

BigLaw Pairs Up Attys To Move Needle On Diversity

By **Andrew Strickler**

Law360, New York (August 19, 2014, 4:06 PM ET) -- BigLaw is taking steps to turn the personal relationships between partners and favored junior attorneys into formal sponsorship programs they hope will keep more young talent, particularly women and minorities, in the fold, experts told Law360.

While professional sponsorship — a type of individualized advocacy and promotion of proven talent — presents a number of challenges, advocates say the emerging effort to bring more women and minority lawyers into fruitful sponsorship relationships must succeed if the industry wants to move the needle on gender and racial diversity.

“The point is: We have to fix it. This has to work, or we’re going back to an era when law firms were all male and all white,” said Laurie Kleiman, a Sidley Austin LLP partner and co-chair of the firm’s committee on retention and promotion of women. “We can’t have that, and our clients won’t have it.”

Building on recent research about unconscious bias and growing discouragement over stubbornly low numbers of women and lawyers of color in BigLaw partnerships, particularly in leadership positions, some firms are now taking steps to build sponsorship into their business model, experts said.

Sponsorship differs from the mentorship programs in place in virtually all major law firms because they depend on influential sponsors’ personal and professional endorsement of their sponsees.

And rather than a typical mentor-mentee program focused on matching associates with role models, sponsorship is a two-way relationship in which a junior lawyer earns a partner’s trust and respect through their work over time.

In turn, the sponsee gets the partner or partners’ active support in getting higher-profile assignments, endorsement in partner promotion and compensation, and feedback from a person in a position of influence.

Advocates of the concept say female lawyers in particular need to do better in building these kinds of sponsorship relationships and actively building trust and their professional reputations among firm decision-makers.

On the other end of the equation, senior lawyers of both genders also need to understand the power of their personal endorsements and make sure the talent they see is acknowledged, rewarded and actively promoted.

“What women often don’t understand is that even though we might not like men who appear to be self-promoters, finding a way to educate others about our skills and accomplishments is a critical element of successful performance,” said Ellen Dwyer, Crowell & Moring LLP’s managing partner.

“It is no longer sufficient in order to be successful and promoted through the ranks of a law firm to be an outstanding thinker or writer and be someone who does not leave their office,” she said.

Last year, the firm launched an initiative to study and promote sponsorship across the firm with support from the Center for Talent Innovation. The group’s founder and CEO, economist Sylvia Ann Hewlett, is a nationally recognized expert on gender issues and talent management.

Starting with an education campaign and one-on-one meetings with dozens of partners, the firm ran a pilot program with one group of male and female associates, and another made up of female equity and non-equity partners. The program included individual coaching and feedback sessions focused on developing important relationships, executive demeanor and presentation, and other skills.

Dwyer emphasized that successful sponsorship should raise the bar for talented proteges willing to earn trust and actively pursue opportunities.

“This is not about gift-giving, and it’s not a remedial program,” she said. “It’s really for someone who knows what they want to do — they’re ambitious and need a navigator to help them. And not everyone wants to give 110 percent.”

The firm is now in the process of broadening the scope of the sponsorship initiative and identifying best practices that emerged from the pilot program.

Among the participants was Shamiso Maswoswe, a counsel in the firm’s white collar and regulatory enforcement group who joined Crowell after the collapse of Thelen LLP in 2008.

“Nobody knew me or what I could do, and it felt like there was a cloud of doubt around me,” she said. “And the fact that I came in alone meant I didn’t have a defined source of work or anyone to vouch for me.”

After a difficult first six months, Maswoswe said she began building a strong rapport with a young partner in her practice group who actively promoted her expertise.

In one instance, she said, the partner without her knowledge persuaded a Los Angeles partner to staff her in the run-up to an important trial, a case that she said brought valuable experience and exposure — and lots of late nights.

At the time, she said, “I didn’t even know I was being tested.”

Maswoswe credited that relationship and others that grew from it with helping establish her reputation at the firm as well as her promotion to counsel in her first year of eligibility.

“You don’t just receive the benefits of sponsorship, you give back to that person, and if they’re asking you do something on a Friday at seven o’clock, you have to be willing to do it,” she said.

Despite major BigLaw investment in mentorship, recruitment and retention efforts, female attorneys and minorities are making little progress in rising through the BigLaw ranks.

According to the most recent survey from the National Association of Women Lawyers, women make up just 17 percent of equity partners in the country's 200 largest firms — a percentage that has barely budged over the past eight years.

Meanwhile, women are also making up a shrinking percentage of associate ranks. Another report last year from the New York City Bar Association found "manifestations of unconscious bias" against minorities and women, higher turnover in those groups, and declining diversity on firm management committees.

Deborah Epstein Henry, president of Flex-Time Lawyers LLC and an advocate of sponsorship programs, said more than half of firms recognized as the best 50 for women indicated in a survey they had a sponsorship program. But Henry said firms vary in how they define their initiatives and characterized sponsorship as a still-developing concept in the legal industry.

Sponsorship "is one of the most significant topics of interest for law firms on women's issues, but it is also among the more thorny ones," she said.

While leaders widely acknowledge that informal, fruitful sponsorships are common in firms and other organizations, with a more programmatic approach "there is concern it's going to create a negative atmosphere among those who are not identified and about reverse-discrimination."

Following a lengthy task force review on attrition, promotions, lateral hiring and women in leadership that began in late 2012, Kleiman and other Sidley Austin leaders met one-on-one with partners through the first half of this year to discuss the results and next steps for promoting sponsorship.

The goal, Kleiman said, is formal guidelines that will help address the needs of women and diverse lawyers on both ends of the equation and be inclusive for all lawyers.

"Women's initiatives are important. They demonstrate the firm's commitment to these issues and engage people, but they'll only take you so far," she said. "But there has to be these individual sponsor relationships as well, and we have to find a way to make those happen."

--Editing by Jeremy Barker and Philip Shea.