

# ***Addressing Bias in the Legal System – Cultural Competency***

August 2026

Missouri ID #792378

Kansas ID #237441

# Connectivity/Technical Issues

**Audio Issues** – If you have audio issues on computer, please try accessing by phone at

**(701) 801-6121**

**\*\*No Access Code Required\*\***

If problems persist, contact Paige Tungate at [ptungate@DowneyLawGroup.com](mailto:ptungate@DowneyLawGroup.com)

**Watch** the slides at <https://join.freeconferencecall.com/downeycle>

**Download** the slides at <http://www.downeyethicscle.com/>

**Questions** – Please submit questions during the program through CHAT or during or after the program by emailing Paige Tungate at [ptungate@DowneyLawGroup.com](mailto:ptungate@DowneyLawGroup.com)

# CLE Information

Kansas Credit – If you are seeking Kansas credit, you will need to enter the two Attendance Verification Words and your Kansas Bar information into the Program Survey

Please complete the Survey **this week** (if possible), so we can ensure you receive proper credit

Certificate of Completion – Available also through the Program Survey

Three ways to access Program Survey:

1. Chat - link available in the **CHAT** (right now)
2. Slides - Link **in the slides** (here or at [www.DowneyEthicsCLE.com](http://www.DowneyEthicsCLE.com))
3. Email - Link sent to you in an **email within 30 minutes** of the end of this program



<https://www.surveymonkey.com/r/cult0826>

# New and Improved . . .



## Thanks for Registering!

If you do not receive an email confirming your registration soon, please let us know at [info@DowneyLawGroup.com](mailto:info@DowneyLawGroup.com).

Information regarding dialing in, accessing the webinar, and other information will be emailed to you before the program.

Click here to add this program to your calendar:  
<https://calget.com/e/chapter80726>



You are registered for the Ethics CLE webinar

## Legal Ethics and Professionalism

previewiframe

MO Bar CLE # 791557  
KS Activity #237037

1.0 Credit (50 minutes) of Ethics CLE  
1.0 Credit (50 minutes) of CLE

*Approved in Missouri and Kansas*

**TODAY, June 3, 2026**

**12:00 Noon CT**

**Add To Your Calendar**

<https://calget.com/e/prof0626>

Dial-in number (US): (701) 801-6121  
\*\* No Passcode Required\*\*

Online meeting ID: DowneyCLE

Join the online meeting:  
<https://join.freeconferencecall.com/downeycle>



MCLE Compliance Year Ending: 06/30/2026

Insert search criteria to generate a list of accredited CLE programs that may be selected for submission. **If you know the Program ID number, ONLY input the Program ID number and then hit the "Search" button, you do not need to fill in any other fields.**

Program ID:

Sponsor:

Program Title:

Program Type:  

Beginning Date (mm/dd/yyyy):

Ending Date (mm/dd/yyyy):

City:

State:  (Ex. MO)

[Search](#)

[Reporting Main Menu](#)

No results found matching search criteria.

## Annual Report Dashboard

Select MCLE Compliance Year Ending: 06/30/2026

[Review Summary](#)

[Print Report](#)

### Status

### Compliant

|                         |            |   |
|-------------------------|------------|---|
| 44.2 Total              | 15 minimum | ✓ |
| 38.2 Ethics             | 3 minimum  | ✓ |
| 6.0 Elimination of Bias | 1 minimum  | ✓ |

### Brought forward from previous year

|                         |            |
|-------------------------|------------|
| 7.2 Total               | 15 maximum |
| 1.2 Ethics              | 3 maximum  |
| 0.0 Elimination of Bias | 1 maximum  |

### Reporting Main Menu

1. [Report Program Attendance Credit](#)
2. [Report Speaker Credit](#)
3. [Report Author Credit](#)
4. [Report Self-Study Credit](#)
5. [Report MO General Assembly Credit](#)
6. [Report Reciprocal Compliance](#)
7. [Report Exemption](#)
8. [Request Hardship](#)
9. [Submit Program for Accreditation](#)
10. [Deficiency Plan](#)

MCLE Compliance Year Ending: 06/30/2027

Insert search criteria to generate a list of accredited CLE programs that may be selected for submission. **If you know the Program ID number, ONLY input the Program ID number and then hit the "Search" button, you do not need to fill in any other fields.**

|                                                                                          |                                     |
|------------------------------------------------------------------------------------------|-------------------------------------|
| Program ID:                                                                              | <input type="text" value="792376"/> |
| Sponsor:                                                                                 | <input type="text"/>                |
| Program Title:                                                                           | <input type="text"/>                |
| Program Type:                                                                            | All Program Types ▾                 |
| Beginning Date (mm/dd/yyyy):                                                             | <input type="text"/>                |
| Ending Date (mm/dd/yyyy):                                                                | <input type="text"/>                |
| City:                                                                                    | <input type="text"/>                |
| State:                                                                                   | <input type="text"/> (Ex. MO)       |
| <input type="button" value="Search"/> <input type="button" value="Reporting Main Menu"/> |                                     |

Having difficulty locating a program?

1. Search only by Program ID number if provided by sponsor (leave other fields blank).
2. If you do not know the Program ID number, first try searching by the date of the program.
3. If the date search produces too many results, then try adding a unique word in the program title or sponsor name field and search again.
4. If you are unable to locate your program, it is possible that a sponsor has not sought accreditation. You may seek individual accreditation for your program by [clicking HERE](#).

Select program to enter attendance hours. Search is limited to 100 results. Please refine search criteria to narrow results if necessary.

|                                       | Program ID | Sponsor              | Program Title                                        | Type    | Begin Date | End Date   | City | State | Total Hours | Ethics | Bias |
|---------------------------------------|------------|----------------------|------------------------------------------------------|---------|------------|------------|------|-------|-------------|--------|------|
| <input type="button" value="Select"/> | 792376     | Downey Law Group LLC | The "Chapter 8" Ethics Rules -- Rules 4-8.1 to 4-8.5 | Webinar | 07/09/2026 | 07/09/2026 |      |       | 1           | 1      | 0    |

# Missouri Rules Against Bias, Prejudice and Harassment

# Missouri Rule 4-8.4(g)

It is professional misconduct for a lawyer to: . . .

(g) manifest by words or conduct, in representing a client, bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, gender identity, religion, national origin, ethnicity, disability, age, sexual orientation, or marital status. This Rule 4-8.4(g) does not preclude legitimate advocacy when race, sex, gender, gender identity, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, or other similar factors, are issues. This paragraph does not limit the ability of a lawyer to accept, decline, or withdraw from a representation in accordance with Rule 4-1.16.

# Missouri Rule 18.01

- All court employees shall perform court duties without manifesting bias or prejudice or engaging in harassment.
- Court employees shall not, in the performance of court duties, by words or conduct, manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon sex, gender, gender identity, religion, national origin, ethnicity, disability, age, sexual orientation, or marital status.

# Missouri Rule 15.05(a)(2)

[E]ach lawyer shall complete and report, during each reporting year, a total of at least 15 credit hours of accredited programs, seminars, and activities. For each reporting year:

- (1) at least three of the total 15 credit hours must be devoted exclusively to accredited ethics programs . . . ; and
- (2) at least one of the three ethics credit hours required under Rule 15.05(a)(1) must be devoted exclusively to explicit or implicit bias, diversity, inclusion, or cultural competency.

# Warning on Scope and Language

- We cannot cover every group or issue
- We must use language to discuss issues – we do not intend to alienate or offend
- Our examples may not apply to all parts of a group or to all groups (and we could only research them so thoroughly)
- Generalities (stereotypes) are not always accurate

## 15 Things You Shouldn't Give as a Chinese New Year Gift



**Clocks or Watch —**  
Bad Luck



**Anything of Four —**  
Death



**Shoes —**  
Evil



**Mirrors —**  
Attract Ghosts



**Cut flowers —**  
Presents for Funerals



**Scented Candle —**  
for Venerating the Dead



**Pears —**  
Parting



**Sharp objects —**  
Cut Off Relationship



**Black or white objects —**  
for Funerals



**Hat —**  
Unlucky



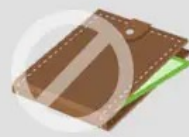
**Umbrellas —**  
Bad Luck



**Doll —**  
Evil



**Handkerchiefs —**  
Farewell



**Wallets —**  
Lose Fortune



**Necklaces, Ties, and Belts —**  
Too Intimate



[www.chinahighlights.com](http://www.chinahighlights.com)

# Cultural Competence

# Rule 4-1.1

A lawyer shall provide **competent representation to a client**. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

# Cultural Competency

- **Cultural competence** is a set of congruent behaviors, attitudes, and policies that come together in a system, agency or among professionals and enable that system, agency or those professions to **work effectively in cross-cultural situations**.
- The word **culture** is used because it implies the integrated pattern of human behavior that includes thoughts, communications, actions, customs, beliefs, values and institutions of a racial, ethnic, religious or social group. The word **competence** is used because it implies having the capacity to function effectively.

Cross, T., Bazron, B., Dennis, K., & Isaacs, M., (1989). *Towards A Culturally Competent System of Care, Volume I*. Washington, DC: Georgetown University Child Development Center, CASSP Technical Assistance Center.

# Cultural Competence

- Ability to understand people from different cultures and engage with them effectively
- Cognitive, emotional, and behavioral skills that lead to appropriate and effective communication with people of other cultures
- Dynamic, ongoing, and developmental process that requires long-term commitment

# Cultures

- Cultures are groups of people who share a common set of values, beliefs, and cultural elements
  - Language
  - Festivals
  - Rituals and ceremonies
  - Pastimes
  - Food
  - Architecture

# Major Elements of Culture

**Material culture** – tools, artifacts and technology

**Language** – including sub-cultural languages (dialects)

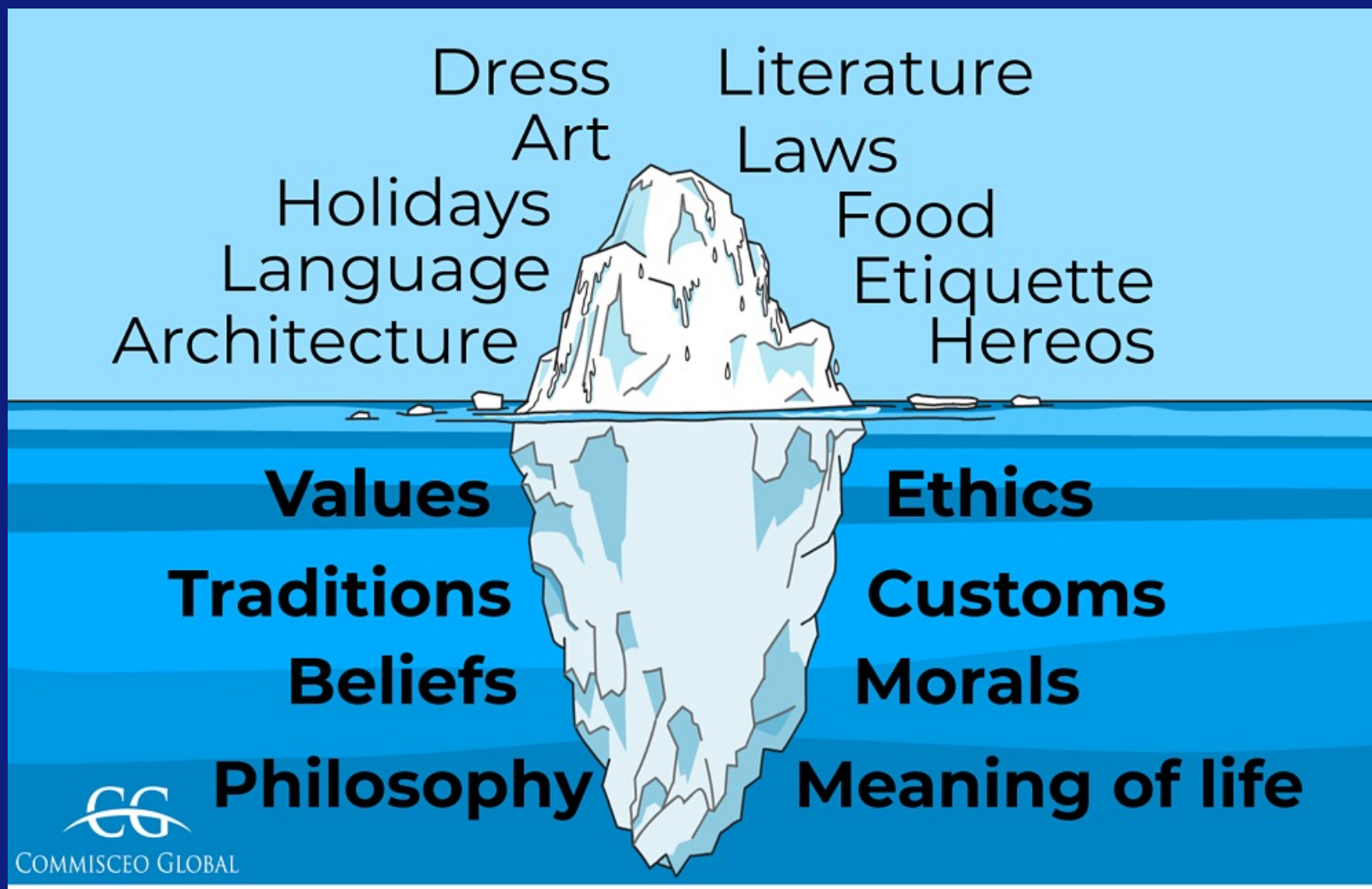
**Aesthetics** – concerns regarding beauty and good taste as expressed in the arts and other forms

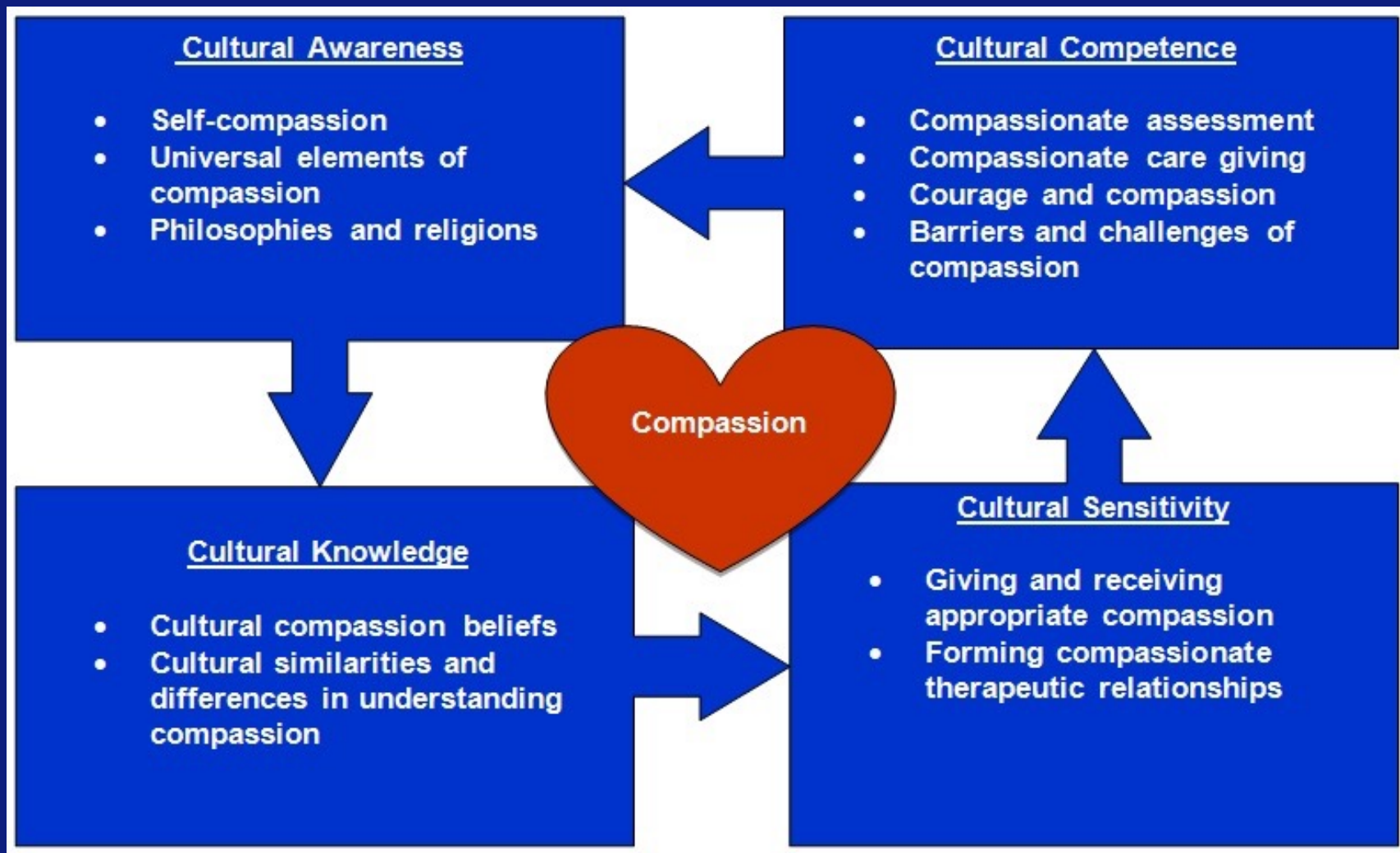
**Education** – transmission of skills, ideas and attitudes as well as training in particular disciplines. Education can transmit cultural ideas or be used for change, for example the local university can build up an economy's performance.

**Religion** – Religion provides the best insight into a society's behavior and helps answer the question why people behave rather than how they behave.

**Attitudes and values** – Often have a religious foundation, and attitudes relate to economic activities.

**Social organization** – the way people relate to each other, for example, extended families, units, kinship.



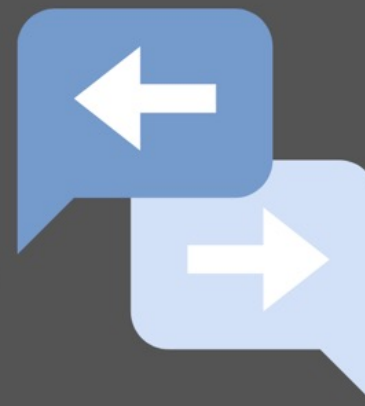




**BIAS**



**MISTRUST**



**COMMUNICATION  
BREAKDOWN**

# Essential Values

1. Acknowledgement of the importance of culture in people's lives
2. Respect for cultural differences
3. Minimization of any negative consequences of cultural differences
4. Possessing cultural awareness

# Five Essential Elements of Becoming More Culturally Competent

1. Valuing diversity
2. Having the capacity for cultural self-assessment
3. Being conscious of the dynamics inherent when cultures interact
4. Having institutionalized culture knowledge
5. Having developed adaptations to service delivery reflecting an understanding of cultural diversity

# CROSS CULTURAL COMPETENCE CONTINUUM

Understanding the cultures of the youth we serve requires more than words and good intentions. The journey toward cultural competence requires the willingness to experience, learn from those experiences and act. (Jerome H. Hanley)

The most important ingredient in cultural competence is self knowledge. (Dr. Wade Nobles)



Saskatoon Public Schools  
Inspiring Learning

LEARNING TARGET

|                | <b>Denial<br/>(Cultural destructiveness)</b>                                                                                                                                                                                                                                                                    | <b>Defence<br/>(Cultural incapacity)</b>                                                                                                                                                                                                                                                                                                      | <b>Minimization<br/>(Cultural blindness)</b>                                                                                                                                                                                                                                                                                    | <b>Acceptance<br/>(Cultural pre-competence)</b>                                                                                                                                                                                                                                                                                       | <b>Adaptation<br/>(Cultural competence)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Integration<br/>(Advanced cultural competence)</b>                                                                                                                                                                                                                                 |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>BELIEFS</b> | <ul style="list-style-type: none"> <li>- don't believe in cultural differences</li> <li>- believe that people who behave or look different don't know any better</li> <li>- tend to impose their own value system on others knowing that they are right and others confused</li> </ul>                          | <ul style="list-style-type: none"> <li>- begin to realize that their value system is not absolute and are not happy about this</li> <li>- threatened by cultural differences</li> <li>- believe that other cultures are inferior, but know better than to impose their values</li> <li>- view other cultures in a negative fashion</li> </ul> | <ul style="list-style-type: none"> <li>- trivialize differences</li> <li>- believe that differences though real do not matter</li> <li>- believe that as different as people are they are still more similar than different and assume that people share same values and beliefs</li> </ul>                                     | <ul style="list-style-type: none"> <li>- accept differences as legitimate and complex</li> <li>- accept the inevitability of other value system and behaviour norms, may find these hard to deal with but do not judge them and are not threatened by them</li> <li>- are tolerant and have a sympathetic attitude</li> </ul>         | <ul style="list-style-type: none"> <li>- value and celebrate cultural differences</li> <li>- willing and able to change their own behaviour to conform to different norms and able to empathize with people from a different culture</li> <li>- do not give up their birth culture's values but integrate aspects of other cultures into their belief system</li> </ul>                                                                                                                                                                                                                                                     | <ul style="list-style-type: none"> <li>- believe that they can become different and still be themselves</li> <li>- become bicultural</li> <li>- effortlessly adjust to suit the culture of the people they are with</li> </ul>                                                        |
| <b>ACTIONS</b> | <ul style="list-style-type: none"> <li>- refuse to include cultural perspectives in their teaching</li> <li>- present one perspective as "the" perspective</li> <li>- make judgments about students and their families</li> <li>- depend solely on system programs to deal with cultural differences</li> </ul> | <ul style="list-style-type: none"> <li>- complain about a multi-cultural approach to school programs</li> <li>- believe that multiculturalism waters down the curriculum</li> <li>- resent time spent learning about other cultures</li> <li>- would never want to teach in one of "those schools"</li> </ul>                                 | <ul style="list-style-type: none"> <li>- treat everybody the same and are proud of it</li> <li>- do not seek out resources that reflect cultural diversity</li> <li>- blame problems on students, rather than adapting to the needs of students</li> <li>- over simplify the complexity of culture and racial issues</li> </ul> | <ul style="list-style-type: none"> <li>- integrate cultural perspectives, ie Métis unit</li> <li>- reflect on instructional practices and resources to determine effectiveness with students</li> <li>- posters and art reflect cultural diversity</li> <li>- may feel like there are no "cultural issues" in their school</li> </ul> | <ul style="list-style-type: none"> <li>- a variety of perspectives and worldviews are presented and equally valued</li> <li>- will continually self-assess about cultural competence</li> <li>- will consult with and invite community members into their classrooms</li> <li>- explore issues of equity and social injustices within a spirit of inquiry</li> <li>- reach students from a position of strength</li> <li>- recognize diverse learning styles of students</li> <li>- see the whole person/child (heart, mind, body and spirit)</li> <li>- use formative assessment strategies to support students</li> </ul> | <ul style="list-style-type: none"> <li>- comfortable participating in cultural and spiritual events</li> <li>- conduct action research to strengthen knowledge and understanding of cultural perspectives</li> <li>- parents and community help shape the learning program</li> </ul> |

Source: Lindsey, Randall B., Robins, Kikanza Nuri & Terrell, Raymond D. (2009) Culturally Proficiency A Manual for School Leaders. Thousand Oaks, CA: Corwin

LEARNING TARGET

# What Is “American” Culture?

- The U.S. Census Bureau projects by 2043 there will be no majority ethnicity or race in the U.S.
- Understand context and meaning of people and their beliefs

# Cultural Value Differences

# Individualism vs. Collectivism

- Individualistic Societies
  - People define themselves through their individuality and unique attributes
  - Individual opinions, interests and goals valued over group welfare
  - Often more focus on nuclear than extended families
- Collectivistic Societies
  - Defined by group memberships
  - Focus on group activities and goals over individual
  - Often involve extended families in shared living spaces

# Power Distance

- High Power Distance Societies
  - Hierarchical systems of assigned roles
  - Upward social mobility is limited
  - Only a few have access to resources, knowledge, and skills
- Low Power Distance Societies
  - People recognize each other more as equals
  - Often characterized by a large middle class
  - Usually offer significant upward (and downward) social mobility

# Uncertainty Avoidance

- Weak
  - Members are comfortable with ambiguous and unknown situations
  - Rely on the word of trusted others rather than contracts
- Strong
  - Group feels threatened by and attempts to avoid uncertainty
  - More moderated and calculated risk-taking
  - Often high resistance to change

# Orientation to Time

- Short-Term Orientation
  - Focus on present and past
  - Value instant satisfaction
  - Risky, pleasure-seeking pursuits often pursued
- Future Oriented
  - Set long-term goals
  - More likely to develop plans
  - Strong propensity to save and invest and delay gratification

# Gender Egalitarianism

- Low Gender Egalitarianism
  - Male roles differ from females
  - Men are generally encouraged to be assertive, tough, and focuses on material success
  - Women are generally encouraged to be modest, tender, concerned with quality of life
- High Gender Egalitarianism
  - Male roles similar to females
  - Both males and females are permitted to be modest, cooperative, tender, and concerned about quality of life
  - Often involve women working more outside the home/family

# Assertiveness

- High Assertiveness
  - Value assertive, dominant, tough behavior in both genders
  - Value competition and success
- Low Assertiveness
  - View assertiveness as socially unacceptable
  - Emphasize modesty and tenderness
  - Value equality, integrity, and cooperation

# Being vs. Doing

- High Doing
  - Anyone can succeed if they try hard enough
  - Believe schooling and education are critical for success
- High Being
  - Focus on understanding and appreciating the world, rather than trying to change it
  - Values world peace, unity with nature, and protecting the environment

# Humane Orientation

- High Humane Orientation
  - Promote the well-being of others
  - Members urged to be sensitive to all forms of discrimination
- Low Humane Orientation
  - Pre-dominant concern for self
  - Less sensitive to discrimination
  - Expected to solve problems on their own

# Indulgence vs. Restraint

- Indulgence
  - Encourage pleasure-seeking
  - Pursue fun activities for sake of enjoyment
- Restraint
  - Discourage pleasure-seeking
  - Regulated by strict social norms

# Cultural Value Differences

- No cultural group is homogenous
  - Individual differences in behaviors of every cultural group
  - Do not allow to predict behavior with certainty
  - Danger in stereotyping
- Useful in starting point for navigating intercultural interactions

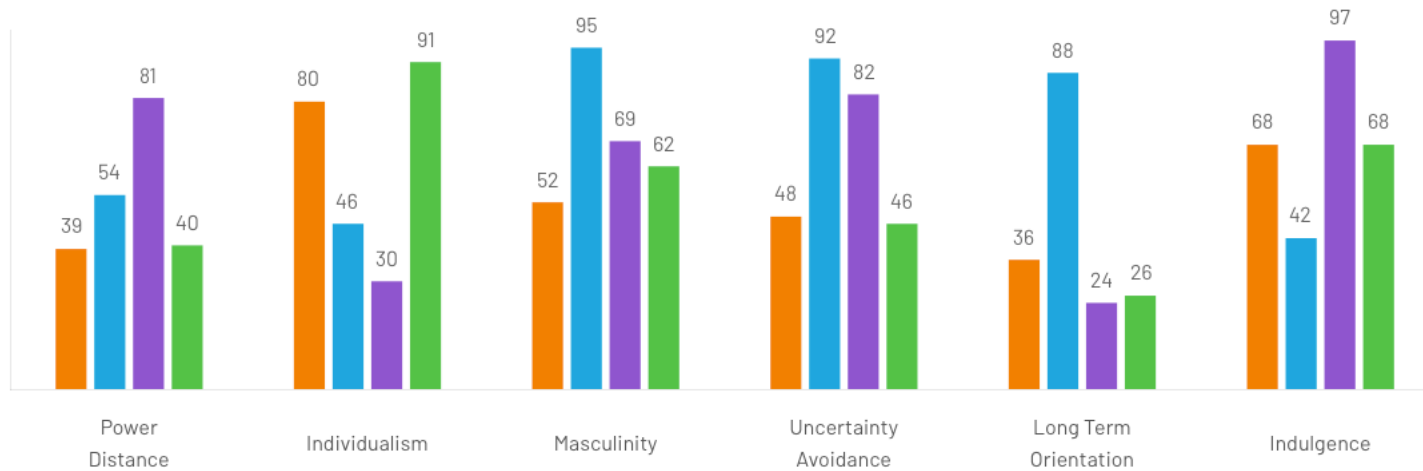


Canada ✕

Japan ✕

Mexico ✕

United States ✕



<https://www.hofstede-insights.com>

# Barriers to Cultural Competency

# Ethnocentrism

- Our way of doing things and seeing things is the right and only way
- Judge non-conforming behaviors as odd and improper
- Creates an “us versus them” mentality

# Stereotyping

- Rely on oversimplified clichés about people from different cultures
- Cannot become culturally competent simply memorizing cultural differences
  - Learning about differences can be useful as a starting point
  - But individuals are unique: you cannot predict a person's behavior based on his or her nationality

# Psychological Barriers

- Need flexibility to manage cross-cultural groups successfully
- Will need to go against natural preferences, which can make people feel uncomfortable, unauthentic and incompetent

# Language Barriers

- Each group has its own language
- Understanding what's said can be challenging if people speak too fast or use too much slang
- Good leaders must be fluent in the language of the group
- People who are less fluent in the lead language tend to withdraw from communication

# Geographical Distance

- People don't get the chance to interact and build relationships in geographically diverse or virtual
- Collaboration is more challenging
- People outside the head office often feel excluded

# Conflicting Values

- Cultural clashes happen when other people's behavior conflict with our own values
- Challenge whether there is a right or wrong way of doing things

# Common Cultural Misunderstandings

# Cross-Cultural Communications

- Non-verbal cues such as body language and tone of voice account for 85% of the first impression you make

# Messaging Etiquette

- Texting across cultures can cause friction due to lack of face cues
  - Punctuation, emojis, or taking hours to reply can carry different social meanings

# Physical Greetings

- Germany – shake hands with everyone in the room at a gathering, even children
- Japan – greetings often involve bows of respect
- Brazil – friends exchange kisses on the cheek
- France – kissing on the cheek varies by region
  - Brest – one kiss on the cheek
  - Toulouse – kisses on both cheeks
  - Nantes – four kisses on the cheeks
- Yoruba (Nigeria) – females kneel and males lie prone when greeting elders to show respect



# Embracing

- Embracing is common countries, such as Italy, France, and Latin-America
- United States, Canada, Britain, and Australia are classified as “low-contact” cultures
- In Arabian, African, and Asian countries men, who are only friends, can publicly hold hands or show physical affection as signs of friendship
- Mixed race embracing is discouraged in Qatar

# Hand Gestures

- “Okay” 🤞 is offensive in several countries, such as Brazil
- Backward “peace” sign 🖖 is obscene in some countries, like the UK and South Africa
- “Thumbs up” 👍 is an insult in Bangladesh, Russia, and Greece
- “Come here” finger gesture is not welcome in Asia – in the Philippines you could be arrested if directed toward a person
- “Horn fingers” 🖕 in the U.S. sign of approval or “rock on,” but in Mediterranean and Latin countries, it is a sign to tell someone their spouse is cheating on them

# How People Point

- United States – Index finger
- Malaysia – Thumbs
- Nicaragua – Lips

# Showing/Use of Feet

- Showing soles of feet can be disrespectful, for example in many Middle Eastern and Asian cultures
- Use of shoes as insults
  - Iraqi reporter throwing his shoes at President George W. Bush in December 2008



# Wearing/Removing Shoes

- Shoes must be removed before entering Mosques and Temples
- In the South Pacific and some parts of East Asia, you must remember to remove your shoes before entering a house as a sign of respect and cleanliness

# Slang

- Informal language often has different and sometimes impolite meanings between cultures
  - Calling the USA “America” may be seen as politically incorrect in Mexico and South American countries

# (British) Meanings of Words

- Bird – woman (often derogatory)
- Fancy dress – costume, dress up
- First floor – floor above ground floor
- Geezer – gang member, tough guy
- Give way – give the right of way
- Homely – homey
- Nervy – nervous, prone to fidget
- Pants – (men's) underpants
- Peckish – slightly hungry
- Rubber – pencil eraser

# Teamwork

- Some cultures volunteer teamwork, or team credit, more highly
- Also seen as generational
  - Gen X and Gen Z are more independent
  - Millennials and Baby Boomers are more team-oriented

# Timeliness

- Americans, Germans, South Koreans, Japanese – arrive on time
- Malaysian – being 5 (even to 60 minutes) late requires no apology
- Venezuelan – norm is to arrive 10-15 minutes late for dinner
- Chinese – 10 minutes late is often acceptable
- Mexicans and Greeks – 30 minutes late is often acceptable
- Moroccan – timing is somewhat immaterial: sometimes people are an hour or a day late

# Dress Code

- Culture and generation often impact how people dress
- Nudity is more acceptable in certain cultures
- Dress code restrictions on headwear can infringe on their right to religious expression in most circumstances
  - Sikh men wear a turban as part of their religious commitment
  - Women (not) wearing hijab
  - Casual work clothes at office

# Eye Contact

- United States – expected to look directly at other person
- Native American and some Asian cultures see direct eye contact as disrespectful

# Directness of Speech

- Direct: US, Germany, Australia, Finland and the Netherlands.
- Less direct: France, Spain, Saudi Arabia, Ireland, and the UK.
- Indirect: China, Japan, Malaysia, Singapore, Venezuela and India.

# Showing Emotion When Communicating

- High: Mediterranean Cultures, Latin Europe and Latin America
- Low: East and Southeast Asia, Nordic and Germanic Europe
- Middle: Cultures like the USA, Canada, Australia, New Zealand, Eastern Europe and South Asia

# Formality of Speech

- More Formal: most of Europe and Asia, Latin America, Mediterranean cultures and the Arab World.
- More Informal: Australia, the USA, Canada, New Zealand, Denmark, Norway and Iceland.

# Feedback

- Volunteering or waiting to be asked for input
- Criticizing people for negative performance

# *Where people don't like to say no*

Laura Tuohy (BBC)

- “[A] Thai employee will rarely refuse their boss anything.
- “If a manager asks, ‘Can you work on Saturday?’ the Thai employee might answer, ‘Yes, but my parents are coming for dinner at my home, and I need to collect my children from their sports activities in the afternoon.’ The response is implicit, and it’s up to the listener to construe the meaning.”

# Why Such Differences Matter

- Recognition that sometimes different does not mean “wrong” or “worse”
- Lack of cultural competency may lead to misunderstandings and distrust
- Understanding that sometimes the “way we do it” may not be appropriate or effective

# Wrap Up

# Cultural Competence Risks

- Overly confident in understanding of clients from other cultures
- Risk of relying on stereotypes when engaging with people from different cultures
- False sense of competency of other cultures

# Suggestions

- Identify areas where cultures most likely to differ
  - Learn about areas of differences
  - Be open to learning about differences from the particular client

# Interacting with Clients

- Recognize that clients are not identical
- Each client brings a set of values, beliefs, and other cultural norms that affect their view of their problems and how they should be addressed

## Rule 4-1.4(b)

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

# How Not to Achieve Cultural Competency

- Do not place the responsibility for cultural competence solely on the shoulders of “diverse” staff
  - particularly when these persons are among the most junior persons on staff
- Do not confuse cultural celebrations for cultural competence training

## **HOW TO DEVELOP CULTURAL COMPETENCE AT YOUR COMPANY?**

CAREERCLIFF.COM

1. Provide workplace bias training.
2. Proper compensation that is based on experience.
3. Invest in meaningful cross-cultural relationships.
4. Be willing to listen.
5. Evaluate where you stand.
6. Create a psychologically safe environment.
7. Prioritize cultural competence learning and work on your leadership team.
8. Have an ethical hiring process that ensures opportunities are readily available to all.



SOURCE: BLOG.HUBSPOT.COM

# Conclusory Matters

**Questions** – If you have questions after the program, please email them to Paige Tungate at [ptungate@DowneyLawGroup.com](mailto:ptungate@DowneyLawGroup.com)

**Post-Program Survey** – A survey will be emailed to you about 30 minutes after this program. Also, here is the survey link:

<https://www.surveymonkey.com/r/cult0826>

**Certificate of Completion** – Available through the Post-Program Survey

**Kansas Credit** – If you are seeking Kansas credit, you need to enter the **two Attendance Verification Words** and your Kansas information into the Post-Program Survey. *Please complete this information in the survey **this week** (if possible), so we can ensure you receive proper credit*



<https://www.surveymonkey.com/r/cult0826>

# Future Programs

**August 13** – Thursday at 12:00 Noon CT – **Addressing Bias in the Legal Profession - Cultural Competency**

**August 25** – Tuesday at 3:00 PM CT – **Ethics Lessons from Lawyers Faceplants**

**September 2** – Wednesday at 12:00 Noon CT – **Missouri Judicial Ethics - The Election and Selection of Judges and the Missouri Court Plan** (*Missouri approved only*)

**September 10** – Thursday at 12:00 Noon CT – **Lawyer Marketing Ethics for an AI World**

**September 23** – Wednesday at 12:00 Noon CT – **Legal Ethics for Trust and Estate Lawyers**

# Timed Agenda

12:00-5 Introduction

12:05-12:55 Discuss cultural competency and how to improve such competency in the legal profession

# Thank you



Downey Law Group LLC  
(314) 961-6644  
(844) 961-6644 toll free  
[info@DowneyLawGroup.com](mailto:info@DowneyLawGroup.com)



<https://www.surveymonkey.com/r/cult0826>