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2018

Achieving Cultural Competency in the Legal Community through A Better Understanding of Diversity

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Recommended Citation

Jacobs, L. A., & Liddle-Kwan, M. (2018). Achieving Cultural Competency in the Legal Community through A Better Understanding of Diversity. Retrieved from <https://scholar.uwindsor.ca/research-result-summaries/59>

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Achieving Cultural Competency in the Legal Community through a Better Understanding of Diversity (REB# 15-079)

Report to REB

Professors Laverne Jacobs and Margaret Liddle-Kwan, Windsor Law, Canada

The purpose of this research project was to examine the relationship of diversity to cultural competency in the legal profession and to investigate ways in which cultural competency can be fostered in the profession and in the law school classroom through better understanding the diversity concerns of members of the legal profession, including law students.

In relation to law students, the researchers elicited student narratives on how sensitive diversity issues like race, sexuality, gender, and ableism which arise as part of teaching and learning impact their own and others' experiences in the classroom and in the law school generally.

Three semi-structured focus groups were conducted and transcribed by two third-year research assistants from the law school during 2015 - 2017. Overall twenty-nine students participated in the focus groups and the following themes emerged from the transcripts:

- (1) The paramountcy of creating a classroom and law school environment that fosters open and frank dialogue between students, and between students and the teachers without fear of negative repercussions. Such an environment may relieve class tension in awkward or hurtful moments and restore strained relationships;
- (2) The importance of language - notably, how discourse barriers arise when students or teachers lack the language to discuss diversity issues respectfully and inclusively; and finally,
- (3) The inside-out effect - where the teacher's failure or inability to acknowledge and resolve (through dialogue) the conflict arising from insensitive or micro-aggressive statements in the classroom spills out into the hallways and on to social media, or where negative external student interactions flow into the law school;

Narratives were also gathered from interviews with a small number (n=7) of alumni and members of the legal profession who represent issues relating to diversity. Findings from the transcripts generally correspond to the findings of the student focus groups.

The findings inform the researchers' teaching practices and strategies for equipping students in the teaching and learning stream of Windsor Law's LLM program to meet the cultural competency challenges of teaching in the diverse classroom.