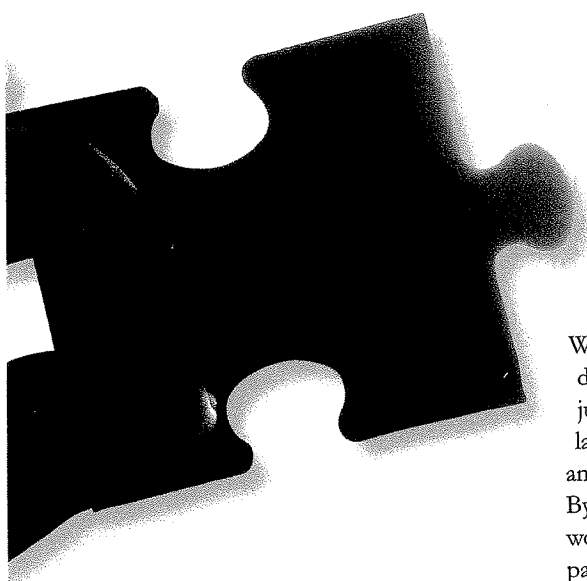


Diversity

Partners in progress

A commitment to enhancing the diversity of a legal team can bring law firms closer to their clients and strengthen the entire relationship. The National Association of Women Lawyers (NAWL) heard how one general counsel of a corporation became actively involved in the case of a US law firm partner looking to further her own career.

By Anita Thomas, Attorney at Law, Nelson Mullins Riley and Scarborough LLP



Will you accept the challenge? The National Association of Women Lawyers (NAWL) is the preeminent voluntary organisation devoted to women lawyers' interests in the US and is engaged in programming and activities designed to identify solutions to the problems women lawyers face in the profession. On 18 July 2006, the association issued a challenge at its annual Awards Luncheon in New York City. We signed up to work diligently to address the gender disproportionality in the upper levels of the legal profession and to encourage those in leadership positions in law firms and corporations to cure the gender inequities that plague

our legal system. At this event the NAWL reported research shows women comprise nearly 50 per cent of incoming law students but only 15 per cent of equity partners and 15 per cent of chief legal officers. We want to change these numbers by diversifying the faces that stand before juries in courtrooms, that teach future lawyers in our prestigious law schools, and that make deals in the board room. By the year 2015, NAWL wants to see women make up 30 per cent of all equity partners, 30 per cent of all chief legal officers and 30 per cent of all tenured law professors.

With this NAWL 'Challenge' in mind, on 5 February 2009 over 300 women converged in Atlanta, Georgia, for the NAWL Mid-Year Meeting. This sold-out affair was filled with continuing legal education (CLE) topics, ranging from a discussion on the legal landscape under the Obama Administration to a panel on the financial crisis and the economic meltdown. We networked, exchanged ideas, and shared stories, with a 'Cocktails on the Couch' session, followed by a reception sponsored by Nelson Mullins Riley and Scarborough, LLP. I had the pleasure of serving as co-chair of this event, along with

Alston & Bird partner Mary Gill. I also had the privilege of moderating an impressive panel of in-house counsel of major corporations. Jocelyn Hunter of Home Depot, Monique Hunt McWilliams of Eli Lilly, Sharon Zealey of Coca-Cola, and Robin Sangston of Cox Communications were all on hand to share their experiences and insights on the topic of diversity. Collectively, this panel represented an average of ten years of experience working within corporate legal departments.

These women have reached senior level positions within their companies and in their careers, having worked their way up through the ranks, breaking glass ceilings and defying the odds. In their climb to the top, they faced the diversity question on a daily basis, and their years of experience give them grounds to answer the key question posed to our panel: 'Getting down to business: does diversity really matter?' The women all responded with a resounding 'yes!' They candidly shared how diversity impacts which firms get and keep their business.

Core to clients

While the companies and industries in which these women work vary, each

panelist highlighted her company's core values as the motivating force behind the emphasis placed upon diversity among their outside counsel. Each of them spoke on some level about how their respective companies provide services and/or products to a wide range of consumers that make it a business imperative their business practices are tailored to reach such varied audiences. They were consistent in the belief that their outside counsel should reflect the consumers to whom they provide services. For these women, the concepts of diversity and inclusion are not mere 'catch phrases'. These companies have diverse leadership, diverse legal departments, and diverse customers. They reflect a growing number of corporate law departments who want their law firms to be proactive about ensuring that diversity happens.

After the panel discussion I spoke with Robin Sangston, who shared with me her frustration about the length of time that the diversity debate has been brewing among corporate legal

legal positions within corporate law departments across the US.

The panelists insisted that diversity among their counsel is not just important for optics, or for sensitive jury matters within ethnically diverse jurisdictions. They emphasised that greater diversity brings to the practice of law more varied perspectives, experiences, backgrounds, talents and interests. They believe that they are best served by legal teams who reflect the diversity of the communities, cities, and states in which they do business.

Gone are the days where law firms could include diverse attorneys as 'window dressing' during client pitches. The in-house panelists noted that they want to see the same lawyers who are included in the pitches actually engaged in the work, and they are watching with a vigilant eye to make sure the firms they are using put their words into action. They also noted that more companies

scattered across the sea of 300 women. One was Ken Millwood, the managing partner of Nelson Mullins. Another was a team leader from the same firm. Sometimes, however, a general counsel is able to deliver her message directly to the top.

Taking charge

As a member of the Board of Trustees of Leadership Institute for Women of Color in Law and Business, an

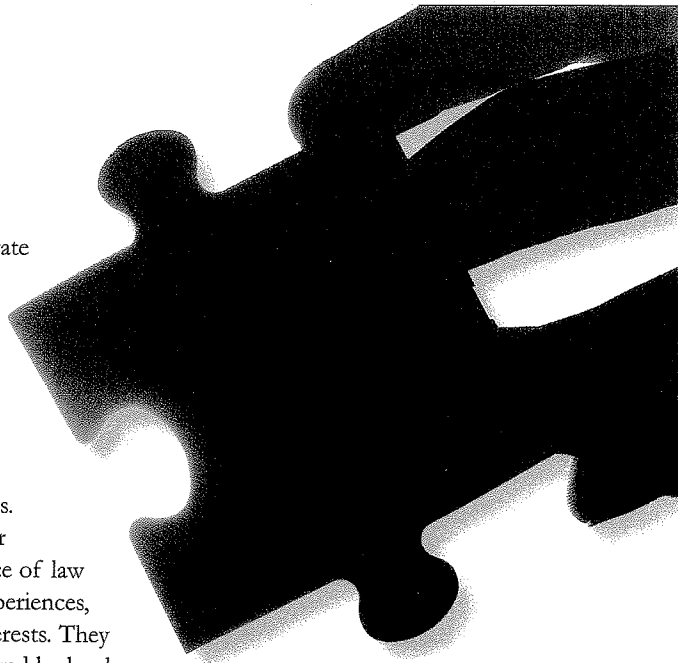
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departments. Robin is now vice president and associate general counsel of Cox Communications, Inc. In this position she has more authority and influence on important business decisions than she did ten years ago. Like many others, she is now in a position where she is a decision maker who can impose demands regarding how her company's legal teams are comprised, and help set the tone and agenda for her company. Her position in the upper ranks of her company highlights the fact that diversity of ideas, thoughts, and backgrounds is becoming vital to business survival. While Robin reflects the increasing number of women advancing through the ranks, women overall still occupy a disproportionately low number of chief

are using measurable metrics systems to determine their outside counsel's compliance with diversity requirements. Sharon Zealey, chief ethics and compliance officer of the Coca-Cola Company, noted that her company awards firms who are performing well with additional work. For Home Depot, Jocelyn Hunter said that diversity is the price of admission. Companies want firms to have valued and meaningful diversity, to take the initiative and for diversity to become as much a part of the firm's culture as it has become theirs.

While the panelists did not mince words and their message was clear, the audience did not include those who would have benefited more from the discussion. There were only three men

organisation founded by Atlanta lawyer Marian Cover Dockery, I recently attended an Institute conference that was held in Atlanta. Michele Coleman Mayes was the featured keynote speaker at a scholarship luncheon that was held during the conference. In 2007 Michele was named vice president and general counsel of Allstate Corporation, after spending nearly five years as general counsel for Pitney Bowes. Prior to joining Pitney Bowes, she also spent many years in senior in-house positions at two other Fortune 500 companies. During the luncheon, Michele spoke generally about her journey up the corporate ladder and the importance of mentoring. In an interesting twist, however, Michele actually invited one of



her mentees, Leslie Davis, an African-American female income partner at Sonnenschein Nath & Rosenthal, LLP, to join her on stage. Together, they told the story of how their relationship began, and how it ultimately led to a six-month secondment for Leslie within the Allstate Legal Department. Michele agreed to speak with me in greater detail for this article.

Michele and Leslie met nearly a year ago during a panel discussion held in connection with the National Bar Association (NBA). Michele participated on a panel along with two other general counsels concerning the topic of 'diversity'. During the question-and-answer session, Leslie identified herself as an 'income partner' at Sonnenschein and asked the simple question: "How do

Michele shared with me that in initiating the secondment, her primary focus was on the account. She knew the 'relationship partner', and assumed that he had, in fact, inherited the account as the firm's relationship with Allstate dates back nearly 50 years. Her goal was to make sure that when the time came to consider a new relationship partner, there was a diverse slate of people in the pipeline from which to select a successor. Both Leslie and Michele readily acknowledge that the current relationship partner was likewise supportive of the arrangement and understood the value of the process. Like Portnoy, his support was an important component to the secondment and will be instrumental as all work to make sure that the gains

discussion on diversity. I posed a question to the panelists as to whether the issue of diversity is solely a law firm concern, or whether a corporation's legal department and officers should likewise share responsibility for diversifying their legal teams. The panel was split on their responses to this question. Some felt that law firms are solely responsible for addressing diversity. Other panelists, like Monique Hunt McWilliams of Eli Lilly, indicated she believes corporate law departments should partner with their outside law firms to reach their diversity objectives.

Michele shared that at the end of Leslie's secondment, she and Portnoy reflected on how they should proceed now that the six-month arrangement had officially ended.

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we translate words into action?" She went on to express her frustration regarding her unsuccessful attempts to play a more active role with major firm clients. Leslie's goal was simple. She wanted to become a 'player' and get sufficient billings to become an equity partner at her firm. Michele suggested that they talk following the panel discussion.

As fate would have it, Michele met the firm chairman of Sonnenschein, Elliott Portnoy, two weeks after meeting Leslie - at a 'Call to Action' Summit that was chaired by Rick Palmore, executive vice president and general counsel of General Mills. Michele told Portnoy that she recently met one of his partners and shared Leslie's frustration with him. Michele then presented Portnoy with her proposal regarding the secondment. Michele is quick to point out that Portnoy was immediately receptive to her proposal, and that his support of Leslie and the arrangement was key to its success.

from the arrangement continue into the future.

Leslie's secondment has now ended and she recently returned to Sonnenschein full time, with a new knowledge and appreciation for her client, as well as the insurance industry more generally. Leslie noted that she gained valuable insight into her client's values and needs and found that the experience has increased her visibility within the firm and has led to new business opportunities and partnerships with her colleagues.

As general counsel, Michele saw fit to invest in a promising young partner, and by doing more than just talking about diversity, she helped to build a relationship that would benefit both Allstate and Leslie's career.

Diverse demands

Michele and Leslie's experience speaks to yet another issue that was addressed during the NAWL Mid-Year Meeting

They agreed that they would continue to be what they termed 'Partners in Progress'. Michele's decision, which was fully supported by the firm, to invest in one woman, has effectively set into motion actions that should advance the overall goals of the NAWL Challenge. It is NAWL's and my own hope that more managing partners and in-house counsel will now embrace the NAWL Challenge, and that they too will agree to become partners in progress. ■



Anita Wallace Thomas is a partner at Nelson Mullins Riley & Scarborough, LLP and is the chairperson of the firm's diversity

committee. She is also a member of the executive board of NAWL, and acknowledges the assistance of Allison Crawford, an associate at Nelson Mullins, for her assistance with this article.