

Business & Practice

Black Law Firm Leaders Are Poised for Prodigious Change

By Vivia Chen

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Law firms have made impassioned statements about racial inequality and have put money into social justice causes. Now Black law firm leaders are asking the tough questions.

You won't find a major law firm or company in America that hasn't made a big, bold statement condemning the murder of George Floyd and voicing the urgent need for racial equality. Overnight, it seemed these institutions got interested in the plight of people of color and started holding "listening" tours in their own organizations, asking minority employees about the prejudice they've faced in their lives.

And Big Law has stepped up to the plate, generously donating money and time to the cause of racial equality. For instance, Kirkland & Ellis and Greenberg Traurig have each pledged \$5 million over five years to social justice organizations. Paul Weiss has donated at least \$3 million to similar groups, not including the 140,000 hours in pro bono, which Brad Karp, the firm's chair, says represents at least a 30% increase in time. Plenty of other firms have donated \$500,000 or more to the cause and bumped up their pro bono.

It's been an impressive, welcomed show of curiosity and support. But as a journalist who's long focused on the careers of minority lawyers, I greet all this with a dose of skepticism. My question: Will all this zeal for equality and justice lead to the advancement of Black lawyers in the clubby world of Big Law?



Columnist Vivia Chen

Photo by Matt Greenslade. Design by Jonathan Hurtarte for Bloomberg Law.

I feel we've been here before. Though nothing quite compares with those nine excruciating minutes of seeing George Floyd being coldly killed by Minneapolis police officer Derek Chauvin, I remember other moments when the legal industry worked itself into a frenzy about racial inequities. Just two years ago, 170 general counsel made a big splash when they signed a passionate letter to law firms, criticizing their "largely male and white" partnership classes and pledging to withhold business unless firms showed improvement.

Currently, [the LinkedIn page that housed that GC group](#) is dormant, and Black partners in Big Law remain as rare as flamingos in Central Park. Though no minority group can claim victory in Big Law, the advances made by Black lawyers have been particularly paltry—a slow drip, drip of progress. According to the 2021 NALP report, Black partners represent only 2.1% of all partners, while Asian American and Latinx partners represent 4.08% and 2.8%, respectively.

Of course, I wondered if any Black law firm leaders shared my skepticism. How do they feel about the outpouring of support? Will the status of Black lawyers dramatically improve in Big Law as a result of this extraordinary year? Or will the industry's passion eventually peter out as it has in the past?

"This is definitely different," says Benjamin Wilson, chair of Beveridge & Diamond. "The only time with a similar inflection point was in the '60s," citing the protests in Birmingham, the marches in Selma, and the murder of the four little Black girls at the 16th Street Baptist Church in Birmingham, "that all led to the Civil Rights Act of 1964 and the Voting Rights Act of 1965." He adds, "I would not have felt this change three years ago, but George Floyd and the pandemic have made a difference."

What's changed is the tenor of the conversation about race, say many of the lawyers I talked to. "There's more open dialog and honest conversation," says Gibson Dunn & Crutcher partner Mylan Denerstein, who sits on the firm's executive committee. "We had discussions about being lawyers of color, about how we experience things differently—like the way we're treated when we go to court—that some of our colleagues weren't aware of." She adds that lawyers of all ranks and colors at Gibson have spearheaded pro bono projects, including suing officials of the Trump administration on behalf of protesters at Lafayette Park in Washington, D.C.

Ron Kirk, Gibson Dunn senior counsel and the first Black mayor of Dallas, says those conversations have included a broader swath of people. "Post-George Floyd, it has brought a sense of urgency, and not just for Black people at the firm," says Kirk, who also served as the former United States Trade Representative in President Obama's administration. "I'm encouraged because I feel we're on a shared journey."

All of this sounds wonderful but what will these law firm soul-baring sessions bring us?

"There's a whole lot of hoopla right now but somehow the issue loses steam over time," says Ernest Greer, Co-President of Greenberg Traurig, adding that the quest for diversity "has been a 25 year issue." He adds, "law firms tend to do what they do—which is to give money to social justice programs and pro bono. There's more talk and more money but I haven't seen a whole lot of Blacks and Browns becoming global leaders or getting elected to executive committees or becoming head of firms." He asks, "Who's going to do the hard work—recruit, retain, and promote? And how are you going to get Black lawyers into leadership?"

I'm asking the same questions. At the same time, though, it's too depressing to think everything will go back to business as usual. We all saw a Black man murdered slowly and deliberately by a White police officer, so how can anyone not think of the broader implications of racism and try to address it?

"There are heartfelt desires to change things but you can't flip a switch overnight," says Fred Nance, Squire Patton Boggs's global managing partner since 2016, noting that his firm is "redoubling" its efforts in hiring, retention, promotion, and business development training for diverse lawyers. "There's demand for minority partners and there's limited supply. Suddenly, some firms are trying to put African Americans into leadership."

Are firms getting religion because they're so outraged by the blatant displays of racism this past year — Floyd, Breonna Taylor, and other Black people unjustly killed by the police? That would be quite noble. But let's be realistic. The more plausible explanation why firms might be getting serious about elevating Black lawyers is—you guessed it—clients.

"Clients are really focusing on this and sending firms scrambling," says Nance. Though he admits the abrupt embrace of Black lawyers "feels a bit artificial," Nance says "it's not a bad thing." He adds, "Firms are coming to the realization that talking about diversity is not sufficient. I believe the needle will move over time because we do what our clients ask of us. There was a time when clients didn't do much except talk."

Indeed, I keep hearing that clients are more insistent about asking firms to show diversity than ever. “The urgency on the part of clients was remarkable,” says Denerstein of Gibson Dunn. “They are asking what Gibson is doing for Blacks, Asians, and Hispanics. They want to make sure that their matters are actually handled by diverse lawyers.” Adds Zakiyyah Salim-Williams, the firm’s chief diversity officer, “we get client requests that they want specific percentages of diverse lawyers on matters, and this has benefited all groups.”

Greer of Greenberg Traurig also has noticed that clients are pushing diversity more intently. “We’ve seen corporations ask minority lawyers to lead transactions,” says Greer. “If corporations feel it’s in their best interest to be served by people of diverse backgrounds, firms will deliver.” But he remains cautious: “Will corporations keep the pressure on? I don’t know. I hope so.”

Wilson, one of the more optimistic voices in this group, says his firm is on the right track. Beveridge Diamond is tackling how it deals with succession and client credit distribution, he says. Wilson adds that there’s general “impetus” for change in the industry now, but he wonders whether it will continue.

“We want more than a moment,” Wilson says.

Robert Gray, president of the Leadership Council on Legal Diversity and former president of The American Bar Association, isn’t waging any bets at all. “The past year has heightened our desire to make a difference,” says Grey. “Yes, people are having difficult conversations, and something different is going on.” But will more come of it? He demures: “Well, that’s a question of systemic change.”

“Systemic change”? Oh, that should be a cinch.

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