



WHAT I LEARNED ABOUT INCLUSION AND WHY IT MATTERS

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THE MISSING PIECE

You need to meet Josh Smith. I know what you are thinking. “Which Josh Smith?” Valid question. After all, the Internet says there are 6,472 people in the United States with the name “Joshua Smith.” Josh and I were paired together [I prefer that to “Buddy Match”] for the KBA’s Diversity, Equity, and Inclusion CLE on September 29th. Let me give you a few details so you will know Josh when you meet him.

Josh is a 2L at the Lincoln Memorial University Duncan School of Law. He is a true Knoxvilleian—graduated from Fulton High School right up the road. He is married (I got to meet his amazing wife) and has two children. The younger one just started kindergarten, and she may or may not be a bit of a diva when it comes to dance recitals. So, Josh gets to juggle all of the demands of law school plus all of the demands of parenting.

But, not to worry. Josh is used to pressure. Before heading to law school, Josh was in law enforcement. He worked in the juvenile division trying his best to help kids find a better path in life before the paths they were on led to more permanent consequences. Those of you who spend a lot of time in juvenile court may have seen him there. Hopefully, you were kind and professional.

Then, at the age of 25, Josh lost 100% of his vision. I don’t know what happened. I didn’t ask Josh to tell me. It is his story to tell, and if I needed to know it, I assume he would tell me. Besides, it is generally considered rude to ask someone you just met to share that much personal information, and at the end of the day it doesn’t matter. What matters is what happened next.

Josh went back to school. Initially, his plan was to get back to working with juveniles. So, he enrolled at UT and earned a Bachelor’s degree in psychology. Then, he earned a Master’s degree in Social Work. He earned two college degrees without the use of his eyes.

But, he learned something more important. He learned to advocate. Federal and State law requires educational institutions like UT to provide reasonable accommodations to individuals with disabilities so that they can have the same educational experience. But, Josh learned that you have to speak up and say what you need—and often times, you have to say it multiple times to multiple people—before something gets done.

Then, the strangest thing happened. Josh had two college degrees and plenty of experience. He also did really well in telephone interviews. But, for some reason when he would go in for an in-person interview, the job offers didn’t materialize. We could speculate as to why that was the case, but that probably is not wise.

At the end of the day, that is why Josh went to law school. He had already been working on his advocacy skills, and he figured he may as well get a degree in it. That is what Josh wants to do when he graduates in 2024. He wants to be a lawyer specializing in disability and immigrant rights and advocacy.

I knew all of this about Josh before we met in person at the KBA’s event. I try to get to know my law students before we have to do a mixer together—makes it less awkward. So, I asked Josh what I could do to make sure he enjoyed the event. He only asked for two things—help him navigate to our table and, if there was anything displayed on a screen or in written materials, tell him what it is. And so we did.

To navigate the room, Josh told me that all he needed was an elbow, so I offered an elbow and away we went. It isn’t that easy to wind your way through a room full of people, standing around, to find a table at the front of the room. The good news is that it gave me the opportunity to introduce Josh as we went along. Josh is really good at small talk.

But, then we got to the CLE part of the program. Don’t get me wrong. It was an amazing program. But, as someone who does a lot

of public speaking, I had never realized how many times speakers (me included) say things like, “as you can see on the screen” or “looking at the list in your materials” or some other reference to something that the audience has to be able to see in order to appreciate whatever the speaker is saying. So, I scooted back my chair to sit next to Josh and, whenever I heard one of those phrases, I tried to read or describe the thing that the speaker was referring to.

It wasn’t easy for me to keep up with the speaker. I cannot imagine how hard it was for Josh to process all of that information just by hearing it. Josh was gracious and didn’t tell me I was doing it all wrong—or say anything about my breath for that matter.

So, what did I learn about inclusion and why it matters? I learned that, if the conversation about diversity, equity, and inclusion only focuses on issues of race and gender, we are missing a very important part of the conversation. According to the CDC, there are 61 million adults with disabilities in the United States.¹ We are missing out if we are not actively looking for ways to invite and integrate these individuals into the legal profession. I learned that we need to expand the conversation about attorneys with disabilities to address more than alcohol and substance abuse or mental health. If you don’t know how to start either conversation, then you need to meet Josh Smith. If you don’t meet him now, I guarantee, you’ll meet him when he joins the Knoxville Bar in 2024.

¹ Centers for Disease Control, Disability Impacts All of Us, available at <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html> (last visited Oct. 9, 2022).



Annual Meeting & Elections

Friday, December 9
8:00 - 10:00 AM
City County Building

