

## More Firms Boosting Diversity Roles Amid Client Pressure

By **Aebra Coe**

*Law360 (October 1, 2018, 5:17 PM EDT)* -- Over the past year, at least six large law firms have added a diversity and inclusion professional to their C-suite for the first time ever, as firms seek to give the position greater influence and prestige amid pressure from clients to offer up teams of attorneys with more women and minorities.

The firms' decisions to create chief diversity officer positions come on the heels of numerous announcements by general counsel saying that a lack of diversity can and does eliminate law firms from the running as they seek to serve corporate clients. They also follow other client efforts aimed at pushing law firms to do better on diversity, including a 2016 letter signed by 24 general counsel at major corporations pledging to direct a greater percentage of their spending to diverse attorneys.

Firms that have made the move in the past year include Orrick Herrington & Sutcliffe LLP, Akin Gump Strauss Hauer & Feld LLP, Cozen O'Connor, Robins Kaplan LLP, Fisher Phillips and Shearman & Sterling LLP. Much more than a name change, the shift elevates the position in a way that allows diversity professionals to have more clout in their organization and impact change by working side by side with other leaders of the law firm such as managing partners, chief operating officers and chief financial officers.

"I think clients are more and more persistent now about making sure their outside counsel are aligning with their own diversity and inclusion initiatives," Cozen O'Connor Chief Diversity Officer Lynnette Espy-Williams said. "Before, it wasn't a mandate. Now they're more savvy about making sure their files are handled by diverse lawyers and women."

As law firms work to meet the demands of clients, many have found that having a diversity committee or director, while helpful, doesn't go far enough on its own to create the kind of change that is needed to satisfy clients as well as their own goals.

Still fairly rare a year ago, the law firm chief diversity officer has become more commonplace.

"Firms have had diversity managers and directors for a while, and they're not seeing the results," said Chandra Kilgriff, chief talent and diversity officer at Robins Kaplan. "If you look at recent reports, there's still a lot of bias within the legal profession, so firms are trying something new and trying to be a little more aggressive about pursuing solutions that will move the needle within the profession."

One advantage of incorporating the top diversity position into the C-suite, according to Fisher Philips CDO Regina Petty, is the clout it provides that person and the way in which it affects others' views of him or her.

"By making the diversity officer role a part of the C-suite, all of the departments of the firm, the managers and leaders of the firm treat my input and my assistance and guidance with the same level of regard that they treat our firm chairman, which is critical to actually seeing change occur," Petty said.

Rather than simply being invited to occasionally speak and offer their perspective to those at the table who are planning and plotting out the law firm's future, law firm chief diversity officers themselves have a seat at that table.

Petty is hard at work reviewing the law firm's policies to make sure they all support its diversity and inclusion goals, revamping its sexual harassment and unconscious bias training programs, and brainstorming ways to engage with every one of the law firm's attorneys on diversity and inclusion in order to enhance a firm-wide culture and atmosphere that is welcoming and open to everyone.

Having the officer title is a powerful tool as she works on those projects, Petty said.

Robins Kaplan's Kilgriff said she works closely with the law firm's COO, CFO and chief strategy officer, and she attends board meetings and firm leadership meetings.

"I'm seeing decisions being made about all aspects of firm operations and can provide both insight to the rest of the firm and get feedback from those people and represent different perspectives while decisions are being made," Kilgriff said. "I'm doing a lot of outreach, gathering feedback and representing various constituencies during the decision making process."

Some diversity leaders, like Kilgriff, are also directly involved in their law firm's recruiting and talent efforts, allowing them to incorporate diversity and inclusion goals into "all aspects of talent development," she said.

A chief diversity officer's job also includes tracking and quantifying the law firm's diversity efforts and using data to ensure all efforts are effectively achieving the law firm's goals, according to Sandra Bang, chief diversity and talent strategy officer at Shearman & Sterling.

"Our goal is to not just gather data but also to understand it," Bang said. "We want to make decisions about diversity and inclusion that are informed by data."

Of course, she added, "The feedback, insights and stories that people share are as important, if not more so, than the numbers."

Espy-Williams said she and others in similar positions help to support diverse attorneys internally with the aim of promoting and retaining diverse lawyers. That means coaching them, serving as a point person for resources and as a connection to firm management and leadership.

The job is wide-ranging as she also helps the firm develop diversity and inclusion programs and initiatives internally and sits on the firm's hiring committee, actively engaging in the interview and selection process of potential candidates. But it doesn't stop there.

"A lot of my job is to help the firm to think strategically about where we want to be in 10 years," Espy-Williams said.

Having the chief diversity officer highly visible and accessible, with a seat at the leadership table and a direct relationship with decision makers, will help drive greater success when it comes to diversity and inclusion in individual law firms and the wider legal industry, allowing firms to reach those long-term goals, Bang said.

"Chiefs can personify inclusive leadership, setting an example for others in the business and community overall," she said. "Part of that is helping hold other leaders accountable for achieving diversity and inclusion goals — and having the authority to do so."

--Editing by Emily Kokoll.