

JUST RESOLUTIONS NEWSLETTER

American Bar Association • Dispute Resolution Section

The Mask Off Trilogy: Race Relations, Revelations, and the Overlapping Pandemics

By Rebekah Ratliff

The year 2020 was truly an eye opener. We faced unprecedented challenges, losses, and realities. We were forced to learn new technology and other skills. Some of us took a hard look in the mirror and gained more perspective on how our actions or failure to act is perceived by others. Hopefully, we learned a few things we didn't know before.

The winners in 2020 are those of us who paid attention to the opportunities to be better and apply that betterment to affect positive change... Allow me to explain. In the midst of COVID chaos, civil unrest, the economic downturn, and weather events, the ABA Section of Dispute Resolution Diversity Committee set out on a quest to enlighten our colleagues on the need for diverse candidates in ADR and across intersections relating to dispute resolution and on the origins of the obstacles we see. In a committee meeting, we talked about systemic racism and the emerging movement towards inclusivity and equitable change.

We talked about George Floyd and other human beings who lost their lives in 2020 unnecessarily and the “good trouble” efforts in the streets, amidst a pandemic. We expressed communal anguish over the problems that have arisen from the overlapping worldwide epidemics. In our June committee meeting, member Chuck Crumpton, egalitarian and *champion of good* suggested organizing a program to commemorate “Juneteenth,” which marks the *official* end of slavery on June 19, 1865 (two and a half years after the Emancipation Proclamation of January 1, 1863 was issued). The last of the enslaved blacks in Galveston, TX were told by soldiers that they were free after the civil war ended. The Texas celebration became what is now celebrated annually in 45 states and known to many as “Juneteenth” or Freedom Day.

Our committee scrambled to produce programming that would educate our colleagues about Freedom Day and facilitate conversations to hopefully inspire allyship and action. The “Mask Off: Race, Relations and Revelations” webinar was intended to be a stand-alone event in celebration of Juneteenth, but took on a life of its own.

Professor Ben Davis kicked off the webinar by honoring us with a riveting history lesson, explaining the origins of horrific sins against humanity and the open wounds to the soul of America, especially its black and brown citizens. He explained the baked-in bias and the effects on our professional community.

We pulled together an infectious disease specialist and virologist, Dr. Lane Rolling, NBA Past President, Attorney Vanita Banks, and me, a dispute resolver, to conduct a candid conversation tying together these issues and exploring the issues derivative. Our moderator, the talented Michelle Taylor Willis, kept the speakers on topic, despite the extensive tech issues we experienced; we were in peril at times with zoom disconnections, but no one seemed to notice. We kept on going. Just like the old U.S. Postal Service promo, neither rain nor sleet nor snow will keep the *Mask Off Panelists* from delivering on the promise of enlightenment and authentic perspectives on how we got here and how we can move forward. The discussion took many turns, addressing uncomfortable topics and appealing to our humanness to enable healing.

Mask Off Part 2 in August was a “back by popular demand” production. In “Mask Off Part 2: The Antivirus,” we brought more raw conversation with unapologetic honesty. Professor Davis brought the issues to light. He took the gloves off and the panel delivered again on a discussion that had attendees sitting at the edge of their seats.

Dr. Rolling educated us on the COVID-19 pandemic and how to protect ourselves from the spread while considering challenges in underserved communities that suffer from lack of access to healthcare and mental health resources.

Vanita Banks jumped in to relate the lack of access to legal representation and the disparate treatment of people of color in underserved communities. She talked about the efforts taken by the National Bar Association’s COVID-19 task force and other initiatives in response to the merciless killings in our cities and the effects on minority populations.

My contribution to the discussion was solutions-oriented, from the perspective of a mediator. Ingredients for the anti-virus “cocktail” were shared by each panelist. Mask Off Part 2 was intended to be the sole sequel to Part 1, but another sequel was demanded in the zoom chat and we could not ignore the request for more discussion on these important topics. The Part 2 *CALL TO ACTION* was clear: “Stay safe, but don’t stay silent.”

The Mediation Week Part 3, “Mask Off: Covers Off” edition was a Roundtable-style finale. The original panel rounded out perspectives with a few more friends. The call to action took on more specificity. Mecklenburg County, NC Sheriff Garry McFadden, Professor Ben Davis, Hon. Tabitha Ponder and April Camara were welcome additions to the discussion, adding points and solutions from the standpoint of policing and reform, access to justice, the housing crisis and criminal justice.

We urged webinar participants to understand that it is the responsibility of legal and law enforcement professionals and community advocacy organizations to ensure information and resources are available and shared with those who lack access and privilege.

Together, we can heal our nation and the world. We are dispute resolvers. We facilitate the tough talks. Allyship is a verb.

The **H.E.A.L.** acronym is a simple reminder of how we can take action:

- **H**ave the 1st conversation.
- **E**ncourage honesty and openness.
- **A**cknowledge that it is uncomfortable and understand **WHY**.
- **L**et there be light... Be an ally.

You can watch each Mask Off program using the links below:

Part 1

https://players.brightcove.net/1866680404001/default_default/index.html?videoId=6168078309001

Part 2

https://www.americanbar.org/groups/dispute_resolution/resources/member-benefit-webinars/mask-off-part-ii-the-anti-virus/

Part 3 To share the recording with the integrated audio transcript:

https://americanbar.zoom.us/rec/share/pi5Akn-o0o3HwLgAsc64ekjDhDMGhgq4_tVVGcusRk4KVWD17rcswyncdFQHyeQS.e7yT7IPx0V8dgFU5 (Access Passcode: +rX3!WTj)

Rebekah Ratliff is a native of Chicago, IL, and graduate of the University of Illinois at Urbana, holding a B.A. degree in the discipline of Psychology. Ms. Ratliff is a credentialed former commercial insurance casualty claims professional, with more than 25 years of experience in various subject matter areas. She held the authority to negotiate and resolve complex liability cases for global commercial carriers, with settlements totaling in the millions. Rebekah is the founder and President of Capital City Mediations, LLC a national mediation, arbitration and consulting firm. Equipped with her mediation skills and unique subject matter expertise, Rebekah has become a resource in sensitive matters involving high profile individuals. Rebekah is a member of the American Bar Association, serving as Co-chair of the DR Section Diversity Committee. She is the 2nd Vice Chair of the National Bar Association's ADR Section. Rebekah is a nationally sought-after Presenter, Panelist, and Lecturer in the insurance and legal industries and is the recipient of various prestigious awards to include a 7th U.S. District Congressional Award for her work in alternative dispute resolution. Rebekah is a JAMS mediator and arbitrator, based in Atlanta, GA and operates internationally.

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