



The Resource

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Intentionality and Diversity in the Profession

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Let me first speak to the bottom line: the law firm that intentionally promotes and retains ethnically, racially, and gender-diverse attorneys has a significant edge. Not groundbreaking news. The way to be most successful is to mirror the diversity of the clients and causes our legal profession serves. Law firms and organizations without this edge tend to devise single, predictable solutions and, while those law firms may be successful in some areas, the goal is always to improve and enhance the advocacy for our clients.

Diversifying our legal profession is not an easy task. As the American Bar Association's 2017 National Lawyer Population Survey¹ highlights, not much has changed in the last 10 years regarding diversity in our profession despite noble efforts to improve the same. I am optimistic most hiring partners and recruiters know that it is not enough to merely be open to the idea of hiring diverse candidates and hoping those candidates, if hired, are successful and remain with the firm or organization. I am also encouraged that most hiring partners and recruiters know the importance of taking affirmative steps to establish a diverse candidate pool for summer associates and lateral hires, providing meaningful and intentional mentorship, and ensuring that your clients also know and appreciate the benefits of having diverse attorneys at your firm or organization.

Firms and organizations must recognize, first, that the need for improvement is not going to organically correct itself. Firms and organizations must take affirmative steps in their recruitment, mentorship, and client access.

RECRUITMENT

Firms and organizations must be intentional in the recruitment of summer clerks. Let us ensure we are spreading the recruiting net far and wide when recruiting for summer associates. Did you know there is a Minorities in the Profession First-Year Summer Associates Program? Through that program, the North Carolina Bar Association's Minorities in the Profession Committee gathers minority law students from all of the North Carolina Law Schools who are in the top 10% of their class, after at least one screening interview, just for you to interview. There are other similar programs by various organizations around the State such as the Mecklenburg County Bar's Charlotte Legal Diversity Clerkship Program. These organizations help to take the initial leg work out of intentionally diversifying your summer clerk class. A diverse summer clerk class gives firms and organizations a diverse pool from which first-year associates are groomed and ultimately chosen.

¹ AMERICAN BAR ASSOCIATION, ABA NATIONAL LAWYER POPULATION SURVEY (2017).

MENTORSHIP

Intentionality also includes being deliberate about providing your ethnically, racially, and gender-diverse attorneys with mentorship, both within and outside of your firm or organization. Be intentional about that mentorship. Encourage them to serve on the Diversity Committee of the North Carolina Association of Defense Attorneys or the Defense Research Institute. Appreciate that they may want to join the Capital City Lawyers Association, the North Carolina Association of Women Attorneys, or other similar voluntary legal organizations. Mentor them. Explain the importance not only of responding appropriately to discovery requests, but also to remember to introduce themselves to the judge when appearing outside of their home county. Recruitment is only the start; resources must also be dedicated to ongoing resources beyond the initial hiring to sustain a diverse environment. Mentorship is the lynchpin in retaining diverse, talented attorneys.

CLIENT ACCESS

Intentionality also includes being intentional with bringing your ethnically, racially, and gender-diverse attorneys to meetings with your clients so that there is buy-in and a willingness from the client to also rely on your diverse attorneys' expertise. Law firms and organizations have to continue to improve upon efforts to include their diverse attorneys in critical career development networking opportunities. Client access and having the opportunity to build those relationships is invaluable in the retention and promotion of diversity attorneys at your firm or organization.

Overall, being committed to diversifying your firm or organization must include retention efforts, mentoring, and social programs designed to foster an environment in which all of your attorneys can thrive, not just most of them. The American Bar Association in 2016 adopted a resolution urging law firms and corporations to create opportunities for diverse attorneys, including directing a greater percentage of their legal business toward minorities. We know, through various legal organizations' research, that there has been an upward nationwide trend in the commitment from law firms to diversity and inclusion efforts. Albeit a larger problem than one firm or organization can change, there are small intentional changes each firm or organization can make with minimal cost such as, but not limited to:

- Sponsoring a minority law student/attorney networking event and having your attorneys attend;
- Developing a mentoring relationship with an attorney of a different gender, race, ethnicity, or sexual orientation; or
- Including a conversation about your firm or organization's diversity initiatives during your retreat or organizational meeting and develop action items from that conversation.

Be sure your firm or organization does not seek diversity solely for political correctness or for some type of community service. Be diverse to be a better organization. Be diverse to put a different message out to the profession and community overall. Continue to value diversity in opinions and values for the betterment of your organization and the legal profession. Innovative thinking comes from a diverse team. In the fifty years after the Honorable Thurgood Marshall joined the Supreme Court of the United States and in the almost 34 years since the first African-American Associate Justice was appointed to the Supreme Court of North Carolina, it is important to see how far we have come and how we have to continue that progress in the future with our intentional work. As firms and

organizations recognize the continued need for improvement in the legal profession, we must all work to ensure that diversity is present and thriving at all levels of the profession.

About the Author

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