

WASHINGTON
WOMEN LAWYERS



THE LAW FIRM DIVERSITY REPORT

PRESENTED BY

**MINORITY BAR ASSOCIATIONS OF WASHINGTON
JOINT COMMITTEE ON LAW FIRM DIVERSITY**

March 1, 2009

Overview

This is the unprecedented **Law Firm Diversity Report**, compiled by the Minority Bar Associations of Washington Joint Committee on Law Firm Diversity (JCLFD), a coalition of leading attorneys in the Northwest from nine leading minority bar associations:

Asian Bar Association of Washington
Korean American Bar Association of Washington
Latina/o Bar Association of Washington
Loren Miller Bar Association
Northwest Indian Bar Association
QLaw (the GLBT Bar Association of Washington)
South Asian Bar Association of Washington
Vietnamese American Bar Association of Washington
Washington Women Lawyers

(In consultation with Washington Attorneys with Disabilities Association)

In an effort to raise the bar and break new ground for minorities in the legal field, the JCLFD set out to dig deeper into the diversity landscape of Washington law firms to find out which firms take action and/or drive results supporting diversity in the following areas:

- Recruitment
- Hiring
- Mentoring
- Promotions
- Retention
- Management
- Policies and Programs

*“At **Nordstrom**, we have a long-standing commitment to diversity and believe the richness this brings to our workforce makes our company better and the communities we serve stronger.”*

*Amelia Ransom Letcher
Divisional Vice President, Diversity Affairs*



For the first time ever,

the Minority Bar Associations of Washington have strategically gathered this vital information for our industry. The findings are shared with firms, in-house counsel, law students and media to make firms aware of their rank in terms of diversity efforts and results - and how substandard performance regarding diversity issues can have a serious impact on a firm's business development and community profile.

The findings also allow JCLFD to provide case studies of how the most successful firms leveraged diversity to retain and develop diverse attorneys, as well as offer solutions for firms that seek to improve in these critical areas.

The Minority Bar Associations of Washington intend to conduct this survey annually to continue commending firms that do well and identify those that could improve, inspiring all law firms to:

- **Shine** the spotlight on the critical issue of diversity
- **Learn** from each other about which diversity efforts and programs deliver results
- **Provide** law students with vital information to power their job searches
- **Ensure** that in-house counsel factor a firm's diversity efforts into their hiring practices

Methodology

The JCLFD created and distributed a **Law Firm Diversity Questionnaire** to the 50 largest firms or law firm offices in Washington State, as reported by *Washington Law and Politics*.



The Questionnaire sought detailed demographic information regarding the racial/ethnic, gender, sexual orientation, and disability status of attorneys and summer associates in the law firms that were surveyed.

Data

The Questionnaire also asked for descriptions of law firm diversity efforts and programs. 32 out of 50 law firms responded to the survey and allowed the JCLFD to group the resulting data into two key categories:

Hard Factors: Demographics

Soft Factors: Narrative information

Both categories of data were used to determine a firm's composite score with regards to diversity efforts. For the overall rankings, the JCLFD gave more weight to hard factors to recognize actual results derived from effort; however, it also gave consideration to the soft factors to acknowledge that efforts and programs that strive for diversity count, as well.

EXAMPLE:

The percentage of diverse partners was given greater weight in the overall score than the percentage of diverse summer associates, reflecting the fact that a higher percentage of diverse partners requires a greater commitment to mentoring, retention and promotion.

Scoring

Each representative of the JCLFD then reviewed each narrative explanation and gave each firm a score. The scores were then averaged and each firm was given an overall average score for each question. Any representative of the JCLFD that had previously or was currently employed by any of the participating law firms recused himself/herself from the scoring process for that particular law firm.

The JCLFD recognizes that, depending on size, specialization or geography, firms face different opportunities and challenges in creating a diverse attorney work force. The Minority Bar Associations of Washington JCLFD presents these findings without conclusions about the effect, if any, that firm's size, specialization or geography might have on diversity results and efforts.

The Minority Bar Associations of Washington Joint Committee is very appreciative and commends the 32 law firms that participated in the survey, particularly those who understood that its diversity numbers or efforts could be eclipsed by other firms.

Conversely, 18 firms did not participate in this year's survey. The Minority Bar Associations of Washington Joint Committee on Law Firm Diversity strongly encourages firms to reconsider participation in future reports, which will allow the legal profession to gain and promote a fuller understanding of the state of Washington law firms' diversity efforts and positive results.

Relevance

The Minority Bar Associations of Washington JCLFD believes there are two fundamental reasons why law firms need to understand performance with respect to diversity:

The corporate world insists on diversity.

Diversity is a societal necessity.

Diversity makes business sense.

Most companies, and definitely the largest corporations in the world, make it a priority to welcome and inject diversity into their ranks. More and more, there is a push to diversify at the executive levels, which includes attorneys hired from outside firms. A more diversified attorney work force can better position law firms to understand and meet client needs, as minorities will be the majority – in the next decade.

"The 50 largest minority-owned companies in Washington have a total combined revenue of over \$3 billion."

*Michael Verchot, Director of the University of Washington
Business and Economic Development Center*



Microsoft

Recently, Microsoft, the largest software company in the world and one of Washington State's largest employers, adopted pay for performance incentives to enhance legal diversity and to encourage the law firms that represent Microsoft to diversify their ranks. Through this program, law firms will be eligible for a two percent quarterly or annual bonus based on whether they achieve concrete diversity results.

"We believe that diversity in our legal teams is a business necessity. We cannot be effective if we cannot understand and appreciate the interests and needs of the incredibly diverse individuals who make up our stakeholder groups."

*Brad Smith, Senior Vice President, General Counsel,
Corporate Secretary, Legal & Corporate Affairs*



Diversity is the nation's first choice.

Professional change is compatible with societal change. In recent years, the quick rise and acceptance of multiculturalism in all facets of society has just culminated in the election of a multicultural President. Diversity is contemporary and inclusive, advocating that an advanced society extends equal status to distinct racial and cultural groups, with no single culture predominating.



"Patterns of stratification with the legal profession are important in their own right . . . because principles of inequality among lawyers may suggest much about whether access to justice in our society is fairly distributed. If race, gender, and social class are determinants for entry into the profession and for the attainment of certain positions within the profession, it may imply that these same attributes affect the sorts of treatment individuals will receive by legal institutions."

*Robert L. Nelson
Partners with Power: The Social Transformation of the Large Law Firm
(Berkeley: University of California Press)*

Key Findings

The survey discovered the following comparisons of law firms versus the overall **Washington State** population, revealing whether law firms represent the diversity landscape of Washington:

- **Racial and ethnic minorities** make up 15.6% of the population in Washington, but only 12% of attorneys in the surveyed Washington law firms.
- **Sexual orientation minorities** make up 5.7% of the population in Washington, but only 2.5% of attorneys in the surveyed law firms.
- **Persons with disabilities** make up 16% of the population in Washington, but only 0.45% of attorneys in the surveyed law firms.
- **Women** make up 50.13% of the population in Washington, but only 34.5% of attorneys in the surveyed law firms.

Breaking down the findings into firm comparisons and rankings, the JCLFD based scoring on a combination of factors in two key areas: the hard factors, such as results derived from diversity efforts, as well as the soft factors, such as the programs implemented to strive for diversity.

The Top Ten

These firms, in order, received the highest overall scores based on the survey's criteria.

RANK	FIRM
1	PERKINS COIE
2	HELLER EHRMAN**
3	HELSELL FETTERMAN
4	CAIRNCROSS & HEMPELMANN
5	DAVIS WRIGHT TREMAINE
6	K&L GATES
7	GRAHAM & DUNN
8	STOEL RIVES
9	DORSEY & WHITNEY
10	BULLIVANT HOUSER BAILEY

***Although Heller Ehrman is dissolving, the Minority Bar Associations JCLFD decided to include Heller Ehrman in this report, as the firm had developed and implemented programs to support diversity and could help provide insight for other firms.*

The Leaders

The following firms ranked highest in sub-categories of essential issues.

Highest Percentage of Racial and Ethnic Minority Attorneys

1. Christensen O'Connor Johnson & Kindness
2. Lee & Hayes
3. Cairncross & Hempelmann

Highest Percentage of Female Attorneys

1. Bennett Bigelow & Leedom
2. Stokes Lawrence
3. Keller Rohrback

Highest Percentage of Self-identified GLBT Attorneys

1. Helsell Fetterman
2. Bullivant Houser Bailey
3. Garvey Schubert Barer

Highest Percentage of Attorneys with Disabilities

1. Betts Patterson & Mines
Garvey Schubert Barer (*tie)
2. Graham & Dunn
3. Helsell Fetterman

Highest Percentage of Combined Minority, Female, GLBT and Disabled Partners

1. Christensen O'Connor Johnson & Kindness
2. Helsell Fetterman
3. Stokes Lawrence

Highest Percentage of Combined Minority, Female, GLBT and Disabled Upper Level and Senior Associates

1. Bennett Bigelow & Leedom
Miller Nash
Schwabe Williamson & Wyatt
Stafford Frey Cooper
Stokes Lawrence
Williams Kastner (*tie)

Highest Percentage of Combined Minority, Female, GLBT and Disabled Summer Associates

1. Bennett Bigelow & Leedom
Betts Patterson & Mines
Bullivant Houser Bailey
Cairncross & Hempelmann
Gordon Derr
Graham & Dunn
Helsell Fetterman
Hillis Clark Martin & Peterson
Riddell Williams (*tie)

Highest Percentage of Minority, Female, GLBT and Disabled Attorneys in Firm Leadership
Management, Hiring and Recruiting Committees

1. Williams Kastner
2. Helsell Fetterman
3. Stoel Rives

Highest Ranked Efforts in Diversity Recruitment
Diversity job fairs, scholarship/internship programs and recruitment of diverse lateral associates and partners

1. K&L Gates
Perkins Coie (*tie)
2. Lane Powell
3. Davis Wright Tremaine

Highest Ranked Efforts in Diversity Retention
Active mentoring programs for diverse attorneys, diversity training for all attorneys and staff, other programs devoted to develop careers of diverse attorneys

1. Davis Wright Tremaine
2. Dorsey & Whitney
3. Bullivant Houser Bailey

Highest Ranked Efforts in Supporting Minority Bar Associations

1. Cairncross & Hempelmann
Davis Wright Tremaine
Perkins Coie (*Tie)
2. Stoel Rives
3. Williams Kastner

Highest Ranked Efforts in Addressing Same Sex Partnerships
Policies and Programs

1. Helsell Fetterman
Karr Tuttle Campbell
(*Tie, no other firms came close)

Highest Ranked Efforts to Support Female and Working Parents
Strong parental leave policies, alternative work schedules, sexual harassment training and policies

1. Heller Ehrman
2. Perkins Coie
3. Wilson Sonsini Goodrich Rosati

Highest Ranked Efforts to Accommodate Attorneys With Disabilities
Management, Hiring and Recruiting Committees

1. Betts Patterson & Mines
2. Gordon Derr
3. Heller Ehrman

Employment of Attorneys with Disabilities
These were the only firms to report and/or indicate employment of attorneys with disabilities.

- Betts Patterson & Mines
- Garvey Schubert Barer
- Graham & Dunn
- Helsell Fetterman
- Perkins Coie
- Stoel Rives

Participating Firms

The JCLFD sent the Law Firm Diversity Questionnaire to 50 of the top law firms, as listed in *Washington Law & Politics*.

32 firms responded:

- Bennett Bigelow & Leedom
- Betts Patterson & Mines
- Bullivant Houser Bailey PC
- Cairncross & Hempelmann, P.S
- Christensen O'Connor Johnson & Kindness
- Cozen O'Connor
- Davis Wright Tremaine
- DLA Piper
- Dorsey and Whitney LLP
- Foster Pepper
- Garvey Schubert Barer
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- GordonDerr
- Graham & Dunn PC
- Heller Ehrman
- Helsell Fetterman LLP
- Hillis Clark
- K&L Preston Gates
- Karr Tuttle Campbell
- Keller Rohrbach
- Lane Powell Spears Lubersky
- Lee & Hayes
- Miller Nash
- Perkins Coie LLP
- Riddell Williams PS
- Schwabe Williamson and Wyatt
- Stafford Frey Cooper
- Stoel Rives LLP
- Stokes Lawrence
- Vandeberg Johnson & Gandara
- Williams Kastner and Gibbs
- Wilson Sonsini Goodrich Rosati



"T-Mobile USA recognizes the tremendous value and innovative spirit that a diverse work force brings to our organization and the customers we serve. For this reason, we greatly value efforts by our vendor partners, including our law firms, to recognize and promote a diverse workforce within their ranks as well."

*David Miller
Senior Vice President & General Counsel*

Room for Improvement

These firms received the lowest overall scores followed by a list of firms which did not score well on the same key diversity issues.

Note: A higher ranking in this section indicates a lower score.

RANK	FIRM
1	VANDEBERG JOHNSON & GANDARA
2	LEE & HAYES
3	DLA PIPER
4	KELLER ROHRBACK
5	CHRISTENSEN O'CONNOR JOHNSON & KINDNESS
6	COZEN O'CONNOR
7	WILSON SONSINI GOODRICH ROSATI
8	GORDON, THOMAS, HONEYWELL, MALANCA, PETERSON & DAHEIM
9	BENNETT BIGELOW & LEEDOM
10	STOKES LAWRENCE

Lowest Percentage of Racial and Ethnic Minority Attorneys

1. Bennett Bigelow & Leedom
2. Stokes Lawrence
3. Stoel Rives

Lowest Percentage of Female Attorneys

1. Lee & Hayes
2. DLA Piper
3. Wilson Sonsini Goodrich Rosati

No Self-identified GLBT Attorneys

- Betts Patterson & Mines
- Cozen O'Connor
- DLA Piper
- Dorsey & Whitney
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- GordonDerr
- Lee & Hayes
- Miller Nash
- Riddell Williams
- Vandenberg Johnson & Gandara
- Wilson Sonsini Goodrich Rosati

Lowest Percentage of Combined Minority, Female, GLBT and Disabled Partners

1. Lee & Hayes
2. DLA Piper
3. Cozen O'Connor

Lowest Percentage of Combined Minority, Female, GLBT and Disabled Upper Level and Senior Associates

1. Foster Pepper
2. DLA Piper
3. Wilson Sonsini Goodrich Rosati

Lowest Percentage of Combined Minority, Female, GLBT and Disabled Summer Associates

1. Vandenberg Johnson & Gandara
2. Stokes Lawrence
3. Miller Nash

Lowest Percentage of Minority, Female, GLBT and Disabled Attorneys in Firm Leadership
Management, Hiring and Recruiting Committees

1. Wilson Sonsini Goodrich Rosati
2. Foster Pepper
3. Bennett Bigelow & Leedom

Lowest Ranked Efforts in Diversity Recruitment
Diversity job fairs, scholarship/internship programs and recruitment of diverse lateral associates and partners

1. Christensen O'Connor Johnson & Kindness
2. Vandenberg Johnson & Gandara
3. Lee & Hayes

Lowest Ranked Efforts in Diversity Retention
Active mentoring programs for diverse attorneys, diversity training for all attorneys and staff, other programs devoted to develop careers of diverse attorneys

1. Christensen O'Connor Johnson & Kindness
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Lowest Ranked Efforts in Supporting Minority Bar Associations

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Lowest Ranked Efforts in Addressing Same Sex Partnerships
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1. Vandenberg Johnson & Gandara
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Lowest Ranked Efforts to Support Female and Working Parents

Strong parental leave policies, alternative work schedules, sexual harassment training and policies

1. Betts Patterson & Mines
2. Vandenberg Johnson & Gandara
3. Stokes Lawrence

Lowest Ranked Efforts to Accommodate Attorneys With Disabilities

Management, Hiring and Recruiting Committees

1. DLA Piper
2. Stokes Lawrence
3. Schwabe Williamson & Wyatt

Firms That Declined to Participate

The JCLFD sent the Law Firm Diversity Questionnaire to 50 of the top law firms, as listed in *Washington Law & Politics*.

18 firms did not participate:

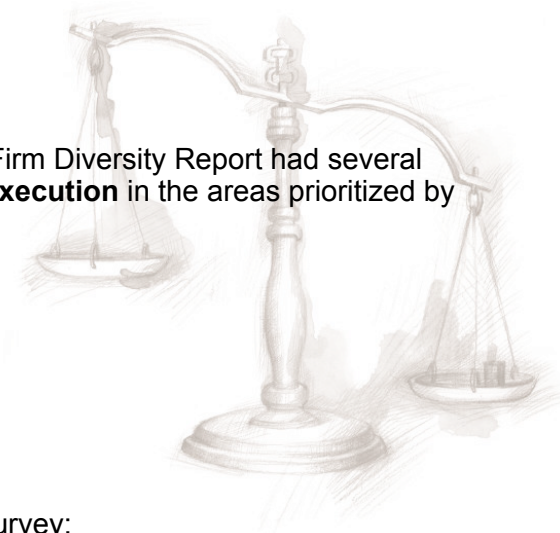
- Carney Badley Spellman
- Davies Pearson
- Eisenhower & Carlson
- Forsberg & Umlauf
- Hagens Berman Sobol Shapiro
- Inslee Best Doezie & Ryder
- Lasher Holzapfel Sperry and Ebberson
- Lee Smart Cook Martin & Patterson
- Lukins & Annis
- Montgomery Purdue Blankinship & Austin
- Ogden Murphy Wallace
- Oles Morrison Rinker and Baker
- Paine Hamblen
- Ryan Swanson and Cleveland
- Seed Intellectual Property Law Group
- Summit Law Group
- Winston & Cashatt
- Witherspoon Kelley Davenport Toole

While some of these firms expressed specific reasons for not participating in the Questionnaire, other firms did not respond at all, despite being given two opportunities and reminders to participate.

Lessons Learned

The firms that performed the best in the JCLFD Law Firm Diversity Report had several things in common: **focused, strong initiatives and execution** in the areas prioritized by the Minority Bar Associations of Washington:

- Recruitment
- Hiring
- Mentoring
- Promotions
- Retention
- Management
- Policies and Programs



Here are some notable examples uncovered by the survey:



Perkins Coie **Diversity Recruitment and Mentoring**

- Pilot program for lateral diverse lawyer hiring sub-committee
- Retreat/meeting for lawyers of color
- High and repeated levels of sponsorship of minority bar association dinners and events



Heller Ehrman **Diversity Recruitment and Development**

- Advertisements of open attorney positions through the minority bar associations
- Use of executive search firms to identify new diversity shareholders and associates
- 300-hour career development credit toward billable hour expectation for new associates



Helsell Fetterman **Support for Same Sex Partnerships**

- Extensive domestic partner benefits for Washington attorneys
- “Gross up” wages for enrolling in same sex partner benefits, equalizing the added tax burden from imputed value of the income charged to same sex couples from such benefits
- Active pro bono involvement on behalf of plaintiffs in *Anderson v. King County* (same sex marriage case)



Cairncross & Hempelmann **Diversity Retention Through Support of Minority Bar Associations**

- High and repeated levels of sponsorship of minority association dinners and events
- Support for diverse attorneys in minority bar association participation and leadership positions



Davis Wright Tremaine **Diversity Retention**

- Introductions of diverse attorneys to key clients in order to be leads on engagements
- A pilot mentoring partnership with a top Northwest client focusing on client development skills from a client's perspective
- A Partnership Coaching Program offering mentorship/coaching for diverse lawyers under consideration for partnership to maximize chances for selection



K&L Gates **Diversity Retention**

- Regular reviews of work assignments and hours billed to key client matters to make sure diverse attorneys are not being excluded
- Minority associates are able to select an additional mentor through the firm's Diversity Committee's Mentor/Buddy Program



Graham & Dunn **Diversity Recruiting and Diversity Mentoring**

- Advertisements for open attorney positions through the minority bar associations
- Introduction of diverse attorneys to key clients



Stoel Rives **Diversity Recruitment**

- Diversity scholarships, with consistent offers to return for a second summer
- Offers for all second-summer associates to return to permanent positions



Dorsey & Whitney **Diversity Recruiting and Diversity Mentoring**

- Minority attorney mentorship program matching minority, women, and GLBT associates with a partner advisor
- Diversity fellowship resulting in an offer for full-time employment for a diverse law student at the completion of the summer fellowship



Bullivant Houser Bailey **Diversity Mentoring**

- Engagement of a diversity specialist from outside the firm
- Annual meeting for diverse attorneys, attended by Director of Professional Development for feedback to Board of Directors
- Oversight by Director of Professional Development of formal mentoring program focused on productive, proactive mentoring

Other examples of well-received initiatives, employed by a range of firms, include:

- Allocation of sizable budgets for diversity activities
- A dedicated law firm diversity professional who reports to the managing partner
- A separate or unique billing number for diversity-related activities

Call to Action

The Minority Bar Associations of Washington **urge research, discussion, proactive execution and sustenance of initiatives** to support diverse attorneys at all levels: from recruitment to hiring, mentoring to promotions, retention to involvement in firm management, and supporting policies and programs.



*“As one of **Starbucks**’ guiding principles, diversity is absolutely core to who we are as a company. For the Starbucks legal team, our vision of diversity extends beyond Starbucks alone to improving diversity within the legal profession as a whole, including partnering with law firms that will share our vision in tangible and meaningful ways.”*

*Paula Boggs
Executive Vice President and General Counsel*

Summary

The Minority Bar Associations of Washington formed the Joint Committee on Law Firm Diversity to help firms understand the circumstances and power of diversity in an organization, both for business gain and for social progress. The JCLFD also made it a mission to arm students with information that could help them choose diverse firms to support their needs during professional development.

With a clearer focus on where the top Northwest firms succeed and where they fall short, we encourage all firms to draw upon the examples of success within this report, as well as initiate conversations within the legal community to prioritize improvement at every level.

The Minority Bar Associations of Washington also hope that in-house counsel will consider this information when hiring attorneys from top firms, thereby acknowledging that diversity is an advantage in the most critical aspects of doing business, as well as bolstering social change in all professional environments.

The Minority Bar Associations of Washington congratulate the firms that participated in this survey and demonstrated support of diversity within firm ranks, as well as the intention to create more long-term opportunities for diverse attorneys.

Thank you

Asian Bar Association of Washington
Korean American Bar Association of Washington
Latina/o Bar Association of Washington
Loren Miller Bar Association
Northwest Indian Bar Association
QLaw (the GLBT Bar Association of Washington)
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Washington Women Lawyers

(In consultation with Washington Attorneys with Disabilities Association)

***For a more detailed report including statistical data, please contact the Minority Bar Associations
<http://www.wsba.org/lawyers/links/minoritybarassoc.htm>**

or

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