

# Diversity & Inclusion Report

Volume 1, Issue 1  
November 1, 2009

## INSIDE THIS ISSUE:

Spotlight.....	2
Affinity Groups.....	3
Did You Know?.....	5
Best Practices.....	6
ALFDP By the Numbers.....	10
Emerging Issues.....	11
NALP Demographics.....	14
ALFDP Mentoring Program...	15
ALFDP Officers & Board of Directors.....	16

## Message From ALFDP's Website Committee Co-Chair

By: Michelle Wimes, Esq.



Michelle Wimes is the Co-Chair of the ALFDP's Information Exchange & Website Committee and Director of Strategic Diversity Initiatives for Shook Hardy & Bacon L.L.P.

conferences of the ALFDP. Each issue will highlight the accomplishments of one of our own members in a "Spotlight Feature." In this inaugural issue, we are proud to highlight one of our most accomplished members, Paulette Brown. Moreover, each issue will feature a specific law firm affinity group as well as address emerging trends and best practices.

We are most indebted to our members—Lisa Linksy, Monica Parham, Keith Earley, and Carol Ross-Burnette—all of whom took time from their busy schedules to heed the request to submit articles for this inaugural issue. We'd also like to thank Elvera Pollard and our President, Sylvia James, for their collaboration which helped to bring this inaugural issue to fruition.

In this first issue you will learn about the evolution of LGBT affinity groups in law firms and explore the genesis of diversity training in the corporate sector and how your law firm might benefit from the work that has already been done in this arena. This issue also brings you a provocative interview with Robert Grey, Jr., the Interim Executive Director of the new Leadership Council for Legal Diversity.

Overall, this issue is chock-full of helpful information. Enjoy!

*If you are interested in submitting an article for the spring 2010 edition of "The Diversity and Inclusion Report," please contact Michelle Wimes at [mwimes@shb.com](mailto:mwimes@shb.com) or 816-474-6550.*

Welcome to the inaugural biannual edition of The Diversity and Inclusion Report, a new publication of the Association of Law Firm Diversity Professionals (ALFDP). With this newsletter, we hope to not only educate and inspire our members and others who are committed to ensuring and advancing diversity in the legal profession but to also serve as a resource and catalyst for engendering diversity best practices within the profession.

The Diversity and Inclusion Report will be released to coincide with the spring and fall

We're on the Web!

[www.alfdp.com](http://www.alfdp.com)

# Spotlight



*"That beneath all the differences of race and region, faith and station, we are one people."*

BARACK OBAMA



**Paulette Brown**

"To whom much is given much is not only expected, but required." These have been words to live by to Paulette Brown – partner and Chief Diversity Officer in the New Jersey office of Edwards Angell Palmer & Dodge L.L.P., community leader, and trailblazer in the legal profession nationally recognized for her efforts on behalf of women and attorneys of color.

Paulette's career has spanned more than 30 years. During that time she has held a number of positions, ranging from in-house counsel at various Fortune 500 companies to Municipal Court Judge. For the past 20 years, she has focused her practice on labor and employment matters, including workplace training and collective bargaining, and is a frequent lecturer on labor and employment issues.

Throughout her career, Paulette has been a champion of diversity and change. Paulette first began "agitating for change" between her ninth and tenth grade years in high school, as she transitioned from segregated schools - which she attended through ninth grade - to integrated schools. Since then, she has had a number of personal and professional "aha" moments galvanizing her involvement in diversity, and her personal and professional efforts to "bring

## Paulette Brown

By: Monica Parham, Esq.



Monica Parham<sup>1</sup>

along" as many diverse attorneys as possible.

In addition to being a much-admired member of the ALFDP, Paulette serves on the American Bar Association's Commission on Women in the Profession, where she co-chaired the Commission's report, "Visible Invisibility: Women of Color In Law Firms." She is a past-President of the National Bar Association and past-President of the Association of Black Women Lawyers of New Jersey.

In the community, Paulette is immediate Past President of the YWCA of Central New Jersey, where she spearheaded an effort culminating in the opening of a twenty-four hour a day, seven-day-a-week early childhood learning center. One of Paulette's proudest moments occurred in 1994, when she led a delegation to monitor the first free and democratic elections in South Africa.

For her efforts Paulette has received numerous honors and awards, including the American Bar Association's Spirit of Excellence Award. She has also received the Medal of Honor Award

from the New Jersey Bar Foundation, the Equal Justice Award from the National Bar Association, the Professional Lawyer of the Year Award from the New Jersey Commission on Professionalism, and the New Jersey NAACP's Trailblazer Award. In May, 2008, she was identified by the National Law Journal as one of "The 50 Most Influential Minority Lawyers in America."

To Paulette, the current economic crisis presents both challenges and opportunities. As she sees it, at a time when business as usual simply isn't an option, firms have an added incentive to take steps that will enhance diversity in the legal profession and ultimately benefit all attorneys, from placing a renewed focus on retention to revamping intense mentoring programs to recruiting talent from a wider and more diverse applicant pool spread across more law schools. Such vision and dedication to progress and change are what make Paulette a true pioneer and diversity champion.

<sup>1</sup>Ms. Parham is Diversity Counsel with Crowell and Moring L.L.P. in Washington, D.C.



## LGBT Affinity Groups: Powerful Partners in the Pursuit of Law Firm Diversity<sup>1</sup>

By: Lisa Linsky, Esq.

Ms. Linsky is a partner in the New York Trial Department of McDermott Will & Emery L.L.P.. She is also McDermott's first Partner-in-Charge of Firm-wide Diversity and the creator and chair of her firm's LGBT Diversity Committee

Known by a variety of names, including employee resource groups, employee or business networks, and constituency groups, affinity groups generally consist of people linked by a common bond, which may include being in the same organization<sup>2</sup> and other similar characteristics such as gender, race, sexual orientation, gender expression and identity, religious affiliation, or other common interests.<sup>3</sup>

LGBT affinity groups first surfaced in American businesses in the early 1990s.<sup>4</sup> According to Barbara Frankel, Senior Vice President and Executive Editor of DiversityInc., "Affinity groups began as social networking, informal groups within the workplace." Today, as Frankel notes, many corporations have created formal employee resource groups ("ERGs") that are powerful business tools and assist management in recruiting, retention, employee engagement, and business development. The emphasis has shifted away from mere social networking and toward aligning diversity and business objectives through the formation and support of these groups.

Law firms, particularly those who have attained a 100% score on HRC's Corporate Equality Index<sup>5</sup>, have also created LGBT affinity and other such groups to create a "safe space for LGBT attorneys and staff where they can raise issues pertaining to the workplace and strategize about how to bring these concerns to the attention of management," according to Gail Morse, tax partner and co-chair of the LGBT Forum at Jenner & Block. Joe Evall, litigation partner and partner in charge of LGBT initiatives for Orrick, Herrington & Sutcliffe L.L.P., adds that the LGBT affinity group at his firm also focuses on "mentoring and career development of the members," which can lead to recruitment of LGBT talent and enhanced retention of attorneys, important business objectives.

Experts agree that senior management involvement is critical to the success of any affinity group. At Orrick, every affinity group has a firm executive committee member as a "mentee" who is educated by the affinity group members. "These senior management representatives are not members of the defined demographics of the respective groups, but do work to address the groups' concerns and interests and bring them to the attention of the firm's executive committee," says Evall. Frankel agrees that participation by senior management executives who are unlike the groups' membership serves to enhance the



### Did You Know?

**153 of the *Fortune* 500 companies prohibit discrimination based on gender identity.**

As of January 2008, 12 states and the District of Columbia prohibit employment discrimination based on gender identity; all of them also prohibit employment discrimination based on sexual orientation.

#### Source:

**Transgender Inclusion in the Workplace Second edition, Human Rights Campaign Foundation Campaign April 2008.**

<sup>1</sup> Throughout this article, the acronym "LGBT" is used to refer to lesbian, gay, bisexual, and transgender individuals.

<sup>2</sup> See <http://www.businessdictionary.com/definition/affinity-group>; also, [http://www.hrc.org/issues/employee\\_groups.htm](http://www.hrc.org/issues/employee_groups.htm).

<sup>3</sup> See, e.g., "The 2009 DiversityInc Top 50 Companies for Diversity," *DiversityInc.*, May/June 2009.

<sup>4</sup> See [http://www.hrc.org/issues/employee\\_groups.htm](http://www.hrc.org/issues/employee_groups.htm).

<sup>5</sup> See generally, Human Rights Campaign Foundation, Corporate Equality Index 2010; <http://www.hrc.org/cei>.



*“If we are to achieve a richer culture, rich in contrasting values, we must recognize the whole gamut of human potentialities, and so weave a less arbitrary social fabric, one in which each diverse human gift will find a fitting place.”*

MARGARET MEAD

effectiveness of the groups. Today, Frankel says, 94% of the Top 50 Companies for Diversity have senior executives as ERG sponsors, up from 74% in 2004.

While 60% to 70% of employees belong to at least one ERG in the Top 50 Companies for Diversity, according to Frankel, it is generally agreed that the top challenge of ERG leaders is member engagement.<sup>6</sup> Elaine Arabatzis, Diversity and Pro Bono Counsel at Dickstein Shapiro L.L.P. agrees. She says, “The success of affinity groups is driven by the commitment of its members who should use the groups as a vehicle to grow professionally and influence firm policies. Member participation is key.” Arabatzis notes that while an organization can provide the forum for affinity groups, it is the responsibility of the individuals within the organization to avail themselves of these resources.

From the standpoint of firm leaders, giving members reasons to engage—such as, professional development, networking opportunities, community service, creating culture change, and developing client relationships—may greatly enhance the desire of lawyers and other employees to get involved.<sup>7</sup> To maximize results, these groups should have clearly defined goals, identify their resources, build upon their wins, and continuously educate colleagues within the organization to engender their support.<sup>10</sup>

“Affinity groups are very important tools to empower members in creating a voice, if they are willing to take up the challenge,” says Morse. Morse states that these groups provide opportunities for their members to send a message about the importance of workplace equality and be “entrepreneurial in their diversity efforts.” Indeed, effective LGBT affinity groups are a win-win-win: they provide support and professional opportunities for their members; create inclusive workplaces; and help their firms and organizations better serve clients, customers, and communities.

**LGBT FACTS AND FIGURES**

**Population**



Between 15 million and 16 million adult Americans (6%-7% of U.S. population) identify as lesbian, gay, bisexual, or transgender **but many estimate the real amount is 10%.**

Source: Witeck-Combs Communications and Packaged Facts

**Buying Power**



Source: Selig Center for Economic Growth. Witeck-Combs Communications

<sup>6</sup> “The ERG Value Proposition,” webcast sponsored by Out & Equal Workplace Advocates, September 24, 2009, <http://www.outandequal.org/resources/networks>.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*



**DID YOU KNOW?**

98%

**OF ALFDP'S MEMBER FIRMS HAVE AFFINITY GROUPS FOR WOMEN?**

94%

**HAVE ENGAGED A DIVERSITY CONSULTANT?**

79%

**HAVE AFFINITY GROUPS FOR MINORITIES?**

74%

**HAVE INTERNATIONAL OFFICES?**

69%

**HAVE CONDUCTED DIVERSITY TRAINING FOR ALL LAWYERS?**

68%

**HAVE AFFINITY GROUPS FOR LGBT LAWYERS?**

49%

**HAVE GLOBAL RESPONSIBILITIES?**

40%

**HAVE A HOME OFFICE IN NEW YORK?**

26%

**HAVE A SUPPLIER DIVERSITY PROGRAM?**

13%

**HAVE A HOME OFFICE IN WASHINGTON D.C.?**



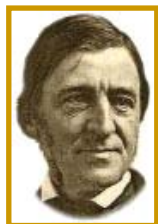
*"We all live with the objective of being happy; our lives are all different and yet the same."*

**ANNE FRANK**

<sup>1</sup> This article includes excerpts from *A Retrospective View of Corporate Diversity Training from 1964 to the Present* by Rohini Anand and Mary Frances Winters published in *Academy of Management Learning & Education*, 2008, Vol. 7, No. 3, 356–372.

<sup>2</sup> Keith Earley is the Director of Diversity & Inclusion at Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.. Mary Frances Winters is president and founder of the Winters Group, a 25-year-old organization-development and diversity-consulting firm. She is the author of three books on organizational change and diversity including *Only Wet Babies Like Change*; *Inclusion Starts with I*; and *CEO's Who Get It*.

## Best Practices



*“Do not follow where the path may lead. Go, instead, where there is no path and leave a trail.”*

RALPH WALDO EMERSON

## Diversity and Inclusion Training: What Law Firms Can Learn From Corporate Clients<sup>1</sup>

By: Keith Earley, Esq. and Mary Frances Winters<sup>2</sup>



### Introduction

Diversity is one of the most popular business topics of the last two decades. It ranks with modern business disciplines such as quality, leadership, and ethics. Despite this popularity, it is also one of the most controversial and least understood topics.

As recently as 2003, the diversity business was estimated to be an \$8 billion industry. Yet diversity training in the corporate arena has a checkered history and a plethora of critics who are convinced that such efforts are a waste of time and money. Although its effectiveness has been questioned, over the past 30 years diversity training has become common practice in the corporate arena, as the composition of the workforce has changed.

National law firms have been similarly impacted by demographic shifts starting at law schools. These shifts have led to an influx of more diverse talent into the legal profession. The question of how well firms are able to attract, develop and retain talent has always been important. The fact that such talent is likely to reflect greater diversity raises issues that, in some instances, may be addressed through diversity training initiatives. However, to optimize the benefit of such training, it is important to approach diversity training as an element of a broader strategy. This is particularly important in law firms where diversity is too often reduced to a matter of improving numbers. The deeper, more intractable issues facing people of color,

women, LGBT attorneys, and others who have traditionally been underrepresented goes far beyond numbers. To be effective, diversity training must speak to these deeper issues as well.

### The History of Diversity Training: The Corporate Context

In order to understand how diversity training can contribute to successful strategies for law firms, it is helpful to have some perspective on how such training has evolved. The corporate sector offers the most important background regarding the incubation of diversity efforts. It is also the most relevant given the importance of corporate clients to law firms.

Initial diversity training efforts in the 1960s centered on legislation and compliance tied to Title VII of The Civil Rights Act of 1964 and related legislation which made it illegal to discriminate based on race, color, religion, sex, national origin, pregnancy, age, and disability. Recipients of the early antidiscrimination training often left with a variety of emotions, few of them positive. Because the training focused primarily on treating historically underrepresented minorities and women fairly and equitably in White male-dominated environments and on avoidance of lawsuits, nonmembers of these groups resented their exclusion and felt that preferential treatment was being afforded to the targeted groups. For some, this

resentment was compounded because of the growth of affirmative action initiatives.

In 1987, *Workforce 2000*, published by the Hudson Institute, was released. It showed that the demographic makeup of the “net additions” into the workforce would be comprised of more women and minorities. *Workforce 2000* created a major shift in thinking about the future composition of the workforce and is credited with putting the term “workforce diversity” into the business lexicon and creating an important rationale for the diversity industry.

Three years after the release of *Workforce 2000*, Roosevelt Thomas shifted the paradigm of diversity from compliance to a matter of business survival. He argued that recruitment was not the central problem; rather, the more serious problems began once someone was hired. Overwhelming data demonstrated that the careers of minorities and women plateau and few were breaking into higher level positions. Thomas suggested that the goal should be to create an environment “where we is everyone.” He argued that something other than affirmative action was needed. “That something else consists of enabling people, in this case minorities and women, to perform to their potential.”

Diversity training efforts continued to evolve in the late 1980s through the late 1990s. Although the new rhetoric proclaimed that affirmative action and compliance were different from diversity, many companies continued to combine compliance and diversity training. It was not uncommon for training content to start with compliance topics and then move to diversity content about valuing and respecting differences. This served to confuse learners, who mostly left this

type of training believing that diversity was nothing more than a new euphemism for affirmative action.

There were great expectations for the outcomes of the training. At the very least, behaviors would be altered and there was often an implicit assumption that attitudes and mind-sets would also shift. Although it is unrealistic to expect sustained change in what was typically no more than a 1-day exposure, much disappointment was expressed when companies observed no real difference in the work environment.

On the positive side, most corporations that were involved with diversity training wanted to do the right thing. They recognized that they were losing top talent, not fully engaging those who chose to stay, and that they had much to learn about how human differences could have a profound impact not only in the day-to-day work environment, but also in business outcomes. By the end of the 1990s practitioners were more likely to understand that diversity could not be relegated to a program, but rather that it had to be viewed as an ongoing business process, like quality assurance, and become integrated into the core strategy of the organization. Thus, positioning diversity education as a business driver gained solid footing by 1999.

The 21st century variety of diversity training is focused on building skills and competencies that enable learners not only to value differences but also to be able to utilize them in making better business decisions. There is consistent agreement among practitioners that ongoing learning is necessary to become diversity competent. Positioning diversity as a competency has created another major paradigm shift; the assumption is no longer that

### Did You Know?

The U.S. Census Bureau projects that the number of people age 65 and older will reach 86.7 million and comprise 21 percent of the total population by 2050.

Source:

[http://census.gov/Press-relase/www/releases/archives/facts\\_features\\_special\\_editions/011603.htm](http://census.gov/Press-relase/www/releases/archives/facts_features_special_editions/011603.htm)



*“Inclusion and fairness in the workplace...is not simply the right thing to do; it’s the smart thing to do.”*

**ALEXIS HERMAN**  
FORMER US SECRETARY OF  
LABOR



*“Diversity: the art of thinking independently together.”*

MALCOLM FORBES

only certain groups need training (e.g., White men or minorities), but rather that all employees need to be more cross-culturally competent in an increasingly global world. It is just as important for an African American male to learn more about his Chinese coworker or vice versa.

With the evolution of corporate diversity-training initiatives, we now have a better understanding of the prerequisites for effectiveness.

- Diversity learning should be integrated, ongoing, relevant, applicable, and based on a solid needs assessment. In other words, a strategic approach is a prerequisite to effective learning and consequent benefit.
- Diversity is a competency and as such the learning should be based on building blocks that start with elementary concepts and move on to increasingly more difficult material.
- Diversity learning should not just happen in the classroom but rather should be integrated into other business processes and activities.
- Diversity learning is no longer just a U.S. phenomenon. Many companies are expanding their efforts to include global learning.

#### **What Law Firms Can Learn From the Corporate Experience**

Notwithstanding the challenges noted above, in comparative terms, the corporate sector has been at the forefront of the development of diversity and inclusion strategies and training initiatives. The typical corporate client has had to respond to the implications of a rapidly changing workforce for quite some time now. Given demographic trends, this is not likely to change. Thus, it should not be surprising that the corporate representatives with whom partners and associates will interact in the future will reflect greater diversity and have different expectations and orientation to law and

business. The fundamental question is how well equipped will law firms be to respond to this reality.

Large law firms understand this. For many of them, the impetus for their commitment to diversity is, to an extent, a result of the need to meet the expectations of corporate clients. While this is laudable in some respects, firms desiring to enhance their results may want to take a closer look at the history of diversity efforts among their clients—especially those with a track record of relative success in this regard. What they will observe for the “best in class” clients is a comprehensive, forward-thinking approach to diversity that is more than a reaction to a perceived expectation. It is predictable that clients with strong diversity agendas will expect firms to demonstrate a compatible, more comprehensive commitment as well.

The propensity within law firms to focus on numbers and to define diversity efforts on that basis limits the potential benefit of diversity and inclusion strategies. It has the further effect of directing attention to recruitment efforts without a clear understanding of the critical actions and strategies that are needed once talent arrives. If talent—inevitably more diverse—enters an environment or culture where there is inadequate understanding of the similarities *and* differences that define individuals, it is likely that the firm will experience a revolving-door syndrome. This is, of course, a concern even in a business that is explicitly predicated on an attrition model. It is a concern that can and should be addressed through a strategic approach that examines retention policies and practices, culture, accountability standards, and more. In addition to these systemic factors, we know from the corporate experience that there are intrapersonal and interpersonal elements of diversity that cannot be ignored. Ultimately, attorneys—

especially those in leadership positions—must have and be able to demonstrate a level of understanding and skill in managing all of these considerations.

### Diversity and Inclusion: Dollars and Sense

Competence in the area of diversity and inclusion does not occur by osmosis. It results from an intentional plan and strategy of which training is an integral part.

Well-structured training programs have the potential to promote understanding and competence within a law-firm setting. But achieving that goal can prove difficult for attorneys—even those who embrace diversity—because of the oft-held view that time spent on diversity or other nonbillable matters is not in their (or the firm’s) best economic interest. This creates an imperative to demonstrate why training is beneficial. In other words, what are you as the chief diversity officer seeking to achieve and how will it be beneficial from a financial perspective?

The lesson from corporations tends to embrace both micro- and macrolevel objectives, the former being focused on imparting knowledge or changing behavior, the later encompassing issues such as culture change, greater retention, and improved productivity. Unfortunately, these types of objectives may seem rather ethereal to the average partner with a preference for concrete (we’re talking financial) benefits. The challenge for diversity professionals in law firms is to address this preference when the economic benefits related to diversity training are difficult to discern in the short term, if at all. In a real sense, our goal is to develop and implement strategies that promote competency in a manner comparable to the best corporate practices. But we must do so in a very different organizational context—one with fewer levels or positions for professionals (compared with corporations) and greater hierarchical structure where accountability is difficult

to achieve. Moreover, at law firms the billable hour is sacrosanct, making it always necessary to anticipate or respond to the perception that diversity efforts will drain away profits.

There is, however, another way of looking at this issue.

Arguably, the economic justification for diversity training is predicated on a false premise. Even in an entity where a degree of turnover is helpful, if not imperative, it is nonetheless important to create and sustain an environment where demonstrated behavioral competencies in diversity and inclusion are rewarded. Why? Because, national law firms are no longer bastions of white male privilege and prestige. And it is increasingly evident that the failure or unwillingness to understand differences reflected among attorneys is myopic. This is not to suggest that the economic connection to diversity training is not important. It is. Indeed, law firms whose leaders do not have demonstrable diversity and inclusion competence will not be competitive—in any business climate. This is fundamentally an economic issue, but it is one that reflects a longer-term perspective than the one suggesting a need for immediate “proof” of the economic benefit of diversity training.

We often hear that change is inevitable. In a sense, it is occurring before our eyes. Corporations have seen this and are responding to the inevitability of diversity. With our help, law firms should be able to respond as well.

### Did You Know?

Women earn a majority (52 percent) of first-professional degrees, such as law and medicine.

Source:

[http://www.census.gov/Press-Release/www/releases/archives/facts\\_for\\_features\\_special\\_editions/011179.html](http://www.census.gov/Press-Release/www/releases/archives/facts_for_features_special_editions/011179.html)

There is no longer a racial or ethnic majority in California.

Source:

<http://factfinder.census.gov>



*“We have become not a melting pot but a beautiful mosaic. Different people, different beliefs, different yearnings, different hopes, different dreams.”*

JIMMY CARTER



**Did You Know?**

The disabled population has approximately \$700 billion in annual income (\$175 billion in disposable income), according to the President's Committee on Employment of People with Disabilities.

Source:

<http://www.referenceforU.S.iness.com/small/Co-Di/Disabled-CU.S.tomers.html><http://factfinder.census.gov>

**THE ASSOCIATION OF  
LAW FIRM  
DIVERSITY PROFESSIONALS  
BY THE NUMBERS<sup>1</sup>**

85%

**ALFDP members who are women of color**

74%

**Members who dedicate 100% of their time to their firm's diversity efforts**

64%

**Members who have been in their positions 2 years or less**

62%

**Members who are lawyers**

57%

**Members who graduated law school 10 or more years ago**

13%

**Members who have billing/practicing responsibilities at their law firms**

<sup>1</sup>Numbers based on ALFDP member responses to internal survey completed on August 25, 2008.



*"Change your thoughts and you change your world."*

**NORMAN VINCENT PEALE**





## Interview with Robert Grey, Jr.—Interim Executive Director of the New Leadership Council on Legal Diversity

By Carol Ross-Burnett, Esq.<sup>1</sup>

Earlier this year, the Call To Action initiative was transformed into a new organization called the Leadership Council on Legal Diversity (LCLD). When I asked Robert Grey, Jr., how he was selected as its Interim Executive Director, he simply replied that when your managing partner calls you to service, you heed the call! But Grey has been heeding the call in support of diversity and inclusion for a very long time—since well before his early days with the ABA as the second Chair of the Commission on Opportunities for Minorities in the Profession [now the Commission on Racial & Ethnic Diversity in the Profession] and throughout his trajectory within the ABA to its helm as president in 2004.

Grey is a partner in the Richmond, Virginia, office of Hunton & Williams. It is clear why Wally Martinez, the firm's managing partner and vice chair of the Leadership Council's Board of Directors, would call on Grey to help launch the organization. In a press release about the appointment, Martinez stated, "I can't think of anyone more qualified to help ensure this important new organization gets off to the very best start possible. Robert's legal talents, his experience as a former ABA president, and his personal leadership skills will serve the

Council well during this critical period in its development."

Always a busy man, Grey is even busier these days with LCLD responsibilities, but he carved out time to talk to me while on the road. I asked him about LCLD's purpose, mission, and plans for the future, including some questions posed by ALFDP members:

### What do you bring from your background to the LCLD?

It is really a continuation of what was started with the ABA Minority Counsel Demonstration Program [now the Minority Counsel Program] back in 1986, born of a real need to work on diversity in the profession. I should point out that although the MCDP was the ABAs first effort, the National Bar Association already had a corporate counsel initiative in place.

### How were you selected as Interim Director for the LCLD and why did you accept the position and the corresponding challenges that come along with it?

My managing partner is vice-chair of LCLD, but having worked with many general counsel over the years, I already had a comfort level and an understanding about the mission to raise the bar regarding diversity.

## Emerging Issues



*"We all should know that diversity makes for a rich tapestry, and we must understand that all the threads of the tapestry are equal in value no matter what their color."*

MAYA ANGELOU

<sup>1</sup>Carol Ross-Burnett is Manager of Diversity and Inclusion at Sheppard Mullin Richter & Hampton L.L.P. in Los Angeles, California

## Emerging Issues

### Did You Know?

Those groups currently categorized as racial minorities- African-Americans and Hispanics, East Asians and South Asians- will account for a majority of the U.S. population by the year 2042.

By 2023, minorities will comprise more than one-half of all those younger than age 18, which means every child born in the United States from now on will belong to the first post-Caucasian generation.

Source:

<http://www.census.gov/PressRelease/www/releases/archives/population/012496.html>



### Where do you see the progress of diversity at this time, and what do you think of those who say we haven't done enough?

There is an expectation that we can do better and impatience when results are not achieved or are being achieved slowly. Diversity, however, is multifaceted and multidimensional, and we must recognize its complexity. We have developed useful tools and have a broader understanding of the importance of diversity, but now we must bring our thinking and progress to another level.

### How would you articulate LCLD's purpose and your role?

LCLD's mission is to move diversity to the next level; to change the conversation, and to move stakeholders to take action with greater transparency and accountability.

### What are the first steps for LCLD?

The first steps will be to build the membership and to identify two or three action items that will set the tone and define the mission for LCLD.

### What does LCLD need from law firms and corporations?

We need the commitment of managing partners and general counsel, their participation and investment and the feeling that everybody is in this together—that this is something different because we have the passion, commitment, and resources in the same basket.

### How will LCLD partner with existing organizations, such as MCCA, for example, to realize its goals?

We have started those conversations with existing organizations whose mission is comparable with that of LCLD. It is important to reach out to other organizations and express our desire to work with them, to utilize their strengths, and to offer our assistance to them.

### ALFDP is an organization of law firm diversity professionals; as such, we have a great deal of expertise and a vested interest in LCLD's success. We work closely with managing partners and other firm leadership in this area. Do you see a formal role for law firm diversity professionals in the work of the LCLD?

Absolutely. This won't work unless everyone is part of the effort. One group or institution cannot do it alone. We must bring the collective wisdom and skills of all to bear, using a top-down and bottom-up approach. Managing partners and general counsel have an opportunity for open, frank dialogue and legal diversity officers can assist by making sure that the results of those conversations are expressed in the form of best practices. This puts creative ideas on everyone's agenda, including taking risks on new things that have worked elsewhere.

### How can ALFDP members help you?

This is a collaborative effort. We need leadership to help connect the dots and set an action agenda, but we also need professionals in ALFDP to contribute their expertise in implementing the action agenda.

### How will ALFDP members be kept in the communication loop?

LCLD will establish a strategic plan and set up a thoughtful and comprehensive communications platform to educate and respond to those in the business of advancing diversity. LCLD's role is not to do the work within the organization but to create an environment and space that empowers others to be successful in pursuing a diversity agenda.

### How will the LCLD address law firm accountability for diversity and inclusion and the tension between those law firms that provide quality services but are not fully demonstrating or strengthening their commitment to diversity?

The Call To Action started with an idea and a desire by general counsel to know who among the law firms representing them was expanding the use and opportunity for diversity. General counsel sent out their own surveys with uneven results—especially in regards to how firms were rewarded or not for their efforts. LCLD seeks to achieve a more consistent result, helping to highlight and implement successful diversity efforts by bringing both the GCs and MPs to the table to work together.

### Firms are being asked for a significant amount of money to “join” LCLD. How do we sell this membership to our managing partners regarding LCLD's future goals and plans and how it will benefit law firms?

Obviously LCLD must prove itself based on an action agenda that energizes the members of the organization, but I can say this: LCLD is different from organizations that preceded it because it is the first time that law firm managing partners and corporate chief legal officers have come together, requiring accountability among themselves and to each other. We can change the nature of the conversation, and we now have a powerful opportunity to expand, enlarge, and make our efforts more comprehensive. We are ready to take the next step, and the creation of LCLD is one way to do that.

## Emerging Issues

### Did You Know?

In May 2007, the U.S. minority population was estimated to be 100.7 million. Today, approximately one in three U.S. residents is a minority. To put this into perspective, there are more minorities in the United States today than there were people in this country in 1910, and the country's minority population is larger than the total population of all but 11 countries.

Source:

<http://www.census.gov/PressRelease/www/releases/archives/population/010048.html>



*“If we cannot end now our differences, at least we can help make the world safe for diversity.”*

JOHN F. KENNEDY

Women and Minority Partners at Law Firms 2009					
	Total #	% Women	% Minority	%Minority Women	# of Offices
Total	61,821	19.21	6.05	1.88	1514
<b>By # of Lawyers Firmwide:</b>					
50 or fewer	2,116	20.79	5.25	2.13	125
51-100	5,234	18.86	5.81	2.03	151
101-250	14,756	19.19	4.52	1.36	254
251-500	12,502	19.09	5.34	1.58	290
501-700	6,821	19.62	6.35	2.07	192
701+	20,392	19.1	7.63	2.33	502

**Did You Know?**

Women are projected to account for 49 percent of the increase in total labor-force growth between 2006 and 2016.

Source:

U.S. Department of Labor, Bureau of Labor Statistics, Employment and Earnings, 2007 Annual Averages and the Monthly Labor Review, November 2007

Women and Minority Associates at Law Firms 2009					
	Total #	% Women	% Minority	%Minority Women	# of Offices
Total	63,168	45.66	19.67	11.02	1514
<b>By # of Lawyers Firmwide:</b>					
50 or fewer	1,468	40.6	14.31	7.90	125
51-100	3,317	44.02	15.19	8.77	151
101-250	10,105	44.81	15.83	8.61	254
251-500	10,655	45.81	17.02	9.44	290
501-700	7,295	45.65	18.78	10.72	192
701+	30,328	46.31	22.85	12.86	502

2009-2010 NALP Directory of Legal Employers as of 10/21/2009

## New! ALFDP Mentor Program

We are very pleased to announce The ALFDP Mentoring Program. The mission of the program is to provide individuals new to the diversity profession with the support, encouragement and professional resources they need to help them become successful in this challenging and rewarding industry.

### **ALFDP's Mentoring Program has three main goals:**

- Support the mentee;
- Provide mentors as a resource; and
- Help the mentee achieve his/her goals.

### **Mentees will take an active role in their own development by:**

- Identifying and sharing their needs with their mentor.
- Setting realistic goals with their mentor.
- Contributing ideas to solving problems.

### **Mentors will work with their mentees by:**

- Setting goals that are reachable, specific, clear, and time framed.
- Keeping goals flexible and modifying them when necessary.
- Directing his/her mentee to career resources that he/she may require.

ALFDP expects all mentors/mentees to be committed to the program. If you are interested in becoming a mentor or a mentee, please visit our website [www.alfdp.com](http://www.alfdp.com) to obtain a copy of the program description and the application.



## Officers & Board of Directors

---

### President

Sylvia James

[sylvia.james@bakerbotts.com](mailto:sylvia.james@bakerbotts.com)

---

### Vice President

Lovita Tandy

[ltandy@kslaw.com](mailto:ltandy@kslaw.com)

---

### Treasurer

Nancy Philippi

[nphilipp@quarles.com](mailto:nphilipp@quarles.com)

---

### Secretary

Kisha Nunez

[kcnunez@wlrk.com](mailto:kcnunez@wlrk.com)

---

### President Emeritus

Anna Brown

[abrown@shearman.com](mailto:abrown@shearman.com)

---

### Historian

Theresa Cropper

[cropper@perkinscoie.com](mailto:cropper@perkinscoie.com)

---

### Board Members-At-Large

Alphonzo Grant

[granta@sullcrom.com](mailto:granta@sullcrom.com)

---

Rick Jones

[rick.jones@klgates.com](mailto:rick.jones@klgates.com)