

Diversity Success in California: Law Firm Case Examples

Diversity Statistics

According to the U.S. Census Bureau, the U.S. population is comprised of approximately 100 million minorities (approximately one third of the nation's population), and the California population is comprised of approximately 20 million minorities (over one half of the state's population). U.S. law firms are investing in strategies to increase the representation of minorities at all levels in their employee populations.

<i>2006-2007 NALP Directory of Legal Employers</i>	% Minority	% Non-Minority
Law Firm Summer Associates	23%	77%
Law Firm Associates	17%	83%
Law Firm Partners	5%	95%

Case Examples

The following case examples of diversity practices at specific law firms were prepared by Talent Advisory Board for presentation at the California Minority Counsel Program's *Stars of Diversity Conference* on September 12, 2007.

1	Long-Term Investments Lead to Diversity at the Top & Throughout Wilson Sonsini
2	Fenwick & West Creates an Inclusive Culture of Respect
3	Investment in Development is Integral for Diversity at Townsend
4	A Culture of Self-Governance Encourages Diverse Perspectives at Latham
5	The Pursuit of Public Service Leadership Inspires Diverse Attorneys at Manatt

Diversity Rankings

Each firm profiled in a case example was selected based on having a major California presence and receiving an overall ranking in the top quartile of the "Diversity Scorecard – 2007" published by the *Minority Law Journal*.

<i>Minority Law Journal</i> "Diversity Scorecard-2007"	Total U.S. Attorneys	Minority % of All U.S. Attorneys	Minority % of All U.S. Partners
Wilson Sonsini Goodrich & Rosati	579	25.2%	15.1%
Fenwick & West	249	22.5%	7.3%
Townsend and Townsend and Crew	169	18.9%	12.2%
Latham & Watkins	1605	18.3%	7.7%
Manatt, Phelps & Phillips	305	18.0%	6.5%
Nationwide Sample of 209 Law Firms	n/a	12.4%	5.7%

Research Participants

We extend our sincere appreciation to the following individuals for their significant contributions to this research:

Name	Title	Firm
Sharon Bowen	Partner & Diversity Committee Co-Chair	Latham & Watkins
Kate Fritz	Managing Partner	Fenwick & West
Ileana Hernandez	Partner	Manatt, Phelps & Phillips
Skip Horne	Global Diversity Manager	Latham & Watkins
Susan Spaeth	Managing Partner	Townsend and Townsend and Crew
Misasha Suzuki	Associate Relations Specialist	Wilson Sonsini Goodrich & Rosati
Carol Timm	Director of Attorney Recruiting & Retention	Wilson Sonsini Goodrich & Rosati
Julieta Wiley	Manager of Attorney Recruiting & Diversity	Fenwick & West LLP
Jack Yeh	Partner & Diversity Committee Co-Chair	Manatt, Phelps & Phillips

About Talent Advisory Board

Tina Paikeday Shah is the Principal of Talent Advisory Board, which specializes in sourcing, developing and retaining a diverse workforce. Her boutique research and consulting practice focuses on serving law firm leaders who have made a commitment to workforce diversity. Qualitative and quantitative research and analysis is employed to provide independent performance assessments, measure return on investment, and inform fiscal planning based on diversity best practices. For more information, please visit www.talentadvisoryboard.com.

This case example was prepared by Talent Advisory Board for presentation at the California Minority Counsel Program's *Stars of Diversity Conference* on September 12, 2007. The firm below was selected for inclusion as a firm with a major California presence which also received an overall ranking in the top quartile of the "Diversity Scorecard - 2007" published by the *Minority Law Journal*.

Long-Term Investments Lead to Diversity at the Top & Throughout Wilson Sonsini

Wilson Sonsini Goodrich & Rosati sits at the top of the *Minority Bar Journal's* "Diversity Scorecard-2007" rankings, with minority attorneys comprising an impressive 15% of partners and 25% of associates. The firm was founded in Palo Alto, has offices in other major U.S. technology centers such as San Francisco, Seattle, New York, Washington, D.C., San Diego, and Austin, and recently opened its first international office, in Shanghai.

One might ask what is different about Wilson Sonsini's approach, which enables this relatively high level of diversity throughout the firm. Various structural and programmatic approaches and core values have led to the firm's results, including the following: (1) senior level commitment to diversity, (2) starting with diversity at the top and engaging diverse partners in firm leadership, and (3) investing in a team whose focus includes retention of diverse associates.

The firm's leadership is committed to creating a meritocracy for all attorneys, and the firm's minority attorneys have organically experienced many success stories. There are a number of trailblazing diverse partners at the firm who have risen through the ranks to senior management, thereby cementing the firm's strong history and tradition of diversity, and the firm's Hiring Committee is mindful of the value diversity brings to the firm.

Driven by senior-level commitment, the firm has made an investment in resources to develop, implement, and monitor diversity practices. To formalize these ongoing efforts, in 2005, the firm created a Diversity Council, which consists of partners—including the firm's CEO, John Roos—associates, and other professionals. It is spearheaded by Carol Timm, the firm's Director of Attorney Recruiting and Retention, who also leads a team of specialists focused on associate retention and diversity. For example, Misasha Suzuki is Wilson Sonsini's Associate Relations and Diversity Specialist, and in her role focuses both on associate morale and retention issues, as well as helping to oversee some of the firm's diversity initiatives.

Initiatives focused on women include the firm's annual Women's Leadership Forum in Palo Alto, networking opportunities for women at all career levels, trainings and panels selected by the firm's women attorneys, and the firm's part-time policy. This part-time policy is available to, and used by, both men and women and both partners and associates. Notably, part-time associates are still considered "on-track" for partnership.

The firm also continues to promote diversity and connectedness through social gatherings that allow Wilson Sonsini attorneys to interact with each other, as well as with alumni of the firm and other prominent diverse legal figures. Over this past summer, for instance, the firm's partners hosted various affinity-group dinners and receptions, often at their homes, for African American, Latino, Asian American and GLBT attorneys. These events were open to summer associates, attorneys currently at WSGR, and in some cases, alumni of the firm.

The firm has also hosted similar events in partnership with student organizations at Bay Area law schools. These events allow networking opportunities and promotion of diversity in the legal profession through the introduction of law students to the firm's attorneys and other prominent diverse attorneys, including judges and general counsel.

The firm's continuing investment in and commitment to diversity is perhaps what has made Wilson Sonsini Goodrich & Rosati a place where so many diverse attorneys have decided to not only start their careers, but also to build and grow their careers as they also make a name for themselves at the firm and in the legal community.

Source: Interview with Carol Timm, Director of Attorney Recruiting & Retention, and Misasha Suzuki, Associate Relations Specialist, Wilson Sonsini Goodrich & Rosati; WSGR Fall 2006 Diversity Newsletter.

Fenwick & West Creates an Inclusive Culture of Respect

Fenwick & West LLP is a regional firm headquartered in Mountain View, CA with 250 attorneys on staff. The firm has created an environment where diverse attorneys feel included. Fenwick is well-known for its diverse attorney population with 28% minorities and 33% women currently. The firm is ranked by the *Multicultural Law Journal* as the #1 firm for Asian-American Diversity. Since 2001, Fenwick's Diversity Committee has implemented several programs which have resulted in such an environment, including: (1) pro bono work in diverse communities, (2) minority bar support and (3) widely accepted reduced hour and part-time programs.

Fenwick has logged 14,000 hours from 2005 to 2006 in pro bono work, including support of diverse organizations (e.g., API Legal Outreach, AIDS Legal Referral Panel and Astia which was formerly the Women's Technology Cluster). This work is both meaningful to associates and helps to advance skill development through exposure to various legal issues.

The firm has sponsored several minority bar associations. One example includes Fenwick's 2007 sponsorship of NASABA (the North American South Asian Bar Association) where the firm provided a bronze level sponsorship for the annual convention. Fenwick publicized the event on the home page of the firm's website, donated partner time for panel moderation and encouraged firm associates to participate on the convention planning committee.

Fenwick's alternative full-time schedule (1800 vs. 1950 billable hour requirement) appears to be widely accepted throughout the firm and has a 15% participation rate. Fenwick also has a reduced-hours policy under which attorneys can work a percentage of a full-time schedule (below 1800 hours), and approximately 15% of attorneys participate in this program. One part-time associate says about her participation, "I do not feel stigmatized at all." Attorneys working part-time feel that they are fairly compensated for the hours they work rather than feeling that

they work nearly full time for half the pay as can often be the issue with part-time programs.

In addition to these programs, Fenwick is able to take advantage of its entrepreneurial size, Bay Area location and its diverse technology and life sciences clients as factors which help to attract and retain attorneys. These factors are perceived as strengths by attorneys who believe that they make Fenwick a place that feels very comfortable and approachable. One attorney summed up the inclusive nature of the culture, "When I interviewed with the firm, I found that the interviewer and I immediately found something in common which eased my nerves. When I joined the firm, it was easy to find someone who understood me and took me under their wing."

Partners play an important role in diversity at Fenwick. The firm holds its partners accountable for diversity efforts through its compensation structure that rewards partners for the initiative which they take. One associate said, "Partner compensation is impacted by their involvement in diversity initiatives, and that makes a big difference." Another associate refers to a minority attorney who advanced from first year associate at Fenwick to partner as an important role model. The firm's Managing Partner, Kate Fritz, invests personally in finding ways to support diversity efforts which impact attorneys throughout the firm.

According to Kate, the substance of the innovative work at Fenwick is at the core of what engages attorneys who enjoy the constant challenge associated with change. She references the firm's founders when describing a culture that has developed since 1972 as one in which "the individual respects the institution and the institution respects the individual." As compared to the types of societies that have developed across the world, the Fenwick & West culture might be described as one in which the collectivist and the individualist can both co-exist in harmony.

Investment in Development is Integral for Diversity at Townsend

Townsend and Townsend and Crew LLP was founded in 1860 to protect the intellectual property rights for such methodologies as gold extraction and photo engraving. Nearly 150 years later, the firm has over 190 attorneys on staff and currently reports 11% minority partners, 17% female partners, 21% minority attorneys and 23% female attorneys. Over eighty percent of attorneys have an undergraduate degree in science or engineering. While the sciences in general require pipeline work in order for women and under-represented minorities to enter the field in higher numbers, those who do enter the field may find an opportunity in IP law to succeed based on substantive knowledge. Under the leadership of Jim Gilliland and Susan Spaeth, who have managed the firm since 2001, Townsend has invested in creating many important development programs which provide diverse attorneys the opportunity to develop both substantive knowledge and leadership skills. The firm invests significantly in the development of its diverse associates through (1) knowledge training programs, (2) leadership development organizations for diverse attorneys and (3) the Women's Forum development program.

The firm has developed a structured training program for associates, which has four components: (1) a new hire training program, (2) a basic practice training program, (3) external training courses and (4) an experiential training program. The new hire training program includes lateral hires and offers ten intellectual property classes including such topics as trademarks, patents, and copyrights. The basic practice training program includes bi-monthly classes on areas such as complaint pre-filing, deposition taking and Federal Circuit law. The external training courses are taught by organizations such as the National Institute for Trial Advocacy (NITA), to enhance deposition and trial skills, and Practicing Law Institute (PLI) and Patent Resources Group (PRG), for basic, intermediate and advanced patent prosecution and counseling skills. The firm also believes that learning by doing is important, and the firm's organization structure provides associates the opportunity to work directly with the Patent Office early in their careers.

The firm makes investments in leadership development organizations where its diverse attorneys are involved. This type of investment is intended to support diverse attorneys in the programs they believe are relevant for career development. Some examples of the events which the firm has sponsored include the 30th Anniversary Dinner of the Asian American Bar Association (AABA), La Raza Lawyers of Santa Clara County's 9th Annual Scholarship Dinner, and the Lavender Law Conference. Attorneys at the firm who are members of such organizations serve as liaisons with the firm to engage associates and partners in the organizations.

The Women's Forum is a group which supports women throughout the firm by hosting (1) an annual women's dinner, (2) quarterly teleconferences and (3) an annual conference. The annual women's dinner is intended to bring together women from across the firm to establish personal relationships and create a peer support structure. The quarterly teleconferences serve to provide continuity to the relationships which have been established across offices. Finally, the annual Women's Forum conference is one which is attended by attorneys from the firm as well as women clients and other women in the community. The intent is to provide a development opportunity for women to discuss different styles that may work well in the areas of negotiation, communication and leadership.

The development programs specific to diverse attorneys are spearheaded by the firm's Diversity Committee which is comprised of partners, associates and the directors of human resources, recruitment and development. In addition to the development programs, the Diversity Committee works to build the pipeline for more diverse candidates in the science and legal professions. For example, the firm invests in at least ten \$2000 scholarships per year for diverse students. Headquartered in San Francisco, Townsend is actively involved in the California Minority Counsel Program (CMCP) and is a signatory of the San Francisco Bar Association's *No Glass Ceiling Initiative*. It is perhaps these types of investments in developing diverse attorneys which draws them to a career at Townsend.

A Culture of Self-Governance Encourages Diverse Perspectives at Latham

Latham & Watkins LLP was originally founded in Los Angeles, CA and is now a global firm with 1900 attorneys. Associates participate in the management of the firm, and this form of self-governance is evidenced by the firm's (1) committee structure, (2) open book culture and (3) transparent review process. In order to include a diversity of view points, associates are represented on almost all committees, including one that recommends partner selection. The firm's financial information is shared openly with associates. And, the semi-annual formal review process is very transparent – associates are provided not only with their own performance and bonus information but also with a perspective on how they compare with others.

The Diversity Committee was formed several years ago and is comprised of twelve members, including representatives from various firm functions. Senior Partner Sharon Bowen is an African American woman who serves as Co-Chair of the Diversity Committee. She came to the firm as its 47th attorney at a time when there were fewer than three hundred attorneys at the firm in total. Sharon graduated from the University of Virginia in the fourth class to which women were admitted to the college. She earned an MBA and JD from Northwestern University in 1982, and has since built a successful corporate practice where she represents corporations, private equity firms and financial and institutional clients. Sharon was recently recognized as 2006 "Lawyer of the Year" by the Metropolitan Black Bar Association, whose mission in part is to "advance equality and excellence in the pursuit of justice, and aid the progress of Blacks and other minorities in the profession." When asked about her professional success, Sharon says that "never looking at the numbers" helped her to believe that anything was possible. Because she believes that diverse attorneys need to take leadership in advancing diversity, she has worked as an advocate of diversity at Latham.

The firm's Diversity Committee has initiated Latham WEB (Women Enriching Business) and Diversity Weekend. Latham WEB brings together both senior women attorneys and women business leaders to create opportunities that encourage business development but do not necessitate spending time on the golf course

where some people feel less comfortable. For example, WEB hosted a cooking class which included both men and women who had the opportunity to develop relationships over the course of a different type of shared activity. Diversity Weekend is structured similar to university admit weekends in order to provide recruits an opportunity to both learn about the firm and meet diverse members of the associate class with whom they would be starting at the firm. The firm has been conducting Diversity Weekend for the last five years and has experienced a better yield in acceptance rates. For example, in 2006 the only offer which was declined was by an attorney who instead chose a clerkship.

Associates are encouraged to take on responsibility as soon as they can. The "One Firm" culture is one in which no one star carries the firm but rather teamwork is encouraged in a way that perhaps enables individuals to contribute to the team effort through their own personal strengths from day one. Associates are encouraged to foster the self-governing environment by taking initiative to structure programs of interest. For example, MPAC (Multicultural Professional Attainment Coalition) is a group formed by associates who organize events such as an etiquette course for diverse students, speakers on topics of interest to new attorneys, and affinity group lunches and dinners. These initiatives further build leadership skills which help diverse attorneys as they rise through the ranks.

According to the *Minority Law Journal's* 2007 Diversity Scorecard, the firm has 18.3% minority attorneys and 7.7% minority partners. While the firm does not currently have diversity targets, it does find ways to solicit feedback from associates. For example, all partners participate in a 360 review process in order to collect feedback not only from superiors but also from peers and subordinates. Firm partners are also active members of both the California Minority Counsel Program (CMCP) and the Minority Corporate Counsel Association (MCCA). This opportunity for continued growth by listening to diverse perspectives both internally and externally is what perhaps enables the firm to develop diverse attorneys who in turn help to lead a culture of self-governance.

The Pursuit of Public Service Leadership Inspires Diverse Attorneys at Manatt

Manatt, Phelps & Phillips LLP is a national firm headquartered in Los Angeles, CA with 315 attorneys on staff. Public service is a way of life at Manatt where currently 19% of attorneys are minorities and 36% are women – and 8.7% of partners are minorities and 24.8% are woman. The firm was founded in 1965 by Chuck Manatt, who served as the Chairman of the Democratic National Committee from 1981 to 1985 and as chairman of the Board of Trustees at George Washington University from 2001 to 2007. Three of the firm's eight major offices are located in the capital cities of Washington D.C., Sacramento, CA and Albany, NY in order to provide proximity to government decision makers. The other five offices are strategically located in major business and financial centers including New York, Los Angeles, Costa Mesa, Palo Alto and San Francisco. The firm encourages associates and partners to do pro bono work and to take leadership positions in programs that enrich the lives of other people in the communities they serve. The firm's commitment to this work is evident in the investment it has made in hiring a full-time Pro Bono Director.

The firm's Managing Partner, Bill Quicksilver, sits on the Diversity Committee along with two Co-Chairs: Jack Yeh who is based in Los Angeles and Peter Sherwood who is based in New York. Their work is integrated into the human resources, recruiting and marketing functions. Diversity Committee Co-Chair Jack Yeh believes that two factors are necessary for the firm's diversity program to work effectively: (1) minorities must take responsibility to succeed and (2) law firms must inspire minorities. It appears that developing deep relationships has enabled Manatt's success with minorities. The firm recruits minorities at the entry level and has also developed relationships in minority legal communities where its associates and partners are involved in leadership positions. The presence of these relationships in the community makes attorneys aware of Manatt and increases possibilities for hiring laterally at more senior levels. Once attorneys enter the firm either as new or lateral hires, they are paired with senior attorneys through a somewhat organic process in order to develop mentoring relationships. In addition to serving the typical function of

helping with choice staffing assignments, mentors consider attorneys to be protégés who they actively coach to develop their careers. This type of protégé relationship is a significant commitment, and partners are held accountable for successful attorney development through the formal review process.

Because the firm actively seeks to bring in attorneys who are engaged in the outside community, many of the firm's minority attorneys are leaders in the minority bar associations. For example, Jack Yeh has been very active with the Southern California Chinese Lawyers Association (SCCLA). He has served on the organization's Board of Governors since 1999 and has chaired the Judicial and Political Appointments Committee since 2001. Jack cites the importance of giving back to the community as the primary reason for his involvement. Inevitably through his involvement Jack also serves as a role model to various members of the community, as evidenced by his recognition as one of twenty-five of the nation's "Best Lawyers Under 40" by the National Asian Pacific American Bar Association (NAPABA).

Ileana Hernandez, who started at the firm as a first year associate in 1998, is another example of a community leader. She credits her mentors at Manatt for enabling her successful path to joining the partnership this year. Ileana's parents emigrated from Honduras to provide the family with more opportunity, and she has a strong desire to encourage others in the Latino community to take advantage of access to higher education which she believes is critical to advancement. Ileana's mentors were critical in encouraging her to follow her passion to help others in the community by serving in leadership roles at the Mexican American Bar Foundation and Hispanic National Bar Foundation while managing a commercial litigation and bankruptcy practice. Ileana is also a mother of twin toddlers and currently serves on the Board of Trustees for the Hispanic College Fund. Since many attorneys like Ileana enter the profession in order to fulfill aspirations of advocating justice, the encouragement to pursue public service leadership at Manatt appears to be a critical factor in inspiring attorneys to invest in building their careers at the firm.

Source: Interview with Jack Yeh, Partner & Diversity Committee Co-Chair & Ileana Hernandez, Partner, Manatt, Phelps & Phillips.