

Bringing diversity to the legal profession

Efforts made to change attitudes, break barriers

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By Correy E. Stephenson

Robert L. Grey Jr. isn't merely musing when he says: "Wouldn't it be great if the legal profession led the way in creating an inclusive environment for everyone to succeed?"

Rather, Grey is voicing the goal he plans to achieve as president of the Washington, D.C.-based Leadership Council on Legal Diversity, otherwise known as LCLD.



Dedicated to creating a truly diverse legal profession in the United States, LCLD has created a series of talent development programs that help attorneys who fall into one or more of a number of groups — women, African Americans, Hispanic Americans, Native Americans, Asian Americans, LGBTQ and those with disabilities — sharpen their legal skills, build relationships, and prepare for leadership positions at the almost 300 law firms and legal departments the organization partners with across the country.

LCLD is not alone in its efforts to effect change.

"Our workplaces should reflect the world and the community that we all live in," says Bennett H. Klein, senior attorney and AIDS Law Project director at GLAD in Boston. "That requires creating a workplace in which everybody is welcome."

In addition to pursuing groundbreaking litigation establishing employment protection for minority workers, GLAD offers a host of educational and training programs to help change attitudes and break barriers, working with employers and the court system.

Law firms are also doing their part.

"We have certainly made progress both in recruiting and retention, but we haven't made it to where we want to be. I don't think any firm has," says Kimberly Bullock Gatling, chair of the Diversity Committee at her firm, Smith, Moore, Leatherwood in Greensboro, North Carolina. "Diversity is not a snap-your-fingers-and-it's-fixed issue."

From the top down

Grey, senior counsel at Hunton & Williams in Richmond, Virginia, and a former president of the American Bar Association, advocates for a three-part strategy to diversity and inclusion success, beginning with the leadership.

"The folks at the top have to consider diversity and inclusion a critical piece of their strategic plan, not a collateral or parenthetical piece of the plan," he says. "It should permeate every aspect of the strategic plan in a way that everyone in the organization says to themselves, 'This is not about token representation; this is for real.'"

The plan needs a form of measurement and requires some analysis to understand what progress will look like, with periodic evaluations so that the issue remains top of mind, he adds.

Finally, "recognize it," Grey says. "If the plan's goals are achieved, it should be celebrated just like (firms) celebrate the fact they made budget."

One way to increase diversity is through recruiting.

But to effect change, "you have to think outside the box about how you find and attract law students," Gatling says.

“You don’t have to stick to the same top five law schools that you have always recruited from.”

Instead, she says, expand the recruitment efforts to include different law schools or try new job fairs. For example, Gatling says her firm has had great success in hiring from minority job fairs.

LCLD has instituted a program for law students finishing their first year of school, which helps the students find an internship at one of the member firms or law departments and, in turn, strengthens the “legal” pipeline for diverse attorneys.

The challenge of retention

The biggest challenge to diversity and inclusion in the industry today comes from retention, according to Grey.

“A lot of people get in the door, but how long are they going to stay there?” he asks. “For law firms and legal departments, the question is: What are you doing about building a model that encourages retention, and how does that retention evolve into promotion?”

Since the organization was founded in 2009, LCLD has launched a number of programs aimed at answering that question. The Fellows Program, which boasts almost 10,000 alumni since its inception in 2011, provides professional development and leadership training to diverse attorneys with eight to 15 years of experience, preparing lawyers to advance within their own organization and, at the same time, advance diversity in the legal profession.

More recently, LCLD launched a Pathfinders program for lawyers in the early years of their career who have been identified as candidates for leadership track.

One of the hurdles with regard to retention — and the most frequent concern LCLD reports, as heard from minority attorneys — is a sense of social isolation and the lack of a peer group. The organization’s programs aim to combat the problem by providing a support system and a network of other lawyers on a similar path.

Gatling’s firm takes a one-on-one focus.

“We want to retain all attorneys, minority or not, and we try to tailor our retention efforts to the individual so they get what they need from the firm in order to stay here,” she says.

At Armstrong Teasdale, attorneys are encouraged to pursue opportunities both internally and externally, says Jovita M. Foster, chair of the firm’s Inclusion Committee in St. Louis and alum of the LCLD Fellows Program.

Lawyers at the firm are heavily involved in local and national bar groups and active in LCLD programs. Armstrong Teasdale also has policies and practices in place to promote internal diversity on key matters, with important clients and on significant projects, Foster says. Practice group leaders as well as attorneys with significant books of business are tapped to help diverse lawyers navigate law firm life and champion their careers.

“Investing in our attorneys and their interests helps elevate them and the firm and is a great way to recruit and retain diverse attorneys,” she says.

The next generation

Diversity and inclusion in the legal profession remain a work in progress, attorneys agree.

Klein recalls that when GLAD first began filing lawsuits, none of the large corporate law firms would sign on to help.

“The legal profession has changed so much since then, although because of the success we have had, people often lose sight of the fact that it is still not always easy to be an out LGBT lawyer, particularly in smaller firms or in areas outside of major urban areas,” he notes. “It’s not just about legal rights; it’s about cultural change and being able to work in a workplace that respects your identity and reflects the broad range of individuals in the community we live in.”

While change takes time, Foster has seen progress in her 20 years in practice.

“When I started, the focus was really on racial and gender diversity, and you didn’t hear much discussion at all

about sexual orientation, gender identity or individuals with different physical abilities," she says.

"(Today), we talk about so many different kinds of people," Foster says. "It really is an exciting time to be part of the diversity and inclusion effort."

This article is part of BridgeTower Media's national focus section on diversity.

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