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The Chambers D&I Latin America Report 2022: Breaking New Ground

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Chambers Editorial: Introduction

Luke Vincett, D&I Manager, Chambers and Partners

Ellie Gerszt, D&I Manager, Chambers and Partners

The eighth annual Chambers Diversity and Inclusion Latin America Awards saw leading law firms and companies from across Latin America submitting their incredible efforts to advance diversity and inclusion through internal initiatives, local and global community programs, and network building. We also saw the focus and advancement of pro bono work and sustainability efforts highlighted in last year's report develop at an impressive rate, reinforcing firms' commitment to this vital work.

From the hundreds of nominations we receive, the Chambers D&I team is tasked with picking out the very best initiatives, analysing their effectiveness and rewarding a deserving few at our annual awards ceremony in Miami. This, our second annual Latin America Report, provides an opportunity to take a deep dive into many of the most innovative and interesting programs submitted through a variety of profiles and case studies. The Report aims to provide readers with inspiration, practical tips and best practice guidance.

The 2022 Report begins with a collaboration between four firms in different Latin America

countries sharing experience and expertise from their different affinity groups to mitigate blind spots and advance together. From there, we look at three key trends that repeatedly surfaced in the submissions: mental health support; collaboration with entrepreneurs; and disability inclusion.

Each section covers how these successful initiatives were established, the challenges they had to overcome and how they managed to achieve their aims. The combination of case studies and profiles details collaborations from local NGOs to huge multinationals, within firms and across countries. The common denominator in all the pieces included is absolute commitment to the cause, and a determination to make a difference.

As always, we've included editorial pieces from the Chambers Diversity and Inclusion team with our reflections on the key trends in Latin America. We hope that this briefing will help support you in your D&I, Pro Bono and ESG programs, and look forward to continually collaborating with the legal profession through our research and events.

A year in numbers

2022 Statistics



122

Applications



389

Client referees
provided



111

Individuals
nominated (PP)



54

Individuals
nominated (IH)



85

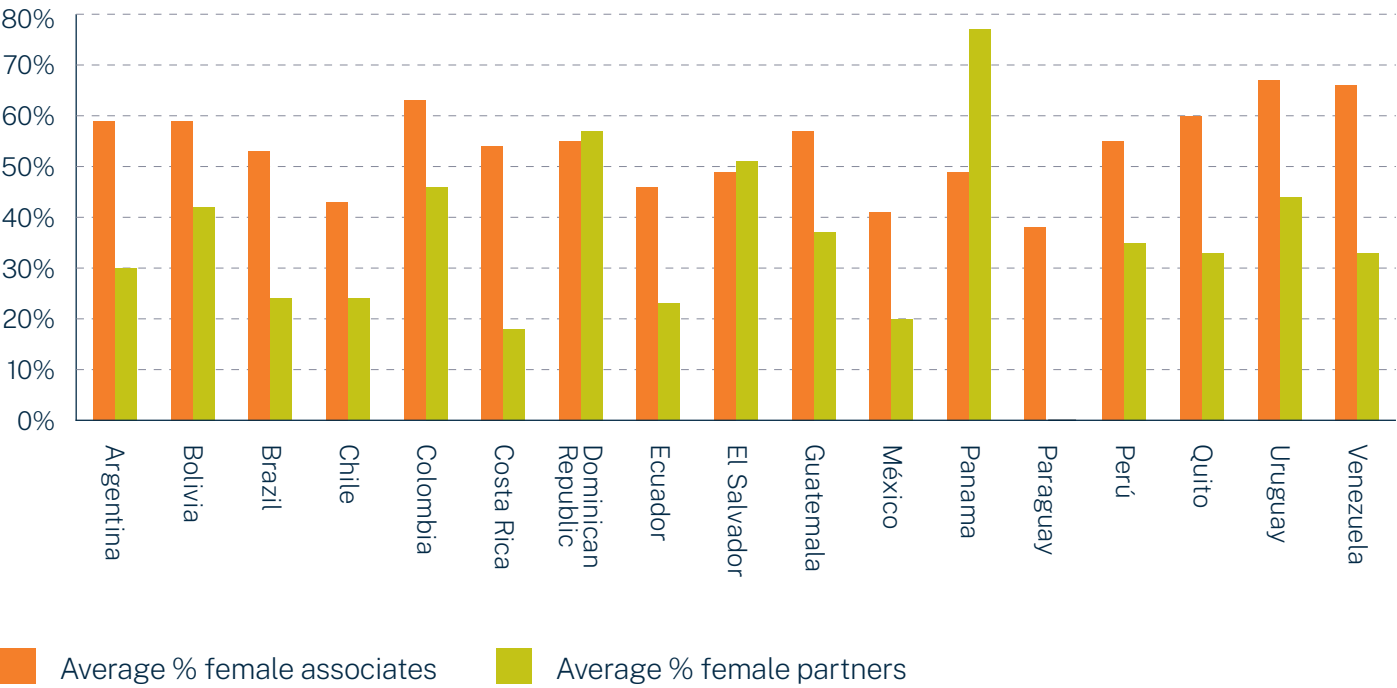
Firms
nominated



35

In House
departments
nominated

Average percentage of female associates and partners by country*



*Information only from data provided to us for the D&I Awards. This includes firms with 100% female associates or partners.

Case study: Connecting across countries: the Affinitas Network

AffINITAS
The team that works

BARROS & ERRÁZURIZ

Gómez-Pinzón
SINCE 1992

**MIRANDA
& AMADO**

**MIJARES ANGOITIA
CORTES Y FUENTES**

Juan Luis Avendaño, Partner at Miranda & Amado and Affinitas Chair
Natalia Chu, Affinitas Coordinator

When and how was the Affinitas Network founded? How did you take it from an idea to fully-fledged program?

Affinitas was founded in 2004, with the aim of bringing together a small group of first generation Latam law firms that were being built to outlive its founding partners. After 18 years together, Affinitas has become a team of 4 independent firms which share values and best practices, which allows us to give the best legal service in each of our 4 countries.

Affinitas' Diversity Committee was created at the beginning of 2019, with the purpose of deepening our commitment to diversity in each of the four firms, sharing best practices and learning more from each other. Affinitas' member firms are committed to inclusion at all levels, seeking to have the best talent in the market without discrimination, based on sex, gender, age, geographic origin, race, socioeconomic status, disability, sexual orientation and gender identity. In this sense, Affinitas promotes the development of all its members based on their merits, skills, competencies, and performance, thus fostering a diverse culture based on meritocracy.

Prior to 2019, each of the four firms had their own Diversity Committee but they did not coordinate with each other, so we thought it would be convenient to unify the four committees into one that could integrate the views from more diverse people, design coordinated strategies where synergies are taken advantage of, share experiences and good practices, take advantage of lessons learned, discuss current issues, propose changes and establish indicators that would allow us to measure our progress.

The Diversity Committee has 15 members, from each of the four firms and includes partners, associates and staff, all with different profiles and representing all genders and generations.

What are the aims of the initiative?

The Affinitas Diversity Committee aims to promote and ensure an equitable work environment in all member firms in which all members can develop fully and equally and have the same opportunities for growth within the firm, exchanging experiences and best practices among the firms. Through this exchange we focus on designing strategies that allow joint actions.

Were there any challenges that you had to overcome? If so, how did you overcome them?

The biggest challenge was that, despite being similar countries, our cultures are different, and have very particular factors in each country, so in the end aligning and/or learning to take advantage of that cultural difference was a challenge.

It has been fundamental that the people who formed the committee are leaders and are passionate about the subject, so they are good managers to create those connections between the firms.

Along the same lines, the difference in the level of progress and openness of the firms on diversity issues was varied and, in fact, this proved to be our main challenge at the beginning. But despite this, the firms worked to continue learning from each other and to design a common path, valuing the experiences and differences of the others.

What achievements are you most proud of within the initiative?

Our greatest achievement has been our ability as a team to gather more than 600 attendees in 4 of the events that we have organized in the last couple of years. This represents a milestone as our attendance grew by 125%, which was much

higher than we imagined. Some of our webinars focused on Elimination of Violence against Women, Diversity in law firms, Diversity and Inclusion best practices for our customers, and learning how new diversity concepts have generated a significant impact on our firms.

“All members can develop fully and equally and have the same opportunities for growth within the firm, exchanging experiences and best practices among the firms.”



Chambers editorial: Mental health: a radical approach to serving communities

Luke Vincett, D&I Manager, Chambers and Partners

As the worst of the COVID-19 pandemic recedes, it is clear that the fallout from this extended period of enforced isolation and global instability has exacerbated and prolonged existing issues. Mental health, already a growing crisis in 2019, has become an even greater global challenge in the last few years, affecting all facets of society.

According to the World Health Organization, COVID-19 not only increased the prevalence of anxiety but “sparked or amplified much more serious mental health problems.”¹ These include depression, post-traumatic stress and suicidal thoughts and behaviours. While the occurrence of these conditions has increased across demographics, they have been focused disproportionately on those already vulnerable.

The situation is compounded by emerging global emergencies. The cost-of-living crisis is being felt worldwide, in tandem with shortages of basic goods caused by geopolitical instability. Significantly, climate change is no longer a future worry but having a devastating impact on everyday life for people around the world, particularly in the Global South.

These overlapping crises have created a perfect storm that has a direct impact on mental health. It is vital, then, that law firms and companies play their part in providing essential support to both respond to and prevent mental health challenges. The business case for mental health support within organisations is clear, improving productivity, engagement and cohesion. However, a new development has seen leading organisations reaching out to their communities to provide support and assistance.

“These overlapping crises have created a perfect storm that has a direct impact on mental health.”

In Bolivia, PPO Abogados launched an innovative initiative in early 2022. Noticing that many of their pro bono clients, typically from marginalised and vulnerable communities, could benefit from counselling, they partnered with the Association of Psychologists in La Paz to pilot an “exchange of services” program. This radical approach to serving clients needs goes far beyond what a law firm typically offers and provides a compassionate pathway forward.

Another collaboration with multiple organisations addressing the mental health challenges of vulnerable communities involves the Mexico office of Meta (Facebook). ‘La Hora Segura’ (The Safe Hour) recognises the difficult situation that LGBT+ people in Mexico face with a lack of organisations providing support and safety. To tackle this, Meta partnered with ItGetsBetter Mexico to provide psychological support and crisis prevention professional services for LGBT+ youth.

It is important to note, however, that lawyers and law firm professionals also benefit from improved mental health support. At Lovell in Panama, Senior Associate Jeannette Bravo launched the firm’s first Wellness Committee in 2022. In a region where talking about mental health is still taboo to many,

this was a big step. Noticing the toll the pandemic took on colleagues, as well as the requirement as a lawyer to provide safe environments that consider mental health for clients, Jeanette worked with stakeholders across the firm to “push through the barriers of an extremely traditional society and profession”. While the mindset shift was not easy, Jeanette is convinced that the change has enabled Lovill to be even more successful.

Solving the mental health crisis is a huge challenge and cannot fall solely at the door of law firms

and other businesses. However, the resources available to these organisations combined with the determination, skill and ingenuity of the people who work for them mean that they can contribute within and beyond their office walls. The organisations featured in this report show that through partnership and collaboration we can take steps to solve this crisis. By growing these programmes, both in number and scope, we can all reap the benefits of a healthier, safer world.



1. <https://www.who.int/news-room/feature-stories/detail/the-impact-of-covid-19-on-mental-health-cannot-be-made-light-of>



Case Study: Above and beyond: providing pro bono mental health support



Ingrid Reese, Director, PPO Pro Bono Executive Committee, PPO Abogados

Lindsay Sykes, Director, PPO Pro Bono Executive Committee, PPO Abogados

We signed a framework cooperation agreement in early 2022. During the pro bono client intake process, we noticed that many clients could benefit from a psychological evaluation and/or counselling. This was particularly true for clients who are victims of violence and abuse.

We reached out to the Association of Psychologists of La Paz to test a pilot program involving the exchange of services. PPO provides pro bono legal services to the Association and, in return, the Association provides low-cost or no-cost counselling and evaluation services to clients of PPO's pro bono program.

The aim of the initiative is to offer our pro bono clients a more comprehensive service; a service that is not limited to assisting with legal matters, but that also helps clients address mental health. By offering pro bono clients the possibility to access low-cost or no-cost psychological counselling services through our pro bono program,

we can more fully address our clients' needs. Addressing clients' needs from a comprehensive perspective is something we strive to do in all areas of practice. Pro bono is no different.

We have worked to establish clear processes for referring clients to the Association, and for tracking the time invested by each side of the collaboration to make sure that each party feels that it is contributing equally to the partnership. We are currently working to expand the program to other cities, so that it is not limited to La Paz.

This collaboration has generated more awareness in Bolivia about pro bono services. We are proud that we have recruited other professionals, in this case, psychologists, to broaden the scope of our pro bono program. In this spirit, we have also recruited other types of professionals, such as notaries, who have also opted to contribute to the program by donating their services.

“Addressing clients’ needs from a comprehensive perspective is something we strive to do in all areas of practice. Pro bono is no different.”



Individual Profile: Launching the Lovill Wellness Committee

LOVILL

Jeanette Bravo, Senior Associate, Lovill

The Wellness Committee officially launched in 2022; however, since 2021 we were already working on this. The pandemic made something very clear: isolation, remote work, changes in routine, and household responsibilities were placing a heavy workload on the team, especially on those responsible for the household and caregivers (considering that schools in Panama were closed during 2020 and 2021). Finding a balance between these newfound challenges and fulfilling professional obligations at the same time was taking a toll on everyone. We rapidly recognized this accumulation was affecting everyone's physical, mental, and emotional health. Therefore, it was key for us to act and find a way to prioritize building a pleasant, inclusive, and healthy work environment.

As lawyers, particularly myself, we must advise companies on how to provide safe environments that consider mental and physical health, but often we do not look within to improve these aspects in our own homes. Personally, in 2021 I started my motherhood journey and realized in this post-pandemic world I wanted two things:

- to be there for my son and keep a balanced life
- to continue working on my goals as a professional and not have to exclude or choose one thing over another.

I have experienced first-hand what we advise our clients. Consequently, we have created this communication system that puts the well-being of our co-workers at its core and results in added value for all stakeholders. Having teammates who can have a better work-life balance, spaces for teamwork and recognition of mental health as a priority has made a difference in the team. We are walking the talk.

With this initiative, we seek to not only create a better work environment and improve the synergy of teamwork and communication, but also to reinforce that physical and mental health are vital and that our well-being enables us to reach capacity for full personal and professional development. We know the statistics; we know that law firms work rigorously from all departments, and we cannot ignore that burnout exists.

Putting the human resource that runs our firm front and centre is the main goal. As we aim to build a company that provides excellent service and is adaptable to change, it is impossible to turn our heads on what matters to the workforce: providing and promoting a healthy culture, one rooted in respect, integral health, motivation, and teamwork.

We had quite a few challenges when planning since we did not want it to be perceived as another teambuilding workshop or an obligatory work activity. Our intention was clear: to achieve real engagement with the teams and get the conversation going. Centering in valuable and challenging activities, we achieved a mindset change and teams were quickly excited to participate and drive their teammates to engage with the activities.

Although this new mindset was not achieved easily and the committee had to restructure its strategy several times, steadily we began conversations surrounding mental health and non-discriminatory practices, and to improve teamwork not only by attending a 'teambuilding workshop' but also by enjoying the process, sharing and listening. However, showing genuine interest and patience was crucial for all progress.

We are a diverse team pushing through the barriers of an extremely traditional society and profession

in our country. Our team is composed of unique individuals that contribute perspectives from different ethnic, socio-economic, and generational backgrounds. As a commitment to representation and building a truly inclusive environment, we are breaking down these traditional barriers, strengthening teamwork and improving communication between all coworkers, regardless of their age, ideas, and beliefs, and it has been thoroughly satisfying.

Similarly, to remove the taboo surrounding mental health and burnout, to show that even our lawyers must have that life-work balance that is then reflected in the quality of their work, instead of working 24/7 and having the team burn out. After all, we have created a family that is there to go through challenges, adversities and achievements together, which has allowed us to become a much more successful company.

“It is impossible to turn our heads on what matters to the workforce: providing and promoting a healthy culture, one rooted in respect, integral health, motivation, and teamwork.”



Case Study: ‘La Hora Segura’: mental health support for LGBTQ+ youth in Mexico



Xavier Careaga, Associate General Counsel, Meta

The program was launched in April 2018, through a partnership between ItGetsBetter Mexico and Facebook Mexico. It started when ItGetsBetter approached us, informing us about the dire scenario that many LGBTQ+ people face, mainly in terms of mental health. While in other countries there are already consolidated organizations and institutions that have focused on this topic, in Latin America and Mexico in particular, there are few options. As a reference, LGBTQ+ people have significant more chances of self-harm and suicide than their heterosexual/cisgender counterparts.

The goal was to provide psychological accompaniment and crisis contention professional services for LGBTQ+ youth, focused on identity crises, self-harm and suicide attempts. All of those usually stem out of aggressive and violent environments, both at home, school, work and even in the street and public places. Note that while Mexico City and few other places are generally respectful, the vast majority of the country still has a high prevalence of homophobia. Young LGBTQ+ in rural places are especially vulnerable to violence and self-harm, and there is a consistent lack of emotional support infrastructure. However, Meta's products do arrive there. The partnership intended to build safe spaces for the target population, to have a 'safe hour' where they could get professional psychological help.

The program required making sure all details were carefully reviewed. That included the psychological part, but also the operational, technological and legal aspects as these are extremely sensitive topics in scenarios where something could easily go wrong, and liabilities could be triggered. The main challenge was to prepare for all kinds of adverse scenarios and have all teams ready for them. Alex Orue, ItGetsBetter Mexico leader at that time, was an extraordinary and savvy partner. In Facebook Mexico, the Pride@Facebook Minority Rights Group (which I co-lead) endorsed, supported, got the internal approvals and coordinated the efforts to make this happen with the help of many other areas of the company. We still think it is our most impactful initiative we have ever partnered and launched.

Up to March 2022, La Hora Segura has provided services to 1093 LGBTQ+ youth, whereby, according to their own stats, around 11.4% of them represented high-risk self-harm cases, all of which were averted. We have even heard stories of young people who walk several miles just to arrive at an internet cafe in the closest town for their session. This kind of impact is hard to measure but makes a huge difference. We are proud of having partnered with ItGetsBetter for such a meaningful and impactful initiative, which is saving lives and minds of so many young people from diverse backgrounds.

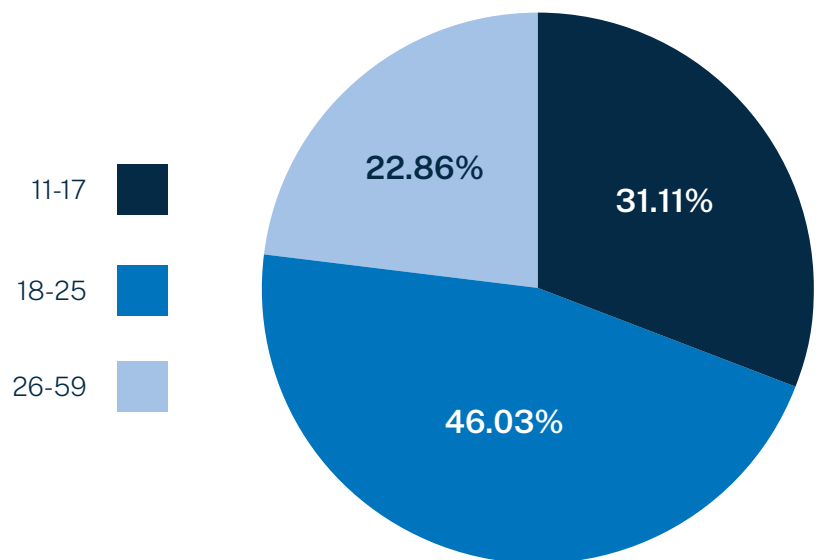
“We think it is our most impactful initiative we have ever partnered and launched.”



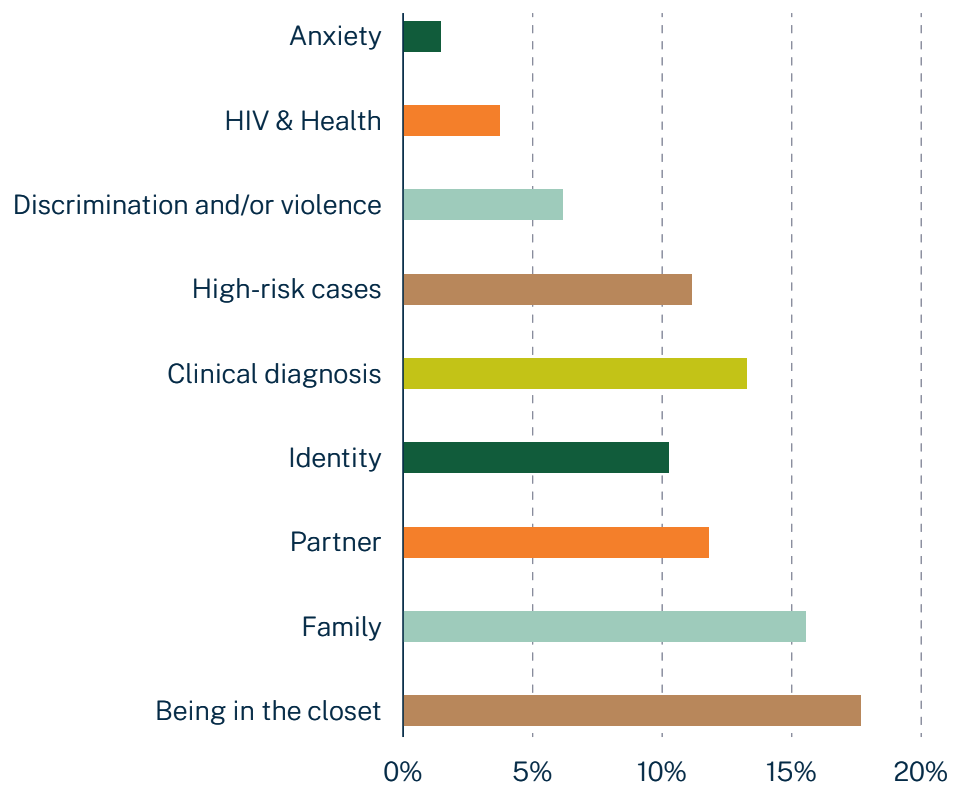


'La Hora Segura' 2022 Statistics

Age distribution of
program beneficiaries



Topics most often
discussed



Statistics provided by ItGetsBetter Mexico

Case Study: Bouncing back: sustainable solutions for children's sport



Virginia Cervieri, Senior Partner, Cervieri Monsuárez

The 'Score Green' project was launched on July 28, 2022 at the Presidency of the Republic with an agreement signed between Cervieri Monsuárez and the National Sports Secretariat, within the framework of its Vamos Equipo program. The program consists of delivering basketball backboards to public schools in Uruguay to promote sports among children aged between 9 to 11 years old, produced with products that must be destroyed by court order due to trademark infringements.

The Firm's interest in sustainability campaigns began to take shape in 2020 during the pandemic when the firm began to communicate its commitment and implement environmentally responsible actions. Later, in September of 2021, the opportunity to carry out the 'Score Green' project presented itself, understanding that there was the possibility of achieving a campaign that would bring social and sustainable interests together. Sports, children, and sustainable recycling are the pillars of this campaign.

This campaign was carried out by Cervieri Monsuarez and the brands they represent, having provided the raw material obtained from seizures due to trademark infringement to contribute to the creation of the boards. The other organisations involved were The National Sports Secretariat, through its 'Vamos Equipo' program; the National Administration of Public Education (ANEP) that seeks to extend sports activities to various corners of the country, as well as to promote the development of a sports culture; and URUPLAC, a Uruguayan company that provides a sustainable solution to the destruction of waste.

The first objective is to reduce the environmental impact caused by the destruction of counterfeit products. The second objective is to donate


basketball backboards to improve the infrastructure of the country's public schools. And finally, to encourage the idea to take responsibility for the environment and sports culture throughout children's education.

The first challenge was to define which of the seized materials were going to be used to make the boards. This also implied making an effort to find the right supplier to produce the board and who, in addition, had the same interest in caring for the environment as Cervieri Monsuárez. In this, URUPLAC was our main ally.

The second challenge was to achieve the commitment of all the parties necessary for the project to go ahead. To this end, we worked on the collaboration of all parties so that the planning and placement of the boards in the designated public schools could be fulfilled.

Contributing to the physical health of children in public school is, without a doubt, the most satisfactory achievement of this practice. This is achieved by improving the infrastructure of the schools so that the hours devoted to sports can be used in a more comprehensive manner. Likewise, 'Vamos Equipo', one of the allies of this practice, is in charge of providing the appropriate knowledge so that students can apply sports in their learning process and strengthen their bond with their classmates.

In addition, we believe that by giving a responsible destination to the seizures of products in violation of the trademark, we are complying with the sustainable policies of the clients we represent, making us proud as an organization and motivating us to be better everyday.



“The objective is... to encourage the idea to take responsibility for the environment and sports culture throughout children’s education.”

Case Study: Creating financial inclusion with Fundación Potenciar Solidario



Santiago Barbarán, Senior Associate, Beccar Varela

Franco Montiel, Associate, Beccar Varela

Ramiro Miraballes, Associate, Beccar Varela

Victoria Palencia, Associate, Beccar Varela

Fundación Potenciar Solidario's financial inclusion program was implemented in March 2021, in response to needs detected at the beginning of the COVID-19 pandemic through their vulnerable neighbourhoods network where 12 NGOs work, mainly with women. Three common and priority needs were identified: the digital divide, financial inclusion and labour inclusion.

The foundation organized a working group with major players in the financial sector (Visa, Gire, Brubank, Wenance, Prisma and Banco Santander), social organizations specialized in social and family economy, accounting advisors (Grupo GNP), and with Beccar Varela as legal advisor, to develop a program to address financial inclusion in a comprehensive and scalable way.

The program seeks to achieve the responsible and sustainable management of personal, family and entrepreneurial economies through financial inclusion. Specifically:

- That individuals know their rights and obligations around financial products (including compatibility with governmental social subsidies) and increase their margins of freedom and independence so as not to be coerced by anyone.
- That NGO financial inclusion referents are trained to provide workshops to assist communities with their insertion into the financial system.

- That companies understand the needs and economic dynamics of vulnerable families, individuals and microentrepreneurs, in order to offer effective solutions.

We faced two major types of challenges: those of a legal-administrative nature and those related to the actual project roll-out.

Legal-administrative challenges are related to ongoing social debts in Argentina, with almost 40% of the population living below the poverty line and more than 5 million inhabitants in over 5000 vulnerable neighbourhoods in precarious conditions with little or no access to financial services. Most of this population receives multiple state subsidies -national, provincial and municipal- without a centralized record of the information. It was a huge challenge to track data from 24 provincial jurisdictions and nearly 1300 municipalities to analyse incompatibilities and create a single database to advise program members.

As for fieldwork challenges, two were the most significant:

- People needed to overcome fears and prejudices about providing clear information and answering questions about possible conflicts with existing social subsidies when using new financial tools, through Beccar Varela's legal advice.

- With the lifting of quarantine restrictions imposed during the height of the pandemic, people returned to previous habits, using only cash and not recognizing the benefit of financial products. The project group addressed this by digitizing the training workshops so that more NGOs could access training and serve as financial referents.

In addition to the positive social and financial impact for thousands of people through this initiative, we would highlight three specific achievements:

- The team consolidated a single database with information on national and provincial social programs and subsidies that allows us to continue advising both NGOs and individuals.
- The channel developed for NGOs to receive legal advice directly from Beccar Varela enables them to make more informed decisions.
- Digital leadership training content is available on the foundation's website so that all NGOs can access tools on financial workshops and advice for their communities.

“We are proud that through our sustainable purchasing policy, organizations dedicated to promoting work by women or people with disabilities -and who initially were pro bono clients -today are part of our firm's value chain.”

Through over 20 years of pro bono practice, we have always prioritized working with marginalized communities. Beccar Varela pioneered advising microcredit organizations in the year 2000 and today we work along eight lines of action ranging from access to justice for individuals to regulatory reform projects that positively impact the most vulnerable. This is part of our corporate sustainability strategy and contributes to our efforts to promote the Sustainability Development Goals (SDGs) as a member of the United Nations Global Compact.

We are proud that through our diversity and inclusion program and sustainable purchasing policy, organizations dedicated to promoting work by women or people with disabilities -and who initially were pro bono clients -today are part of our firm's value chain as suppliers of goods and services.





Individual Profile: Advancing women-owned business



Danica Yaksic, Senior Associate, PPO Abogados

Cámara de Mujeres Empresarias de Bolivia (CAMEBOL) was launched in March 2021. There are many business associations in Bolivia, but women are not well represented in their leadership, which means that their opinions are not considered in decision-making. Based on this reality, we decided to form a business association led by women. I was involved in drafting the bylaws and rules of the association, which we then worked to have approved by the Departmental Government of Cochabamba, officially recognizing CAMEBOL.

CAMEBOL seeks to promote the competitiveness, innovation and growth of women-owned and women-led businesses. In addition, it seeks to develop leadership and business development skills in its associates, create networks to generate business opportunities and exchange experiences and know-how, and, in general, to support and inspire women business leaders and entrepreneurs. Finally, by proposing new ideas and business models, CAMEBOL seeks to generate

consciousness regarding gender equality that will spur change in established social and economic paradigms in Bolivia.

To join CAMEBOL, the businesses must be formally established. This has been a challenge as, in many cases, entrepreneurs resist formalizing their businesses due to concerns that doing so will result in overly burdensome social benefits and tax obligations. For this reason, CAMEBOL is working to educate entrepreneurs on the benefits of formalizing a business, such as gaining access to financing from banking institutions and international organizations.

After just one year, CAMEBOL has over 55 members. The model is being replicated in other cities in Bolivia, and we are now working to form a national Chamber of Women Business Leaders, comprised of the local groups. This will help to create consciousness regarding gender equality and the power and potential of women-led businesses at the national level.

“By proposing new ideas and business models, CAMEBOL seeks to generate consciousness regarding gender equality that will spur change.”

Chambers editorial: Disability: diversity's next great frontier

Chambers
AND PARTNERS

Ellie Gerszt, D&I Manager, Chambers and Partners

Diversity & Inclusion. In many ways, it would be hard to think of a broader topic. Encompassing so many differing aspects of humanity, this area of focus attempts to consider the true range of human experience. And among the topics contained within this umbrella term, perhaps the most stigmatised and underdiscussed is disability.

Disability is defined by the CDC as “any condition of the body or mind that makes it more difficult for the person with the condition to do certain activities and interact with the world around them”. For many years, this area felt more taboo than any other aspect of Diversity. Even with the incredible rise of conversations about diversity in the last decade, what seemed to really start the conversation regarding the experiences of disabled individuals was the COVID-19 pandemic.

For some who had been essentially housebound for years, the lockdowns proved a kind of forced empathy building exercise within society. Those who were clinically vulnerable often faced the most challenging restrictions and the slowest (and for many, still ongoing) reintegration into public life. Many previously healthy people are now disabled due to ‘long COVID’, the long-term impact of which we do not yet understand. For the first time these challenges were discussed publicly in a way that might have been unthinkable in the years before, despite the estimated 15% of the global population who live with a disability.

It is clear that the legal market in Latin America is an active part of this global conversation. In 2022, the Chambers D&I LatAm Submissions contained a marked rise in disability inclusion work, from both firms and in-house teams. Working with a number of not for profit and community associations, firms took on incredible work aimed at supporting individuals with disabilities within their society. A number of organisations also took

“Working with a number of not for profit and community associations, firms took on incredible work aimed at supporting individuals with disabilities.”

steps towards better disability inclusion internally, and we highlight the work undertaken by first time nominee Dreams S.A. in this area.

Our first case study is what we believe to be a first-in-kind pro bono project undertaken by White & Case in Mexico. One of the major challenges within this area is the balance between autonomy of the individual and protection under the law, which can be a difficult balance to reach. This can be particularly challenging when individuals transition from childhood to adulthood, with often different organisations, governmental bodies and service provisions available. In 2002 Apoyo y Rehabilitación A.C. (APYRE) was founded by parents of children and teenagers with disabilities to help bridge this gap through the appointment of a guardian and curator. White & Case partner Enrique Espejel led a team of experienced litigators creating a litigation strategy with APYRE, which will set a precedent on “how to assist people with disabilities to obtain their guardian to protect their rights and properties”. The Chambers team were particularly impressed with the sensitivity with which White & Case approached this matter, prioritising the experience of the young person during this potentially distressing experience by ensuring that all necessary in-person activity during proceedings takes place either in their homes or at APYRE’s premises.

Moving from practical legal challenges faced by individuals with disabilities to the challenge of isolation often experienced by disabled individuals and their families, our next case study is a groundbreaking project spearheaded by the Rotary Club of Montserrat, Autismo Red. This aims to tackle isolation by building a social network for Spanish speaking individuals with Autism and their families. With the World Health Organization estimating that 1 in 100 children have Autism and the rates of diagnosis increasing year on year, this project will provide a sense of community as well as crucial resources for families at different stages of their journey. Pérez Alati, Grondona, Benites & Arntsen provided pro bono legal assistance to Autismo Red and note its particular challenge in ensuring the relevant work considers the international reach of the platform.

The final case study in this section looks at the work championed by Carlos Silva Alliende at Dreams S.A. The newly redeveloped legal

and corporate affairs office has taken the lead internally on D&I, with a number of activities developing over 2021/22. Having initiated steps towards creating a culture of greater parity, the organisation began noticing internal instances where integration of individuals with disabilities had been “spontaneously generated”. This organic change from within the company is a wonderful example of employee led initiatives, which when partnered with investment from senior stakeholders can create a truly unique program.

These three programs are only a selection of the incredible work being done within the continent’s legal industry to further the inclusion of disabled individuals within the legal profession and society at large. It seems like many within the legal industry have truly woken up to this crucial strand of D&I. We hope to see this forward-thinking area of inclusion receive greater attention year on year, and look forward to reading about the development of these programs in the next twelve months.



Individual Profile:

Enabling guardianship for children with disabilities

WHITE & CASE

Enrique Espejel, Partner, White & Case

When and how did you begin working with Apoyo y Rehabilitación A.C. (APYRE)?

In 2018, Enrique started collaborating with Apoyo y Rehabilitación A.C. (APYRE), a civil association incorporated in 2002 by parents of children and teenagers with disabilities to provide support, education and rehabilitation to children and young people with mental and physical disabilities and/or different needs so their quality of life may improve.

What are the aims of your pro bono efforts with APYRE?

Once adulthood is reached by any person unable to care for their own property and/or personal needs, and that is likely to suffer harm because they cannot understand the consequences of not being able to care for their property and/or personal needs, a guardian should be appointed by a court of law to protect them.

To obtain a guardian to take care of them and look after their interests, a person (over the age of 18) must first file a guardianship petition in court and prove that a guardian is necessary. APYRE has under its care minors and young people who are of age that need to regularize their legal condition -because of their disabilities, they need a guardian to protect their rights and property.

Putting his knowledge of law and extensive litigation experience in service of the community, Enrique Espejel planned a pro bono litigation strategy together with APYRE in order to begin the guardianship proceeding in favour of the young people that are under the care of this charity institution and that need the appointment of a guardian and a curator. Enrique and his commercial

litigation team of lawyers and legal interns are coordinating, together with APYRE, in filing of the guardianship petitions (juicios de interdicción) with the probate court and are following the proceedings until the appointment of both the guardian and curator are finally approved by the judge.

Were there any challenges that you had to overcome? If so, how did you overcome them?

In Mexico, almost none of the young people in need of a court appointed guardian has commenced or can afford a guardianship proceeding. Because of that, probate courts and other parties in the guardianship proceeding have little or no experience in guardianship petitions, which makes the proceeding a real challenge for us. Due to their disabilities, many of the young people filing these guardianship petitions can neither stand in public and in close spaces, such as courts, nor can they tolerate many hours in a hearing or medical examination at court. Furthermore, people with disabilities are more vulnerable to COVID-19 and attending court in-person puts them at a high health risk. So, what needs to be done if the guardianship proceeding should be followed before a court of law and not remotely?

We managed to prepare a successful strategy supported by the Mexican Constitution and human rights to request to probate courts that all in-person activity to be performed by the young people in need of a guardian be instead performed remotely in their homes or on APYRE's premises. This pro bono matter, which is the first of its kind in Mexico, sets a precedent on how to assist people with disabilities to obtain their guardian to protect their rights and properties.

What achievements are you most proud of?

- 1:** Improving many children's lives. Without a doubt, a guardianship can help make a child's life better by providing the care for her or him for whatever length of time is required.
- 2:** Convincing people that struggle with the idea of becoming a guardian and later finding that they are now convinced that it was the best thing they could have done to make a major difference in their loved one's life.
- 3:** Providing a sense of relief and security for those in charge of providing care (guardians), those who need assistance (young persons with disabilities), and relatives as well.

What comes next?

- The expansion of the guardianship project with other Mexican law firms and throughout Mexico.
- Amending the laws to make guardianships a swifter and less invasive proceeding in benefit of the young person with a disability.
- Mentor guardians and curators through a professional organization coordinated by law firms and charity institutions such as APYRE.

To have a better understanding about the relevance of the problem and the urgency to be addressed, it is important to consider that, according to the Population and Housing Census 2020, coordinated by the Instituto Nacional de Estadística y Geografía (INEGI), of the total population in Mexico (126 014 024), 5.7% have a disability, are neurodivergent or have mental health condition. 19% of persons with disabilities, neurodiversity or mental health conditions aged 15 years or older are illiterate.

Our goal is to contribute to the integration of persons with disabilities into society, always with a human rights approach and in combination with

specific measures — this is the key strategy to achieve inclusion. The participation in development, implementation, monitoring and evaluation should be ensured for policies and programs in the political, economic and social fields in order to abate the systemic inequality and foster a more inclusive culture.

About Enrique Espejel

Enrique Espejel co-heads White & Case's disputes practice in Mexico. Enrique specializes in complex commercial and ESG litigation matters, cross-border disputes, class action litigation, tort lawsuits, as well as white-collar proceedings, internal investigations and related civil litigation.

“Our goal is to contribute to the integration of persons with disabilities into society, always with a human rights approach.”





Case Study: Autism Support with Autismo Red



Pérez Alati, Grondona,
Benites & Arntsen



Nicolás Emanuel del Hoyo, Counsel, Pérez Alati, Grondona, Benites & Arntsen

Autismo Red was launched on May 19, 2022 at the Multidistrict Conference in Buenos Aires with the presence of the former President of Rotary Club International, Shekhar Mehta, where the six Rotary District Governors of Argentina, Paraguay and part of Uruguay signed an agreement, assuming the commitment to disseminate the project and invite communities interested in providing support to people with autism to participate. Mr. Shekhar Mehta was delighted with the project and urged those involved to spread it through all the Rotary clubs in the world.

According to the World Health Organization it is estimated that, on average, one in 100 children have autism. This varies slightly depending on the place. In 2019, the Rotary Club of Montserrat presented, at the World Convention of Rotary Clubs in Germany, a project to link Spanish-speaking families of people with autism in order to exchange experiences, consultations, professional help, services and support.

The period after an autism diagnosis can generate uncertainty and concern from families, who often feel overwhelmed and in need of assistance and guidance. Autismo Red is a social network and its beneficiaries are millions of families with members who are autistic all over the world. The objective of the project is to connect families with autism in order to exchange experiences, advice, and support from specialists.

It is a project within the framework of Diversity, Equity and Inclusion with a great impact, which in

Argentina reaches 2,000,000 beneficiaries in stage 1. In the future, 78 million families across the world will be able to connect to Autismo Red.

Our challenge was, having designed a privacy policy and terms & conditions draft, making the necessary adjustments as we had to consider that the platform will have international reach. We also had to prepare a draft of the contract for the provision of computerized supplier services required by Argentine Personal Data Protection Act.

We are proud to assist the Rotary Club and to provide general advice and legal assistance on personal data and general assistance regarding the project, because it is a very innovative project aimed at improving the lives of people with autism and their families.

We consider that the prevalence of children with autism has been increasing in the population over the years and throughout the world, so we believe that it is a priority that our firm provides support to all projects that are connected with autism, the creation of public policies to improve the quality of life of people with autism and their families, and above all to provide legal advice to those families that require it. It is also important to support institutions dedicated to this matter, the number of which has increased in recent years with greater awareness.

“We believe that it is a priority that our firm provides support to all projects that are connected with autism.”

Individual Profile: A holistic approach to disability inclusion



Carlos Silva Alliende, Corporate Attorney and Corporate Affairs Manager, Dreams S.A.

During 2021, at the same time I was hired as Chief Legal Officer, the Company was running an adjustment process to the new labour law,¹ which required positive actions to ease the inclusion of people with disabilities.

My first task was to restructure my area, assuming not only the legal and compliance duties, but also the corporate affairs. As I noticed there were already people in the company from our First Nations, people with disabilities, elderly people, and members of the LGBT+ community, I said: "We have something good here. Let's rescue it and let us create a broader sense of inclusion for the Company, with a focus on gender, disability, LGBT+ and Indigenous people."

After two months, we consolidated a group identity that complied with a very good parity, diversity, and integration standard. Later, along with the HR department, we decided that our experience recreating the new Legal and Corporate Affairs department focused on D&I would be valuable for all the company. Well, we also had experienced an illuminating situation at our casino in the southern Chilean city of Puerto Varas, but I will talk about it later.

So, we drafted the Diversity and Inclusion Policy, and we began its implementation together with disability inclusion positive actions. We had sessions extending the new policy throughout the

organization and the Company started a process to certify our leaders as Disability Inclusion Managers.²

Now we are generating spaces for encountering and conversation to address any concerns related to D&I and disability inclusion there might be, so we can detect cultural obstacles to the policy and see how to deal with them.

Casinos are an opportunity to generate changes, precisely because when you are having a good time -and that is what we do, we make people have a good time-it causes that people lower their barriers and feel good and safe. When you laugh with someone else, you empathize with them and feel closer, you even realize that you can be their friend. Our hosts-who are in contact with the different clients-perform a wonderful job in making anyone who attends our casinos have fun and enjoy their time at our facilities.

We call our hosts 'dreamers' because our people who work in restaurants and bars, at the hotel, our croupiers at the gaming tables and the slots-each of them-help in delivering to customers a dream experience. When clients have fun, they tend to see things differently and if we also provide entertainment from a viewpoint of inclusion and diversity, we will be building a space of non-discrimination. If the 'dreamer' interacts with the client and the 'dreamer' is also a handicapped person, a member of First Nations, of sexual

"They had hosted an internship for deaf students and decided to self-teach themselves sign language to communicate with the interns, but now they wanted to further this learning."

diversity or has different abilities, it is clearly a contribution to a good experience for the client.

What makes me most proud in terms of personal fulfilment is having discovered a part of the spirit of the company that had been unnoticed. In late 2021, in a meeting with the Trade Union of the Puerto Varas Casino, the leader representing Food and Beverages Union raised the need to have a sign language course for people working in the kitchen. It made me curious and I asked him why. He explained that they had hosted an internship for deaf students and decided to self-teach themselves sign language to communicate with the interns, but now they wanted to further this learning.

This is something that, if I did not meet with the Union (with which we have a great relationship in Chile and abroad) it would have been overlooked. That's when we decided to create our Inclusion Policy. It was extremely exciting to discover the initiative from a hidden place that customers do not see, such as the kitchens. It is something that reflects what our people-our 'dreamers'-are like. This finding was, in all senses, a gift from the company and opportunity for making my small world a better place to live.



1. LEY 21.275 <https://www.bcn.cl/leychile/navegar?idNorma=1150763&idParte=10168241&idVersion=2022-11-01>
2. https://certificacion.chilevalora.cl/ChileValora-publica/perfilesEdit.html?paramRequest=1890&bsearch=&bsector=-1&bsubsector=-1&barea=-1&bcentro=-1&bperfil=-1&resultados_length=10



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