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Feature

Law Firm Diversity and Inclusion Programs: Lessons Learned Beyond the Executive Committee

By Debra McCulloch and Erinn DePorre

It's critical that executive committees and management teams take a fresh look at diversity and inclusion, lest they practice the axiom "do as I say, not as I do."

One need only visit the Web site of any Fortune 500 company to learn that diversity and inclusion programs are good for business. In a growing global market, these policies reflect the objective corporate reality that customers and clients come from a wide variety of cultural, racial and gender backgrounds. Most businesses have diversity or inclusion programs, which embrace individual experiences, talents and cultures in the work environment seeking to achieve better customer or client performance. Diversity and inclusion exemplify core American jurisprudence values. Programs fostering these values seek to ensure "liberty and justice for all."

Like their client counterparts, many law firms today seek to embrace diversity and inclusion as part of the law firm culture. Indeed, it would be difficult to find a law firm executive committee or management team opposed to diversity and inclusion as core values within the practice of law. Despite this, it likewise would be difficult to find a law firm management team or executive committee that puts as much time, energy and resources into actualizing these core values as they do into developing and growing client relationships—even though many clients are racially, culturally or gender diverse. Most law firms will acknowledge that it makes good business sense to implement policies similar to those adopted by one's clients, aimed at hiring a representative cross-section of our country. And yet, recent reports document a decline in law firm diversity.

Lest law firms practice the axiom "do as I say, not as I do," it is critical that executive committees and management teams take a fresh look at diversity and inclusion. In studying how several clients have successfully implemented and maintained diversity and inclusion policies, law firms can learn what a working program looks like and start to mimic it. So what lessons have been

learned? Diversity and inclusion require trust, respect and an unyielding commitment from the top management level downward. To address accountability issues, some companies tie diversity goals to annual performance objectives. This approach requires leadership to do more than “check” the diversity box on a performance review—it requires a commitment to spend time, money and other resources aimed at developing diversity and inclusion programs which encourage hiring and retention of minority or gender diverse attorneys and employees.

Why does the legal profession struggle to actively foster the retention and promotion of minority and women lawyers? Each of us has to answer this question on our own; however, the basic building block of all relationships and particularly between attorneys and clients is *trust*. Trust must be built and fostered among diverse lawyers and existing firm members. This trust then translates into a working commitment to diversity and inclusion among associates, partners and executive committee or law firm management members. Trust, being a two-way street, is built between law firm members and diverse lawyers when both are committed to a successful professional relationship. Trust is built when the diverse lawyer strives for excellence in his or her work product and seeks out opportunities for professional growth and when the law firm management, partners and associates:

- Introduce diverse attorneys to clients and encourage and support the relationship
- Promote high-achieving diverse lawyers to partner
- Include diverse lawyers in leadership positions within the firm, such as practice group leaders, directors, managing committee members, executive partners and others
- Invite diverse lawyers to participate in client development and social activities
- Invite diverse lawyers to assist with or speak on a substantive legal panel

Diversity and inclusion programs are not about checking a box or finding a particular person to fill a spot or an easy pass to partnership. Diversity and inclusion are about a commitment to trust and to building a long-term relationship based on mutual respect. From a law firm management perspective, inclusion is about ensuring that all law firm members, especially diverse lawyers, have consistent opportunities to excel and build client relationships. From a diverse lawyer’s perspective, it is about stepping up to the challenge and excelling at his or her practice. Successful inclusion and diversity in the law firm setting can be achieved once top management makes a practical commitment to building trust among diverse attorneys, partners, associates and clients.

About the Author

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