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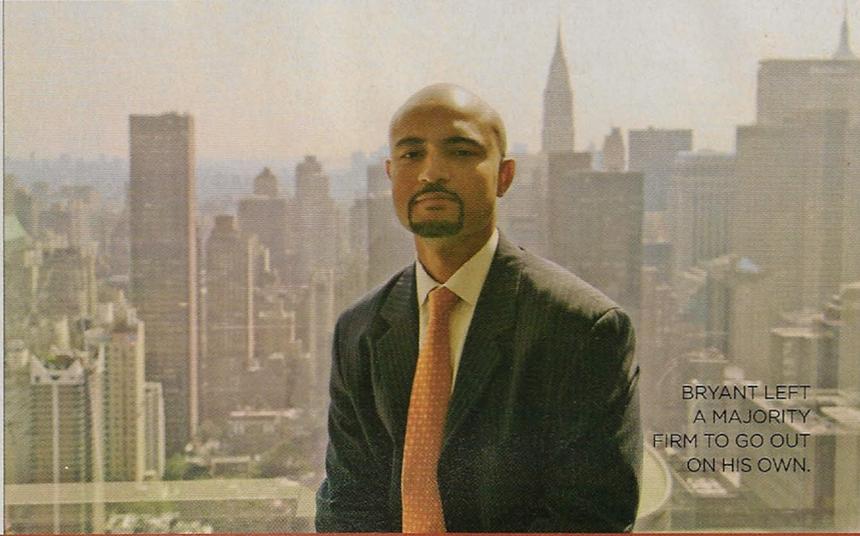


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WHO'S GOT NEXT?
*Entrepreneurs Nakia Stith, Jamail Larkins,
Natasha Eubanks, and Darnell Henderson*



BRYANT LEFT A MAJORITY FIRM TO GO OUT ON HIS OWN.

SPECIAL REPORT

The Legal Face of Diversity

A recent study underlines unresolved challenges for African Americans in the legal profession, causing organizations to advocate for improved diversity efforts

AFTER PRACTICING LAW FOR NEARLY eight years, by 2003, B. Seth Bryant had reached a crossroad. He was feeling stagnant after serving four years in the corporate department of Morrison & Foerster L.L.P., a firm specializing in legal services in business and litigation. So he decided to branch out on his own. Bryant's first attempt at entrepreneurship resulted in a seven-lawyer corporate boutique called Bryant Law Group P.C., but after Adorno & Yoss, L.L.P., the largest certified minority-owned law firm in the U.S., acquired it, he returned to private law.

Yet, Bryant couldn't escape the idea of striking out on his own. Finally, on Jan. 1, 2009, Bryant became the founder and managing partner of Bryant Burgher Jaffe & Roberts L.L.P., an 18-lawyer, minority-certified firm that provides legal services on transactions in advocacy matters and offers expertise in municipal finance, private equity, and real estate.

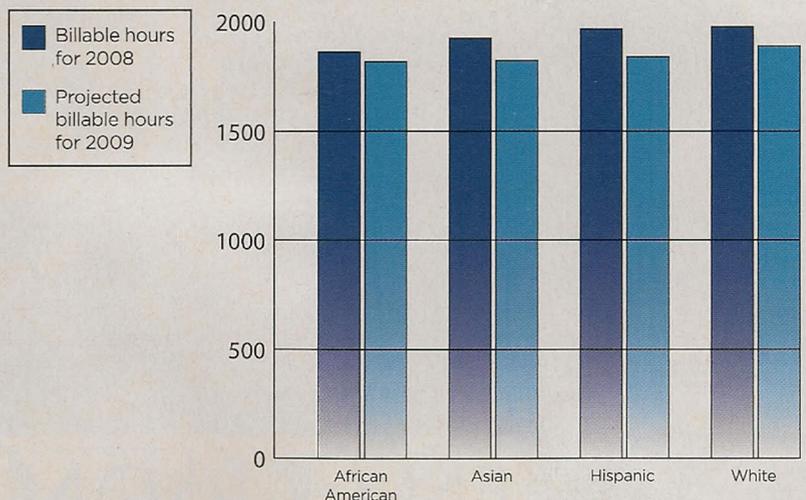
Bryant admits another influence on his decision to open his own firm was the challenge of acquiring a mentor, one of the many dilemmas that continue to haunt African American associates at private law firms.

During last year's recession, few industries were safe from budget cuts and massive employee layoffs, and the law profession was no exception. But it seems that old challenges don't die for African American lawyers who suffered most from the legal profession's deficiencies, according to data gathered by *The American Lawyer's Midlevel Associates Survey*.

The survey, which had 6,101 mid-level associates participate (169 of whom were African American) and was released last fall, reveals how stressful it has been at private law firm offices, with minority associates (African American, Asian, and Hispanic) reporting high levels of anxiety about job security. This anxiety proves to not be in vain since minority lawyers said they posted fewer billable hours on average in 2008 than their white co-workers. The average hours billed for African Americans was 1,862; 1,925 for Asians; 1,965 for Hispanics; and 1,976 for whites. The projected billable hours for 2009 were 1,818 for African Americans; 1,823 for Asians; 1,841 for Hispanics; and 1,889 for whites. Furthermore, in comparison to the other ethnic groups, African Americans were the highest percentage, at 22.5%, to report that their workload was too light. With disproportionate numbers such as these, African American lawyers are vulnerable to canceled bonuses, salary cuts, or layoffs.

Despite such dismal numbers, the results of the survey are not surprising. The reality of being an African American at law firms has been studied for years, if not decades. What the survey demonstrates is that the informal structure of associates having to be dependent on ▶

Estimated Billable Hours for Minority Associates



SOURCE: THE AMERICAN LAWYER



a partner in the firm to funnel them work in order to bill hours, is falling short for African Americans.

According to Laurie N. Robinson, CEO of the Corporate Counsel Women of Color, "the billable hour model makes it tough on associates of color. When it comes to the distribution of work, the partners who have the business and work to give—predominately Caucasian—tend to give work to people who look like them—Caucasian associates. This sometimes leaves associates of color out in the cold," she says. "The state of the economy means work may have been limited at firms and there is less of a pie to eat—associates of color may only get the crust of the pie, if anything at all."

Besides lacking required billable hours, Robinson says additional challenges include lawyers missing out on mentor relationships and not having access to training and development opportunities within firms. And even in 2010, Richardson notes how speculation about a lawyer's level of qualification, and attributing the success they've had to affirmative action, are still apparent. These thoughts are certainly outdated, she notes.

"It's certainly a buyers market right now in terms of diverse attorneys with

The state of the economy means work may have been limited at firms and there is less of a pie to eat—associates of color may only get the crust of the pie, if anything at all.

—Laurie N. Robinson

outstanding credentials, particularly African Americans," says Veta T. Richardson, executive director of the Minority Corporate Counsel Association.

But it's not only African American associates being hit hard. Minority partners are also being forced out of firms, according to Richardson.

"I've heard about too many minorities who went the distance to make partner at their firm and now, all of a sudden, times are difficult and they are finding they lack the level of support and the client relationships to remain viable members of their firm."

Though the talent may be out there, there is heightened concern that the legal profession is still underrepresented in terms of diversity. According to statistics from the National Association for Law Placement, in 2005, out of 55,113 law firm partners nationwide, only 4.6% of partners were of color. Out of 60,367 law firm associates nationwide, 15.6% of them were of color. In 2009, out of 61,821 partners nationwide, 6.1% were minority. Out of 63,168 associates nationwide, 19.7% were minority.

With diversity numbers seemingly not up to par, advocates—in legal organizations such as MCCA and Corporate Counsel Women of Color and in corporate America, such as Roderick "Rick" Palmore, general counsel for General Mills and one of **BLACK ENTERPRISE's** Top Corporate Counsels—are requesting private law firms be more proactive in their diversity efforts and utilize

diverse lawyers on staff. Palmore is the founder of A Call to Action, an initiative that began in 1999 to get corporations onboard with diversity in the legal profession. A number of corporations have demonstrated their commitment to law diversity, some of which include Wal-Mart, Verizon, Procter & Gamble, TIAA-CREF, and the Coca-Cola Co.

For lawyers struggling at their firms, Robinson says investing in your own career development is key. Be proactive by networking with Caucasian co-workers and participating in company functions. But for those who find that the firm environment is no longer suitable, consider going in-house. According to Vera Sullivan, founder and president of Diversityforce L.L.C., a firm that specializes in career advancement for diversity professionals, joining a corporation can provide more career opportunities. "Lawyers can enter the corporation's legal department and after establishing successful relationships across the company with business managers, may be able to transition into other business lines of the company including, for example, governance or government affairs," she explains.

—Brittany Hutson

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—Veta T. Richardson



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