

Missouri Lawyers

www.molawyersweekly.com

WEEKLY

Want to increase diversity in your firm? Here's how

BY MATTHEW CHANEY
AND JESSICA SHUMAKER
BridgeTower Media

The legal profession has a diversity problem. Statistics published by the American Bar Association show that despite many firms' efforts, progress has been marginal.

In 2017, women made up only about 35 percent of all active attorneys who participated in a national survey conducted by the ABA. Similarly, non-white attorneys made up only about 15 percent of that same pool.

The numbers are so low that in 2016, the ABA adopted a resolution urging legal employers and clients to create more opportunities for diversity in the profession.

What can firms do to bring in — and keep — more diverse talent?

Many diversity chairs and hiring partners at firms throughout the country agree that when it comes to finding qualified minority, LGBTQ and women candidates, it pays to recruit early and build what some called a "pipeline of diverse candidates."

Kansas City firm Shook, Hardy & Bacon has implemented programs to invest in future lawyers at the law-school level.

Madeleine McDonough, chair of the firm, said for the past nine years, the firm has held a 10-week paid internship to clerk at the firm during the school year for local students who are racially, ethnically and LGBT-diverse. The firm's foundation has also awarded more than \$666,500 to minority students.

McDonough said the firm is "committed to building an inclusive environment where all individuals are able to find success by being their authentic selves.

"Our clients and communities are themselves diverse; and as attorneys we are often asked to collaborate across borders and practices to solve complex problems," she said. "To connect the dots for our clients, Shook seeks to foster cultural competency, while interrupting both explicit and implicit bias in meaningful and measurable ways."

Besides internships, firms also use tactics such as doing community outreach, providing and participating in networking opportunities and marketing their current diversity to get their names out there and attract the best diverse candidates.

Jorge Leon from Michael Best & Friedrich LLP, which has locations throughout the country, said his firm encourages employees to do diversity-related pro-bono work to further the firm's brand.

"You got to be there to inspire the next generation," Leon said. "We've got to be there to help them out. Not only is it the right thing to do, it makes good business sense and it makes good brand-building sense."

When it comes to the actual act of hiring, many firms travel to diversity hiring fairs and establish

relations with historically black universities and minority law-student organizations.

Ed Dowd Jr., partner at Dowd Bennett in St. Louis, said his firm recruits heavily from Washington University School of Law's minority-clerkship program for its summer internship program.

"Several of our lawyers who are associates here now came from that program," he said. "They come to work for us one summer or two summers, then become lawyers."

Retaining diverse talent

For many firms, beyond attracting diverse talent, the problem is keeping it.

It's one thing to have diverse employees but another to have them working in significant leadership positions, Haynes said.

"It's helpful if the diverse candidate can see role models in the firm," Haynes said. "If you can see others in that position, it provides some inspiration and shows that it's possible for you as well."

One of the biggest factors in retention of diverse attorneys pairing them with quality mentors or sponsors who can direct them through the policies and politics of the firm while advocating for them.

Michelle P. Wimes, Chief Diversity and Professional Development Officer for Ogletree Deakins in Kansas City, said her firm has implemented a benchmark program for new associates. The program is continuing to add new practice groups.

In each year of the program, lawyers are expected to show a progression of skills or experiences in line with their practice group. The program also includes diversity and inclusion elements.

"It allows diversity and majority lawyers to advocate for themselves," she said. "It really allows for attorneys to take ownership of their careers."

Wimes also pointed to the firm's "Success the OD Way" program. As part of the program, a consultant interviewed top figures in the firm, from leaders to rainmakers.

She said the interviews focused on the behaviors and traits attorneys need to know to be successful in the firm. Those interviews teased out key success factors and cultural norms, as well as patterns suggesting how attorneys often derail their careers.

"Those two things really illuminate the road to success at Ogletree," she said.

Minority lawyers often struggle with not having grown up with ties to other lawyers, Wimes said.

"Success the OD Way is an attempt to write down what the unwritten rules are," she said.

Allison Domson from Williams Mullen, based in Richmond, said her firm has multiple affinity groups all overseen by the firm's Diversity Committee: The Attorneys of Color Initiative, the Women's Initiative and the LGBTQ Initiative. Those groups provide social and professional support for associates while giving employees the chance to assume leadership



Madeleine McDonough

roles.

Some firms also recommended participation in national organizations such as the Leadership Council on Legal Diversity, which provides opportunities for networking and training that the firms sometimes cannot provide on their own.

Equal workload

Michelle Crockett from Miller Canfield, also based in Michigan, talked about the importance of having a formal system in place to check in with employees. She also talked about the importance of employees having equal opportunities for work.

"One of the biggest problems we see is people dying on the vine because they're not seeing enough work," Crockett said. "They don't see a path forward. Work is the path to success."

As a result, her company is considering hiring a dedicated work assignment coordinator to monitor every associate's workload in every office and to work with leaders to ensure work is distributed fairly.

Many firms also participate in national surveys such as the Human Rights Campaign Corporate Equality Index.

"A lot of times those [surveys] can be good measures to see where you fall short and ... what changes the firm might need to make," Leon said.

Several people interviewed for this story noted that law firms must employ a combination of factors and policies as well as a top-down commitment to create and maintain a culture of diversity.

"It's going to take a lot," Crockett said. "You're going to have to come at this in a lot of different ways in order to see some real progress."

"Just try stuff. The reality is that some of it may not work," she said. "Having firm leadership that understands that, appreciates that and supports that is critical."