

Agents of Change

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After clients Sara Lee Corp. and Sears Roebuck & Co. lured away three African-American partners from Sonnenschein Nath & Rosenthal, the firm needed some new blood.

So it called in recruiters who specialize in diversity recruiting: Maryland's Carter-White & Shaw and Chicago's Winston & Green. Within a few months, Sonnenschein had a pool of candidates from a range of ethnic backgrounds. It hired laterals for offices in Washington, D.C., and San Francisco and may add one in Chicago, said John Childs, a Chicago-based Sonnenschein partner who handles diversity issues.

"While mainstream headhunters have a few contacts, they don't have the same network" as diversity recruiters, Childs said. Specialists "talk to attorneys of color. They know who's available and who's ready to move."

Companies long have prodded the law firms that work with them to hire attorneys from a variety of ethnic backgrounds. As new law firm hires and general counsel ranks become increasingly diverse, that pressure is increasing.

"The corporate clients are definitely driving this issue," said James Potter, general counsel at Del Monte Foods. "Without clients demonstrating with their business that this is an issue, law firms will not respond to it."

Across the country, boutiques that match minority attorneys with law firms say business is on the rise. And now, at least one traditional recruiting firm is getting into the act. Major, Hagen & Africa now has a recruiter focused on diversity efforts.

"It's a growing area," said Edna Messick, a Jersey City, N.J.-based diversity headhunter.

Ron Jordan, senior principal director at **Carter-White & Shaw**, says during a recent day he received calls from a San Francisco firm asking for two attorneys,

a firm in Minnesota that needs three attorneys, as well as a New Jersey firm on the lookout for three.

"One year ago, I would have had to solicit those calls," said **Jordan**, who says he used to cold call law firms to generate business.

Nationally, only a handful of headhunters are experts in diversity recruiting. Winston & Green specializes in Midwest attorney talent while **Carter-White & Shaw** is a national headhunter. Messick, an attorney who is the president of 3-year-old E.M. Messick Consulting Inc., focuses on filling in-house positions nationally.

These recruiters, who develop their clientele through word of mouth, say they specialize in providing firms with a slate of high-quality candidates from a wide range of ethnic backgrounds. To do that, diversity headhunters aggressively network among minority lawyers, making the rounds at conferences, conventions and specialty bar associations.

"It's not an easy area to break into," said Messick, who's a former managing director for diversity publications for American Lawyer Media, parent company to *The Recorder*.

"I can't see Major, Hagen & Africa spending time with a third-year Hispanic student who does not have an offer and helping him with his resume," said Winston & Green recruiter Larry Green, whose 14-year-old firm's client list includes Winston & Strawn, GlaxoSmithKline and Piper Rudnick.

Anna Marie Armstrong, managing director at Major, Hagen & Africa, disagreed with that characterization. For several years, her company has done outreach at law schools, helping students with resume writing, mock interviews and other types of career counseling. "The diversity task force is new as of this year, but we reach out to students," she said.

Major Hagen started the diversity task force to look at its own internal diversity issues as well as ways to better provide firms and corporate legal departments with more minority candidates, said Armstrong, who is heading Major Hagen's diversity efforts. "In the past year or two, we have seen an increase in the number of clients that want a diverse group of candidates."

One Major Hagen client is Farella Braun & Martel, where minorities account for 13 of the firm's 118 lawyers, including four partners. While the firm has made diversity a priority for years, it lately has become more aggressive in those efforts, said Mark Petersen, vice chair of the San Francisco firm. "We have expressly told recruiters that diversity is a priority for us."

A combination of factors has revved up firms' interest in luring minority attorneys, headhunters and firms say.

Corporate legal departments tend to be more integrated than the firms they hire for outside counsel, Green said, and it's not uncommon for corporations that have made internal diversity efforts to push firms to do the same.

"As law firm clients," says Don Liu, the general counsel at Ikon Office Solutions, "IKON and other corporations are in a unique position to influence law firms to promote diversity."

Liu says the company believes "diverse law firms can better serve and support our diverse legal needs."

According to the Minority Corporate Counsel Association, more people of color are being tapped for general counsel posts at *Fortune* 1000 firms. Its annual study, released this month, found 41 *Fortune* 1000 companies have Asian, African-American, Latino or Native American GCs. That compares with 14 minority *Fortune* 500 GCs in 2000. The MCCA expanded its study from *Fortune* 500 to *Fortune* 1000 firms this year because many companies fell off the *Fortune* 500 list during the economic downturn.

Veta Richardson, the association's executive director, agreed that the new crop of GCs are influencing law firms. Minority and female GCs tend to be more savvy about the struggle with diversity at firms, she said.

"I think some of the diversity dynamics are propelled by people who were at law firms who left for diversity-related reasons," Richardson said. "They are now GCs."

Richardson said she has heard from some partners-turned-GCs who've vowed not to send work to their former firm because they had negative experiences there.

"The people who are mistreated today [at law firms] may be writing the check – or not writing the check – tomorrow," she said.

It's not uncommon for corporate general counsel to ask firms how many minority attorneys they employ and whether those attorneys will handle the company's legal work, firms and recruiters say.

Del Monte's Potter, who went in-house after working at law firms, said his company seeks firms that credit minority attorneys for handling Del Monte's legal

matters or bringing in its business.

Firms are also feeling internal pressure to diversify.

At Sonnenschein, where minorities account for 11 percent of the firm's 650 lawyers, including 3 percent of its partners, a "groundswell" of younger attorneys pressured the firm to make diversity a higher priority in its strategic plan, said Childs. Achieving diversity goals is now one of the criteria used to judge firm leaders' performance.

New attorneys or lateral hires also are asking prospective firms whether they have diversity committees, whether people of color are on it, and whether the firm does community work, firms and recruiters said.

Sometimes firms do not realize they must re-think their recruiting strategy if they want to make inroads in diversity, Messick said. If a firm has its heart set on a lateral candidate with an Ivy League diploma and a \$1 million book of business, they will miss many talented white attorneys, not to mention people of color.

Minorities account for only a small percentage of partners nationwide — they made up just 4 percent of partners at the nation's 215 largest firms in 2002, according to a study published in *Recorder* affiliate *Minority Law Journal* — and only a few of them have been partner for a long time. So minority partners tend not to have big books of business, headhunters say.

Retaining new hires also requires a commitment from the firm, Messick said. The most successful firms have a multi-pronged approach that includes hiring, mentoring, retention and reaching out to local community groups.

"Otherwise you are just throwing bad money after good," **Jordan** said.

A commitment to diversity doesn't end with new hires, agreed Childs. "You need to put in to place mentorship programs. When you bring in a lateral, you have to weave them into the fabric of the firm."

Ultimately, changing law firm culture benefits all attorneys, not just minorities, said **Jordan**, a legal recruiter for 12 years. New attorneys have different expectations about firm life, he said, noting that women make up more than half the incoming students at law schools.

Partners historically have been used to hiring talented laterals and leaving them to fend for themselves in competitive, sometimes hostile firm environments, **Jordan** said.

"Nurturing is hard for law firms to learn," **Jordan** said. "Either they will get it now or [lawyers] will go to the firm that will."