

InsideCounsel

This year, legal departments should fully commit to diversity

Real resolutions for 2012

BY LAURIE ROBINSON

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At the beginning of the new year, many of us set personal resolutions and goals. For some, it is to exercise, eat right and lose weight. For others, it is to spend more time with family and friends. For 2012, corporate legal departments and law firms need to commit to putting diversity on the top of their list of action items.

In 2011, as we read news accounts of inappropriate and illegal sexual actions by people in positions of trust and authority, we recognize that there are takeaways. The first is that in witnessing injustices, it is not enough to do the minimum. Secondly, it is not enough to just do something; it is important to do all that we can do. Thirdly, our voices are there to be used in a ways that galvanize those around us into action. Anything less than maximizing our full ability to make a difference in diversifying our workplaces in 2012 is doing the very minimum with no major impact.

Going a step further, the same principle applies to each and every one of us. Did you do something for diversity? Did you do the right thing for diversity? The answer hopefully is “yes.” But the analysis does not stop there. You then have to ask: Did you do everything that you could do to make a difference in fostering diversity at your job and in the legal profession?

For me personally, I feel like I have contributed to diversity through writings, speaking engagements, serving on diversity committees and sharing my input at every occasion. But I also feel that I can do more. In 2012, my New Year’s resolution is to make my actions even more significant.

We all should commit in 2012 to ensure that diversity is not a check-the-box function for compliance purposes but that we have meaningful results to show from our efforts.

In 2012, let us all commit to do the following:

Address unconscious biases. Some gender and race biases, while unconscious, shape our thoughts, statements and actions. Without realizing it, we have a preference for or against a person or group, and we communicate that message in ways that negatively impact diversity in the workplace. In becoming aware that we have unconscious biases, we should address them, modify our behavior and monitor the changes.

Use diverse attorneys. We all should make sure that diverse attorneys are fully used at the law firms that service us. In 2012, assess this by reviewing billable hours. Look at the substance of the work they are doing, their projects and level of exposure to the in-house legal team. If they are being marginalized, say something about it.

Develop summer internship and pipeline programs. The legal profession's future is in the schools. Serious efforts should be made to increase opportunities for potential lawyers to intern in our workplaces and get exposure. In that way, we are reaching out to diverse candidates early and opening up ways to maximize diversity.

Increase legal fee spending with diverse outside counsel. If corporate legal departments are spending millions of dollars on outside counsel, but only thousands are going to diverse outside counsel, there is a strong possibility that diversity is not top of mind. In 2012, we must assure that our legal fees with diverse outside counsel measure up to the dollars spent.

There is a great saying, "To whom much is given, much is required." As lawyers, we are held to a higher standard. We are measured not just by the things that we do, but whether we did enough and whether we did the right thing. When we are asked whether we did all we could do for diversity, we should strive to be able to answer in the affirmative, "Yes, we did." When we answer affirmatively, we can check off that New Year's resolution as a mission accomplished.

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