

PERSPECTIVE

DIVERSITY AMONG LEADERS: A LONG WAY TO GO

By: Sandy Lechtick

About 19 years ago, a partner who was thinking of moving her practice called me requesting a meeting. Over lunch and after the pleasantries, she said "Sandy, I want you to know something, I am a lesbian. I tell you this because I don't hide my sexuality and most law firms are uncomfortable with this." We had a good productive meeting. As we departed, she gave me a firm handshake and said, "You'll really have to do your homework."

I did my homework and spent a lot of time on her behalf, but at the end of the day did not place her. Actually, she moved out of the area.

Today, the legal diversity landscape is certainly different than two decades ago. If one were to include in the diversity umbrella minorities, women and gay lawyers, things have opened up. There are a lot more women lawyers, and certainly more women partners. There are more minority partners and openly gay partners. The law firm diversity landscape has expanded but I still see too few minority and gay partners. Law firms have made progress, but still have a long way to go.

From our vantage point of starting new offices of national or regional law firms and enhancing practice groups with key partners, we focus on partners who are leaders and impact players, have self-sustaining practices and have been able to expand their books of business, have achieved levels of authority and responsibility and the wherewithal to play an important role in the growth of a new office or enhance high priority practice areas.

At the end of the day, most continue to be white men generally in the 39 to 55 year old range. While there are not many rainmakers with \$5 million books who move, I can flatly state that all the partners we've placed with \$5 million to \$10 million plus books were white and straight. We have handled the moves of many women and minority partners but the books were, with few exceptions in the \$750,000 to \$1.5 million, enough to be seen as a contributor but not enough to run the show.

While I believe law firms are making a greater effort to have a more diverse workforce, most of their efforts seem to be in the associate ranks. Many law firms talk a good game, but the canary in the mine is the amount of partners who are minority, women or gay partners. And even more telling is the diversity among equity partners. I personally believe that the equity partner number is still very low much lower than it should be.

Another telling barometer would be the number of minority, gay and female law firm leaders, especially at large firms. Again, the figure is very low. The few that come to mind include: Cesar Alvarez, an Hispanic and chair of Greenberg Traurig's executive committee and until recently the firm's chief executive officer; Karl Racine, a black man who is managing partner of Venable; Paul Sweeney, also a man of color managing KL Gates' Los Angeles office; Mario Camara, an Hispanic running Cox Castle & Nicholson; Tom Loo, co-managing partner at Greenberg Traurig's Los Angeles office; Morgan Chu, top rainmaker at Irell & Manella; Bill Lee, co-chair Wilmer Hale. Certainly there are more, but it is not a significant number. I believe there are more women practice group leaders and managing partners of local offices in Southern and Northern California, but it is still a relatively low number.

When a woman is running a big firm it is major news, like Regina Pisa, chairman of Goodwin Proctor or Mary Cranston who was chairman of Pillsbury for several years. Today Carla Christofferson is running the Los Angeles office of O'Melveny & Myers. Patricia Glaser, a top rainmaker and extraordinary litigator, is chairman of Christensen Glaser. But how many other "Pattys" are out there? Perhaps she is one of a kind or perhaps she had a platform that few firms offer; or maybe it was some of both. Few minorities are running major firms; you can count them on one or two hands. And what about gays? Not many. Keith Wetmore is openly gay and chairman of Morrison & Foerster. How many more "Keiths" are out there?

Many companies, especially public companies doing business with the government, request greater diversity. And in many cases they want to see a percentage of minorities and women on the law firm team or they will not consider that law firm. Therefore, it would seem prudent to enhance the whole diversity situation. Yet many firms talk about it, but do not follow through. And even in these situations, seldom do I see a minority heading the team.

Generally and with few exceptions, leaders and rainmakers have a track record of success especially in generating business or handling major matters. While some rainmakers have built a multi-million practice from scratch and established a major niche, most managing partners and rainmakers were mentored by powerful partners, given the opportunity to work on important or high profile matters and able to work directly with key clients. They were often put on a fast track. In some cases all of the above. Certainly they preformed brilliantly, displayed a huge work ethic, showed lots of initiative and generated outstanding results. But the fact remains that white males are given much greater opportunity to rise. Women, I believe, are getting more opportunities but are often negatively impacted by children rearing responsibilities or the perception that they will not be able to make the necessary time commitment.

In short, almost anyone who makes it to the top of the rainmaker or leader pyramid are given many opportunities to piggyback on others with powerful legs. While some pulled themselves up by their bootstraps, most received important assistance and mentoring along the way. They were put into situations that showcased their results, hard work, dedication and judgment. That helped them get to the next rung. And it is clear who gets the most opportunities.

Today, the first black president can select a black man (Eric Holder) as the first black Attorney General or select a Sonia Sotomayor (first Hispanic U.S. Supreme Court Justice) or a Ignacia Moreno to serve as first Hispanic Assistant Attorney General (environmental and national resources). Jenny Durkan, for instance, is the first openly gay lawyer in the Justice Department. And they in turn open up the selection process to highly qualified lawyers, be they white, gay or people of colors. See "Advising the Administration Diversity at the Top" by Joshua H. Shields (Diversity the Bar, February 2010, Minority Corporate Counsel Association).

At the end of the day, there is significantly more diversity in the government and in-house sector. There has been progress in private practice, but the private sector has lagged behind the governmental and in-house sectors. And I think the gap is increasing. Even at large firms, the amount of diversity candidates in the associate ranks is picking up. But sadly, in the partner ranks, most notably in the equity partner ranks, law firms have a long way to go. It's time to pick up the pace.

Sandy Lechtick is president and founder of Esquire, Inc., a Los Angeles based partner placement firm. He can be reached at sandy@esquiresearch.com