

LEGAL MANAGEMENT

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Moving the Diversity Needle

Let's say the conversation about diversity and inclusion in your firm is going nowhere fast, or just slower than you'd like. You're concerned about these issues, but you're having difficulty getting firm leadership to take action.



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Here are some powerful stories for you to ponder, based on 25 years of partnering with dozens of small, medium and large firms. I call these "Moments of Diversity Truth." Perhaps sharing them with leadership will help ignite action at your firm.

LOW DIVERSITY RANKING

A client called in a panic — the firm had lost a pitch before they even had a chance to start. "We have a team of our best people pitching new intellectual property (IP) business to a major prospective client," the head of the firm explains. "Before we could even start our pitch, the general counsel asked us why our ranking in the diversity scorecard is in the bottom quartile." The client's head of IP had no idea what the general counsel was talking about, but he asked my client, "I never want to look like an idiot again. What are they talking about?" The number of hours lost preparing for the pitch was not discussed.

Solution: Find out what your ranking is. Study those firms with better ranking and implement new strategies.

LOST BUSINESS

Another firm called after being fired from a big client. The reason? The firm didn't share its diversity strategy and plan. Even worse, the client said the firm showed no results, no progress and no improvement in this area the last 24 months. The firm representative asked if I could give him a plan to show the (now former) client. I let him know that that's not possible — you actually have to be executing the strategy and plan presented and not just write some words on a piece of paper.

Solution: Reach out to the firm that fired you and ask them for names of firms who are "doing it right." Study those firms and implement similar strategies to be more diverse and inclusive.

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CLIENT GOES ELSEWHERE

"One of our biggest clients just went with another firm," one of my clients tells me. My client

explains that it's a class action Family and Medical Leave Act case. The plaintiffs are diverse, and the jury likely will be, too. So they went with another firm, as they wanted diverse representation on their bench. "They said we couldn't offer that. I thought they were kidding, really. We were the incumbents, the best firm in town. Yet another firm won the work, and now they are opening an office in our city." It was a wake-up call, to say the least.

Solution: Stop just talking about hiring more diverse talent, and put together a diversity hiring strategy and plan and implement it. Again, study firms more diverse in your particular practice area. Remember you don't need to recreate the wheel — you take someone else's tire and put a white wall on it.

PROVING YOUR DIVERSITY

Another firm called to complain that one of their biggest clients asked for a weekly report on how many hours are being billed to them that were accomplished by female, minority, disabled, veteran or LGBT attorneys on the team. The firm was clearly unhappy about this request, even borderline angry. My reaction was simple: Get over it. Start putting together a diversity and inclusion strategy, and execute that plan. Anger and denial will not pay your bills or cover your payroll.

Solution: Anticipate this level of client scrutiny and be ready to make your diversity case.

TAKING ACTION

These are just a handful of the scenarios I've encountered over the years. But they illustrate a powerful point — clients aren't just demanding diversity when they decide who to give their business to. They want to see how companies are embracing it with action. Not having a plan in place that you are not acting on can end up costing you clients and talent who leave the firm for a "better place to work."

ABOUT THE AUTHOR

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