

## 5 Best Practices for Improving Law Firm Diversity and Inclusion

Law firms are still discussing how to create an inclusive and welcoming environment. Here's how to get started.

BY GRACE E. SPEIGHTS

The legal industry is long past the discussions of “if” it should have a more diverse community, but many law firms are still discussing “how” to create an inclusive and welcoming environment. Recognizing that diverse attorneys in many law firms face hurdles and challenges, here are a few tips on how firms can increase diversity within their organizations and enhance the chances of creating a more inclusive environment where talented individuals can succeed.

### Show Support From the Top Down

It is important that the upper management of law firms be committed to diversity and inclusion. And diversity and inclusion should not be considered “initiatives” or “programs.” They have to be incorporated into every aspect of firm life. They have to be ingrained in the fabric of the firm. It's all about culture, not programs and initiatives. Upper management within law firms drives firm culture. If upper management does not serve as a role model on this journey, it will be impossible for other partners, lawyers and staff to be invested in the diversity and inclusion. Unconscious bias training, starting at the upper management of firms, and then cascaded down and throughout the firm, will go a long way in setting a culture of diversity and inclusion. Regular communications to the partners and firm personnel from the chair or managing partner on the importance of diversity and inclusion can also have a significant impact on the firm's culture.



Such communications should include information about successes of diverse lawyers in the firm and diversity-related events and activities in which the firm and clients have been involved.

### Focus on Inclusion, Not Just Diversity

Diversity's first call to action in our industry asked for law firms to diversify their ranks in terms of race, color, national origin, gender, sexual preferences, etc. So naturally firms focused on the differences among their people. However, stand-alone diversity and inclusion initiatives, which focus solely on bringing diverse lawyers into the firm without efforts to make such lawyers feel included in every aspect of firm life and that they can be successful at the firm, do little to advance the ball.

The focus shouldn't be on a number or percentage but on creating an environment in which everyone is welcomed and differing perspectives are celebrated as a means of strengthening

collaboration and client service. Diverse lawyers need to have experiences and exposure within the firm that provide them with opportunities to advance and grow professionally.

### **Hire a Dedicated Inclusion Professional**

Creating a diverse and inclusive environment takes focused energy and continual effort. While law firm diversity committees and councils are essential, most of these committees and councils are made up of busy lawyers who also practice full time. For diversity and inclusion to be built into the fabric of the firm, someone needs to be waking up and spending every minute of his or her day at the firm thinking about and working on diversity and inclusion. Hiring a dedicated and experienced professional who can focus on inclusion and ensure that the firm's diversity strategy is implemented and woven into all aspects of law firm life is a necessity.

### **Broaden Your Pool**

Too often we hear from law firms that the number of diverse associates and partners at their firms is low, or non-existent, because they cannot find enough "qualified" talent. But firms may not be looking in all of the right places. Firms have to be proactive in recruiting diverse talent if they really are dedicated to increasing diverse talent in their ranks. Firms cannot sit back and wait for diverse talent to reach out to them.

Firms should, for example, reach out to deans and professors at law schools where they don't normally recruit to identify diverse talent. Also, firms can begin to create a pipeline of diverse pre-law students through internships, fellowships or partnerships with outside organizations. Pipeline programs present a wonderful opportunity to partner with clients as many of them also desire to increase the diversity within their legal departments. Firms can also look for diverse laterals at job fairs or reach out to clients to ask them to identify diverse talent with whom they have worked.

### **Improve Accountability**

All partners, from the highest level of the firm to the most junior, should be responsible for

supporting and advancing diversity and inclusion and should be held accountable for doing so. Too often at law firms the responsibility for diversity and inclusion falls on the shoulders of diverse partners in the firm or diversity professionals. Diverse partners, however, should not have to shoulder the responsibility of diversity and inclusion alone.

Some firms have started to hold partners accountable by tying some portion of a partner's compensation to their efforts toward diversity and inclusion at the firm. Partners are asked in their partner compensation questionnaires to identify what efforts they have taken to advance diversity and inclusion within the firm over the last year. On those questionnaires partners can also identify partners within the firm who have made contributions to the firm's diversity and inclusion strategy. Other firms have implemented a process of upward reviews of partners by associates, and upward reviews of partners in management by partners who are not in management. In those reviews, associates are asked to rate partners on their contributions to diversity and inclusion at the firm. Examples of questions that are asked include asking associates to rank partners on their efforts at building diverse and inclusive client teams and their respect for flexible work arrangements, just to name a few.

Diversity and inclusion is a journey, not a destination. Quick fixes, even ones with good intentions, will not create the inclusive environment needed for long-term systemic change. For law firms to be successful in this journey, they must ensure that diversity and inclusion are rooted in the entire fabric of the firm, and that all partners, from the highest level to the most junior, are held accountable for making the journey successful.

*As head of Morgan, Lewis & Bockius' labor and employment practice, Grace E. Speights handles high-profile and high-stakes workplace matters and is often called upon by clients for crisis management assistance. She also assists clients in examining their culture and advises on best practices for diversity and inclusion.*