



Walking the Walk

Diversity and Inclusion: Challenges and Successes at One Mid-Sized Law Firm

By Tom Pack

Large law firms face challenges when it comes to recruiting and retaining diverse attorneys, including attorneys of color, LGBTQ attorneys, and attorneys with other diverse, intersectional identities. But mid-size law firms often face even greater challenges, in part because they lack legions of attorneys to interview at every major law school, as well as the name recognition that larger firms have on campus and with lateral recruits.

There is no quick fix or one-size-fits-all strategy that can be deployed to create a diverse and inclusive mid-size law firm. But beyond commitment to a fair workplace—and I know this is a hard-sell coming from an associate—a huge part of the diversity equation involves *resources*. There, I said it. Thoughtfully targeted money is a factor. I am grateful to work at a firm that sees its diverse attorneys as an investment that will pay serious dividends.

At Maslon, a 85-lawyer firm in Minneapolis, we intentionally place our diversity efforts into three major categories: community building and attorney retention, marketing, and supporting the community. The firm also engages in strategic recruiting, but that deserves its own column.

Retention: Supporting the Experience of Diverse Attorneys at Our Firm

Law firms often do a good job of getting diverse attorneys in the door, but these attorneys are less likely to stick around. According to the 2016 Vault/Minority Corporate Counsel Association survey, lawyers of color make up just 16 percent of attorneys at the surveyed firms, but they represent 21 percent of attorneys who leave. Vault/Minority Corporate Counsel Association, 2016 Vault/MCCA Law Firm Diversity Survey Report. These data reflect America's largest firms, but mid-size firms struggle with retention as well.

Retention efforts often focus on fairness and reducing unconscious bias so that diverse attorneys can succeed. This is important but not enough. We also focus on *inclusion*—

on building community among the diverse attorneys at Maslon, and the inclusion of that community in the firm as a whole. As Duchesne Drew of the Bush Foundation noted, “Diversity gets people of color in the room. Inclusion is what makes people really part of the room and makes people want to stay.” Nicole Norfleet, *Lack of Diversity Drives Professionals of Color Out of Twin Cities*, Star Tribune (Minn.), Jan. 7, 2017.

Larger law firms and our corporate clients have the benefit of numbers, with separate employee resource groups for employees of color from different backgrounds and LGBTQ employees. Mid-sized firms often do not have the numbers to support that strategy, but that is no excuse for inaction. With the support of our Governance Committee, Maslon founded its Diverse Attorneys' Resource Group (DARG) earlier this year, and the firm asked two associates to lead it.

After planning meetings and listening sessions, DARG's programming has focused on holding social events to build community among diverse Maslon attorneys. We also hosted the first Maslon Pride event in June, which was open to all attorneys. Our colleagues turned out in droves! Though there are just a handful of LGBTQ attorneys at Maslon, we felt valued and celebrated. All for the cost of a happy hour.

In mid-sized firms, encouraging community may also take shape as providing support for diverse attorneys to become involved in minority bar associations, and paying for those attorneys to attend events and conferences. This has an obvious business development component to it as well. These efforts are important for diverse attorneys in that they offer the attorneys the opportunities to network and find community in the profession, even if the community within a firm is smaller numerically.

Marketing: Promoting Diversity at Our Firm

Marketing and business development is a key component of the private practice of law. If your firm is similar to Maslon, it already supports marketing efforts aimed at diverse communities for attorneys who can make a business case. After all, one of the beautiful things about mid-sized firms is that they can be less hierarchical, and any given initiative may not require a large amount of approvals.

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Our DARG is taking this one step further by institutionalizing resources for marketing by diverse attorneys to diverse communities. This can take many forms, but one is encouraging attorneys to become involved in local minority chambers of commerce. Accordingly, I am trying to build relationships with LGBTQ business leaders in the Twin Cities. The firm's support of DARG members is key to their success in private practice, and I expect that it will prove to be a competitive advantage for our firm as our community diversifies faster than other law firms can keep up.

Community Engagement: Promoting Diversity in Our Community

This form of engagement is about showing up in our community in ways that demonstrate Maslon's commitment to diversity inside and outside of the legal profession. Led by our firm's separate Diversity & Inclusion Committee, the firm leverages its resources by partnering with a variety of organizations. We partner with Twin Cities Diversity in Practice, which allows us to host a diverse 1L-summer associate in partnership with a corporate client. We also partner with other organizations, such as minority bar associations. Still others are community nonprofits, where our attorneys serve on the boards.

Community engagement is more than about tasting every variation of a chicken dinner on offer from the local Marriott hotel, though attending these events is a part of engaging with community organizations. This form of engagement signals our embrace of diversity and inclusion to diverse attorneys, to our clients, and to the community that we live in.

Market conditions in 2017 require mid-sized law firms to talk the diversity and inclusion talk. But walking the walk is hard for any firm, and it is even harder for mid-sized firms. Even so, our clients are moving from requiring talk and policies to demanding results. My hope is that our strategies help your firm recruit and include diverse attorneys so that together we can build a stronger and fairer profession. 