

Wilmington, Delaware
April 2, 2026

#XXXX

Sponsor:

**Council
Member
Oliver**

WHEREAS, the City of Wilmington serves a diverse community of constituents and is committed to maintaining a workplace where all residents are represented and served fairly. The City Council recognizes that diversity within municipal departments enhances the quality of public service, strengthens public trust, and promotes more informed and effective decision-making; and

WHEREAS, the City of Wilmington’s Law Department plays a critical role in advising the City Council, Mayor, boards, commissions, and departments, and in representing the City’s legal interests. A legal team that reflects the diversity of the community, including, but not limited to, diversity of race, ethnicity, gender, gender identity, sexual orientation, disability, socioeconomic background, language, and lived experience, can better understand and address the varied legal needs of the City and its residents; and

WHEREAS, our former City Solicitor Robert M. Goff raised concerns about the Law Department's recruiting and retention rates during his tenure. From 2017 to 2024, there were an average of one to two attorney resignations annually. The time for filling these positions ranged between 2 months and as many as 10 months; and

WHEREAS, although retention had seen some improvement following an amendment to Wilmington’s City Charter granting tenure to City attorneys upon the completion of three years of “continuous satisfactory full-time service,” job security, the residency requirement, and salary were cited as key factors in recruiting and retaining qualified candidates; and

WHEREAS, adopting policies and practices that foster candidate diversity should also be a key priority for filling vacant positions. In 2016, the American Bar Association (ABA), the

world's largest organization of lawyers and judges, issued a report cautioning that the legal profession is significantly less diverse than other career fields. In response, the ABA House of Delegates passed Resolution 113 to “urge all providers of legal services, including corporations and law firms, to expand and create opportunities at all levels of responsibility for diverse attorneys”; and

WHEREAS, there are currently two vacant positions in our City’s Law Department. Of the eight attorneys serving, five are White females, one is an Asian female, and two identify as White males. The recruitment of new legal professionals to fill these vacant positions presents an opportunity to employ policies and practices that enhance our Law Department’s capacity to access a wide range of talented candidates and to ensure that our legal team more closely mirrors the diverse identities, backgrounds, and lived experiences of the constituents who reside in the City of Wilmington; and

WHEREAS, the 151st General Assembly passed House Bill 380 (HB 380), titled An Act to Amend Title 29 of the Delaware Code Relating to the Public Attorney Student Loan Repayment Program, to facilitate greater diversity in the State of Delaware’s legal workforce. HB 380 not only established student loan assistance but also acknowledged that improving “access to justice” at the State level is related to a conscious effort to recruit and retain talented attorneys with a range of backgrounds and experiences to the legal workforce. Seven of the 13 attorneys who resigned from Wilmington’s Law Department since 2016 accepted positions with the State of Delaware; and

WHEREAS, for the past ten years, the ABA has urged its members to participate in the Model Diversity Survey, a questionnaire that monitors key indicators of diversity related to race, ethnicity, gender, LGBT status, and disability status. Participating legal units receive

regular reports on the status of diversity in the legal field and contribute to informing the ABA’s catalog of evidence-driven approaches to inclusive recruiting and retention; and

WHEREAS, a common best practice for inclusive recruiting in the legal field is leveraging relationships with affinity groups. The Delaware State Bar Association (DSBA) has a standing Diversity Committee, as well as sections with a special focus on young lawyers, women and the law, multi-cultural judges and lawyers, and the LGBTQ+ community; and

WHEREAS, the Washington DC Bar Association recommends nontraditional recruiting, including “programs that focus on lawyers already in practice, such as the Leadership Council on Legal Diversity (LCLD) or various programs that help lawyers reenter the practice of law after taking time off to raise children”; and

WHEREAS, among municipal law departments, the City of Chicago developed plans to incorporate “value-based” questions to identify unconscious biases into the interview process and a strategy to track bottlenecks in the hiring process. The City of Austin and the City of Philadelphia participate in the Mansfield Rule, alongside the legal units of numerous private-sector companies, such as PayPal, Pfizer Inc., and McDonald’s Corporation. The Mansfield Rule is a data-driven, proactive model for improving diversity in legal recruiting and hiring; its use has been affirmed as lawful by the US District Court for the District of Columbia.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body urges the implementation of inclusive recruitment, hiring, retention, and promotion practices within the Law Department in a manner consistent with applicable local, state, and federal laws.

BE IT FURTHER RESOLVED that this Legislative body affirms that there is strong evidence throughout the legal community that a workforce with a demographic composition

that mirrors the array of races, ethnicities, genders, gender identities, sexual orientations, disabilities, socioeconomic backgrounds, languages, and lived experiences of the populations it serves is instrumental to maintaining public trust and equitable access to City services.

BE IT FURTHER RESOLVED that this Legislative body encourages the Administration to collaborate with the Law Department to adopt policies and practices that facilitate recruitment and retention of a legal staff that more closely reflects the demographic composition of the residents of the City of Wilmington.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution encourages the Administration to collaborate with the Law Department to adopt policies and practices that facilitate recruitment and retention of a legal workforce that more closely reflects the demographic composition of the residents of the City of Wilmington.