

## THOMAS L. SAGER AWARD WINNER INTERVIEW: MORGAN LEWIS

JAMI WINTZ MCKEON

By Catherine McGregor

**Diversity & the Bar:** Where do you think the most pressing challenge in inclusion and diversity lies for big law firms like Morgan Lewis at the moment? Pipeline, retention, or promotion of diverse lawyers?

**Jami Wintz McKeon:** All three are pressing challenges but if had to pick one I would say retention. We are in a war for talent, and great women have a lot of great choices. We do well on getting women into the profession, but keeping them there is harder. Women number only 25% of partners even at the most diverse big firms, and you can count on one hand the number of women chairs of major law firms. Law firms are not doing well in empowering talented women to reach a successful and logical end point of their careers.

In the profession generally, women in-house are advancing much further and faster. But for lawyers of color, there is still work to do both in-house and at law firms, but especially at law firms. We now compete much more with clients for all of our talent, and some of our fantastic partners of color have gone on to be senior lawyers or general counsel at world class companies. To increase the number of female diverse lawyers, we need to focus on all three areas: pipeline, retention, and promotion.

**D&tB:** The Morgan Lewis Foundation helps students from underrepresented groups during their second and third years of law school. Why was it important to focus on that stage in the pipeline?

**JWM:** Historically, fewer numbers of lawyers of color want to go to law firms and stay there. Part of the solution to changing that is increasing the pipeline, bringing more people into law firms. That means we have to start convincing them on their potential in big law early. One of the ways to do that is go back to pre-law and find really strong students, get them familiar with big law and help them see the path for success there. It's not an easy message as big law has the reputation as a place

where diverse lawyers don't succeed. At Morgan Lewis we try to show that's not the case through our own leadership makeup; we have me as the chair of the firm, multiple women who are practice and office leaders, and a nationally renowned female lawyer of color, Grace Speights, as the leader of one of our largest practices - Labor and Employment.

**D&tB:** The foundation is notable in the fact that the scholarship does not tie candidates to Morgan Lewis. Why was it important to do that, and were there any challenges in getting buy-in to this?

**JWM:** The foundation was established in 2014 with funds awarded to the firm for a pro bono case regarding government prejudice for African American families. Rather than sharing the profits in the firm, we established the scholarship. Since then, we have provided more than half a million dollars in scholarship money to diverse students. The scholarship is unique because it does not carry a requirement of joining the firm. It is our conviction that having these talented lawyers as part of the legal world, even if they aren't at the firm, benefits the profession as a whole, and that helps us all. Our partners were and are entirely supportive of this, both in concept and in practice.

**D&tB:** Inclusive leadership is central to achieving change in this regard. What are some of your key learnings as a law firm leader on how to best make change happen and to inspire others to do the same?

**JWM:** There has been a real evolution in our profession. There was a period of time when clients came to law firms and wanted to see the number of our diverse lawyers as just a data point. The focus on numbers meant that no one was looking at the positions the diverse lawyers were actually occupying. This can silo people by putting them into buckets to fill a demographic requirement instead of picking the best person for that par-

ticular matter. Over time, both we and our clients realized that what you need (more than statistical representation) is an environment where people of all types feel included and can thrive. This is important because diverse teams are stronger and more creative. But it has to be more than tokens and numbers. Real diversity is achieved only where there is real inclusion, and real opportunity for all.

To me, as a leader, it's about making sure everyone is welcome, and everyone feels empowered to speak, to offer their own views and experiences. This also has the collateral benefit of enabling people to bring their best self to work, encouraging authenticity. This ensures the best working environment and that you get the best out of people.

**D&tB:** Change needs to be top-down/bottom-up and resonate through the organization. How is Morgan Lewis making sure that all employees work in an inclusive environment and are engaged in the process of change?

**JWM:** We are focused a lot on this. I firmly believe that diversity and inclusion should not just be about initiatives or programs but should be geared toward cultural change; every aspect of the firm has to be viewed through this lens. Our success in creating a truly inclusive environment can't just focus on women or diverse lawyers, and it can't just be the responsibility of women and diverse lawyers. It has to be the responsibility of everyone at the firm, and it has to permeate every part of the firm.

We have just created a new position to further reinforce our commitment to engagement, aptly named the Chief Engagement Officer. Our Chief Engagement Officer has a threefold portfolio: 1) making sure every employee is engaged in the work of our firm and can thrive; 2) focusing on well-being at home and the workplace – because we are all human and we bring to work the joys and challenges we feel at home; and 3) supporting corporate social responsibility, because we are citizens of the world, and engagement means recognizing that we are part of something bigger than ourselves.

**D&tB:** Do you see the focus for the firm's inclusion and diversity efforts shifting in the future, and where

do you think future opportunities might be?

**JWM:** Ideally, we will get to a point where we don't have to focus on certain issues because we have achieved success in them. The more you can embed gender diversity in the management ranks of law firms, the less you may have to speak about it or work on it. When I think about the time before I started as a lawyer, many firms were not religiously diverse, but we don't talk about that now because it's not an issue. Hopefully we can get to that point with gender and race.

Beyond that traditional view of diversity, what we need to look for is diversity of thought. As a profession, we don't want people who all think the same way, have the same experience and the same background. We want to encourage innovation and thinking outside the box. One of the things our clients prize is the creativity of our lawyers, and we need to bring that same creativity to our profession to help bring a diversity of thought, experience, and viewpoint to the table.

**D&tB:** Finally, has there been one experience that has inspired you personally in advancing inclusion?

**JWM:** I feel like my entire career has been about that, but one experience stands out. When I was a relatively young partner, I ended up against an all-male team of especially obnoxious and condescending male counsel – really the worst stereotypes of a bunch of guys who were priding themselves in being guys and potentially winning against a girl. As a result of that, I put together an all-female team for this trial and we won really successfully, so much so that the judge wrote to me to say how much he enjoyed our success! The opposition really underestimated us because we were women and we took advantage of this attitude and lack of expectation. I think very few things are more effective in dealing with that type of behavior than winning and making sure you don't let that type of behavior intimidate you. If that opposing team had been more diverse, if it had valued and not underestimated what others could bring to the table, it would have fared far better.