

2022 DISPUTE RESOLUTION ADVANCEMENT AWARD SUBMISSION
How the Research Is Influencing the Values and Practices in the Field

Homer C. La Rue and Alan A. Symonette

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VALUES AND PRACTICES IN THE FIELD**

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2021 was a transformative year for the Ray Corollary Initiative (RCI). What began as a science-backed idea reported in *The Ray Corollary Initiative: How to Achieve Diversity and Inclusion in Arbitrator Selection*, 63-2 HOWARD LJ 215 (Wint. 2020), developed into an independent corporate entity, Ray Corollary Initiative, Inc (RCI, Inc.) aimed at increasing diversity, equity, and inclusion (DEI) in the selection of ADR neutrals.

Beginning in mid-2021, volunteers laid the groundwork for the RCI's incorporation. Collaboration with the National Academy of Arbitrators (NAA) helped the RCI to establish an internet presence, while volunteers with the American Bar Association (ABA) drafted an RCI Pledge that would enable appointers to announce their intention to adopt the 30% metric. Now with a corporate structure focused on realizing diversity in arbitration, the RCI is on its way toward expansion by (1) establishing a Council of Advisors, (2) publishing the RCI Pledge and usable contract clauses on its own website (under development), and (3) studying the impact of the RCI Pledge and of diversity on dispute resolution.

In 2021, the RCI, Inc. adopted its first By-Laws, and elected its first Board of Directors: Sarah M. Espinosa (Secretary), Michael J. Gan, Christopher Kwok, David A. Larson, Homer C. La Rue (Chair), Rebekah Ratliff, Katherine Simpson

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(Vice-Chair), Alan A. Symonette (Treasurer), Allen Waxman, and Keisha Williams.

In 2020, the RCI was adopted as an initiative of the National Academy of Arbitrators, and the International Institute for Conflict Prevention & Resolution (CPR) adopted the 30% metric as part of its diversity commitment. A majority of AMTRAK unions agreed to include the RCI 30% metric in their arbitration agreements. The City of Philadelphia and the Fraternal Order of Police declared their intention to increase the diversity in their selection of arbitrators for termination cases, using a 40% metric. Finally, on December 21, 2021, the 130,000-member National Board of the National Rural Letter Carriers' Association unanimously adopted the RCI Pledge.

In 2022, the RCI will improve the appointment of diverse neutrals by requiring that those who join the RCI Pledge seek to ensure that at least 30% of each arbitrator-selection roster is made up of "diverse" neutrals. The RCI includes "the 30% metric" because of the demonstrated effect that 30% diversity of the final- selection roster has on the likelihood that a diverse individual will be hired. By extension, the RCI believes that the 30% metric will likewise increase the probability that a diverse neutral will be appointed.