

7 Tips To Increase Your Law Firm's DEI Efforts In 2023

By **Janet Falk and Gina Rubel** (January 20, 2023)

The legal profession has long been the target of criticism for the underrepresentation of diverse lawyers among its partners. Members of marginalized groups — women, people of color, veterans, LGBTQ+ and disabled individuals, and others — were largely viewed as individually responsible for climbing the partnership ladder. Limited firm-wide support was provided.

At many law firms, it is no longer the case that members of a minority group must change to fit in with the organization. Instead, the onus has shifted on to the law firm itself to better include its diverse partners, associates and staff. Indeed, firms continue to evolve and promote the advancement of their colleagues of every background, providing guidance across the board in professional development, rainmaking and other areas.

Following are seven tips to increase your law firm's diversity, equity and inclusion efforts in 2023. They include novel approaches and other suggestions that may serve as inspiration for firms looking to strengthen professional initiatives for marginalized colleagues to advance in their legal careers and grow their books of business.

Notably, several of these initiatives can achieve high impact with little to no financial investment.

1. Introduce diverse attorneys as sources to the media.

In our experience, people hire the attorneys whom they learn about through referrals, or through news articles and subsequent internet research. Indeed, being quoted in the news is a technique that frequently puts an attorney, and a timely insight, in front of a lapsed client, a referral source or a potential new client.

Reporters on the legal beat, and at industry publications, call the people they know. They need a source who will quickly respond to a request for a snappy quote on an issue for a news story in progress. A journalist might seek an observation regarding a government investigation underway, or a transaction or matter being managed by another law firm, where the lawyers involved may not be available to answer. In some instances, a reporter may simply pose a question to determine whether something is feasible legally.

Law firms should identify attorneys of diverse backgrounds and introduce them to reporters as sources for comment. Not only does the news story promote the insight of the individual attorney, but it also puts the name of the firm in the article, boosting the firm's brand.

2. Share best practices with peers.

Law firms should share best practices in mentorship, sponsorship and allyship programs with peers through collaborative efforts and professional organizations. A full-time director of diversity and inclusion will lead internal initiatives such as inclusion networks for specific groups, as well as diverse fellowship programs and a diverse supplier directory. Sustaining



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these groups requires consistent content, activity, speakers and leadership.

Be generous when sharing successes. Why waste time for no reason when other law firms are grappling with similar DEI issues? Step forward in your community and create a forum for law firms, and perhaps other professional services firms, to periodically convene and share best practices. After the diverse professionals on your team return from attending regional and national conferences, share lessons from those programs at a program hosted by your firm. Other peers may also provide updates on their firm's activities and successful programs.

The Leadership Council on Legal Diversity is a national initiative for firms to share best practices. Participants are regularly surveyed by LCLD to assess and report on the effect of its programs and the ways in which member organizations can incorporate those programs into their DEI efforts.

In addition, more than 270 law firms in the U.S., Canada and the United Kingdom have signed on to Diversity Lab's Mansfield Rule, which was created to boost and sustain diversity in leadership through three main pillars. One of the stated purposes of the Mansfield Rule is "sharing knowledge to work together, learn together, and succeed together as a community."

3. Recruit diverse attorneys as conference speakers.

If reporters call the people they know, then conference planners likewise call the panelists with whom they've been in touch previously. Event organizers also reach out to people they have seen in the news.

Speaking on a panel is a highly valued platform for attorneys to demonstrate they have their finger on the pulse of what is happening in the law that will affect a given group, industry or type of business. Opportunities to serve as a panelist at regional and industry events, like news stories, have the dual benefit of elevating the individual attorney and casting a favorable light on the firm.

Of course, the firm may host its own programs or webinars, thereby showcasing more than one panelist. Whenever possible, the firm should invite a client or referral source to round out the group.

Note that these opportunities are focused on industry issues and business complexities; they are separate from discussions of DEI topics, where the aforementioned best practices would be shared.

4. Nominate diverse attorneys for awards and rankings.

Many professional membership organizations, universities and local groups invite submissions for awards to recognize outstanding performance, innovation, community service and other criteria. Look beyond the usual suspects to identify diverse professionals and nominate them for award consideration.

After finalists are selected, there often is a program, with excellent networking opportunities, and the winners benefit from the publicity surrounding the event. For industry associations, the award winners may be named to the selection committee for the following year; this, again, is a fruitful moment for high-level networking.

Moreover, metropolitan business magazines have industry-focused award programs, such as "Leading Women in Finance" or "Rising Stars in Real Estate," not to mention "Forty Under Forty." These are powerful ways for attorneys to be featured in the magazine, which is widely read by corporate executives and business owners, and introduces them to reporters at the publication.

Depending on the attorney's area of practice, consider nominating a colleague for industry rankings and ratings.

5. Promote DEI when recruiting summer associates.

Many law schools actively recruit diverse candidates for admission, yet success as an attorney requires on-the-job skills beyond obtaining a law degree and passing the bar exam. The typical summer associate position at a law firm, government agency or legal nonprofit can be designed with a DEI goal. Arrange appropriate mentor relationships for the summer associates as a component of their training and experience.

6. Promote DEI in firm leadership.

The Mansfield Rule was designed to boost and sustain diversity in leadership. There are specific criteria for certification. The current certification process requires that at least 30% of candidates under consideration for law firm promotion be from historically underrepresented groups, among a dozen other actions that focus on the path to leadership.

7. Promote DEI in clients' industries.

Finally, law firms would fall short of best practices if they did not advocate for DEI issues with individual clients and their respective industries. Similar to concerns regarding employment and governance, these are societal issues that transcend corporate structures. Beyond talking the talk, law firms and the legal industry will serve as models that DEI progress is an ongoing process and advancements will be made incrementally over time.

Conclusion

Highlighting diverse attorneys to the media, conference organizers and award committees requires nominal additional effort and expense for law firms. After all, marketing teams are already engaged in selecting attorneys to partake in these opportunities. Law firms simply need to conduct due diligence among their diverse colleagues to ferret out topics for potential news interest and conference panels, plus possible award-winning achievements.

As for recruitment of diverse associates, promoting diversity within the law firm's leadership, sharing best practices with colleagues at other firms and supporting diversity activities with clients, these initiatives will likely require more investment and effort, as might be anticipated for start-up programs.

The legal services community is committed to the advancement of DEI and can readily implement programs like these seven steps. Firms can take a leadership role on DEI, both within their organizations and with clients, especially as similar calls to action have been issued in the investment management industry, the fashion industry and the insurance industry, among others. With limited additional expense, there's no time like the present for law firms to step up their game and advance DEI for their colleagues, clients and society.

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