



**Federal Bar  
Association**  
San Diego Chapter



presents:

## **NINTH ANNUAL ALL-DAY ETHICS, COMPETENCE, AND ELIMINATION OF BIAS MCLE EVENT**

**January 25, 2023, from 9:00 a.m. to 3:35 p.m.**

Cost (per course): San Diego FBA & ICLA Members – FREE  
FBA National Members – \$10.00  
Non-FBA Members – \$40.00

Location: Webinar (Zoom)

MCLE: 4.0 hours Ethics; 1 hour Competence; 1 hour Elimination of Bias

The San Diego FBA invites you to attend its ninth annual all-day California MCLE event.

California MCLE credits are available separately for each of the sessions listed below. The meeting link and written materials will be sent to all participants one day prior to the event.

9:00 a.m. – 10:00 a.m.: [\*Duties to Current, Former and Prospective Clients, Including with Regard to the Safekeeping of Funds \(Ethics 1 of 4\)\*](#)

Anne Rudolph and Eric Deitz  
San Diego County Bar Association Ethics Committee

10:05 a.m. – 11:05 a.m.: [\*Lawyers, Substance Use Disorders and Wellbeing \(Competence\)\*](#)  
Greg Dorst, The Other Bar

11:15 a.m. – 12:15 p.m.: [\*Engagement Agreements, Candor in Mediation, and More \(Ethics 2 of 4\)\*](#)

Deborah Wolfe and Charles Berwanger  
San Diego County Bar Association Ethics Committee

12:20 p.m. – 1:20 p.m.: [\*Communications with Represented and Unrepresented Persons \(Ethics 3 of 4\)\*](#)

Michael Crowley and Richard Hendlin  
San Diego County Bar Association Ethics Committee

1:30 p.m. – 2:30 p.m.: [\*Civility and Candor \(Ethics 4 of 4\)\*](#)

Irean Swan and Andrew Servais  
San Diego County Bar Association Ethics Committee

2:35 p.m. – 3:35 p.m.: [\*Microaggressions \(Elimination of Bias\)\*](#)

Carolina Bravo-Karimi, Wilson Turner Kosmo LLP



# DID YOU JUST SAY THAT? RECOGNIZING AND INTERRUPTING MICROAGGRESSIONS

CAROLINA BRAVO-KARIMI  
WILSON TURNER KOSMO LLP

A dark blue-tinted photograph of a city skyline at night, with numerous skyscrapers illuminated by lights. The skyline is reflected in the water in the foreground. The word "GOALS" is overlaid in white text on the left side of the image.

# GOALS

- Recognizing Microaggressions
- Why Microaggressions Are Harmful
- Interrupting Microaggressions

# 1 | RECOGNIZING MICROAGGRESSIONS

# WHAT IS A MICROAGGRESSION?

- The everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership. (*Diversity in the Classroom*, UCLA Diversity and Faculty Development, 2014).

# | Types of Microaggressions

Microassault: Explicit derogations and purposeful discriminatory actions (essentially explicit racism or discrimination).

Microinsult: Behavioral or verbal remarks that convey rudeness, insensitivity, and demean a person's heritage or identity. Often subtle snubs outside the level of awareness of the perpetrator, microinsults clearly convey a hidden insulting message to the recipient.

Microinvalidation: Verbal comments or behaviors that exclude, negate, or nullify the psychological thoughts, feelings, or experiential reality of a person; they are likely unintentional.



# Alien in Own Land





# Ascription of Intelligence





# MICROAGGRESSION THEMES (Continued)

- Color Blindness
- Denial of Individual Racism/Sexism/Heterosexism
- Criminality/Assumption of Criminal Status
- Myth of Meritocracy

# POLLING QUESTIONS

# 2 | MICROAGGRESSIONS' HARM

A background image of a city skyline at night, with various skyscrapers illuminated against a dark blue sky. The buildings are reflected in the water in the foreground.

# INTERNAL DILEMMA

- Did I interpret that correctly?
- Did she say what I think she said?
- What did he mean by that?
- Should I say something?
- Saying something may make it worse
- They'll probably think I'm overreacting
- Speaking up is going to hurt more than it helps

A background image of a city skyline at night, with various skyscrapers illuminated against a dark blue sky. The buildings are reflected in the water in the foreground.

# Psychological Impact

- Anxiety
- Depression
- Sleep Difficulties
- Diminished Confidence
- Helplessness
- Loss of Drive
- Intrusive Cognitions
- Diminished Cognition

# 3 | INTERRUPTING MICROAGGRESSIONS

A background image of a city skyline at night, with various skyscrapers illuminated against a dark blue sky. The buildings are reflected in the water in the foreground.

# | Range of Responses

- Ignore it
- Use Humor
- Confront the Person

A photograph of a city skyline at night, with various skyscrapers illuminated against a dark blue sky. The buildings are reflected in the water in the foreground.

# | When You're the Target

- Consider the context
- Take care of yourself



A dark blue-tinted photograph of a city skyline at night, with numerous skyscrapers illuminated by lights. The skyline is reflected in the water in the foreground. The image serves as a background for the top portion of the slide.

# | When You're the Upstander

- Be an Ally
- Speak for Yourself

A city skyline at night with illuminated buildings and a body of water in the foreground. The title text is overlaid on the top left of this image.

# When You're the Microaggressor

- Try Not to be Defensive
- Acknowledge, Apologize and Reflect

# Potential Responses

- “Ouch”
- Quizzical Look
- Ask for clarification: “What do you mean?”
- “Don’t you mean \_\_\_\_\_?”
- “Could you repeat that?”
- Focus on the event/behavior (not person)
- “That’s not my experience/the experience of many people”

# Tips for Facilitating Difficult Conversations

- Understand why this is important to you
- Prepare
- Be objective and compassionate
- Use “I” statements
- Don’t take it personally
- Approach the conversation with curiosity instead of judgments

# 4 | LET'S PRACTICE

A dark blue-tinted photograph of a city skyline at night, with numerous skyscrapers illuminated against a dark sky. The buildings are reflected in the water in the foreground.

## Breakout Session #1

You are an attorney of Caucasian descent and you and your colleague of African-American descent have been preparing for a criminal trial for weeks. On the first day of the trial, you and your colleague enter the courtroom, both dressed in your best suits, and the judge assumes your colleague is the defendant and directs him to the defendant's seat at the table.

# POLLING QUESTIONS

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## Breakout Session #2

You join your supervisor in an interview of a candidate for a job. Despite the student, who is Latina, having been born in the U.S., your supervisor expresses admiration for her command of the English language, “complimenting” her for being so articulate and well spoken.



# POLLING QUESTIONS

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# How to Avoid Perpetuating Microaggressions

- Slow Down
- Be Willing to Talk About It
- Apologize When Necessary
- Educate Yourself

# THANKS!

ANY QUESTIONS?