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Guest Commentary

NO MORE DIVERSITY EXCUSES: IT'S TIME FOR SOLUTIONS

By **ROBERT R. SIMPSON**

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The business case for diversity has been made time and again. If you have not been convinced by now, you never will be. Discussion on diversity needs to focus on solutions for law firms and legal departments committed to building and using diverse legal talent.

Today, many general counsel realize that a premier legal team must consist of diverse lawyers who reflect a variety of views and understand—and possibly share—the perspectives of their customers and society.

Accordingly, law firms have become increasingly aware that corporate counsel expect them to staff their assignments with a diverse group of lawyers to yield the best results.

That expectation was expressed by Sara Lee General Counsel Roderick Palmore in “A Call to Action: Diversity in the Legal Profession,” which reads: “We further intend to end or limit our relationships with firms whose performance consistently evidences a lack of meaningful interest in being diverse.” The 2004 document was written by Palmore and signed by hundreds of corporate attorneys.

Although many firms recognize the demand for diversity, statistics are cited as an excuse for inadequate numbers of women attorneys and attorneys of color within their institutions. In no other context would we dare compare our firms with others to justify our mediocrity.

We know the statistics. Attorneys of color comprise 14.2 percent of associates and other non-partner attorneys and only 4.4 percent of partners, according to the 2004 “Scorecard on Diversity” compiled by The National Law Journal.

Only 14 percent of general counsel today are women and 5 percent are people

of color. Among in-house counsel, 20 percent are women and 10 percent are people of color, according to the most recent Minority Corporate Counsel Association (MCCA) survey.

I would like to suggest a strategy that helps to meet the goals of integrating the legal workforce, for both corporate counsel and law firms. It is essentially a professional networking strategy, designed to bring women attorneys and attorneys of color to the attention of corporate counsel—and vice versa.

Let's take some truth serum in answering these questions:

Do you aggressively look to partner with women and minority-owned law firms when you are looking for local counsel?

Do you actively seek to include women and people of color when you look to create a panel for continuing legal education seminars?

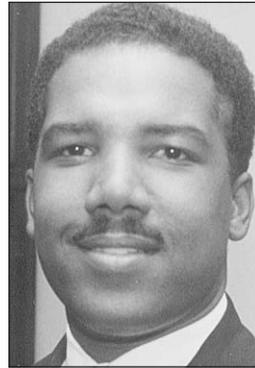
Do you reach out to the local and national “specialty” bar organizations such as the National Bar Association, the National Hispanic Bar Association, the Asian Pacific American Bar Association, the Southeast Asian Bar Association, the Minority Corporate Counsel Association, Charting Your Own Course Foundation, etc.?

Do you recruit women and attorneys of color to make presentations to your law departments?

Do you interview at more than one of the historically black law schools?

One key to succeed in diversity, besides becoming intimately familiar with the organizations mentioned above, is to offer a forum for people to demonstrate their abilities to decision-makers. Given a chance to shine, most people will rise to the occasion and create new opportunities for themselves and their firms.

The power of networking can't be overstated. Employment experts estimate that nearly 70 percent of all jobs are found



through networking and the number is even higher for professional jobs.

The American Bar Association has embraced the power of networking as an instrument to meeting its diversity goals. In February, I co-chaired the ABA, Section of Litigation, Committee on Corporate Counsel CLE in Orlando, Fla., with Horace “Hob” Jordan Jr., General

Counsel of Relational LLC in Illinois. As co-chairs, we were committed to ensuring that every panel was diverse. To accomplish this goal, we tapped into the “specialty” bars and personal relationships to fill key speaking roles for our panels. Notwithstanding the rhetoric we all hear that “we can't find any people of color and women,” when ye seek ye shall find. Among the New England attorneys who participated were Yolanda Seals-Coffield, Senior Counsel at Diageo in Norwalk and Tracey Salmon-Smith, Corporate Vice President and Associate General Counsel of UBS Financial Services, who practices in Connecticut and New York.

Throughout New England, we should “encourage” our firms, law departments and state and local bar associations to ensure that every panel includes women and people of color. Based on personal experience, you will be shocked to meet a significant number of people of color and women practicing in New England. We can't take the conventional approach to the unique and exciting challenge of diversifying our institutions. Let's stop rehearsing the problems and focus on solutions. ■

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