

The Door to Opportunity for Minorities in the Legal Profession: Barely Ajar

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The legal profession has played a critical role in creating a much more open and vibrant society. No extensive research is needed to understand the enormous impact that judicial rulings have had in expanding new opportunities for women and minorities, nor is there any question that these rulings have made our country stronger. At the same time, it would be less than truthful not to acknowledge that in the internal halls of the legal profession, particularly in “Big Law,” expanding opportunities for ethnically diverse attorneys has dramatically lagged. That is a real irony for many of us in the legal profession, given our profession’s history and success in erecting opportunities for ethnically diverse individuals in so many other walks of life. In response, we not only continue to ask why that is the case but, perhaps more importantly, as people who are accustomed to solving problems, we wonder how we can close that gap.

It was with this objective in mind that a small group of us gathered in Washington, D.C., five years ago, to contemplate how best to change the profession, not just for ourselves but for successive generations. We are a group of African-American leaders of major law firms, offices of law firms, and corporate legal departments. We were inspired, during our first meeting, to take action after listening to the life story of one of America’s giants in the legal profession, William T. Coleman, Jr., who was a 1947 Harvard Law Review member. He graduated first in his class, yet he was unable to obtain a job in corporate law. Despite this inequity, over the next several decades, Coleman left an indelible imprint on the legal profession. He became a trusted advisor to corporate America, a leading advocate for equal rights at the Supreme Court, and a public servant at the highest cabinet level in the United States. Who could be a better role model, representing how the profession could benefit by being more inclusive? Our new group (named the “Network”) decided to focus not simply on re-stating and re-formulating an all-too-familiar problem but on developing actionable strategies that would permit an abundance of diverse attorneys to thrive in the legal profession.

Of course, we are aware of numerous current initiatives

that are designed to create diversity and inclusion in the legal profession, and indeed there are many people and activities that are not only well intentioned but directionally appropriate in terms of a more inclusive profession. However, the fact remains that the pace of progress is, and has been, much too slow, e.g., in the most recent period as reported in the *ABA Journal*, the percentage of African-American partners has actually declined. Decades ago, it may have been questionable whether there was an adequate bench of diverse talent to serve the corporate legal community, but now the evidence is clear that there are a remarkable number of individuals who can provide tremendous value to corporate businesses.

To the point, the coin of the realm in most law firms is to serve as the primary relationship partner for significant clients; our goal, therefore, is to provide diverse attorneys in law firms with the opportunity to become business and relationship partners with top corporate clients.

In pursuit of this goal, our major initiative was to identify more than 200 talented African-American partners in major law firms around the country, in every major field of practice. We then met with general counsel and in-house counsel at corporations across the country, urging them to consider retaining these attorneys when engaging outside counsel. During these meetings, we discussed the Network and its benefits, provided them with our list of identified partners, and discussed strategies that will further inclusion—such as secondments (in which the law firm lawyer spends time working at a client site), CLE programming featuring diverse attorneys, and ideas on how corporate counsel can lead effective diversity initiatives.

So far, the response to this initiative has been overwhelmingly positive. Already general counsel have used our list to diversify the pool of legal talent they call upon for significant matters. In addition, some general

counsel have asked us to help identify talented diverse attorneys who wish to pursue in-house legal careers. Thus, our efforts not only aid attorneys who wish to build their careers in law firms but also those who wish to pursue careers as corporate counsel. Next, we hope to launch a diverse associates network, based on this model, to provide associates with the same career development opportunities.

Perhaps most gratifying, our dialogue has not only been refreshing and effective for us, but it also is gaining significant traction with the best legal departments around the globe. In the course of our efforts, three things have become very apparent: First, merely talking about the issue in broad global terms does little to change the profession. Second, clients' "mandated" direction to firms will be critical to changing the pace of advancement. And third, we now know that there are a wide variety of tactical initiatives that actually work.

In many instances, companies have developed these initiatives internally, based on what has proved effective. A goal of the Network is to ensure that those proven strategies become visible to industry leaders—not merely as company-specific efforts but as a set of industry best practices or a roadmap for others to adopt.

The Network's goal is to make sure we more promptly close the gap so that diverse lawyers in private practice (particularly in Big Law) may maintain their seats at the table, with their best corporate clients, as trusted advisors. To be candid, only a few players in Big Law, through their actions and management, have recognized the intrinsic and real business value of diversity. Some perceive it as unconscious bias, reinforced by a "Big Law" industry that resists change, notwithstanding the abundant data that diversity of thought in developing business solutions to increasingly complex global issues is absolutely critical, and is more effective than traditional approaches. But sophisticated clients know they need diverse teams to reach better solutions, hence our emphasis of forging collaborations on diversity and inclusion that benefit lawyers individually as well as firms, companies, and the legal profession collectively. It is time to open the door all the way. ●

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