

The diversity discussion

As the profession's ranks of women and minorities seem to be **standing still**, a few firms **stand out**

By Roy Strom

Anita Ventrelli began her career almost 25 years ago as a law clerk at family law firm Schiller DuCanto & Fleck. During her first days there, she was lucky enough to do some work with Don Schiller, the man who founded the firm in 1981.

Schiller said something to Ventrelli that she to this day credits as being a large reason why she is an equity partner at the nation's largest family-law-only firm.

"Don Schiller told me as long as I worked hard, I'd be an owner of the firm one day," said Ventrelli, who did just that and fulfilled Schiller's promise in 2010, becoming one of the first two female equity partners. "It didn't matter that I was a woman. It didn't matter that I was half-Spanish. It didn't matter that I had no connections in the legal world."

Of the nine equity partners currently at her firm, Ventrelli is one of four women.

"That showed me a complete absence of bias at this law firm," Ventrelli said. "I never once felt there was something I couldn't do because I was a woman or because I was a minority."

The 2014 Chicago Lawyer magazine diversity survey shows that's not necessarily the case for the city's female and minority lawyers overall.

Women are still disproportionately situated at the bottom of the law firm



Four of the nine equity partners at Schiller DuCanto & Fleck are women. They are (from left) Karen Pinkert-Lieb, Anita Ventrelli, Tanya Stanish and Meighan Harmon.

pyramid. And minorities remain vastly underrepresented at both the associate and partner level compared to their proportion in the general population.

Of the 108 law firms that reported statistics to Chicago Lawyer on the composition of their lawyers, women made up 46 percent of all associates. But the percentage isn't as promising when you consider that women are only 32 percent of

the total lawyers at those firms, suggesting they were not advancing as often as their peers to partner positions — whether income or equity.

A similar, more aggravated situation exists for minority lawyers, who accounted for 18 percent of all associates but only 10 percent of all lawyers in the survey.

Chicago's firms are not an aberration compared to the complexion and gender of

law firm offices nationwide, according to the National Association of Women Lawyers' eighth annual diversity survey. That survey, which included detailed statistics at the income and equity partner level, shows that women make up only 17 percent of the equity partnerships at the nation's 200 largest firms.

"I think the biggest challenge is for a firm to settle on and develop a strategic approach with concrete goals — and to figure out the way those goals can be achieved consistent with the culture of the firm," said Stephanie Scharf, a name partner at Scharf Banks Marmor who authored the NAWL survey released in February.

"Because there are ways to enhance diversity, but the firm has to decide what it's willing to do and when it's willing to do it."

Starting with the almost-even representation of men and women equity partners at Schiller DuCanto & Fleck, there are firms that stand out in the Chicago Lawyer survey.

Some have developed what Scharf calls a "strategic approach," in which firms act to directly bolster the number of women and minority attorneys at every level of the firm. Even so, the law firms that beat the averages for diversity by one measure at one level of the firm usually had ground to make up in another diversity category at another level of the firm.

No firm is perfect — but some approaches might be worth replicating.

Minority lawyers: Baker & McKenzie

Among the world's largest firms, Baker & McKenzie is a relative youngster.

Formed in 1949 in Chicago, it came about at a time when the country was more focused on happenings outside its borders than the nation was in, say, the 1860s, which is how far back some firms date.

While the time in which it was founded did not impact its view on diversity, the globalization-focused business strategy it quickly embarked on did. The firm opened its first international office in 1955 in Caracas, Venezuela, and its first non-U.S. partner joined two years later.

Today, Baker & McKenzie attorneys are so spread out throughout the world that no single country houses more than 20 percent

of the firm's more than 4,000 lawyers. The firm has 75 offices in 47 countries.

And in its original office, the firm has a higher percentage of minority attorneys than any of its big-firm peers, at 16 percent, according to the Chicago Lawyer survey. About 13 percent of the lawyers at Sidley Austin, Winston & Strawn, Jenner & Block and Mayer Brown are reported to be minorities.

Mike Morkin, Baker & McKenzie's Chicago office managing partner, said the firm, like others, has run into a kind of chicken-and-the-egg problem when contemplating how to develop a more diverse atmosphere.

Does it work best to focus most of your efforts on hiring minority attorneys to boost their presence, and, in turn, hope that an inclusive culture spawns and those attorneys blossom into a diverse management level? Or should firms focus on their culture first, developing a place where minority associates can feel included and will want to and be able to advance?

"If we have 16 percent of our lawyers who are minorities, we still got 84 (percent) who aren't," Morkin said. "And it can be difficult to have a culture as inclusive as you want when you still have 84 percent of your people who are similar."

Morkin said the firm has focused on improving its culture through a host of ways that will sound familiar to law firms: Developing affinity groups for all sorts of lawyers; finding pro bono efforts that dovetail with inclusive efforts, such as fighting against the Defense of Marriage Act; finding "role model" minority leaders for minority associates at the firm to aspire to; and finding "allies," white men like Morkin, who will make sure the lawyers have support at the management level.

"It's important to celebrate the progress of the numbers," Morkin said. "But I'm more excited about the progress I think we've made within the culture that it is going to foster significantly better numbers in the years to come."

Minority associates: Brinks Gilson & Lione

To Gustavo "Gus" Siller Jr.'s recollection, Brinks Gilson & Lione came to a conclusion about seven years ago that has affected the complexion of its youngest

lawyers.

"We think the legal community should be a representation of the community at large," said Siller, a partner at the firm and member of its diversity committee.

Of the firm's 38 associates, 17 are minorities. That's 45 percent. Among firms with that many associates, none reported more than 30 percent of its group as minorities. And on average, 18 percent of associates in the survey are minorities.

Brinks reached that number in a straightforward way: The firm's leaders decided they would actively recruit and hire minority lawyers. The firm recruits from historically black colleges, such as Howard University School of Law, and attends minority job fairs for lawyers.

"We go out and intentionally find the best attorneys we can at some of these opportunities where other law firms may not seek them out," Siller said. "We have been to the Cook County Bar Association minority job fair, and we've had some success at hiring people that attended that job fair."

In addition, the firm underwent "diversity training" intended to create a more inclusive culture. And all associates are paired with a mentor, who changes every year or two, to help guide them through the firm. That increases the chances for associate success, Siller said, and, in turn, should result in more minority partners — a place where Brinks looks less like the general population. It reported seven of its 55 partners in Illinois, 13 percent, are minorities.

The U.S. Census Bureau says 63 percent of Americans, as of 2012, were non-Hispanic white people. That number is an all-time low for a nation that the census estimates will no longer have a white majority in 2043.

Siller said he feels the firm has been successful in executing its strategy to hire minority associates. He pointed to an award Brinks won in 2009 from the Minority Corporate Counsel Association that honors "sustained commitment to improve the hiring, retention and promotion of minority attorneys." (McDermott Will & Emery, Schiff Hardin and Littler Mendelson were recipients of that award this year.)

"Have we achieved our goal? No," Siller



Deborah Davidson



Gustavo Siller



Lydia Kelley



Grace Speights

said. “I think our aspiration would be that the representation of attorneys at Brinks reflects the general population. And I think we’re a long way from that. Part of it has to do with the fact that diverse attorneys, particularly minority attorneys, are underrepresented in law schools.

“But we’ve got to keep trying. You have to look to the long-term. You can’t start a program and think you’re going to change your numbers overnight.”

Female lawyers: McDermott Will & Emery and Morgan Lewis & Bockius

In 2009, Nancy Gerrie, a labor and employment attorney, became the Chicago office managing partner at McDermott. Gerrie was replaced this year by Lydia Kelley, a tax partner who is also chair of the firm’s diversity and inclusion initiatives.

The fact that two women have led the office most recently is indicative of its wider population. Among the 10 largest offices in Illinois, McDermott has the highest percentage of women lawyers at 40 percent. Seyfarth Shaw has a slightly lower percentage, and Sidley Austin ranks third with 36 percent, the Chicago Lawyer survey shows.

But McDermott also stands out for its number of female partners: Women made up 25 percent of the office’s 104 capital partners — a sign of the advancement problem facing women in general but better than the 17 percent national average reported in the NAWL survey. And 48 percent of the 64 income partners in the office are women. Of the 23 attorneys who made partner at McDermott this year, 12 are women.

“It’s important ... for younger female

lawyers who are just beginning their careers to see females at the firm in leadership positions,” Kelley said. “It’s important to see that those positions can be attained and you’re going to be judged on your abilities and that there are no other bars to your success.”

Ten years ago, when Kelley and Michael Boykins formed the firm’s initial diversity initiative, McDermott’s young diverse attorneys didn’t have as many leaders to look up to. But now, after that diversity initiative expanded to include women; lesbian, gay, bisexual and transgender individuals; and employees with disabilities, those attorneys have people like Kelley to point to as evidence that a career at McDermott can result in a high-profile position.

From her position as office managing partner, Kelley supports the co-chairs of those initiatives today — Andrea Kramer and Jennifer Mikulina. Kelley also can highlight well-qualified female and minority lawyers for open leadership positions at the firm.

“I know who is in the promotion queue and can facilitate those people in terms of profiling (them) or having them present to the Chicago partners a business development presentation or something like that, so their visibility is raised and that they’re as well-positioned as they can be,” Kelley said.

While McDermott has the highest percentage of women at Illinois’ big offices, Morgan Lewis & Bockius’ local office has the largest proportion of women among firms with 50 or more attorneys.

Exactly 50 percent of Morgan Lewis’ 62 lawyers reported in the survey are women.

Twenty-three of its 38 associates, or 60 percent, are female. Jami Wintz McKeon, a partner who splits time between Philadelphia and San Francisco, is chair-elect of the 1,400-lawyer firm.

Deborah Davidson, a Chicago partner, said a recently promoted partner spoke to the Chicago women’s initiative about going through the partnership process while balancing the demands of working at a law firm and raising young children. That partner received her promotion while working a reduced-hour schedule and shortly after the birth of her second child.

She spoke about how to “develop (your) brand internally” at the firm and the type of business development that could assist in doing so, such as becoming a go-to person on a particular industry or area of law, assisting with pitches, working on practice group and industry initiatives, getting published, speaking on panels, learning the details of a client’s business and developing and maintaining strong relationships.

“That was a really productive and, I think, helpful meeting, especially for some of our more junior to mid level associates who were just really starting to think long-term about where they see themselves,” Davidson said.

Grace Speights, the firmwide co-chair of the diversity committee based in Washington, D.C., said those types of meetings happen around the country, where young women lawyers often ask: “How can you bill the hours and still have a family, raise children or similar related issues?”

“We try to at least make available resources for folks to deal with those types

of things. We have women partners who have either risen to that level while they were on flexible work schedules or went on flexible work schedules when they became partners. ... What I try to convey is that in order to do it successfully, you have to have support around you. And you have to have resources available to assist you with those things.”

Scharf, the author of the NAWL survey, said it is important to distinguish the number of women who are in the equity partnership from the ranks of the income partners. Women aspire to the top of the profession, she said.

They have not made their way there in a significant amount despite law schools having graduated a roughly equal proportion of males and females since the mid-1980s.

One of the largest impediments on the path to partnerships is the traditional large firm compensation model, Scharf said. Most, if not all, large firms are dominated by male partners who may have a history as a “client partner” — or may otherwise receive compensation credit for a client whose work is being handled by other attorneys. Those legacy compensation systems, Scharf said, may inherently favor

white males.

“I think that transparency in compensation systems will go a long way toward helping women and minority lawyers to advance,” Scharf said.

“A firm’s review of its compensation system so the compensation system is aligned with the values of the firm will also enhance the advancement of women and minority lawyers into the highest levels of the firm’s partnership and leadership roles.” ■

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