

Kentucky Bar Association Diversity Study of Attorneys and Judges

Executive Summary

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Purpose of Survey

The Kentucky Bar Association Diversity Study of Attorneys and Judges focused on members' perceptions of and experiences with discrimination and prejudice within the judicial system – both in terms of the respondent's professional experiences and their perceptions of the treatment of court-users (e.g., litigants, defendants, victims). Bias in three core areas was addressed: gender, race and ethnicity, and sexual orientation/identity and gender identity. Less in-depth inquiry addressed bias related to immigrants, and persons with intellectual disabilities or physical disabilities.

Methodology

Potential study participants were recruited via an email sent to all KBA members with valid email addresses on the KBA listserv. The survey announcement was sent by the president of the KBA and included a cover letter explaining the purpose of the survey, a delineation of the process used to protect the anonymity of participants, and a link to the online survey site. Participation was voluntary. The survey was accessible via either computer or smartphone. Of the 2015 persons who accessed the survey, 203 were eliminated due to insufficient data, resulting in a final non-probability sample of 1812. The data was secured in the researcher's password-protected *Qualtrics* account, and was/is accessible only to the primary researcher.

KBA Survey Content Areas

- The survey included closed-ended items/questions addressing three core areas: 1) racial and ethnic bias, 2) gender bias, and 3) sexual orientation/identity and gender identity bias.
- In each area, respondents were asked to indicate their perceptions related to Kentucky courts and the actions/ behaviors/ of 1) judges, 2) defense attorneys, 3) prosecutors, 4) civil court attorneys, and 5) court clerks.
- Items addressed respondents' personal professional experiences in each area.
- Respondent's views on needed training, awareness-raising, and whether they believed representation/reflection of community members was important as it relates to specific areas of bias were also measured.

Sample Characteristics

The majority of the sample is male (60.7%), White/Caucasian (94.8%), heterosexual (94.4%), and cisgender (99.5%), with an average age of 49.7 years ($sd = 12.9$ years). In terms of practice characteristics, the majority of respondents are attorneys (95.7%), practicing civil law (55%), with primary practice locations in either Louisville (28.4%) or Central Kentucky (28.4%).

Highlighted Findings

Observations of Bias Related to Defendants, Litigants, Witnesses, and Victims

Race/Ethnicity Bias

- Majority of respondents agreed that the Kentucky Courts and members of the judicial system treat people with courtesy and respect regardless of race/ethnicity. Despite this broad consensus, a substantial number of respondents either held a neutral view (neither agreed nor disagreed) or disagreed with statements that indicated that race/ethnicity played no role in the way members of the judicial system treated people.
- Females and POC were significantly more likely to disagree that people are treated with courtesy/respect regardless of race/ethnicity.
- 41.3% believed minority defendants would receive more severe sentences than non-minority defendants. Compared to W/C males, W/C females and POC were more likely to hold this view.

Gender Bias

- The majority of respondents felt that Kentucky courts and members of the judicial system treated people with courtesy and respect regardless of gender.
- Females, POC, and LGBTQ persons were significantly more likely to disagree with statements that people were treated with courtesy/respect regardless of gender.
- Judges were more likely to agree with the statements concerning treatment of persons with courtesy/respect without regard to gender.
- 32.7% had experienced/observed unfair treatment based on gender within the court setting. Females were more likely to endorse this statement.

Sexual Identity/Orientation and Gender Identity Bias

- The majority of the respondents agreed people were shown courtesy/respect regardless of sexual identity/orientation or gender identity.
- Less than half of female respondents agreed that people were treated with courtesy and respect regardless of sexual identity/orientation (females 43.8% vs males 73.5% or gender identity (females 39.8% vs males 71.5%).
- LGBTQ respondents were more likely to believe sexual identity/orientation and gender identity/expression minority members of the legal profession and court-users are likely to experience bias both within the court setting and outside the courtroom.
- 16.1% indicated that they had seen or experienced unfair treatment of individuals in Kentucky courts based on their sexual identity/orientation (females = 25.1%, males = 10.5%).

- 12.9% indicated that they had seen or experienced unfair treatment of individuals in Kentucky courts based on their sexual identity/orientation (females = 19.6%, males = 8.9%).

Personal Experiences of Bias Related to Professional Opportunity and Practice

Survey Item: Do you believe you have been discriminated against as a member of the legal profession? [34.4% responded YES] Perceived reasons for discrimination: respondent's sex (32.3%), race (6.4%), ethnicity (5.3%), sexual identity/orientation (4.3%), and gender identity (1.9%).

- One-third of respondents had experienced unfair treatment based on gender within the court; 57.8% had witnessed unfair treatment with professional settings.
- Females are more likely than males to identify gender bias in various arenas/situations.
- Females (48.7% vs. 4.4% of males) were more likely to indicate that they had been assumed to be a court clerk.
- Females were significantly less likely to believe female attorneys/judges have the same opportunities as male attorneys/judges, or are equally likely to serve as lead counsel.
- Female respondents were more likely to report all forms of sexual harassment.
- The majority of experiences of sexual harassment and discrimination were not reported. The most commonly identified reason for not reporting an incident was fear of retaliation.

Perspectives on Ways to Reduce Bias in the Judicial System

Four survey items asked respondents opinions on the extent to which efforts should be made to increase the diversity of court personnel and provide further education and training for those personnel. The specific items are as follows (% endorsing statement):

- Judges who reflect the ethnic background of the community. (54.8% agreed)
- Appropriately-qualified attorneys and court personnel who reflect the ethnic background of the community. (56.7% agreed)
- Educate court clerks about existing biases against minorities. (55.2% agreed)
- Train court personnel to better understand the needs of minority groups. (62.0% agreed)

Females and POC were significantly more likely to support each of these areas.

Expanded Summary of Findings

Note: Unless otherwise stated, highlighted differences are statistically significant.

Structure of Presentation of Findings

- A. For each area of inquiry (racial and ethnic bias, gender bias, and sexual orientation/identity and gender identity bias), findings are summarized as follows:
 - Overall findings based on full sample
 - Gender differences (Female vs. Male)
 - Race/Ethnicity differences (White/Caucasian [W/C] vs. Persons of Color [POC])
 - Primary geographic location of practice (Louisville, Central KY (including Lexington), Northern KY, Eastern KY, and Western KY)
 - Judicial role differences (Attorney vs. Judge)
 - Sexual and gender identity differences (Heterosexual vs. LGBTQ-identified)
- B. Original Likert-scale responses options ranged from strongly agree, agree, neither agree or disagree, disagree, and strongly disagree. Responses were combined into three categories: Agree, Neither Agree or Disagree, and Disagree.

Participant Characteristics (N = 1812)

- Average age = 49.7 years (sd = 12.9)
- Male (60.7%); Female (39.3%)
- Gender Identity = Man (60.4%), Woman (39.1%); Transgender (.1%); Other (.4%)
- Heterosexual (94.4%); Bisexual (1.3%); Lesbian (1.1%); Gay (2.4%); Other (0.7%)
- Caucasian/White (94.8%); African American/Black (1.9%); Hispanic or Latino/Latina (.7%); Asian/Pacific Islander (.4%); Other (2.1%)

Practice Characteristics

- Average years in practice = 21.8 years (sd = 12.69)
- Attorney (95.7%); Judges (4.3%)
- Location of practice – Louisville (28.4%); Central KY (28.4%); Northern KY (10.5%); Eastern KY (10.5%); Western KY (10.4%); Statewide (1.6%); Other (9.9%)
- Areas of practice = Family law (29.1%); Civil Law (55%); Criminal law (34.2%); Government (21.3%); General Practice (30.6%); Regulatory (9.4%), Transaction (13.6%); Judiciary (6.2%), Other (18.8%)

General Observations of Bias within the Profession

- Within a courtroom setting or your place of employment have you heard negative comments related to the following [% responding *Yes*]: race (25.5%), ethnicity (27.9%), sexual identity/orientation (26.0%), gender identity or gender expression (18.5%),

immigrant status (32.7%), sex (29.2%), physical disability (15.2%), and intellectual disability (24.9%).

- Sentences for the same offense are given to minority defendants that are less severe (3.4%), about the same (55.3%), or more severe than those received by non-minority defendants (41.3%).
- Compared to W/C males, W/C females and POC were significantly more likely to believe minority defendants receive more severe sentences than non-minority defendants

Observations and Perceptions of Racial and Ethnic Bias

- 21.7% of respondents indicated they had personally experienced or observed unfair treatment in Kentucky courts based on race or ethnicity in the past three years
- When asked how prevalent they believed racial/ethnic bias was within the court system today (1 = non-existent to 10 = all pervasive), the average responses was near the midpoint (mean = 4.53, sd = 2.4). Respondents' who indicated having experienced or observed examples of racial/ethnic bias reported significantly higher scores (6.82, sd = 1.68 vs 3.86, sd = 2.16).

Perceptions of Racial and Ethnic Bias

For six different judicial roles (Kentucky Courts; Judges; Court Clerks; Prosecuting attorneys; Defense attorneys; and Civil attorneys), respondents addressed this statement:

_____ *in Kentucky show courtesy/respect to people without regard to race or ethnicity.*

1. In each case, the majority of respondents agreed that people were shown courtesy/respect regardless of their race and/or ethnicity (judges = 80.9%; court clerk = 74.8%; prosecuting attorneys = 63.2%; defense attorneys = 75.2%; civil attorney = 71.8%).
2. Female respondents were significantly less likely to agree with the statements, with the largest discrepancy related to views on the actions of court clerks (females 63.4% vs males 81.7%). The lowest percentage of endorsement was for action of prosecutors (males 69% vs. females 53.7%).
3. POC were significantly less likely to agree that people were shown courtesy/respect regardless of race and/or ethnicity: judges (POC 57.5% vs. W/C 82.3%), prosecutors (POC 40.0% vs. W/C 64.6%), and civil attorneys (POC 48.8% vs. W/C 73.3%), court clerks (POC 63.8% vs. W/C 75.5%), and defense attorneys (POC 58.8% vs. W/C 76.2%).
4. Significant differences based on primary geographic location of practice were identified related to court clerks, prosecutors and defense attorneys. Those practicing in Eastern KY were significantly less likely to disagree with the statement that prosecutors treat all people with courtesy/respect without regard for race/ethnicity (Eastern KY 7.1% vs. 14.5% in Central KY to 18.9% in Louisville).

5. Compared to persons who identified as heterosexual/cisgender¹, LGBTQ persons were significantly less likely to agree that judges (81.4% versus 69.4%, respectively), court personnel (75.5% versus 61.2%, respectively), and civil court attorneys (72.3% versus 58.1%, respectively) treat all people with courtesy/respect without regard to race/ethnicity.
6. Attorneys were less likely to agree with each of the statements, with differences ranging from 13.1% for court personnel (attorneys 74.4% agree vs. judges 87.5% agree) to 20.5% difference in view of prosecutors (attorneys 62.3% agree vs. judges 82.8% agree).

Respondents considered three victim/defendant scenarios designed to address perceptions of the roles of victim and/or defendant race on court decisions. For each scenario respondents indicated whether they believed sentencing decisions would be *much lighter*, *the same*, or *much harsher*, if the defendant or victim in the scenario was white. Responses were as follows:

- a. White victim versus a minority victim: only 1.7% believed the sentence would be have been much lighter if the defendant were white, 60.8% about the same, and 37.5% believed the sentence would be much harsher.
- b. Minority defendant and minority victim: 26.6% believed the sentencing would have been much lighter if both victim and defendant were white, 70.7% about the same, and 2.7% believed sentences would be much harsher.
- c. White defendant and minority victim: 7.2% believed the sentence would have been much harsher if the victim were white, 79.4% about the same, and 13.4% believed the sentence would be much harsher.

When asked if they had heard race/ethnicity brought up in court when it was not relevant, 28.4% of respondents agreed that they had (21.9% of judges; 28.5% of attorneys). In a similar question addressing this experience outside court, 51.4% agreed with the statement (42.2% of judges; 51.9% of attorneys).

- a. Females were significantly more likely to agree with each of the two statements (In court: male 24.9%, female 34.2%; Outside court: male 46.1%, female 60.4%).
- b. POC were significantly more likely than W/C respondents to agree that they had heard race brought up in court when it was not relevant (49.3% vs 27.4%, respectively). The majority of both groups said that they had heard race mentioned outside court when it was not relevant; however, the difference between the two groups was not significant (W/C 51.4%, POC 55.7%).

Observations and Perceptions of Gender Bias

- 32.7% had experienced/observed unfair treatment based on gender within the court setting (women more likely than men); no difference by role or race/ethnicity

¹ Drawing on the definition found in the Oxford English Dictionary, cisgender is defined as having a personal identity and gender that corresponds with one's birth sex.

- 57.8% witnessed unfair treatment based on gender in professional settings other than the courtroom (females more likely than males); no difference by role or race/ethnicity
- 35% indicated that they had heard gender raised within court when it was not relevant
- 48% indicated that they had heard irrelevant references to gender outside of court.
- Females were more than twice as likely as males to indicate that they heard such comments within the court setting (51.2% vs. 25.0%, respectively; $p < .001$) and 1.5 times more likely to agree that they had heard gender raised outside-of-court (64.2% vs. 38%, respectively; $p < .001$).

Survey Item: In the past 5 years, to what extent has there been a change in the number of incidents of gender bias? (5.7% increased; 55.4% stayed the same; 38.9% decreased)

- Females were significantly more likely to believe that the number had increased (8.2% of females vs. 4.1% of males) and males being more likely to believe the number had decreased (47.3% of males vs. 25.9% of females).

Judicial Treatment Based on Gender

For each of the following (Kentucky Courts; Judges; Court Clerks; Prosecuting attorneys; Defense attorneys; and Civil attorneys), respondents addressed this statement:

_____ **in Kentucky show courtesy/respect to people without regard to gender.**

1. The majority of respondents agreed that people were shown courtesy/respect regardless of gender (Kentucky courts = 53.4%; judges = 66.5%; court clerks = 70.3%; prosecutors = 60.4%; defense attorney = 66.2%; civil attorney = 62.1%).
2. Females were significantly more likely to *disagree* with the statement that people were shown courtesy/respect regardless of gender. The largest discrepancy was for the statement that judges showed courtesy/respect regardless of the gender of the person (female = 41.6% disagreed vs. males = 13.8%).
3. POC were more likely to *disagree* with each of the statements that courtesy/respect is shown regardless of gender. While the majority of respondents agreed with the statements for most items, less than half of POC supported such statements related to Kentucky courts (54.3% W/C vs. 39.7% of POC) and prosecutors (61.3% W/C vs. 47.2% of POC).
4. Primary geographic location of practice identified significant differences across all six items. The following highlights are noted: 1) the largest percentage of respondents in each geographic location disagreed with the statement that Kentucky courts treated with respect/courtesy (ranging from 29.7% of respondents in Eastern KY to 46.8% of respondents in Louisville); 2) respondents in geographic locations with large metropolitan areas (Louisville, Central KY, Northern KY [Cincinnati area]) were less likely to agree with statements that suggest that gender-bias is not an issue.
5. Compared to heterosexual/cisgender persons, LGBTQ persons were significantly less likely to agree that Kentucky courts, (54.7% versus 30.0%, respectively), judges (67.2% versus

53.8%, respectively), and prosecutors (61.4% versus 44.3%, respectively), treat all people with courtesy/respect without regard to gender.

6. Judges were significantly more likely to agree with the statements in the following five areas: treatment by Kentucky courts (judges = 74.6% vs attorneys = 52.5%), judges (judges = 89.8% vs attorneys = 65.5%), prosecutors (judges = 82.8% vs attorneys 59.5%), defense attorneys (judges = 82.8% vs attorneys = 65.6%), and civil court attorneys (judges = 84.5% vs attorneys = 61.3%).

Perspectives on Gender-Bias Related to Defendants, Litigants, Witnesses, and Victims

- Survey Item: Do judges give sentences, based solely on gender, to female defendants that are *less severe than sentences given to males* (46.3%), *about the same as sentences given to males* (51.6%), or *more severe than sentences given to males* (2.1%).
- Compared to female respondents, male respondents were significantly more likely to believe females received less severe sentences (male = 51.7%; female = 37.5%)
- When asked to rate the pervasiveness of gender-bias toward defendants, litigants, witnesses, or victims in the court system on a scale of 1 (Non-existent) to 10 (Pervasive), the mean fell slightly below the midpoint (mean = 4.26, sd = 2.36). The mean score for females was significantly higher than the mean for males (5.40 vs 3.56, respectively).

Perspectives on Gender-Bias Related to Female Attorneys or Female Judges

When asked to rate the pervasiveness of gender-bias toward female attorneys or female judges in the court system on a scale of 1 (Non-existent) to 10 (Pervasive), the mean fell slightly below the midpoint (mean = 4.48, sd = 2.74). The mean score for females was significantly higher than the mean for males (6.25 vs 3.40, respectively).

1. Respondents were fairly equally split on whether they agreed (41.9%) or disagreed (46.0%) with the statement, “I have heard negative gender-specific comments about female attorneys and/or judges in the courtroom.” Female respondents’ were 2.5 times more likely to agree with the statement compared to men (66.2% vs. 26.7%, respectively).
2. 57.6% of respondents agreed with the statement, “I have heard negative gender-specific comments about female attorneys and/or judges outside the court.” Female respondents were nearly twice as likely to agree when compared to men (80.3% vs. 43.5%, respectively).
3. 21.4% agreed with the statement, “I have been mistaken for a court clerk in the courtroom.” Female respondents (48.7%) were significantly more likely to be mistaken for a court clerk compared to male respondents (4.4%). Notably, none of the 30 male judges who responded to the statement agreed with the statement, whereas 40% of female judges (n = 30) indicated that they had been mistaken for a court clerk in the courtroom.

4. When examined based on the intersection between sex and race, more than half of female POC respondents agreed with the statement (63.2%), followed by W/C females (47.6%), male POC (17.2%), and finally, W/C males (4%).

Survey Item: Female attorneys have the same opportunities for advancement as male attorneys.

- a. 67.9% of male respondents were more likely to believe female attorneys in Kentucky have the same opportunities for advancement as male attorneys (73.3% of female respondents agreed with the statement).
- b. 78.4% of male respondents believed female judges in Kentucky have the same opportunities for advancement as male judges, compared to 34.0% of female respondents who agreed with this statement.
- c. 62.6% of male respondents believed male and female attorneys were equally likely to serve as lead counsel, while 65.6% of female respondents *disagreed* with this statement.

Observations of Sexual Harassment

Respondents were asked to indicate whether they had either experienced (if female) or observed (if male or female) various types of actions by male superiors, colleagues, or clients vis-à-vis female attorneys or female judges in their current job setting in the past three years. Significant differences by sex were identified for each of the five items:

- a. Unwanted sexual teasing, jokes, remarks, or questions: 62.9% females versus 24.1% males
- b. Unwanted pressure for dates: 14.4% females versus 3.6% males
- c. Unwanted sexual looks and gestures: 37.9% females versus 18.6% males
- d. Unwanted deliberate touching, leaning over, or cornering: 35.4% females versus 7.6% males
- e. Other types of sexual harassment: 35.0% females versus 10.8% males

Observations and Perceptions of Sexual Orientation/Identity and Gender Identity Bias

Perceptions of Sexual Orientation/Identity Bias

Survey Item: On a scale of 1 to 10, where 10 is all pervasive and 1 is non-existent, how prevalent is bias based on sexual identity/sexual orientation (bias against gay men, lesbians, and bisexual persons) in the court system today? The average score on the item was slightly below the midpoint (mean = 4.00, sd = 2.43). Females (females = 5.00, males = 3.38) and POC (W/C = 5.20, POC = 3.93) had significantly higher mean scores.

Summary of findings related to sexual orientation/identity bias:

- 16.1% indicated that they had seen or experienced unfair treatment of individuals in Kentucky courts based on their sexual identity/orientation. Females were significantly more likely to indicate that they had witnessed unfair treatment based on sexual identity/orientation (females = 25.1%, males = 10.5%).
- 24% indicated they had heard sexual identity/orientation raised in court when it was not relevant to the case.
- 39.7% had heard irrelevant references to sexual identity/orientation outside of court.
- Males were significantly more likely than females to disagree with the statement that they heard such comments within the court setting (57.0% vs. 35.3%, respectively) and nearly half of females agreed that they had heard sexual identity/orientation raised outside-of-court (females = 46.7% vs. males = 35.4%).

Survey Items: _____ show people courtesy/respect regardless of sexual identity/orientation.

1. Across each of the judicial roles, the majority of respondents agreed people were shown courtesy/respect regardless of sexual identity/orientation (% agreeing ranged from a high of 62.7% for defense attorneys to a low of 52.3% for court clerks).
2. Females were significantly less likely to agree that people were shown courtesy/respect without regard to sexual identity/orientation, with the largest discrepancy related to views on the actions of judges (males = 73.5% vs. females = 43.8%).
3. W/C and POC respondents did not significantly differ on perceptions of sexual identity/orientation bias.
4. Geographic location of practice identified significant differences for perspectives on the behavior of court clerks, prosecutors, and defense attorneys. Highlight: respondents practicing in geographic locations with urban centers were less to agree with the statements than those practicing in rural areas.
5. LGBT respondents were two to three times more likely to disagree with these statements, with one exception – perceptions of treatment by defense attorneys. More than half of both groups agreed that defense attorneys treated people with respect/courtesy regardless of sexual identity/orientation, with less than 6% disagreeing with the statement (5.9% of heterosexual/cisgender and 5.4% of LGBTQ).

Perceptions of Gender Identity Bias

Survey Item: On a scale of 1 to 10, where 10 is all pervasive and 1 is non-existent, how prevalent is bias based on gender identity/gender expression (bias against transgender persons) in the court system today?

- The average score on the item was slightly below the midpoint (mean = 4.14, sd = 2.56). Females (females = 5.17 vs. males = 3.51) and POC (POC = 5.18 vs. W/C = 4.08) had significantly higher mean scores.

Mirroring the items for sexual identity/orientation, respondents were asked whether they had witnessed unfair treatment based on gender identity. Of the 1291 respondents who addressed the question, 12.9% indicated that they had witnessed such unfair treatment. Female respondents were significantly more likely to indicate that they had witnessed unfair treatment based on gender identity (women = 19.6% vs men = 8.9%).

- 20.7% of respondents indicated that they had heard gender identity raised within court when it was not relevant.
- 36.0% indicated that they had heard irrelevant references to gender identity outside of court.
- Males were significantly more likely to disagree the statement that they had heard gender identity raised in court when it was not relevant (females = 34.0% vs. males = 58.4%, respectively) and nearly twice as likely to disagree that they had heard gender raised outside-of-court (females = 25.0% vs. males = 47.4%). No significant differences were found based on respondent's race/ethnicity.

Patterns of responses to gender identity/expression bias statements mirror those found for perceptions and observations of sexual identity/orientation bias.

1. Across each of the judicial roles, a moderate majority of respondents agreed (strongly agreed or agreed) that people were shown courtesy/respect regardless of gender identity. Endorsements of this view ranged from a high of 62.2% for defense attorneys to a low of 51.1% for court clerks.
2. Females were significantly less likely to agree that people were shown courtesy/respect without regard to gender identity. These differences were consistent across each of the five judicial roles, with the largest discrepancy (-31.7%) related to views on the actions of judges (males = 71.5%, females = 39.8%).
3. POC and W/C respondents did not significantly differ on perceptions of gender identity bias.
4. Significant differences based on primary geographic practice area were found for perspectives on the behavior of court clerks, prosecutors, and defense attorneys. The largest difference related to the statement, "Prosecutors in Kentucky show courtesy/respect to people without regard to gender identity." Compared to respondents practicing in geographic locations with urban centers, those practicing in rural areas were more likely to agree with the statement (52.6% of respondents practicing in urban areas (Louisville, Central KY, Northern KY agreed, compared to 66.2% of respondents in practicing in rural areas (Eastern KY and Western KY).

Personal Experiences with Discrimination

Survey Item: Within a courtroom setting or your place of employment I have heard/been told about negative comments due to – my race; my ethnicity; my sexual/identity/orientation; my gender identity/gender expression; my sex.

1. Females were twice as likely to indicate that they had heard negative comments (females = 7.8% vs males = 69.1%)
2. 53.2% POC indicated that they had experienced negative comments about their race, compared to only 3.4% of Caucasian/White respondents. POC were also more likely to experience negative comments based on ethnicity and sex.
3. No significant differences based on primary geographic location of practice were identified for personal experiences of negative comments.

Survey Item: Within a courtroom setting or your place of employment I have experienced discrimination due to – my race; my ethnicity; my sexual/identity/orientation; my gender identity/gender expression; my sex.

1. 42.6% of POC indicated that they had experienced discrimination about their race, compared to 3.9% of W/C respondents.
2. POC were significantly more likely to indicate that they had experienced discrimination based on race, ethnicity, and sex.
3. Significant differences for experiences of discrimination were identified based race, ethnicity, and sex. Respondents whose primary practice area is Louisville area were more likely to indicate that they had experienced discrimination.

Respondent's Experiences of Negative Comments and/or Discrimination

The most commonly endorsed reason for experiencing negative comments and/or discrimination was related to respondent's sex (66.5% females vs. 7.9% males). For three other areas significant differences were identified related to having experienced discrimination related to one's race, ethnicity, and/or gender identity/expression, with female respondents being significantly more likely to indicate that they had experienced each form of discrimination.

- The most common response to experiencing a negative comment was to ignore the comment (ranging from 69.2% each for sexual identity/orientation and gender identity/expression to 52.1% for negative comments about the respondent's ethnicity).
- For the most frequently identified reason for negative comments – respondent's sex – 67.6% of those who had this experience chose to ignore the comments. This pattern is similarly repeated for experiences of discrimination, with the most common response to each form of perceived discrimination being to ignore the event.
- A significant portion of the sample who chose not to take action related to negative comments, identified fear of retaliation as the primary reason for that decision (47.1% for those reporting negative comments about race, 64.3% of those reporting negative

comments based on ethnicity, and 100% of those who reported negative comments related to their gender identity/expression).

- The most common reason for not taking action related to discrimination was also fear of retaliation, ranging from 36.8% for those reporting race discrimination to 54.5% of those reporting discrimination based on sex and 55.6% of those who reported gender identity/expression discrimination.

Preparedness to Serve a Diverse Client Population

Professional Development. Respondents were asked whether, in the last 5 years, they had attended a seminar or program addressing practice related to each of the four areas that were central to the survey: gender bias, racial/ethnic bias, sexual identity/orientation bias, and gender identity bias.

- Percentages of respondents attending seminars/programs in each area are: 53.5% gender bias; 69.3% racial/ethnic bias; 39.4% sexual identity bias; 35.9% gender identity bias.
- POC respondents were significantly more likely to have attended a seminars/ programs addressing bias related to racial/ethnic bias and gender identity bias.
- For those who had attended relevant professional development program, approximately half felt the experience affected their behavior, either resulting in greater awareness or efforts to pursue ways to reduce relevant biases.
- Females were significantly more likely to say program participation affected their behavior in some way; more than half of males indicated that the programs/seminars had no impact on their behavior.