

Diversity & Inclusion Report

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Message From ALFDP's President

By: Sylvia James, Esq.



Sylvia James, Esq.

Last year was an economically challenging year for our country and for many of our member law firms. Many of us worried about the impact of the recession on the fragile diversity gains of the past decade, and on our individual diversity programs. Some members had their diversity budgets reduced. They were challenged to be more creative as they developed and implemented initiatives to enhance the retention and development of women and minority lawyers. Some other members saw hard fought diversity gains slip away suddenly as minority lawyers fell victim to mass

Sylvia James is the President of the ALFDP and Diversity Counsel for Baker & Botts, LLP.

lay-offs. Despite the recession, I'm pleased that the vast majority of our firms remained steadfast in their commitment to diversity and inclusion, and our members remained strong advocates for diversity within their firms and the profession at large.

I'm also pleased that our membership continues to grow steadily each year. We currently boast a membership of approximately 100 diversity professionals from law firms across the country, compared to a membership of 32 when our organization was launched in 2006. The Board continues to explore new ways to enhance the benefits of membership in the ALFDP. Last year, we revamped our committees and welcomed new leadership. Under the leadership of George Braxton, Jackie Cranford, and Elvera Pollard, the membership committee

We're on the Web!

www.alfdp.com

Did You Know?

**U.S.
National Diversity Day
10/1/2010**

"Embrace diversity, embrace our world" is the slogan of this day to celebrate our many differences.

**Did You Know?**

**U.N.
International Day for
the Elimination of Racial
Discrimination
3/21/2010**

A day to promote efforts to eradicate racial discrimination worldwide and also to remember the killing of 69 protesters against racial injustice in Sharpeville, South Africa, in 1960.

created a welcome package that outlines the benefits of membership in the Association, created an ALFDP banner to advertise our association at conferences and events, and launched a successful membership drive. They are currently putting the final touches on a mentoring program, which they expect to roll-out before the summer. Under the leadership of Don Smith and Michelle Wimes, the website committee revamped the ALFDP website and created a portal where members can go to access important information and resources. Under the leadership of Chantel Moore, the webinar committee continued to provide substantive programs to enhance the professional development of our members. Under the leadership of Keith Earley, the survey committee eloquently represented our collective interests with outside organizations. Keith, along with Rick Jones, serve as our representatives for the MCCA/ALFDP Annual Law Firm Diversity Professionals Survey. Under the leadership of Maja Hazel and Rachel Simmonds-Watson, the Conference Committee organized an outstanding Fall Conference. The conference featured four tracks that allowed participants to choose among such substantive topics as Targeted Mentoring Programs and Affinity Groups; Evaluations/Work Assignments/Targeted Professional Development Activities; Diversity Metrics and Measurement and Supplier Diversity; Diversity Training and Education; Diversity Budgets; Part-Time, Telecommuting, Gradual Return-to-Work, On-Off Ramping, and Flexible Work Arrangements; Engaging Whites, Men, LGBT Allies and Staff in Firm Diversity Initiatives; and Diversity

Communications: Internal and External.

Additionally, last year, for the first time, we co-sponsored the annual Diversity Summit with NALP, and look forward to a long partnership. We have had significant input into planning this year's exciting and substantive Summit, and I strongly encourage all of our members to attend the 2010 NALP/ALFDP Diversity Summit on June 11th, and the ALFDP Dinner on June 10th.

On behalf of the ALFDP Board of Directors, we encourage every member to become an active participant in the Association this year. Ultimately, the success of our organization depends on the active involvement of all of us. I look forward to an exciting year in which we continue to make meaningful progress in advancing diversity and inclusion.

If you are interested in submitting an article for the spring 2011 edition of "The Diversity and Inclusion Report," please contact Michelle Wimes at mwimes@shb.com or 816-474-6550.



Virginia Essandoh

Meet ALFDP Member

Christiani Franck

By: Virginia G. Essandoh, Esq.

Christiani Franck is the Diversity Manager at Dewey & LeBoeuf. She was interviewed in February by Virginia G. Essandoh, Esq., Director of Diversity at Ballard Spahr LLP.



Christiani Franck

1. Please describe your background and what led you to your current position at Dewey?

I was born and raised in New York City by parents who immigrated to the US from Haiti. Through my parents' encouragement and strong emphasis on the importance of education, I was the first in my family to attend and graduate from college. I received an undergraduate degree in political science from the State University of New York at New Paltz. In pursuit of a potential career in public service, I applied and received a Masters of Public Administration from the Rockefeller College of Public Affairs and Governance. While completing my graduate work, I served as a fellow to then Senator Nellie A. Santiago through the New York State Fellows Program. Following this experience, I moved back to New York City and secured a position as a program assistant and was later promoted to program manager at Sponsors for Educational Opportunity (SEO). SEO is a non-profit organization that provides students of color with the opportunity to secure internships and full-time positions with financial, legal and global corporations. During my tenure at SEO, I

had the opportunity to manage its Corporate Law Program. The SEO Corporate Law Program provides students the opportunity to intern with prestigious financial and legal institutions during the summer prior to their first year of law school. One of my biggest achievements at SEO was the creation of the Corporate Law Institute Program, a two week law school preparatory program for diverse students prior to their first year of law school. After spending three years at SEO preparing students of color to enter corporate law, I felt a greater need to help strengthen diversity in the legal profession by working in the profession itself. In 2006, I started my current role as diversity manager at Dewey & LeBoeuf, which was then known as LeBoeuf, Lamb, Greene & MacRae.

2. Notwithstanding a general job description, how would you describe the work that you do as Diversity Manager?

Managing change sits at the core of my role as a diversity manager. I work closely with the firm's senior management and diversity committee to develop programs and initiatives that

support Dewey & LeBoeuf's goal to promote a diverse and inclusive workplace. Being a diversity manager requires me to be strategic, innovative, collaborative and responsive everyday.

3. Describe a proud moment or a success story related to your work in 2009.

I was able to play a role in helping my firm win the Thomas L. Sager Award for a second consecutive year. Professionally, I earned an advanced certificate in organizational and executive coaching from New York University.

4. Dewey was MCCA's Thomas Sager Award recipient - - what makes Dewey stand out?

Although the firm has been recognized for its diversity progress, like many law firms, we have much work ahead of us. What makes me appreciate working at Dewey & LeBoeuf is the commitment that the firm has to being a leader and innovative thinker in this area. Diversity is regarded as a key element in the firm's business strategy. Despite the current economic

Spotlight



Did You Know?

**Afghanistan
Jeshn (Independence Day)
8/19/2010**

Though never a British colony, the British controlled Afghanistan's foreign policy due to an agreement signed by a former Afghan king. The Third Anglo-Afghan War ended this agreement in 1919.

Did You Know?

**U.S.
Race Relations Day
2/14/2010**

A holiday designated by some churches to encourage understanding among all races.

Did You Know?

**Lantern Festival
China, Taiwan
2/28/2010**

Marks the end of the Chinese New Year celebrations and the appearance of the first full moon of the New Year.

Did You Know?

**Christian (Protestant)
Reformation Day
10/31/2010**

Commemorates the date in 1517 when Martin Luther nailed his 95 theses (propositions) to the door of Wittenberg's Palace Church, which led to the establishment of the Protestant denominations of Christianity.

challenges, the firm remains committed to diversity and continues to benchmark its efforts and progress against major corporations and other professional service firms that are known to be trailblazers and/or champions in this area.

5. What are your 2010 aspirations related to diversity at Dewey? In 2010, I am

confident that my firm will continue to focus on identifying ways to bolster its efforts to retain and promote diverse attorneys--specifically in relation to utilization, career development, mentorship and advancement of diverse and women attorneys.

6. Describe current organization/affiliation involvement (professional and personal)

I am currently a member of the National Association of Law Firm Placement (NALP), Association of Law Firm Diversity Professionals (ALFDP) and the Society of Human Resource Management (SHRM).

7. What benefit(s) have you received from ALFDP?

ALFDP provides me with an amazing opportunity to learn and network with groups of diverse and talented individuals. The mentorship, support and advice I receive from my counterparts are invaluable.

8. Tell us a little bit more about you, on a personal level.

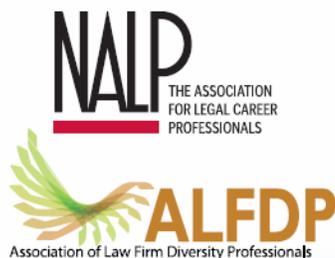
I am the proud wife and mother of a beautiful 2 year old girl and 2 month old son. I am currently pursuing a second masters at NYU in HR Management (concentration in organizational effectiveness). I enjoy movies, writing poetry and public speaking.

2010 Diversity Summit

June 11, 2010 — Chicago

Northwestern University School of Law Conference Center

CO-SPONSORED BY



The Fifth annual Diversity Summit will bring together NALP and ALFDP members, law firm partners, in-house lawyers, law school deans, industry consultants, and other legal career professionals who have an interest in continuing to expand the diversity of the practice of law. The chief purpose of this exciting conference is to provide a forum for a robust exchange of information about the current challenges and innovations surrounding the issue of diversity in the legal employment arena.

Affinity Groups for Individuals of Color

By: Lauren Tapper, Esq.

Lauren Tapper, Esq. is the Director of Diversity and Workplace Administration at Kramer Levin Naftalis and Frankel, LLP in New York, New York

The term “Affinity Group” can be described as an organization of people with a kinship for each other based on a common interest or collective association. These groups first appeared in the corporate world more than three decades ago and they have since become a natural component of the legal environment within the last 15 years. As time has passed, these groups have continued to evolve into an impressive force within an organization. Once charged with providing support and networking opportunities to their respective members, its value proposition has soared as times have changed. While all affinity groups are deemed to be beneficial, this article will review the evolution of affinity groups for individuals of color.

Affinity Groups for Individuals of Color Today

Affinity groups for individuals of color are by no means the same in every organization. In fact, as the composition of the members of these groups can be comprised of many different ethnic and racial backgrounds, these groups have varied purposes that may lead their charge. Generally speaking, however, there are four primary areas that many affinity groups for individuals of color focus on to improve the impact for their members within an organization. These areas include: establishing kinship; professional development; establishing an effective dialogue and exchange of ideas and creating opportunities for exposure.

Establishing Kinship

The way in which affinity groups for individuals of color establish kinship is by bringing people together that have commonalities and allowing the opportunity for individuals to network and support each other. While this sounds simplistic, the benefits of providing this prospect are numerous. For example, within the legal environment, it may not be as inherent for members of one practice area to interact with individuals from another department as their daily interactions may not lead to a natural connection. As a result, organizing as a group within the firm provides a way to bring diverse individuals together to have a chance to connect, support each other as they advance within the firm, and perhaps even view someone they may have not known as a role model. Another result of establishing this community or kinship is that it can lead to improved retention within a firm as individuals develop relationships and friendships that can ultimately develop into to a sense of allegiance to their peers. This can lead to another advantage of affinity groups which is to reduced turnover costs. Within the legal environment, turnover costs have been estimated to be as high as \$200,000 - \$500,000 per attorney and this can definitely impact a firm’s bottom line.

A few related positive aspects to improved retention and relationship building for individuals of color are as follows: 1) the opportunity for morale to improve within the



Did You Know?

**GLBT
Stonewall Rebellion
6/28/2010**

Commemorates the anniversary of the 1969 protest against police harassment in New York City. It marks the first organized and open effort by gays and lesbians to seek equality under the law.

Did You Know?

**U.S. (Native American)
Gathering of Nations
Powwow
4/22/2010**

A three-day celebration that brings over 500 tribes and nations to Albuquerque, New Mexico.



Did You Know?

Christian, International Carnival Season begins 1/6/2010

An age-old festival observed in parts of Europe and the Americas. The entire period from the Christian observances of Epiphany to Ash Wednesday is called Carnival and culminates in Mardi Gras. It signifies a time of indulgences featuring elaborate costumes, dancing, and parades.

organization as this group can create a positive workplace attitude through their efficient communication channels, and 2) Improved retention of minority employees. The group can assist in the recruiting efforts to hire additional minority candidates. Specifically, having additional employees of color involved in the interview process allows minority recruits to see similarity among people at the firm. As a result, the student can envision the opportunity to succeed and develop relationships at a firm where others of their similar background have found success. Additionally, having minority employees involved in the recruiting process may result in discovering new recruiting channels or pipeline sources for other minority candidates.

Improving Professional Development

Affinity groups for individuals of color often enhance the personal growth and business skills of its members as the group can sponsor workshops or host speakers of interest that help develop the skills of its members. Specifically, while business development is not different for a diverse attorney, hosting a speaker that may be of a minority background can allow attorneys of color the opportunity to learn to leverage their skills in a similar manner. Additionally, affinity groups of color may partner with other the minority groups or organizations and collectively sponsor activities or events that benefit a particular skill or knowledge. The Black Affinity Network at a firm recently hosted a dinner to encourage dialogue for diverse attorneys on the evolving capital markets and resulting legal implications. This event was open to attorneys outside of the firm and created a fantastic networking opportunity in addition to the knowledge transfer on the subject matter.

It should also be noted that the affinity group of color often sponsors workshops or panels that are open to employees of the entire firm versus just minority employees. Participation on panels or organizing the workshops raises the profile of diverse attorneys within the firm by highlighting the group's proactive efforts to focus on professional development.

Establishing an Effective Dialogue and exchange of ideas

Affinity groups for individuals of color can provide the firm with guidance about the issues that may impact minority employee concerns. Through a discussion or exchange of ideas, members of the affinity group can assist firms on issues that they may otherwise be unaware of such as ensuring policies and procedures do not have hidden bias that impact the success of employees. Addressing these kinds of concerns can further support the efforts of morale and retention that were previously mentioned. The exchange of information and dialogue can make an impact beyond the members of the group as the initiatives or suggestions that may be presented could benefit the organization. One affinity group of color, for example, recommended compiling a summary of the minority members' practice area/experience information to create a reference chart for the affinity group. As the group discussed the advantages of having this type of information, a workshop on effective cross-selling techniques was born for the firm.

Affinity groups for individuals of color can also provide insight on valuable networking events in the community or other public causes. The affinity groups can also **participate** in an effective communication effort by assisting management on communicating issues or information outside of the firm. It should also be noted that another advantage to having affinity groups for individuals of color is that suggestions for change can be raised by a group versus placing the onus on an individual.

Creating Opportunities for Exposure

An affinity group for individuals of color can create positive visibility by supporting its member’s activities and leadership in outside professional organizations. Whether participating in outside minority associations or suggestions that the firm participate or sponsor important events such as the Asian American Legal Defense Fund voting drive, it is beneficial to both the members of the affinity group and the organization to have positive public profiles. Also, an affinity group will often know how to guide leadership as to which outside activities are beneficial and likely to achieve the organization’s overall diversity goals.

Affinity Groups for Individuals of Color in the Future

Ensuring the growth and encouragement of affinity groups for individuals of color will continue to be a key component in the future success of organizations as workplaces will continue to serve more diverse clients. It will be through these types of groups, as well as other affinity groups, that various perspectives, approaches and options will be presented and the progression and promotion of the membership of these groups will help lead organizations to success.

Did You Know?

**Cuba
Independence Day
5/20/2010**

Observes independence from Spain in 1902.

In The News



Monica Parham Elected President-elect of Women’s Bar Association of District of Columbia.

Monica serves as Diversity Counsel at Crowell & Moring LLP in Washington, D.C. She will become the third African-American President/President Elect in the organization’s ninety-three year history to be elected to this position.



Natalia Martin Receives 2010 Latina Trailblazer Award.

Natalia is the Director of Diversity at Simpson Thatcher & Barlett LLP. She is being honored by the LatinoJustice PRLDEF as one of their 2010 Latina Trailblazers. LatinoJustice PRLDEF’s work encompasses three guiding principles – protecting civil rights, cultivating Latino leaders and increasing civic participation.

Did You Know?

**Dominican Republic
Restoration of the
Republic
8/16/2010**

Celebrates the 1863 declaration of independence from Spain, after a brief lapse into colonial status. Independence was attained in 1865, following a bitter war.

*If the World were a Village of
100 PEOPLE:*

Did You Know?

**El Salvador
National Day of Peace
1/16/2010**

Marks the day in 1992 when a peace treaty was signed in Mexico City, officially ending the 12-year civil war that claimed 75,000 lives.

Did You Know?

**France
Bastille Day
7/14/2010**

Commemorates the event that launched the French Revolution. On this date in 1789, the Bastille, which held political prisoners and became a symbol of oppression by the monarchy, was stormed and prisoners freed. In France, the day is called Fête Nationale (National Celebration).

50 would be female
50 would be male

There would be:

61 Asians
12 Europeans
14 people from the Western Hemisphere
13 Africans

30 would be children
There would be 70 adults,
7 of whom would be aged

70 would be non-white
30 would be white

33 would be Christian
18 would be Muslim
16 would be Hindu
6 would be Buddhist
1 would be Jewish
11 would believe in other religions
15 would be non-religious

1 would have a college education
1 would own a computer

80 people would live in substandard housing
14 would be unable to read

50 would suffer from malnutrition
20 would be undernourished
1 would be dying of starvation
15 would be overweight

75 people would have some supply of food and a place to shelter them from the wind and the rain, but 25 would not.

17 people would have no clean, safe water to drink



Sources: *The Global Citizen*, May 31, 1990, Donella H. Meadows, Hebei University 2001, Zero Population Growth Seattle, *Unheard Voices: Celebrating Cultures from the Developing World*, Returning Peace Corps Volunteers of Madison Wisconsin, 1992



About the Association:

Founded in January 2006, The Association of Law Firm Diversity Professionals (ALFDP) is a not-for-profit association of law firm professionals working in the area of diversity. ALFDP's mission is to act as a catalyst for the advancement of diversity in the legal profession through its collective knowledge, vision, expertise and advocacy in the arena of law firm diversity. As a collaborative organization, ALFDP members work toward advancing diversity within our own organizations and within the legal profession as a whole by sharing important information and experiences, and learning from one another.

Who Participates in ALFDP?

Diversity professionals in law firms, such as:

- Diversity Partners
- Diversity Counsel
- Diversity Directors
- Chief Diversity & Inclusion Officers
- Diversity Managers
- Diversity Program Specialists
- Diversity Coordinators

ALFDP Goals

- Promote the professional growth and development of our members;
- Establish and maintain ethical standards for the profession;
- Liaise with organizations focused on diversity;
- Host educational conferences; and
- Sponsor and conduct research.

Membership Benefits

- Network with diversity professionals for information, advice, and support;
- Participate in national conferences and regional meetings that bring together nationally acclaimed experts in diversity training, legal issues, recruiting, retention, advancement, and professional development;
- Attend Spring and Fall conferences and webinars;
- Share best practices;
- Participate in the Junior Mentoring Program for junior diversity professionals;
- Gain access to information for new professionals and continuing education for seasoned professionals;
- Solicit and receive advice and information through our member-only list serve, webpage, conference calls, and individual outreach calls; and
- Receive membership directory.

Did You Know?

Germany
Tag der Deutschen
Einheit (Day of German
Unity)
10/3/2010

Commemorates the date
in 1990 when, after 45
years of division, East
and West Germany were
reunited as one country.

Best Practices

The Diversity Endgame: An Honest Assessment

It has become painfully clear that we will not likely realize the true promise of diversity unless and until diverse attorneys (particularly associates)¹:

- (1) Become students of the **mindset** of other top performing diverse attorneys,
- (2) Become skilled at developing **enduring relationships** (within the firm and beyond),
- (3) Develop subject matter expertise in **areas of strategic relevance** to the firm and clients and
- (4) Are perceived by colleagues (and clients) to be **indispensable client team members**.



The Pathway to Enduring Success for Diverse Attorneys

By: Werten Bellamy, Esq.

Werten is the President of Stakeholders, Inc. a company founded in 2006 that provides training and conference resources directed to identifying the practical career strategies of top performers.

Werten launched Stakeholders following sixteen (16) years of practice in both law firms and law departments. Werten began his career as an Associate in the Washington, D.C. office of Kutak Rock. The next twelve (12) years of his career he spent in in-house positions of increasing responsibility, at companies to include Merck & Co., Inc.; Genetics Institute, Inc.; and Wyeth Pharmaceuticals, Inc. Werten completed his in-house career with Celera Genomics (NYSE: CRA), where he served as General Counsel. Werten can be reached at 301-704-9628 or mystakeholder@yahoo.com.

Part I – Why Mindset Matters

Many incredibly gifted diverse attorneys currently operate at the fringes of their law firm and in some instances, simply are not yet recognized within the firm as indispensable. As a consequence, many of these attorneys are often not presently on premium productivity or developmental trajectories and will likely remain vulnerable in this era of variable work inventories. Those of us with responsibility for diversity are challenged to identify strategies to improve the productivity and career trajectories of diverse attorneys.

Fortunately, in most law firms we also find some diverse attorneys who are achieving tremendous success – even in the current market. Examination of these top performing attorneys, their mindset, ways of working, self investment and relationship building represents a powerful yet largely untapped resource for the chief diversity officer.

In this initial article (Part I), we want to offer a ‘window’ into the mindset of the diverse top performer. Much of what attorneys do to contribute to their success can be traced to mindset – how they view the practice, their role and responsibility for career outcomes.

In the next article (Part II), we will examine how this mindset informs *what top performers actually do* to (a) build enduring relationships (within and outside the law firm), (b) self invest, (c) manage setbacks, and (d) embrace new ways of learning. Several top performing diverse partners and associates have been interviewed and will contribute their perspectives.

In the final article, (Part III), we will discuss **the role of chief diversity officers and what they can do now** to empower diverse attorneys to become ‘starters’ and not merely members of the team (firm) roster.

Why Mindset Matters: Lessons of the Entrepreneur¹

In all areas of our personal and professional lives, our mindset functions powerfully with respect to our perceptions, expectations, preparation, execution and assessment of performance. In fact, mindset is one of the single most reliable predictors of long term professional success.

For example, many successful business people are said to have an ‘*entrepreneurial mindset*’ – one that guides the ability to generate new ideas and bring them to market in ways that create new and substantial value. The entrepreneurial mindset also impacts *how* one sees. For example, the entrepreneurial mindset functions powerfully as a source of resilience, as persons with this mindset typically view both successes and setbacks as learning experiences.

Like the above described entrepreneur, this mindset informs *what* top performing diverse attorneys see and *how* they see what they see. The top performing diverse attorney undertakes his career, builds relationships, sets expectations, addresses setbacks, seeks investment and self invests in ways that reflect what we characterize as an ‘ownership mindset.’

The Mindset of the Top Performer¹

1. Diverse top performers elect to be leaders and beneficiaries of change rather than victims of change.

Top performers understand that ‘what happens to them’ is not as important as how they choose to react to it. In the face of challenges and setback, top performers resist the urge to retreat to solitary productivity and actively pursue teamwork. They remain focused on those practices and strategies that will help them make effective career decisions, and grow their value.

2. Top performers understand that while partners generally respect diversity, for purposes of making investment decisions they (partner-investors) *first* must ‘find likeness’.

Diverse top performers know that the strongest investor-protégé relationships occur when both parties see parts of themselves in the other person: the protégé sees someone they want to be like in the future *and* the investor sees someone who reminds him of himself years ago.

Top performers know that with respect to many potential investors (1) the diverse attorney will likely need to help the investor *find their likeness* with the diverse attorney and (2) that finding likeness often will require a lot of work on the part of the diverse attorney.

3. The top performing diverse attorney seeks career resilience not career guarantees.

Top performers want to be empowered with the tools to help them ‘grow where planted.’ They believe that their ultimate success is a function of their decisions not their conditions – they take responsibility for what happens to them.

4. Top performing diverse attorneys certainly seek a sense of ‘belonging’ in their law firm and deeply respect affiliation with a high performing organization. They do *not*, however, rely on the law firm as their singular or principal source of affirmation or emotional sustenance.

Key Questions to Ask

As you read this article and with respect to each mindset attribute, we invite you to ask, in what ways does this top performance mindset inform how diverse attorneys:

- (1) Set and manage expectations?
- (2) Perceive risk and opportunity?
- (3) Self invest and invest in others?
- (4) Manage success and setbacks?
- (5) View responsibility for building relationships?
- (6) Embrace new ways of learning and enabling resources (to include diversity resources)?

¹ These are attributes frequently (not always) observed in top performing diverse attorneys.

Top performers understand that their capacity for resilience, ability to self assess and sense of meaning, are tied to their ability to remain connected to the people, communities and institutions that feed, inform, nurture and inspire. Moreover, they do not confuse achievement with fulfillment.

5. Top performers do not sellout.

Top performers understand the importance to learn and assimilate to the culture of the legal profession generally and the law firm specifically. Top performers do not, however, elect to suppress their differences – opting out of diversity programming for fear of a stigma of ‘special needs.’

They also understand that in one’s zeal to demonstrate ‘likeness’, to sellout, suppress or otherwise become detached from one’s native culture and community can be very costly. Top performers understand that it can be a short trip from assimilation to self hatred and appeasement, a short trip on a poorly marked road – a road not worth the cost.

6. The top performing diverse attorney understands that the single biggest difference between the attorneys who develop along an average career trajectory and those who are on the pathway of premium investment, are the relative levels of self investment – what they do *when no one is watching*.

They understand that self investment accelerates overall development because when one is perceived to self invest at high levels, one is more likely to attract

the highest levels of partner investment – in the form of challenging assignments, real time feedback, access to informal networks, advocacy and sponsorship.

7. The top performing diverse associate understands that from a partner’s perspective, high levels of associate self investment:

- a. Risk Sharing – Signals that the associate recognizes that he must share (with partners) both the responsibility and risk of his learning and development.
- b. Lack of Entitlement – Demonstrates that the associate understands the partner ‘opportunity cost’ of associate development and is more likely to respect and appreciate developmental investments by partners.¹ Specifically partners want to see an associate’s capacity for sacrifice, self investment and resilience and are deeply troubled by any associate behavior that may signal a sense of entitlement.
- c. Quality of Outputs - Signals to partners a capacity for quality production because partners generally believe that as associates develop, the quality of associate ‘outputs’ is largely a function of the quality of the associate’s ‘inputs.’ Partners understand that associate growth requires continuous improvement because client expectation regarding service levels depreciates over time unless regularly renewed.
- d. Role Model – Offers value to the practice group and firm as a source of modeling and benchmarking for other associates.

Did You Know?

**India
Gandhi Jayanti
10/2/2010**

Marks the birth of Mahatma Gandhi in 1869. Born in Porbander, India, he is honored as a political and religious leader who achieved world fame for advocating nonviolent resistance as a weapon against tyranny.

¹ Time directed to developing associates often competes with the partners’ revenue generating (billing time), client development time and his limited leisure time. While partners generally do not mind making reasonable investments in associates, partners generally find associates who have what they (partners) perceive to be an ‘entitlement mindset’, particularly discouraging.

8. **Top performing diverse attorneys understand that client team leaders and relationship partners are focused on providing an *increasingly* high value platform (and teams) for clients – as client equity is their greatest long term asset.**

Consequently, to ‘make the team’, the diverse top performer understands it is important to routinely demonstrate how (specifically) they add value to the client team.

They understand that the need for ‘diversity optics’ is not a compelling enough incentive to bypass team ‘tryouts.’

9. **While one can achieve success in an academic setting without meaningfully engaging the institution’s culture and social fabric, top performing diverse attorneys understand that the same is not true in the law firm setting.**

They understand that much of the work of the law firm (and of clients) is conducted via informal networks and as a consequence such networks are to be understood, accessed and utilized.

Consequently, top performing diverse attorneys do not summarily reject informal networks, stereotyping them as an impenetrable social network bound together solely by maleness, heterosexuality and whiteness. They understand that such a narrow characterization can run the risk of oversimplifying the dynamics and value of informal networks.

10. **Top performers recognize the value of commitment, however, simply do not narrowly view their success as predicated on the ‘*what the firm will do*’ to evidence diversity commitment.**

These top performers recognize that it is their responsibility to achieve interdependence, profitability and ultimately reliance. The diverse top performer does not simply ask: ‘Is my law firm committed to diversity?’

Rather, they ask a more empowering question:

What can (and must) I do to become an attorney that is routinely relied on for matters vital to the firm’s success?

Did You Know?

**South Africa
Heritage Day
9/24/2010**

Celebrates cultural diversity and serves as a time for South Africans of various heritages to strengthen bonds.



Did You Know?

**International
Lunar New Year
2/14/2010**

Observed by many Asian countries and communities around the world during the first three days of the first lunar month. In North and South Korea, the holiday is known as *Shul* and marks the first day of spring. In Vietnam, it is known as *Tet*. This holiday is also known as the *Chinese New Year*.



Did You Know?

**Islamic
Shab-e-Barat
7/26/2010**

A fast in preparation for Ramadan. It is believed that on this night, Allah (God) absolves sins and fixes the destinies of humans for the coming year. It is common, particularly in India and Pakistan, to ask Allah to forgive people who have died. Begins at sundown the previous day.

Did You Know?

**Japan
Bunka-no-Hi
(Culture Day)
11/3/2010**

A holiday to promote the love of freedom, peace, and cultural development.



The Challenge of Unconscious Bias in Today's Law Firm

By Angela Vallot, Esq. and Mitchell-Karp, Esq.



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Angela has first-hand experience working both in law firms and corporations. Working as a lawyer for 17 years at two law firms (Jones Day and Arent Fox), Angela represented Fortune 500 companies on a broad range of legal issues from government relations to international business transactions.

She also knows the corporate world. In 1997, Angela was recruited by the CEO of Texaco to become the first Chief Diversity Officer where she led the company's diversity efforts following the settlement of a \$176 million racial discrimination lawsuit. In 2001 she was recruited by the CEO of Colgate Palmolive to be that company's Global Chief Diversity Officer. She knows what it takes to successfully develop and drive diversity and inclusion initiatives through an organization.

Mitchell has more than 25 years experience as an organization development consultant, trainer, facilitator and executive coach helping organizations achieve their business objectives. He draws on his experience as a human rights litigator to help clients better understand how insider/outsider power dynamics, day-to-day interactions, and unconscious bias can all impact organizational culture.

For more than a decade, Mitchell has worked nationally and internationally assisting organizations to create high-performance teams, inclusive cultures, and effective leaders. Senior-level executives and partners in law firms frequently turn to Mitchell for tools and techniques for improving interpersonal and leadership skills, conflict resolution strategies and team-building. He also is an adjunct faculty member of Cornell's NYSSILR Management Development Program.

"We're not biased, we're a meritocracy!" is a frequent response we hear when the topic of unconscious bias is raised in law firms. Lawyers often bristle at the notion of having their moral goodness, integrity or honesty challenged. Consequently, bias becomes an awkward topic to discuss. It's no wonder that diversity consultants and in-house professionals feel the need to tread lightly when broaching this topic. Yet broach it we must.

Emerging Issues

Did You Know?

Jewish Yom Kippur 9/18/2010

This Jewish Day of Atonement is the holiest and most solemn day on the Jewish calendar, commonly spent in worship and contemplation. It begins at sundown the previous day.

Did You Know?

Latin America Pan American Day 4/14/2010

This is a celebration in the 21 North, Central, and South American countries making up the Organization of American States, established in 1890.

Emerging Issues

Did You Know?

**Mexico
Fiesta of Our Lady of
Guadalupe
12/12/2010**

Commemorates the day the Virgin Mary appeared to Juan Diego, circa 1531, and instructed him to take roses to the local bishop. The church had refused Diego's request to build a shrine in the Virgin's honor because it did not believe the Virgin would appear to a simple native. Upon seeing the roses in the dead of winter, the bishop conceded.



Examples of Unconscious Bias

Unconscious bias can show up in many different forms. For instance, many people, including law firm partners and senior associates, tend to recruit, work with, develop and support people like themselves. This dynamic can influence who is selected for high-profile assignments, who does/doesn't receive constructive feedback, who receives informal mentoring, and who is championed to peers behind closed doors. When not acknowledged or monitored, unconscious bias leads to a perpetuation of the status quo. It is subtle, it is self-sustaining and it too often undermines a firm's commitment to a meritocracy and its efforts to promote diversity and inclusion. Taking the time to acknowledge and address these dynamics enhances both excellence and commitment to having a true a meritocracy.

Unconscious biases are not just limited to race and gender. In facilitating seminars on unconscious bias for our law firm clients, participants have identified unconscious biases based on religion, sexual orientation, age, parental status (whether the person has children), office location, practice group, language/regional accent, socio-economic background, political beliefs, communication style and physical size/appearance and/or physical ability.

Rather than debate whether unconscious bias exists, we have found it helpful to frame the question as this: "If there were something that might undermine the firm's commitment to operating as a meritocracy, do you think it would be important to acknowledge it and find ways to reduce its influence on key

processes?" This usually makes it easier to look at behaviors, policies and practices that may unwittingly undermine the firm's commitment to meritocracy. Living up to principles of meritocracy then becomes the goal and not the defense.

Defining Unconscious Bias

Focusing on unconscious bias rather than conscious bias takes some of the sting out of the discussion and avoids finger-pointing and defensiveness. We define unconscious bias as:

A preference FOR or AGAINST a person, perspective or group – that one is not aware of – but nevertheless is communicated through statements or actions.

This definition makes it possible to ask questions and look at who's benefitting from biases in favor of particular groups or individuals (e.g., those who went to my law school, people who look like me or share one or more of my social identities such as race, gender, religion, etc.) as well as who's being left out.

There is ample social science research to support the contention that hidden biases can taint recruitment, assignments, promotions, performance reviews and other firm practices and policies. Mahzarin Banaji and her colleagues at Harvard have developed the Implicit Association Test to measure unconscious bias [See; HBR: "How (Un)ethical Are You?" December 2003]. More than 10 million people have taken the test and it has been useful as one tool to provide evidence of how unconscious biases operate. The Minority Corporate Council Association's "Myth of the Meritocracy" provides specific data on bias in law firms.

Tools for Reducing Bias

Awareness alone will not eliminate the challenge of unconscious bias. Here are four steps that we have found to be useful in reducing unconscious bias.

Step 1: Notice, listen and ask questions.

The goal is to help the individual and/or the firm become more self-aware but not self-conscious. Being willing to listen to (and not attack) the person who raises the concern opens the door to share observations and explore patterns of behavior. Acknowledging that bias may exist also helps those in the minority feel like their colleagues are receptive to hearing their perceptions and experiences.

Step 2: Explore choices and assumptions.

It is important to begin asking “why” particular decisions are being made to see if any underlying assumptions or patterns can be identified. Sometimes it’s about knowing what questions to ask (e.g., “What are we overlooking?” “What assumptions are we making and what biases might we have in relying on those assumptions in this situation?” “Who’s benefitting from these assumptions and who is being excluded?”).

Step 3: Identify different options and modify behavior.

Expanding the pool, trying new techniques for selecting people for assignments and teams, being deliberate and intentional about giving constructive feedback across difference--- are just some of examples of what modifying behavior might entail.

Step 4: Monitor the impact.

The goal is to create a more inclusive firm culture and opportunities for professional development of *all* attorneys and ultimately increase the likelihood that a demographically diverse population of attorneys will succeed. Tracking numbers (utilization rates, attrition rates, offer acceptance rates, etc.) is one way to assess whether these changes are having the desired impact.

Although it’s not always easy, recognizing and talking about unconscious bias is an increasingly important component of any successful diversity and inclusion strategy. These conversations invite everyone to ask and answer the question, “How can we move closer to our goal of operating as a true meritocracy?” That’s probably a goal on which everyone can agree!



Emerging Issues

Did You Know?

Norway, Sweden
St. Knut's Day
1/13/2010

The traditional end of the Christmas season, when the tree is dismantled at a final holiday party. In Norway known as *Tyvendedagen* (20th day) and in Sweden as *Tjugondag Knut* (the 20th day of Knut).

Did You Know?

Philippines, U.S.
Fil-American
Friendship Day
7/4/2010

Formerly National Independence Day for the Philippines but now celebrated as a day of friendship with the U.S.

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
By # of Lawyers Firmwide:					
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

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
By # of Lawyers Firmwide:					
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

Did You Know?

**Puerto Rico
Emancipation Day
3/22/2010**

Commemorates the abolition of slavery in 1873.

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

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 to obtain a copy of the program description and the application.

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