tearing down, cleaning up. I didn't do that because I was Latino. I didn't do that to make my parents proud. That was just me being me. But these ladies thought my diligence reflected well on them, on the whole Hispanic race, and it made them proud. It took years for me to think about how Latinos, how all racial and ethnic groups, look at those among them who succeed, who overcome as ones who exemplify them and look at them as examples. Today, I get calls or emails or texts from Latino lawyers regarding how to make it, how to do it, how to achieve. That's part of our story, as diverse lawyers. It's not just about us. Whether we realize it, accept it or acknowledge it, there are other diverse lawyers looking to us to set an example, to shine a light, to lend a hand and direct a path. There are responsibilities that come with being a diverse lawyer and firms need to understand and appreciate that.

Speak English

"Speak English!" I've heard that so many times. Directed to my parents. Directed to relatives. Directed to strangers at stores, malls, restaurants, parks, beaches, you name it. Folks are speaking Spanish and someone who has no business in the conversation, butts in and insist that they speak English, that this is America, that English is spoken here, and if they want to speak Spanish to go back from wherever they came. Maybe it's because I grew up in Chicago, and my friends were from all over the world, and at home their parents and grandparents spoke Spanish, Korean, Filipino (Tagalog), Chinese—you name it—that I become accustomed to hearing others speaking other languages. That never bothered me. That never surprised or annoyed

me. If folks want to speak another language, let them. I mean this is America, right? The land of the free? We love to say how we can do what we want in this country. So why can't we speak another language in public? Why can't folks at a restaurant carry on a conversation in Spanish?

When Latinos hear others insist we speak English, it strikes many of us as racist. Not all of us. Some among of us agree that English should be the national language and everyone should speak it in public. But for many of us, "English only" is a dog whistle to those who are suspicious of us, who are afraid that one day we may become the majority, with us having so many children and our anchor babies and all that. Some of us perceive "English only" as code for "We don't want you. Go back to where you came from." It's funny how, whenever there is a KKK rally, or some other racist assembly, there are signs about the English language, how this is America and how we should speak English. As Latinos, we feel gaslit when we're told that English Only efforts aren't racist. That's probably true for some who support such efforts, who make such comments, but understand that many Latinos perceive the insistence of English as a slight against them, their heritage and their ancestry. If you're a firm trying to attract and keep Latino lawyers, understand that firm's who agree with this sentiment or support judges or politicians who do, or who represent clients who do, may have a hard time keeping some Latino lawyers among your ranks.

Straddling Two Worlds

Many diverse lawyers straddle two worlds: the world they came from and the professional world in which they live. There are two cultures, two languages, two cuisines, two sets of customs, two belief systems, two sets of principles, two missions, two visions—two of everything. To a degree, everyone lives two lives: their life at home with their family and their life at work with their team. But this dichotomy is accentuated among diverse lawyers. My life at home, my family life, my customs and traditions, vary more from the mainstream professional world than it does for non-diverse families. And the greater the difference between home life and work life, the more we must transition from one to another, wear two faces, live two lives. This duality, verging on a schism, is a challenge for diverse lawyers that firms need to understand and appreciate.

Who Am I?

Each of us, if we engage in any introspection, will ask ourselves "Who am I?" "What's my purpose?" "Why am I here?" For diverse lawyers, we ask

both where we came from and where we're going. There is the person our parents, our family, our tribe want us to be, there is the person the world, society and our profession wants us to be and there is us, in the middle, sorting it all out. This process of self exploration and identification, learning oneself and becoming fully oneself, takes time. It is an amalgamation of our experiences, our interactions, our relationships and our bonds. Everything has the power and potential to shape us, to one degree or another, if we let it. This evolution we undergo to becoming fully actualized, fully ourselves, is a path we all take, but for diverse lawyers, it is unique and bears exploration and understanding by the firms that hire us.

Moving to Miami

In 1986, after I graduated from 8th grade from Our Lady our Lourdes, our family moved from Chicago to Miami. We moved in the middle of summer before I would start high school. It was hot and humid and muggy. I never saw so many palm trees and lizards and I never perspired so much. I moved from being in the minority being of Cuban descent in Ravenswood, Chicago, to being in the majority. Suddenly, most everyone I met, encountered or saw were of Cuban descent. Spanish was spoken everywhere, specifically Spanish with a Cuban dialect. Everyone ate Cuban food, shared Cuban customs and lived in a Cuban dominated enclave. It was, well, weird. Not only was Spanish spoken, but at many stores and restaurants, it was spoken exclusively. I no longer had to explain family customs or experiences. Everyone had the same background. I wasn't in the minority anymore. I was in the majority. As the years passed, more Latinos from the rest of Latin America would come and create their own enclaves in Miami—Nicaraguan, Dominican, Venezuelan, Costa Rican—but back in the mid 1980s, it was predominantly Cuban. There are certain privileges that those in the majority have, often take for granted, and exercise in small and big ways. You don't appreciate how subtle and how ingrained these privileges are until you are transplanted from the minority to the majority overnight. That abrupt change makes you see and appreciate the privileges of the majority and as the famous line says, it's good to be king.

Que Pasa USA

There was a show on local television in Miami called Que Pasa USA. It followed a multi-generational Cuban family living in Miami. It was in Spanglish—a mix of English and Spanish—where the actors easily transitioned from one language into another and back, often in the same sentence. It was a sitcom and accurately captured the Cuban exile experience in Miami. For those not familiar with the Cuban exile community in South Florida, after Fidel Castro

rose to power, many fled the island, fleeing the despot and communism. Many thought his reign would be short lived and planned on returning home to Cuba. Castro was never overthrown, despite efforts by the exile community, those on the island and several botched attempts by the U.S. government. Having planned to return home, many Cubans recreated home in Miami, thinking their time in the U.S. was temporary. It become permanent, and their unique experience—the Cuban upper, middle and lower class all emigrating en masse to the U.S.—many coming to and staying in Miami, recreating Cuba on American soil—redefined the American Dream on their own terms. For those who study immigration, typically it's those of lower class and lesser means who leave their homelands in search of a better future. For Cubans, they fled their country to avoid political and social persecution, not economic difficulties. Many were of means. This wasn't a typical emigration. And this atypical emigration resulted in an atypical experience for Cubans who simply re-imagined Cuba in America, not knowing any better that the expectation for them, as it was for most immigrants, was to assimilate. Some Cubans did. Certainly second and third generation Cuban Americans have. But many were buying time to return to the Homeland. 50 years later, some of those left of that generation, still hope to see a free Cuba and return. All in all, the Cuban experience in America is unique among immigrants. It is beautiful, heart breaking and difficult to fathom, much less understand, looking in from the outside. But to understand the pressure and expectations placed on Cuban lawyers by their families, friends and community, one needs to understand the Cuban American experience.

Curley Notre Dame High School: A Melting Pot

In the fall of 1986, I started high school at Curley Notre Dame, a Catholic High School in the heart of central Miami in Little Haiti. It truly was a melting pot. The student body was roughly 1/3 Anglo, 1/3 Hispanic and 1/3 African American and Caribbean. I remember as a senior being in a photo of the Neighbors Section of the Miami Herald where I, an African American student and an Anglo female student were standing near the school's seal, and the caption read something to the effect—the diverse student leaders of Curley Notre Dame. It wasn't just PR or a Kodak moment. The school truly practiced what it preached, and a school that was at the forefront of school integration decades before, truly brought students from every race, nationality, socioeconomic status and background together. We were all friends. We all hung out together, attended school events and parties together and tripped and stumbled through our teenage years together. There was no caste system. There was no black, brown and white. We all got along and never noticed nor pointed out our differences.

Though Curley was a safe place, the rest of the world was not. In high school, I drove two beat up cars—first, a 1972 Pontiac Lemans and later a 1981 Ford Fairmont. They were old, run down, bulky, ugly and did not fit into the residential neighborhood of Miami Shores where several friends from Curley lived. Miami Shores was an old, established, largely Anglo neighborhood, and my car and my last name did not fit in. I got pulled over, a lot. “Are you lost?” “What are you doing in this neighborhood?” “Why are you here.” “Rayyymos, step out of the car.” “It’s Ramos.” “I didn’t ask. Step out of the car.” I was never arrested nor handcuffed. I was never cited nor ticketed. My car didn’t fit into the neighborhood, and once they saw my license, my name didn’t fit in either. After a while, it stopped. Miami Shores isn’t a big city, didn’t have a large police force, and after a while those on patrol figured I was harmless and left me alone. Driving while Hispanic, Driving while Black, Driving while a Minority—it’s a real thing.

Florida International University— Finding Myself in the Majority

I graduated from Curley in the spring of 1990 and started college in the fall of that year at Florida International University (“FIU”). I had considered attending college in the Midwest or Northeast, but due to family issues, stayed close to home. FIU was a unique institution. It was a commuter school, with little on campus housing, and the majority of its students were diverse, mostly Hispanic. The local Cuban community embraced FIU as their college. This was where their sons and daughters enrolled, graduated and become professionals and leaders in the community. Most of my friends at FIU were of Cuban descent. So was my girlfriend, soon-to-be-my fiancé. It just so happened most of my classmates were of Cuban descent. Here I was in college, and even though I was a minority, I was in the majority.

The blue-collar employees on campus were predominantly Hispanic. The groundskeepers. Security. The food preparers. Maintenance. They treated us like their kids and were proud of us, proud of the next Latino generation making something of themselves.

Ana, my fiancé, and I, graduated in the fall of 1993, got married in the summer of '94 and I started law school that fall. It was an inexpensive, low key wedding. We didn’t have much nor did our parents. We were just happy we were getting married. I couldn’t afford an engagement ring and we couldn’t afford a honeymoon. My best man got us a three day cruise in the Caribbean. We were young—I was 22, and Ana was 21. Looking back, we were still babies. We didn’t care and we didn’t know better. It was a mix of hubris and naiveté with a sprinkling of hope. By the time this book is

published, we will have celebrated our 26th wedding anniversary. There's something to be said for being young and poor. You build a foundation knowing you don't need stuff to be happy.

University of Miami Law School— Going Back to the Minority

In the fall of 1994, I started law school at the University of Miami (“UM”). Like FIU, I was on a full ride. I didn't want to incur student loan debt, and a free education close to home made sense. UM was and is a great law school. They had a strong litigation and trial skills program and were well connected with local firms from whom I would seek employment one day. I made some good friends there, with whom I'm still good friends today. It provided me the building blocks for a long, successful career. But what I won't forget, what I can't forget, was that this private law school in the heart of Coral Gables, an upper class neighborhood, was no Curley and was no FIU. Unlike myself, most folks attending UM law were paying, and were paying a lot. This meant that a lot of the students were upper class anglo students, with whom I didn't have much in common and with whom, from time to time, I struggled to relate. In the intervening years, UM law as well as other private law schools, have grown more diverse, but in the mid 1990s, being a Latino law student, an African American law student, a Caribbean law student—you were certainly in the minority, and you searched out other diverse lawyers for fellowship and friendship. We all tend to gravitate toward the familiar, toward what we know. In UM, back then, a poor, recently married young man of Cuban descent, this was a whole new world.

The Practice

I graduated UM in the spring of 1997, took the bar that July, and found out I passed on September 21, the day after I found out Ana and I were going to have our first baby, David Joseph. I started my career at Hinshaw & Culbertson, at the time a national insurance defense firm, which has since grown in practice areas, geographic regions and lawyers. I worked in the Miami office, which was a reflection of the city's diversity—Jewish, Hispanic, Anglo and African American. The attorneys and staff felt comfortable speaking Spanish in the office, we drank Cuban coffee every day and the firm celebrated its diversity in South Florida. Being a diverse law firm was a selling point to clients and Hinshaw embraced it wholeheartedly.

I didn't work at Hinshaw long. I left to join Clarke Silverplate in the summer of 1998 and have worked there ever since. Our firm always embraced diversity,

and the lawyers who have come, gone and stayed were of all creeds, races, nationalities and sexual orientations.

During my 23 years of practice, I've witnessed racism and prejudice in the practice. I've heard remarks by judges about Hispanic and African American lawyers. Local voluntary bar associations have played an important role calling out such behavior and addressing it. I remember a judge go on and on about prospective jurors in my venire not being able to speak English. I'm not going to mention any judges by name and won't if asked. These judges have since retired and many have passed. What I will say, there's less tolerance of this behavior these days, and with smart phones, those who express such opinions and views often get recorded, publicly shamed and ostracized. I've heard similar comments over the years by other lawyers, clients and witnesses. Diverse lawyers can't escape this behavior because we're the subject of it. We're highly attuned to it. Our Spidey sense kicks in when it occurs. What some consider an overreaction on our part is simply a reaction to the latest slight in a long series of slights and comments and actions and omissions that form a tapestry of bigoted, ignorant behavior that we have witnessed and experienced. These experiences are part of us. They define us as diverse lawyers and firms need to understand this.

Being a Latino Lawyer

For many Latino lawyers, we feel a need to fight for social justice because of what we and our families experienced growing up. For many Latino lawyers, we feel a need to speak out—in our communities, through our bar associations and on social media, and not remain silent on issues that matter to us. For some Latinos, golf courses, private clubs, tennis courts and the like are foreign to us. I don't know how to swing a club or racket, and I'm more comfortable having a Cuba Libre at a local Cuban restaurant than 20 year old Scotch at the club. Do some Latinos love golf? Of course. Belong to private clubs? Yes. Love scotch? Sure. Is that me? No. Is that true for many Latino lawyers? In my experience, among my clan and tribe, no. Business development on the golf course, or in the sauna, or in some stodgy old library with photos of old dudes with handle bar mustaches—not my speed, not my circus, not my monkeys. For those who love these things, that's wonderful. For firms, who are trying to ingratiate themselves to their diverse lawyers, make sure they want to participate in the activities and outings your firm sponsors and holds. I'm not suggesting you change all your customs, but if you are old school, steeped in tradition, you may want to consider adding some new traditions into the mix.

Lessons Learned

Now in my 23rd year of practice, I have learned that each of us has a reason, a rationale, a motivation for every word, every action and every omission. And I have learned that no matter how busy I am, no matter the obligations and the distraction, the work and the stress, if I want a relationship with another I need to learn their story. And if I don't take the time, or make the effort or expend the energy, we may be acquaintances, but we will never be friends and we won't have a relationship that binds. If a firm wants to hold onto its diverse lawyers, learn and embrace their stories.

Racial Profiling

If you're a diverse lawyer, odds are that at some point in your life, either you or someone you love has been racially profiled—by the police, or store security, or a store employee, or at a restaurant, hotel, beach, park or club. I have. Remember my stories about the police in Chicago and Miami Shores? It happens a lot. It happens more than we want to admit. Imagine if you were Anglo, and you had been racially profiled throughout your life? How that would affect you? Change you? Scar you? If you're a firm, be cognizant of this and appreciate your diverse lawyers' efforts to combat it.

Affirmative Action

Throughout my life, I have heard disparaging comments about how diverse lawyers got into a great school or into a great firm simply because they were diverse—because of affirmative action. You got into the school of your dreams? It's probably because you're a minority. The silk stocking firm hired you? A quota hire. There are few things more toxic for a firm than its partners to feed this narrative. Your diverse lawyers don't want to hear about how your son or daughter didn't get into Harvard because they're white. Your diverse lawyers don't want to hear that it's not fair your firm was passed over for work because you're white. And even if you make these comments in private, there's a chance they will become public. Those comments splash acid on any relationship you're trying to form with your diverse lawyers. Do schools take diversity into consideration during the admission process? Yes. Do clients take diversity into consideration when assigning cases? Yes. Why? Because for the several hundred years blacks have been part of the fabric of this country, they were either slaves or have been discriminated against. Because for the many years Latinos have been part of this country, they have suffered economic and social injustices. If the majority wants to trade racial profiling, discrimination, racism, and a whole host of other issues

for affirmative action, count me in, count a lot of diverse lawyers in. If not, please eliminate the whole affirmative action and quota thread from your conversation and your lexicon. You're not doing yourself or your firm any favors by pursuing those lines of thought or talk. They're toxic, not helpful and they don't build bridges.

My Story, Your Story

Each of us has a story. I shared mine. I write a lot but I rarely share my story. Why? Because most folks don't care and to be honest, I hate repeating myself. Telling the same story, even if it's to different people, gets tiresome. I'd much rather hear your story. Firms need to create an environment where there is time and opportunity and openness and understanding for its lawyers to share their stories, learn about one another, and build bonds through mutual story telling. Learning about one another, about our similarities and differences, about our values, our dreams and our goals, our wants and our wishes, our histories and our futures—this process creates bonds that bind. This is how relationships are made. This is how friendships are made. This is how couples and families and friends grow closer. This is how your firm will grow closer.

Your Stories

Take the time to think through your story—think through why you are the way you are, what motivates you, what gets you up in the morning and what keeps you up at night. What are your values? How were you raised? What are your customs and traditions? What do you want from life? What are your goals and dreams? Knowing your story will direct your actions to pursue your goals to achieve your destiny. And the better you understand your own story, the more you will appreciate the importance of learning and embracing the stories of others.

How Sharing and Embracing Our Stories will Promote Retention

Compensation, training, quality work and experience are ways firms try to keep their lawyers, including their diverse lawyers. But many firms find these efforts fall short. Compensating your attorneys, mentoring them, training them and developing them are necessary components for retention, and there's little I can say about these items that you don't already know. What's missing from the equation is really learning about your lawyers

and communicating with them on their terms. Learning their story, their background, their style and manner of communication, their heart and their mind—these efforts are appreciated, embraced and remembered. Taking time to really learn about your lawyers and understand them on their own terms goes a long way to ensuring they stick around for the years and decades to come.

What Your Firm Can Do to Promote Retention

To promote retention, identify the lawyers in your firm that are strong and effective mentors, make sure all your young lawyers, including your diverse lawyers, are assigned one of these mentors, and define the roles and obligations for both your mentors and mentees. If your firm assigns a partner or senior associate as a mentor to the young lawyers, including its diverse lawyers, and these mentors learn what makes the associates tick, what they want, what their goals and dreams are inside and outside the firm, and empowers them to pursue their goals or dreams, those attorneys are likely to stay.

Your Diversity Plan

Your diversity plan is simple. Discover the stories of your diverse lawyers. By learning their stories, you will learn what motivates them, what they want from your firm, from their career and from life. Once you know what they want, both at work and beyond, you will provide them the time, energy and resources to pursue their dreams and goals, not simply career goals, but beyond. This commitment will foster loyalty, respect and appreciation and these efforts are much more likely to keep diverse lawyers at your firms than more money, bigger offices, bigger bonuses and more perks. Investing in them, believing in them, listening to them, really listening to them, respecting them and supporting them—not just as lawyers but as individuals—will give your firm the reputation that you invest in your diverse lawyers and they will stay and others will follow and increase your diverse ranks.

The Future of Diversity Efforts

I've been to my share of diversity seminars and presentations and read my share of diversity white papers and articles. There have been some advances in diversity, but not enough. There have been some innovative efforts, but they haven't been permanent, long lasting solutions. The problem may be that we have overthought this. It may be that we have tried complicated

solutions where a simple one was preferable. Perhaps what we should have done all along is:

- Encourage our diverse lawyers to share their stories.
- Listen, really listen, to their stories and embrace them.
- Through their stories, learn what they want from their careers and from life.
- Empower them to pursue their goals, both goals at your firm and beyond.
- Invest in them, and they will invest in you and your firm.
- Embrace them and they will embrace your firm.

That's it. To keep diverse lawyers, you need to develop a relationship with them. That's no different from how we build relationships with spouses, families and friends. Does it take time? Yes. Is it a big investment? Yes. Is there an easier way of doing it? No. As a profession, we've tried everything else and none of it has created serious inroads in hiring and retaining diverse lawyers. If you're serious about diversity, and you want to become known as a firm which has figured out how to attract and keep diverse lawyers, listen to your diverse lawyers, mentor them, empower them and help them achieve their dreams. Help them achieve their goals and they'll work and sacrifice to achieve your goals and your firm's goals.

