

Diversity

Common Sense Ways to Increase Minority Representation Among Interviewees

BY BUTLER BUCHANAN III

Special to the Legal

Prior to joining my current firm in 1999, I worked as an assistant district attorney in the Bucks County District Attorney's Office, as assistant general counsel at a Philadelphia-area based chemical company, and as a partner at two Philadelphia-area insurance and corporate defense litigation firms. Over that 20-year span, I had never had a minority attorney as a colleague.

I do not see that as an indictment of any of my previous employers, but rather as a reflection of the times and of the small number of minority attorneys seeking employment with those employers. It also reflected the inability of those employers to attract a diverse group of candidates for employment.

It became clear upon my arrival to my current firm that senior management had made the recruitment and retention of minority attorneys a high priority. If you take nothing else away from this article, you should know that it is my strong opinion (and that of many commentators) that law firms will not be able to attract and/or retain minority attorneys unless the senior-most management of the firm makes it clear that doing so is a high priority.

After being here for a few years, I was honored to be asked to assume the role of hiring partner. After doing so, I quickly realized that utilization of the traditional methods of seeking candidates (ads in *The Legal Intelligencer* and/or other print media and online ads) were not resulting in our attracting a representative sample of law students or practicing attorneys from the standpoint of ethnicity. In fact, I was



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astounded by how few minority candidates I would typically see over a given time period, even when we had plenty of ads for employment and were hiring plenty of attorneys.

While not every minority attorney will have information on his/her resume to self-identify ethnicity, it has been my experience that most do. Whether or not that is the case, the number of minority candidates whose resumes I was receiving — and who I was actually interviewing — was extremely disappointing. While in any given instance there could be many reasons why a particular candidate would or would not be interested in interviewing here or at any particular firm, the executive committee of my firm and I were convinced that there had to be ways to garner the attention of minority candidates who may be interested in a defense litigation practice.

SUGGESTED ACTIONS

My first suggestion is that someone at your firm needs to establish relationships in the career development/career place-

ment offices at the local law schools in the area where your firm practices. This is a good thing to do in order to educate law students and recent graduates about what type of law firm you are, and what type of candidates you wish to attract. Now, more than ever, law students and recent graduates are consulting with the career development and career placement professionals at their law schools in order to identify potential employers. Once the career placement professionals know what type of work your firm does, if the appropriate occasion arises where a law student or recent graduate is interested in a firm like yours, candidates could be referred to you. This goes for minority and majority candidates.

Based upon these relationships, our firm has on three occasions partnered with two other litigation firms in Philadelphia to jointly hold a reception to which we invited minority law students from the six area law schools. Invitations were also sent to leaders of the Philadelphia Bar Association and to other bar leaders. Each of the three law firms involved sent five to seven attorneys to participate in the evening, giving the law students in attendance the opportunity to meet professionals from each of the firms, and to learn about litigation-focused firms like ours.

While it is a changing demographic, we still find that the overwhelming majority of the minority candidates that we see are first-generation law students and lawyers. Often they, like the undersigned during law school, have little idea about what law firms exist and what kind of work they do. Not having lawyers in the family or knowing lawyers personally, they often lack mentors to point them in the right direction based upon the type of work they may

be interested in doing. We find that even in this Internet world, many law students, diverse or not, are acutely aware of who the AmLaw 100 and 200 firms are, but are not well-versed on local law firms in the practice area(s) in which they may be interested.

The first year that we held this reception, 74 law students attended. The next time, over 100 attended, and we hope to continue that trend. While we have not hired a large number of the minority attorneys who attend our receptions, this event has clearly placed our firm on the radar screen of many minority law students and attorneys who were not seeking to interview here just a few years ago.

I am not suggesting “if you build it they will come,” but I am suggesting that if there is a perception that a particular law firm or other employer has a sincere interest in recruiting minority candidates and you make strategic efforts to attract them, you will begin to see more applying to your firm.

Before and during my tenure as hiring partner, our firm has interviewed at the Philadelphia Area Minority Job Fair, which takes place every September. We also participate in the Delaware Minority Job Fairs twice a year. Participation in these job fairs is a good way to gauge “who is out there.”

Frankly, however, for a variety of reasons, we have had mixed success with identifying candidates for employment at these venues. That being said, we believe it is important to continue to attend and participate in these and similar job fairs, and in other programs in which there is an opportunity to interact with minority law students in order to consistently illustrate the firm’s commitment to diversity.

These job fairs are advertised among the student and attorney populations, and they are a good way to let candidates know who you are. They typically occur on weekends, and the staff at these job fairs are cooperative in assisting the law firm participants.

Each of the Philadelphia-area law schools — like many law schools nationally — has

minority affinity groups within the law school, including those for Asian-Pacific law students, African-Americans, Latinos, etc. Finding a way to interact with one or more of those organizations, by way of mentoring students or recent graduates or by seeking an opportunity to address those groups, can be another rich source of opportunities to educate minority law students and recent graduates about your firm.

Over the past few years, we have been interviewing more minority law students and attorney candidates, and the quality of the candidates we are seeing has increased markedly compared to just a few years ago.

CONCLUDING THOUGHTS

Not long ago, my firm’s chief executive officer and I were on a conference call with a claims executive of a major insurance company client discussing a survey that the firm had responded to at the request of that client. In addition to seeking raw numbers of minority attorneys and staff employed at the firm, the survey sought detailed information concerning the advancement of minority attorneys within the firm. It also requested a breakdown of which minority attorneys were handling that client’s files, and the amount of time spent by those attorneys handling that client’s files in the prior year.

Our conference call with this client took place after the client had the opportunity to review and digest information we had provided in response to its survey. The purpose of the call was to identify strategies to get more minority attorneys involved in handling that client’s files, and to increase the amount of time spent by minority attorneys working on its files.

That particular client, and several of our other clients, have made the point that when they retain law firms to handle and try cases in areas where the demographics reflect substantial percentages of minorities, those firms should seek to have their attorney populations at least somewhat reflect the demographics of those areas.

The client referenced above is one of the many that have made it clear that the firms they retain must be diverse.

These clients’ demands assist us in articulating the business case for diversity. We agree with our clients that the setting of and pursuit of realistic goals in this regard will yield success. A growing number of our clients are convinced that having a diverse law firm to protect their interests will provide the best representation on their behalf.

Before closing, I want to reiterate an important point referenced above. In order to succeed in increasing the number of minority attorneys at your firm or business, it must be a clear and definite priority of the firm’s senior management that doing so is important. If that is not the case, you will not succeed. If senior management does make this a priority and supports a consistent evaluation and re-evaluation of the firm’s pursuit of fair and realistic goals in this regard, you will succeed.

The next important topic to address is what happens after ethnically diverse attorneys arrive at your firm. As you are probably aware, retention is a major issue and one that I hope will be addressed in another article in the near future. •