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DIVERSITY | IN ACTION

Partnership

For **women** of color the **economy** adds **another hurdle**.

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I am a black female and have been a corporate partner with a highly regarded international firm for the past two years or so. My credentials are excellent: I attended an Ivy League undergraduate institution and law school. My reviews have been consistently excellent and I have great relationships with our clients.

Even though things are slower due to economic conditions, I still manage to produce respectable annual billings. However, there have been rumblings here at the firm that suggest that our group will experience some cutbacks so I am a little nervous and I have started considering new opportunities.

Notwithstanding my credentials and expertise, I am having some difficulty getting any traction from potential employers. I've only looked at a few firms but they seem to be extremely reluctant to consider me as a partner. Given all of the hype and desire for diversity at the

partnership level, particularly diverse female partners, I thought that I would be receiving a more favorable reaction but so far the response has been a little underwhelming. Has the economic market completely stifled diversity initiatives? Is a diverse partnership no longer a priority?

Listen: The color of diversity is green, sustainable green. Particularly in today's challenging economic environment, law firms of all shapes and sizes are acutely sensitive to a partner's ability to pull her weight and generate revenue for the firm's coffers. Whether you're black, white, purple or pink, the primary concern for every potential partner is having the green: a solid book of portable business. So while it's great that you've attended highly competitive schools, have great client relationships and are super terrific in so many ways, the diversity factor is more like icing on the cake. But, you need to have the cake.

As you consider your career development, focus on qualitative activities that can help transform your expertise and positive client relationships into actualized revenue-



PHOTOGRAPH BY RICK KOPSTEIN

generating matters. These activities can range from formal events to informal, more subtle situations.

For example, perhaps you can showcase your expertise by hosting a CLE for existing and/or potential clients. Don't forget about webinars to expand your geographic reach. Technology is your friend; use it.

You also should think innovatively to consider how you might be able to deliver cost-effective legal services on routine matters. These types of legal services are particularly effective with certain compliance issues, can be subscription based and delivered in volume.

And, last but certainly not least, make an effort to develop informal

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relationships. Clients prefer to do business with attorneys whom they know and like. Trust me: Your next client (or client contact) may be sitting next to you on your commuter train, at a kid's birthday party, in a culinary class or at your gym. Here's the thing: You have to reach out and make yourself available. Depending on the circumstances some folks may be less comfortable approaching you so in most cases it's on you to take the initiative.

So while firms and their clients have a stated desire to have diverse partners and inclusive partnerships, they are not going to sacrifice profitability to achieve this goal. Remember, green is the new black.

I am the director of professional development at a national law firm and I sit on its diversity and women's committees. Over the past five years, we have seen a significant increase in the percentage of our female partners but unfortunately, we haven't had much success with diverse female partners. We've tried everything: targeted recruitment, lateral hires, mentoring programs, diversity seminars, focused on-campus recruitment. You name it, we've done it, but we can't seem to make any long-lasting progress in this area.

I know from my colleagues that other firms are facing similar challenges but I still believe there must be a way to improve this situation. Are there any particular strategies that work?

Tough question, and even tougher answers. According to an October 2009 NALP release, only 1.88 percent of law firm partners are women of color. As stated by Laura M. Padilla in a 1997 Fordham Law Review note (where then, as now, the number of women of color partners was under 2 percent), "there are so few partners

who are women of color, they are *statistically insignificant* (emphasis added)." Deep. ("Intersectionality And Positionality: Situating Women of Color in The Affirmative Action Dialogue," 66 Fordham Law Review, 843, 853-885 (December, 1997)).

A recent groundbreaking Catalyst study conducted by Dr. Katherine Giscombe, vice president, Women of Color Research, suggests that law firms must consider the unique challenges confronted by women of color in order to create effective diversity strategies. Dr. Giscombe describes the unique challenges as "intersectionality," which "refers to how identities of gender with race/ethnicity combine to create unique experiences for women of color in the workplace."

As she explains, when diversity strategies fail to address this dynamic, it leads to the "imperfect or less than successful execution of diversity policies through a 'one-size-fits-all' approach." Consequently, law firm programming or affinity group activities that may generate favorable results for women generally, may require further tweaking to fully include and accommodate the development of women of color.

Repeatedly, the anecdotal results of the Catalyst study strongly suggest that women of color leave the law firm environment because they experienced their workplaces as exclusionary. "[To fit in] I guess you [just] have to appear more...WASP-ish in a way," stated one Asian respondent. In another attempt at homogeneity, one Latina attorney states that "I try to behave as American as I can. And I try to hide [my Latin heritage]..."

In addition to an acute sense of feeling left out, Dr. Giscombe's research revealed that women of color frequently felt that performance reviews and goal setting were not evenly

implemented, and also considered that they were excluded from the all-too-crucial informal networks with senior people that play such a strong role in advancement opportunities.

In order to create a more inclusive environment, Dr. Giscombe challenges law firms to dispense with the "one-size-fits-all approach" and encourages each firm to assess its own environment to create a more effective diversity program that works best for their employees.

Further, the firms must make the effort to monitor and track the career development of diverse groups that includes their placement on high visibility assignments.

Finally, firms must develop mentoring programs that allow for mentoring across differences so that women of color can learn to successfully facilitate the formation of relationships with powerful players. Less than 2 percent is fine for dairy products but completely unacceptable for women of color partners. This has to change. •