



OPERATIONAL DIVERSITY MANAGEMENT REPORT AND PLAN

U.S. ATTORNEY'S OFFICE
NORTHERN DISTRICT OF TEXAS
(USAO-TXN)

Section I: Current Workforce Profile

The USAO is continuing to refine how it collects, organizes and displays data on its workforce. However, based upon currently available information, the USAO workforce is comprised of 198 permanent employees with a diverse make-up as follows:

Gender:

36 % Male
64 % Female

Self-Reported Disability:

5 % Disability

Ethnicity/Race:

72 % White
14 % Black
11 % Hispanic or Latino
2 % Asian
1 % Native American
0 % Native Hawaiian/Pacific Islander

Excepted Services:

48 % Excepted Service
85 % Grade AD-29 and Below
15 % Above AD-29

Competitive Service:

52 % Competitive Service
38 % GS-7 and Below
62 % GS-8 and Above

The management staff of the ND TX is comprised of a diverse make-up as follows:

Attorney Managers (Excepted Service)

Gender
42% Male
58% Female

Ethnicity/Race
75% White
17% Black
8% Hispanic or Latino

Support Managers (Competitive Service)

Gender
17% Male
83% Female

Ethnicity/Race
67 % White
25% Black
8% Hispanic or Latino

Section II: Compliance with Action Items

A. Points of Contact:

1. Diversity Committee

Mattie Peterson Compton, Chair
Deputy Civil Chief

Sarah Saldaña, Co-Chair
Deputy Criminal Chief
White Collar Crime

Brian Barr
Administrative Officer

John R. Parker
Civil Chief

Jerri Sims
Deputy Criminal Chief
OCDETF

2. Disability Point of Contact

Brian Barr
Administrative Officer

3. Attorney Skill Development Coordinators

Tami C. Parker
Deputy Civil Chief

Chris Stokes
Senior Litigation Counsel

B. Continuing Obligations:

1. All excepted service attorney positions are posted on OARM's website
2. All excepted service and competitive service positions will be posted on the USAO website

3. All excepted service and competitive services positions are posted on USAJOBS
4. Information about the following employee organizations will be included in the orientation materials for attorneys and staff:

DOJ Association of Hispanic Employees for Advancement and Development (DOJ-AHEAD)(<http://dojahead.blogspot.com/>);

DOJ Association of Black Attorneys (DOJABA) (contact Antoinette Barksdale (202)307-6012, Antoinette.Barksdale@usdoj.gov);

DOJ Indian Trial Lawyers Association (contact Verlin Deerinwater (202)514-6260, Verlin.Deerinwater@usdoj.gov);

DOJ Pan Asia Employees Association (contact John Han at (202) 305-9147, John.Han@dhs.gov);

DOJ Pride; (contact Marc Salans at (202)514-7011, Marc.R.Salans@usdoj.gov);

Justice Federal Credit Union (<http://www.jfcu.org/>);

Justice Management Division (JMD) Union;

JOHO – Justice Occupational Health Organization (<http://www.johofitness.org/>).

C. Future Compliance:

1. The final Diversity Management Plan for the USAO will be placed on the USAO intranet after Diversity Council Review and approval
2. A description of the USAO hiring process will be placed on the USAO intranet.
3. The Department's Diversity Management Policy Statement has been posted and distributed to all employees by the Attorney General. The ND TX Diversity committee will develop a diversity policy statement for approval by the Diversity Council for inclusion on its internet and intranet websites and will also link to the Department's policy statement.

Section III: Excepted Service

A. Programs and Policies Supporting 2001 Eight-Point Plan Principles. (Excepted Service):

The Eight-Point Plan is designed to build a vigorous and diverse workforce within the Department. Pursuant to the 2001 Eight-Point Plan principles, in particular No. 2 (Creation of On-Line System of Attorney Vacancy Notification), No. 5 (New Attorney Mentor Programs) and No. 6 (Attorney Supervisor Monitoring of Caseloads, Assignments and Training to Ensure Advancement Opportunities), the USAO has used a number of strategies to increase access to career opportunities with the USAO for applicants and new, as well as experienced, attorneys.

1. Point No. 2: Creation of On-Line System of Attorney Vacancy Notification

When recruiting for AUSA positions, the USAO follows all EOUSA, Department and OPM regulations in announcing the positions. All announcements include the statement regarding the Department policies on EEO. The USAO posts all excepted service attorney positions on the OARM's website. While the USAO is currently re-establishing its own website, the USAO will create a link to OARM's website to inform interested persons about its attorney vacancies.

Administrative staff review all AUSA résumés received for Veteran's Preference before forwarding the résumés to the interview panel. These protocols include the hiring of skilled and professional attorneys committed to excellence and integrity and the enhancement of diversity within the Department.

Hiring recommendations are made by a panel of supervisors from the section where the vacancy exists. These panels include supervisors who are themselves from minority groups. The panel is responsible for reviewing the applicants, selecting the candidates who will be interviewed during the initial round of interviews, conducting the initial round of interviews, and forwarding recommendations to the USA regarding which candidates merit further consideration. From those recommended by the panel, the USA decides which candidate(s) will receive a second interview with the USA. Following this second round of interviews, the USA consults with the responsible supervisor(s) regarding the hiring decision, including the diversity impact of the hire. Preferences designed to increase diversity are used whenever there are multiple comparably qualified individuals. These protocols include clear and precise hiring criteria and job descriptions, and

comply with requirements set forth in the USAM 3-2.200 (appointment of AUSAs), USAP 3-4.213 (appointment of SAUSAs and special attorneys), and EOUSA Personnel Office guidelines.

2. Point No. 5: New Attorney Mentor Programs

Primary responsibility for insuring that newly-hired AUSAs receive adequate and proper training falls on the first-line supervisors. However, other responsibilities of the supervisors may preclude them from devoting as much time with a new AUSA as desired. Additionally, experience has shown that people benefit greatly from having a working relationship with a senior peer with whom they can discuss issues they might be reluctant to discuss with a supervisor. Accordingly, to assist the supervisors in the training of new AUSAs, the USAO assigns experienced line AUSAs to serve as mentors for newly-hired AUSAs.

The USAO has appointed two SLCs to be responsible for developing and monitoring the USAO's Mentor Program. These AUSAs are responsible for developing an orientation program for new AUSAs. The USAO requires that its new AUSAs attend the annual AUSA orientation program in Washington, D.C. within one year of their arrival, and also attend basic litigation courses at the NAC. The new AUSAs assignments are periodically reviewed and their professional development is monitored to determine what additional training/support is needed, if any.

The division chiefs select experienced AUSAs to serve as mentors. Mentors are selected based on their experience, knowledge, and character. Every newly-hired AUSA is assigned a mentor and is expected to "shadow" his mentor and/or other senior attorneys for the first two to three weeks in the office. Mentors are expected to notify new AUSAs of the mentor's upcoming court dockets, trials, hearings, grand jury appearances, agent and witness meetings, etc. and encourage attendance. After the first few weeks, "shadowing" is optional. The formal mentoring relationship may last for up to one year. Thereafter, the relationship will become less extensive and more informal, unless otherwise directed by the division chief. During the mentoring process, the mentor should coordinate periodically with the AUSA's direct supervisor for the purpose of discussing the new AUSA's progress and training needs.

Mentors use a prescribed "mentoring checklist" to insure that certain topics are covered with the new AUSA. Ideally, most of the items on the checklist should be completed within the first six months in the office.

When the checklist is completed, the mentor gives the original to the new AUSA's supervisor.

The SLCs oversee the in-house training program, but are supported in this effort by all supervisory AUSAs. The orientation and training of all AUSAs and Special AUSAs is a team effort. The USA and each supervisory AUSA have responsibility for the education and development of all AUSAs, but particularly the newly-hired ones. Additionally, experienced AUSAs bear a responsibility for passing on the knowledge and wisdom gained by them through their years in the USAO.

3. Point No. 6: Attorney Supervisor Monitoring of Caseloads, Assignments and Training to Ensure Advancement Opportunities

In addition to the Mentoring Program, all new AUSAs are provided a formal orientation program by the USAO's Administrative Division within the first week after entering on duty. Newly hired AUSAs are also required to attend the orientation presented in Washington or at the NAC. The first-line supervisor ensures that the new AUSA attends this training within the first year of their date of hiring, or as soon thereafter as can be scheduled. Likewise, the first-line supervisor ensures that the newly hired AUSA attends the appropriate basic litigation courses at the NAC within one year of hiring, or as soon thereafter as can be scheduled.

With respect to in-house training, the USAO holds a two-day training session for new AUSAs. The training covers the basics of federal criminal practice, including the role of the prosecutor, the federal system, civil issues, effective legal research and writing, charging decisions and case assignments, grand jury practice, discovery, trial practice, plea procedures, sentencing, victim/witness, priority programs, etc.

The USAO publicizes all training notices by e-mail. All notices from OLE are received in the USAO's training e-mail mailbox. The Training Officer forwards the announcements to the management team. A supervisor may require a member of his or her section to apply for a particular course based on the needs of both the section and the employee. An employee who wants to attend an OLE course registers through the JustLearn system. After the course registration closes, the appropriate division chief approves the nominations. When there are multiple nominees for the same OLE course, the USAO's Training Officer will forward a list of the nominees to the appropriate division chief for ranking. If there are nominees from more than one division, the list will be sent to both division chiefs who will then

collaborate on the ranking. The rankings will be maintained by the Training Officer and, upon request, made available to the Diversity Management Committee. A non-exclusive list of factors to be considered in ranking nominees includes:

1. The correlation between the course and the nominee's current duties and responsibilities;
2. The need of a particular nominee for the training offered by the course;
3. The opportunity to advance diversity in the USAO's workforce consistent with the USAO's retention and professional development policies as expressed in its Diversity Management Plan;
4. The nominee's previous OLE record, including frequency of attendance and cancellations;
5. The nominee's Enter on Duty (EOD) date (all things being substantially equal, preference generally given to longer serving employee);
6. The staffing needs of the USAO at the time the course is offered.

The Training Officer then sends the ranked nominations to the OLE. The OLE sends acceptance memoranda by e-mail to the USAO's training e-mail mailbox. The Training Officer notifies all nominees and their supervisors of their selection or non-selection.

The USA and all supervisory AUSAs actively participate in the in-house training program for the USAO. Each member of senior management regularly serves as an instructor at the training sessions.

The USAO has a mandatory Office Writing Policy that has been in effect for over five years. Each AUSA is provided a copy and it is also available electronically. Section supervisors are responsible for reviewing the written work product of their assigned AUSAs as appropriate. A member of the Appellate Division reviews and edits all criminal appellate briefs. Civil supervisory AUSAs review all civil appellate briefs.

The supervisory AUSAs periodically obtain feedback from the investigative agencies and the judges regarding the quality of the written work product of the line AUSAs and Special AUSAs. The feedback has improved since the implementation of the Office Writing Policy.

Supervisors or other experienced AUSAs closely observe line AUSAs' advocacy skills in a variety of courtroom proceedings and provide critiques as necessary. Section meetings and office training sessions are used to discuss courtroom presentation issues. Courtroom presentation skills are frequent topics at the annual office CLE and other office training sessions. In addition, oral arguments are now posted on the court of appeals website and the supervisory AUSAs frequently listen to them. Supervisory AUSAs and SLCs are accessible to the line and Special AUSAs to timely and effectively assist them in improving their advocacy skills, as requested or necessary.

Supervisors strive for equity in the distribution of assignments, making assignments in a manner that will ensure each attorney has a fair opportunity to handle matters appropriate to the attorney's experience and skill level and that provide opportunities for professional development.

Experienced supervisory AUSAs have attended management training in the past in order to comply with the Department's 80-hour training requirement for supervisors. Supervisors are aware of the training requirement, and the USA has encouraged all supervisors to attend NAC management classes as soon as possible after their supervisory appointment.

4. Point No. 1: Increased Commitment to Attorney Recruiting and Hiring; Point No. 3 - Periodic Reporting of Attorney Hiring and Advancement Activity to Enhance Leadership Accountability

The USAO plans to increase its efforts in this regard. The USAO will convene recruiting teams to promote employment within the USAO. While prior recruiting efforts have been limited, the USAO will consider sending one or more representatives to appropriate bar association conventions to recruit individuals from diverse groups by participating in job fairs conducted by minority bar associations, minority law school associations, and ABA-accredited law schools with significant populations of underrepresented students. The USAO annually updates and submits to EOUSA its District Affirmative Employment Plan (AEP).

The USAO will also begin periodic reporting of hiring and advancement activity in the USAO and its litigating components. In particular, the

USAO will tap into the OARM's semi-annual Attorney Personnel Memorandum describing upcoming recruitment events which have an emphasis on diversity.¹

B. USAO Programs and Policies that support the Department's commitment to hire, promote, and provide accommodations to persons with disabilities.

The same programs and policies mentioned above apply to persons with disabilities. To help extend these programs to the disabled, the USAO has appointed various persons to the following positions:

1. Reasonable Accommodation Coordinator – Human Resources Officer;
2. Limited English Proficiency (LEP) Program Coordinator – Lead Victim Witness Coordinator;
3. Special Emphasis Program Manager (SEPMs) - (African-American, Asian and Pacific Islanders, Hispanic, Native-American, Persons with Disabilities, and Women)– an AUSA in the Civil Section.
4. The USAO is seeking appropriate EEO and HR training from the Department for its DPOC. It is also seeking appropriate training from the Department for its hiring managers on how to recruit, hire, and promote persons with disabilities.
5. Once guidance is provided by the Department, the USAO will utilize Schedule A, Section (u) hiring authority to fill positions with qualified persons with targeted disabilities.
6. The DPOC for the USAO is the Administrative Officer and he is included in all aspects of the hiring process. The DPOC and the USAO Human Resources staff ensure that the USAO follows established policies and procedures for providing reasonable

¹o. 4, 7 and 8 are not addressed here. No. 4, Supervisor/Hiring Officials Diversity Training, is an EOUSA and JMD/EEO Action Item. No. 7, Involvement of Department' s Attorney Organizations in Recruiting and Professional Skills Development Programs, has been assigned to JMD and Attorney Associations. No. 8, Efforts to Diversify Senior Executive Service, is not applicable because the USAO has no SES positions.

accommodations and ensuring compliance with Section 508 of the American with Disabilities Act.

7. The DPOC and the USAO Human Resources staff will monitor and report on progress made to support the Department-wide two percent goal of hiring Persons with Targeted Disabilities.

C. The USAO's current diversity management efforts for the excepted service.

1. Leadership Commitment and Organizational Infrastructure

The leadership of this USAO is committed to diversity management. However, it is candidly aware that its approach to this issue has been somewhat passive and the breadth and depth of its commitment can and should improve. The exercise of developing a Diversity Management Plan is a welcome opportunity that this USAO intends to fully embrace as the first step in what will be a continuous and active incorporation of diversity into our organizational infrastructure.

2. Recruitment

Collectively, employees of this USAO have been active ambassadors for the U.S. Attorney community through their involvement and leadership in outside activities, including civic/community affairs, academic/teaching positions, and a wide variety of professional and social associations. While this "grass roots" involvement is important to recruitment, it is our plan to enhance these efforts with more formal, structured outreach efforts. These efforts will be designed to compliment our already robust and diverse internship program that includes mentoring by specifically assigned AUSAs. The USAO will create an office recruitment and/or employment web page that will be a link on the USAO's internet site. The USAO is already making use of Departmental outreach distribution networks upon consultation with OARM, and EOUSA/EEO. Prior to the hiring freeze instituted in January 2011, the USAO was assessing the effectiveness of current recruitment and outreach practices by collecting data on the diversity (to the extent determinable) of individuals who were in applicant pools, were interviewed, and were ultimately hired in both attorney and support positions. This

assessment is still underway with respect to summer law intern positions and work study law intern positions. Efforts are underway to refine and expand these efforts. The USAO Human Resources staff is developing an instrument to collect and analyze voluntarily submitted applicant demographic data to help determine effectiveness of outreach efforts. When they occur in the USAO district, the ND TX Diversity Committee participates in external conferences and career fairs that support women, minorities, persons with disabilities, veterans, and the lesbian, gay, bisexual and transgender community. All outreach efforts are communicated by electronic means.

3. Hiring

Hiring recommendations are made by a panel of supervisors from the section where the vacancy exists. These panels include supervisors who are themselves from minority groups. The panel is responsible for reviewing the applicants, selecting the candidates who will be interviewed during the initial round of interviews, conducting the initial round of interviews, and forwarding recommendations to the USA regarding which candidates merit further consideration. From those recommended by the panel, the USA decides which candidate(s) will receive a second interview with the USA. Following this second round of interviews, the USA consults with the responsible supervisor(s) regarding the hiring decision, including the diversity impact of the hire. Preferences designed to increase diversity are used whenever there are multiple comparably qualified individuals. All hiring is conducted in accordance with EEO principles and legal requirements. The USAO is seeking Department training to ensure that all supervisors and individuals participating in the hiring process understand the merit system principles and effective interview practices. In 2010 all supervisors were required to take the mandatory Video on Demand training at JTN on Human Resources Academy: Hiring Reform Training for Hiring Managers, and Merit Systems Principles and Prohibited Personnel Practices. All supervisors and individuals participating in the hiring process will take the mandatory 2011 training at JTN Video on Demand on the topics of Effective Interview and Hiring Strategies, Human Resources Academy: Hiring Reform Training for Hiring Managers, and Harassment Prevention and EEO. The USAO continues to assess its hiring practices in order to refine and expand its efforts when the hiring freeze is lifted.

Vacancy announcements are reviewed by managers to determine the critical factors for success for each position and vacancy announcements are drafted around those factors. Vacancy announcements are specific about the competencies (knowledge skills, abilities, experiences) required. Thorough reference checks are conducted on all applicants before an offer is extended. In 2010, prior to the hiring freeze, the USAO made use of both telephonic interviews and video teleconferencing to conduct interviews.

4. Retention

The USAO strives to achieve and maintain a working environment that not only reflects the diversity of the community, but celebrates the strength that diversity brings to the office. Our goal is to not only create a diverse workforce, but to recognize and reward how that workforce strengthens this office in the accomplishment of its mission. In this way, retention and recruitment go hand in hand. Nothing is more effective in recruiting a diverse workforce than a demonstrated commitment to recognizing and rewarding that workforce for a job well done. Our management staff understands that this is one of their most important functions. The use of a variety of performance awards is the primary strategy by which the USAO currently works to retain its staff.

5. Professional Development

As mentioned in paragraph 4 above, this office understands that its responsibility to create a diverse work force does not end with hiring. An integral part of hiring and retention is ensuring that individuals are given the training, tools, and opportunities necessary to allow the *idea* of diversity to take root in our workforce and become a reality. This can only occur through effective and meaningful professional development. Our management staff is aware of and takes seriously its obligations in this regard. Managers encourage enrollment in both skill-based training provided at the NAC, but also in courses such as those conducted by the Justice Leadership Institute. The Attorney Skill Development Coordinators (ASDCs) work with management to establish regular brown bag training programs that will develop the competencies and talents of the attorney staff. Additionally, the ASDCs are responsible for developing an annual District-Wide Federal Litigation Update Continuing Legal Education program which is accredited by the State Bar of Texas. This training is provided to both the USAO

attorneys and staff attorneys from client agencies. The program typically is accredited for 10 hours of CLE, including three hours of ethics and professionalism training. The faculty for this training is drawn from both Department attorneys and the USAO's attorneys. The current REO under the Case Development Element of the PWAP for Civil Division attorneys gives them the opportunity to identify and conduct a one hour brown bag training or write a monograph on a civil issue.

A comprehensive orientation program is provided to all new employees. This orientation covers all aspects of work within the USAO and is conducted by immediate supervisors, IT, and Budget staff. The USAO also conducts a mentoring program that supports knowledge management and the professional development of all employees, including new supervisors. The USAO ensures that all new supervisors attend the mandatory management training course at the NAC or via Video on Demand through JustLearn within the time frame mandated by the EOUSA Management Standards for USAOs. This mandatory training includes performance management training.

6. Transparency and Sustainability

Our Diversity Management Committee is committed to quarterly meetings designed to keep these issues on the forefront. Moreover, the meetings and activities of this committee will not only be made known to the workforce, but they will be invited to attend and express their ideas and concerns at regular meetings. It is imperative that there be a continuing dialogue in this office on these issues. The USAO's Diversity Management Plan will be placed on its intranet site upon final approval by the Department. A link to the Department's Diversity webpage will likewise be on the USAO's intranet site.

7. Diversity Management Training

The USAO will conduct diversity management training for all of its supervisors and managers on an annual basis consistent with the guidance provided by the Department.

8. Diversity Performance Measurement

The Diversity Management Committee for the ND TX has proposed to the ND TX USA that the Performance Work Plan and Appraisal Record (PWAP) for Supervisory AUSAs and all supervisory support staff be revised for 2012 to include a measurable performance standard for diversity management. The Justice Management Division (JMD) is developing guidance for United States Attorney's Offices to establish diversity management performance standards to be included in the performance work plans of both supervisory attorneys, and supervisory support staff. The proposed revised PWAPS will include diversity management performance standards consistent with the guidance provided by JMD.

9. Analysis of the USAO's Workforce Demographic and Occupational Profile

The current demographic and Occupational Profile of the ND TX workforce can be found at Section I. Current Workforce above. This data was drawn from the records of the ND TX Human Resources Department. However, many of the workforce entered on duty in the ND TX before such data was routinely gathered from employees. Requests have been sent to the workforce requesting their voluntary participation in self-identifying their ethnicity/race in order to determine appropriate areas of focus.

D. Vision and strategies for accomplishing the goals of the Diversity Management Plan for the excepted services.

1. USAO's goals with respect to diversity.

- a. increase diversity by identifying opportunities to enhance the diversity of its workforce, and identify and eliminate barriers to achieving diversity;
- b. recruit, hire, train, and retain a diverse attorney workforce with respect to race, gender, ethnicity, disability, and sexual orientation in order to significantly increase diversity within the USAO;
- c. increase the diversity of attorney managers;

- d. ensure the diversity goals of the USAO are publicized within the USAO, to the Department, and the district community served by the USAO;
- e. conduct, and provide access to, mandatory diversity training for the USAO's supervisory attorney staff;
- f. develop strategies to ensure that its diversity goals and objectives are implemented, and to develop tools to measure its success in meeting these goals;
- g. incorporate its diversity goals, objectives, strategies, and action plans in the USAO's strategic plan;
- h. schedule and conduct periodic reviews of its progress in meeting its diversity goals;
- I. establish an environment in which a diverse attorney workforce has the opportunity to maximize their potential, and fully contribute to accomplishing the organizations's mission

2. Broadening the USAO's applicant pool

The USAO will continue to recruit by announcing vacancies at USAJobs and OARM since these sources have resulted in a number of diverse applicants who are currently employed by the USAO. Additionally, the USAO will post attorney vacancy positions on its internet and intranet website to ensure that both the public and its internal staff are aware of vacancies. It will broaden its applicant pool by identifying, and recruiting through notification of attorney vacancies, to local minority and disability bar associations within the district, e.g. Dallas Hispanic Bar Association, Mexican American Bar Association of Fort Worth, J.L. Turner Legal Association, Tarrant County Black Bar Association, Women Lawyers of Tarrant County, Dallas Women Lawyers Association, and Black Women Lawyers Association of Tarrant County. Additionally, the USAO will recruit by announcing attorney vacancies to the State Bar of Texas Diversity Sections and Committees. It will also consider sending one or more representatives to recruit at minority and disability national bar association conventions such as the Hispanic National Bar Association, the National Bar Association, National

Asian Pacific Bar Association, the National LGBT Bar Association. It will also consider sending representatives to job fairs conducted by minority bar associations, minority law school associations, and ABA-accredited law schools with significant populations of underrepresented students. The USAO will also engage in outreach programs with law student organizations that serve diverse and disabled students at the three law schools in the district.

3. **Creating and administering mandatory and developmental diversity training for supervisors.**

The USAO currently complies with the Department's 80 hour mandatory training requirement for attorney supervisors. Additionally, some of its attorney managers have participated in leadership training courses offered by EOUSA's Office of Legal Education. The USAO will participate in the proposed mandatory training to be developed by the Department on best practices for conducting interviews for all supervisors and individuals participating in the hiring process. Additionally the USAO will make use of the module being developed by EOUSA's Office of Legal Education that will train attorney managers on the use of case assignments as a professional development tool. The USAO will also identify and make use of diversity training resources offered by the State Bar of Texas and the American Bar Association. Some of these training courses are live, and others are available on-line. The USAO will allocate sufficient funds from its budget to ensure that its supervisory attorneys acquire diversity training, developmental training and training on mentoring a diverse workforce.

4. **Promoting diversity in higher-level positions.**

Employees are notified of all training opportunities by email. Courses in leadership skills are among those offered by EOUSA's Office of Legal Education. Employees register for enrollment in these courses online through JustLearn. Once the enrollment period closes, supervisors are notified and requested to approve enrollment in the course for those employees they supervise. When there are multiple applicants for enrollment in a course, the division chiefs prioritize the applicants. The prioritized list of names is submitted to OLE by the USAO's Training Officer. The USAO will strongly

encourage its racially and ethnically diverse, and disabled attorneys to enroll in these leadership courses. Recognizing that professional skill development is a key component in advancement, the USAO also encourages attorney's enrollment in subject matter courses at the NAC that are related to the attorneys' work assignments. Civil attorneys are required to conduct an hour-long brown bag training session annually, either alone or in partnership with another civil AUSA. The topic may be substantive, procedural or evidentiary. This serves to enhance their professional skill development. The USAO conducts a one and half day continuing legal education course annually. This course is approved for credit by the State Bar of Texas. New civil AUSAs are assigned the responsibility of making a presentation during the civil breakout portion of this course. This likewise enhances professional skill development. Supervisors make every effort to distribute the workload in a balanced manner, providing AUSAs opportunities to work on a wide range of assignments, with varying degrees of complexity, consistent with the AUSA's skills and experience. The USAO will closely monitor the work assignments given to all of its AUSAs, including its racially, ethnically, and disability diverse staff to ensure that their professional skills are being developed as a foundation for becoming supervisors. The USAO has an extensive list of diverse mandatory coordinators and points of contact for law enforcement programs. These roles are filled by both line and supervisory attorneys and also offer an opportunity for leadership experience. The USAO will monitor these assignments to ensure that these opportunities are shared among its racially, ethnically, and disability diverse staff of AUSAs. These positions are also a training ground for leadership.

5. Informing employees of the component's diversity goals and efforts.

The USA will notify the USAO employees about the creation and membership of the USAO's Diversity Committee and the development of the USAO diversity plan. The staff will also be informed about the Department's diversity initiative. This will be done via an office-wide, all-hands meeting of the USAO staff. Once its diversity plan has been approved by the Diversity Management Advisory Council, the USAO will post it on the USAO's intranet and internet websites. Outreach efforts, including recruitment at minority, LGBT, and disability local and national bar association meetings, will be reported by email. An annual report on

the USAO's progress in meeting its diversity goals will be published by the USAO Diversity Committee, including statistical data. Additionally, the Diversity Committee will inform USAO employees about the Department's diversity training opportunities. All vacancy announcements are currently distributed to the USAO staff via email. These email announcements will be accompanied by a reminder of the USAO's diversity initiative and a link to the USAO's diversity plan on its intranet and internet websites.

6. Ensuring that progress is sustainable and continuing.

The USAO Diversity Committee will meet at least quarterly to review the progress of the USAO in attaining its diversity goals. The Department provides the USAO with a minority profile of its staff as well as data on employment distribution by disability. The USAO Diversity Committee will review this data periodically in addition to other statistical data that it will collect. An annual survey and/or questionnaire will be developed which will be distributed to staff to obtain their assessment of the USAO's progress toward a diverse workforce, identify problems, and obtain suggestions and other feedback that will assist the committee in developing additional strategies to advance toward its diversity goals.

To the extent that it is lawful and possible to do so, the USAO will compile data on the number of minority, LGBT, and disabled attorneys who make application to the USAO, and the USAO will monitor, collect, evaluate, and report the following statistical data on its racially and ethnically diverse, LGBT and disabled attorneys:

- a. the number that are interviewed, hired, and retained on staff;
- b. professional and leadership training courses taken;
- c. case assignments and collateral duty assignments;
- d. the number who are promoted to management.

The USAO will monitor, collect, evaluate, and report the following statistical data for its supervisory attorneys:

- aa. diversity training courses taken;

- bb. training on use of case assignments as a professional development tool;
- cc. training on mentoring to a diverse workforce.

The USAO will also collect and report data on the number of outreach initiatives it conducts to local and national minority, LGBT and disabled bar associations, and ABA accredited law schools with significant populations of underrepresented students. The USAO will determine whether these efforts result in applicants and subsequent hiring. In order to ensure a work environment that is conducive to hiring and retaining a diverse workforce the USAO will provide diversity training to all of its staff. Finally, the Diversity Plan for the USAO will be included in the Strategic Plan for the ND TX.

IV: Competitive Service

A. Current Programs and Policies that Support the Department's Commitment to Hire, Promote and Provide Accommodations to Persons With Disabilities

The USAO is actively involved in diversity initiatives and remains committed to maintaining a workforce and work environment that is conducive to maximizing the potential of its employees. We provide resources to enlighten the public and potential job candidates about the USAO mission, advertise vacancy announcements to reach the widest possible audience, have a robust training and development program, and maintain comprehensive performance evaluation and reward programs. Going forward with these and future initiatives, the USAO expects to see benefits from its efforts include the following:

1. Increase the diversity of our workforce;
2. Enhance productivity;
3. Expand options for problem solving;
4. Improve communication at all levels;
5. Broaden potential applicant pool;
6. Maximize the effectiveness of our operations; and

7. Utilize our human resources more effectively.

B. Current Diversity Management Efforts for the Competitive Service

Diversity management within the USAO is an on-going process. Our efforts to date have primarily focused on recruiting, hiring, developing and retaining the best and brightest employees. A summary of some of our accomplishments are below.

1. Recruitment

To ensure that the USAO's vacancy announcements reach a diverse pool of job seekers, the USAO advertises all of its competitive positions on the Office of Personnel Management's USAJOBS website. The website, which serves as the common access point for all people seeking employment with the Federal government, has a large audience and provides timely notification of openings within the USAO. The website is also enabled so that it can be easily accessed by those people with disabilities.

The USAO also works with several local universities and technical schools to allow students to gain work experience while still in school. The USAO uses the Student Temporary Employment Program and the Student Career Experience Program to hire full-time and part-time students while they work on their degree. Announcements for these positions are advertised in the university and school placement offices. Human Resource staff also attend the job fairs at these institutions to attract potential candidates. Several of these students were hired to full-time permanent positions after they graduated from school.

2. Hiring

For the vast majority of the positions in the competitive service, the USAO uses USAStaffing, an automated program developed by the Office of Personnel Management. Applicants wishing to apply for a position simply click on a link from the announcement on USAJOBS to access the system. Applicants then apply for the position by providing their work history and education experience as well as answering a series of questions designed to assess their knowledge skills and abilities for the position. Use of the on-line USAStaffing system, as opposed to the old method of sending in a resume with written essays eases the burden of applying for an open position thereby increasing the likelihood that those of a diverse background will apply with the USAO.

3. Retention

The USAO works diligently to retain its employees but it faces stiff competition from larger Federal agencies with more positions at higher grade levels. The primary method that the USAO employs to retain its employees is rewards. The USAO has an extensive award program which include Performance Awards, Special Act Awards, On-the-Spot, and Time-Off Awards to recognize the outstanding work in a public and timely manner.

4. Professional Development

Training and performance evaluation play an important part in developing employees to their maximum potential. The USAO makes extensive use of courses provided by the Office of Legal Education's National Advocacy Center. The USAO's training officer sends announcements for training opportunities to all of the supervisors who in turn pass them on to their employees. Supervisors, in combination with the employee, select and register for courses that best match the employee's and USAO's needs. Courses available at the National Advocacy Center span legal education, litigation support, administration, and leadership.

The USAO also uses informal and formal development programs. As previously mentioned, the USAO hires students under the Student Temporary Employment and the Student Career Experience Programs. While these programs don't have formal development programs, they were designed so that as the students gain more work experience and skills, they are given greater responsibility and thus gain further work experience and skills. The USAO historically had used the Federal Career Intern Program, on occasion, which did have a formal development program. The goal of the intern program is to give high potential candidates the skills they need to perform successfully. Upon being hired, the supervisor creates a training program that combines both formal classroom and on-the-job training. Upon completion of the training program and satisfactory performance, the intern can be converted to a permanent employee.

The USAO also has a performance evaluation program. At the beginning of each rating period, supervisors review and update their employee's work plans. The work plans contain a description of the employee's job duties which are written at the "successful" level to fully inform the employee what is expected of them. Work plans also include a result and expected outcome and a link to the Department's strategic plan.

A result and expected outcome is one critical work-related task which the employee must accomplish in addition to their other performance elements in order to be “outstanding.” The link to the Department’s strategic plan, ties the employee’s duties to the Department’s mission.

After updating the work plan, supervisors share the plan with the employee and discuss among other things training and job duties. Approximately, midway through the rating period, the supervisor and employee meet to discuss performance to date to allow the employee to make any necessary corrections before the end of the rating cycle. Finally, within 60 days of the end of the rating cycle, the supervisor presents the final performance review that addresses the employee’s strengths and weaknesses.

C. Visions and Strategies for Accomplishing the Goals of the Diversity Management Plan for the Competitive Service

1. Vision

The USAO recognizes that its strength comes from the dedication, experience, and diversity of its employees and believes that, given the opportunity, each employee can make a difference. The USAO is committed to promoting and supporting an inclusive environment that provides to all employees, individually and collectively, the chance to work to their full potential in the pursuit of the Department and USAO’s mission.

Specific goals for that vision are:

- a. Establish an environment in which a diverse workforce has the opportunity to maximize their potential, and fully contribute to accomplishing the organizations’s mission.
- b. Recruit, hire, train, and retain a diverse attorney workforce with respect to race, gender, ethnicity, disability, and sexual orientation.
- c. Commit management and resources to ensure that employees receive the training, developmental experiences, and tools they need to attain the highest levels of professional excellence and personal growth in order to perform the USAO’s mission.

2. Strategies

To achieve this lofty vision and goals, the USAO plans the following:

- a. Continue to advertise all vacancy announcements via the USAJOBS website. Additionally, the USAO will forward job announcements to the Special Emphasis Program Managers for the North Texas Federal Executive Board for distribution within the Federal community. The USAO will identify and use other avenues to publicize its openings such as the Veteran's Administration, minority and disability serving institutions, LGBT organizations, and academic institutions.
- b. Utilize the training resources of the National Advocacy Center, JustLearn, and other sources to train existing supervisors as well as including diversity training in the mandatory 80-hour training for new supervisors.
- c. Encourage supervisors to recommend a diverse group of high potential employees to attend supervisory and leadership courses offered by the National Advocacy Center and to apply for developmental assignments when they become available.
- d. Create a website on the USAO's intranet to display the USAO's diversity plan and to inform staff about available resources, provide links to training resources, and to report the USAO's progress on its Diversity Plan.
- e. Report annually on the USAO's progress and to make any necessary corrections to the plan. The plans results will be published to the USAO's intranet.

Section V: Attach any memoranda, samples, or other materials that specifically relate to the programs and practices you identified in this Plan as particularly successful.

The USAO Diversity Committee has attached its draft bylaws.

Section VI.

Submitted by:

JAMES T. JACKS

UNITED STATES ATTORNEY

July 15, 2011

Date

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Diversity Committee Chair

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