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'Appellate Project' Aims to Boost Diversity in Specialized Bar

The Appellate Project is developing ways to interest minority law students in appellate work at an early stage. The group is working through educational outreach and an "incubator" summer fellowship program.

By Tony Mauro | Originally published on **National Law Journal** ([nationallawjournal](http://nationallawjournal.com)) | June 24, 2020



Former Judge Timothy Lewis, now at Schnader Harrison. Courtesy photo.

During his time as a federal trial and appellate judge in Pennsylvania from 1991 to 1999, Timothy Lewis says, "I could count on half of one hand many Black lawyers argued before me

When Lewis went to private practice, he often served as a moot court judge for appellate practitioners and did not need a hand to count. "I mooted a Black lawyer," he said in an interview Tuesday.

And that is why Lewis, who is African American, jumped at the opportunity to join the advisory board of **The Appellate Project** (<https://theappellateproject.org>), a new effort to increase diversity in the prestigious but largely male and white-dominated niche practice of appellate law.

"There is systemic racism in the legal profession, with law firms and clients," Lewis said. "I've given too many speeches for too many years about

We've made glacial progress." With the current wave of discussion about racial inequality nationwide, Lewis said, "we really have a chance her remedy the problem

Lewis was recruited by Juvaria Khan, a civil rights lawyer who left her appellate career to launch the project. In 10 years as a litigator, she saw minority lawyers in the appellate space. To shape the project, she sought out lawyers of color and also white lawyers to find out what could b

As a result, Khan decided to start early at the law-student level to generate interest in appellate work, an area that first-generation law student know little about. "People of color remain greatly underrepresented as both appellate attorneys and judges," the project states on its website. "O of students enrolling in law school are students of color, yet very few end up in appellate practice. Too often, these students lack the infor resources and confidence they need to pursue appellate wor

Khan recalls her own experience at Columbia Law School. "It was a huge cultural shift for me. Many of my classmates had family members or fr who were lawyers or judges, and they just seemed to know how to navigate these spaces," she s

She added, "It just often felt like everyone was speaking a different language. I got good grades, but I never even considered applying for clerkshi was only after she went into private practice that "someone sat me down and explained to me the value of a clerkship and the currency it has profession."

Without that advice, Khan said, she probably would not have pursued appellate work. Statistics indicate that very few students of color p clerkships, often the first step toward an appellate care

Like Lewis, Khan sees systemic racism as a cause for the lack of appellate diversit

"The top of the appellate fields, much like the top of almost all other industries ... are overwhelmingly white," Khan said. She added, "I think it's c for both clients and employers to examine their assumptions about which attorneys are most 'qualified' to handle appellate cases when the opp arises. That means taking proactive steps internally to distribute appellate cases more equitably, and sharing argument opportunities with attor color."

The project is developing programs to interest minority law students in appellate work at an early stage, through educational outreach, partnerir Howard University School of Law civil rights appellate clinic and an "incubator" summer fellowship program that will connect students to ap practitioners and judges as mentor





Sarah Harrington of Goldstein & Russell. Photo: Diego M. Radzinski

“By expanding access to information, appellate-specific training and networking opportunities, The Appellate Project hopes to help law firms fully expressed commitments to expanding diversity in their workplaces,” said Sarah Harrington, partner at Goldstein & Russell and a member project’s board of directors. “I believe that the highest courts in our country should hear from a diverse range of v

The project’s board of directors, in addition to Khan and Harrington, includes Amir Ali, deputy director, Supreme Court and appellate counsel pro MacArthur Justice Center; Heather Kendall Miller of the Native American Rights Fund; and Tiffany R. Wright, senior associate at Orrick Herringt Sutcliffe.

Its advisory board comprises Lewis, now counsel at Schnader Harrison Segal & Lewis; former U.S. Solicitor General Donald Verrilli Jr., now a partn Munger, Tolles & Olson; Roy Englert Jr. partner at Robbins, Russell, Englert, Orseck, Untereiner & Sauber; and Sasha Samberg-Champion, counse Relman Colfax.

“My friend Juvaria Khan has a well-thought-through, concrete plan for improving diversity in the appellate bar by starting very early in pros lawyers’ studies and making them aware of opportunities and challenges alike,” Englert s

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