

The Business Case for the Recruitment and Retention of Minority and Women Attorneys

By Dana M. Douglas

Many major law firms have embarked on strategic diversity planning and have allocated many dollars to increasing the recruitment and retention of minority and women attorneys. These efforts have transpired,

in large part, in response to client calls to strengthen law firm diversity and a general feeling in the legal profession that diversifying the law firm environment is the right thing to do.

In 1999, chief legal officers

from 500 corporations, including the Sara Lee Corporation, signed a document that became known as "Diversity in the Workplace: A Statement of Principle" (www.acc.com/public/accapolicy/diversitystmt.html) and pledged to consider diversity as a factor

when selecting and hiring outside counsel.

In spring 2004, these corporations renewed their commitment to promoting diversity in the legal profession by signing on to another document entitled "A Call to Action: Diversity in the Legal Profession" (www.acc.com/resource/v5748). "A Call to Action" encourages corporate legal departments and law firms to increase the numbers of women and minority attorneys hired and retained. These corp-

orations pledged an ongoing commitment to "make decisions regarding which law firms represent [them] based in significant part on the diversity performance of the firms." With this document, the corporations also declared: "We further intend to end or limit our relationships with firms whose performance consistently evidences a lack of meaningful interest in being diverse." These companies understood that if they are more

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diverse, they are better able to survive in a global marketplace. Law firms that are able to assist corporate in-house counsel with this challenge are in the best position to maintain working relationships with these corporations.

So why are some law firms more successful in recruiting and retaining minorities and women attorneys than other firms? The secret is essentially the same for successfully retaining and recruiting others:

1. Commitment from firm leadership. There must be a commitment to investing the time and resources necessary to hire, mentor, and retain lawyers of diverse backgrounds and recognition that diversity efforts only begin and not end with recruitment.

2. An environment that supports diversity and respects all members of the firm. Everyone at the firm is responsible for creating an environment where all attorneys, including women and attorneys of color, feel as though they are valued instead of isolated and excluded. When these attorneys are comfortable with their work environment, they can become your best marketing plan for achieving a successful diversity plan.

3. Good relationships between firm recruiting teams and law schools and diverse bar associations. Some of the best and brightest minority and women associates are found outside the traditional on-campus interview process. In an age where diverse students are seen as a top commodity, it is important for law firms to start early and to be proactive in their approach to identifying and building relationships with diverse students.

4. A strong mentoring program. Mentors help associates, regardless of their backgrounds, understand both the formal and informal paths to success at a firm and can provide meaningful feedback on substantive work product and practice development to foster

associates' professional growth.

5. Challenging work for minority and women associates. Key decisions are made in law firms every day that have a lasting impact on the careers of associates. There must be a top-down commitment from partners within the firm to be inclusive when thinking about staffing cases and who will attend the client meetings. A concentrated effort to provide an environment where all attorneys learn and grow through challenging assignments, client contact, coaching, and honest feedback is very important to attorney retention.

The progress of a firm's diversity plan can be measured by its impact on the bottom line. Measurements of success can be identified through lower turnover, which decreases the costs of training. Studies show an associate's departure can cost a law firm up to \$415,000 in recruiting, training, salary, overhead, severance, and other costs. Success can also be measured by the amount of work attained from those corporations who seek out firms with strategic diversity plans. Diversity is a win-win situation for all involved parties. Not only do law firms, attorneys, and clients stand to gain from the wealth of perspectives and inherent goodwill that strategic diversity plans offer, but law firms are increasingly recognizing the business case made by consciously choosing to have a diverse workforce.

Dana M. Douglas, a partner in the New Orleans law office of Liskow & Lewis, PLC, practices commercial litigation and is a member of the firm's diversity and recruiting committees. She can be contacted at dmdouglas@liskow.com.

READY RESOURCES

- *Miles to Go: Progress of Minorities in the Legal Profession*. 2005. PC # 4520014. Commission on Racial and Ethnic Diversity in the Law Profession.
- *Visible Invisibility: Women of Color in Law Firms*. 2006. PC # 4920037; (also available as downloadable PDF: PC # 4920038PDF). Commission on Women in the Profession. To order online, visit www.ababooks.org.