

PUBLICATION

Diversity and Inclusion in the Legal Profession: Are We Making Gains?

Authors: Mark A. Baugh

February 21, 2011

For the past three years, law firms have been severely impacted by the struggling economy. Similar to the recession of the 1990s, this downturn has affected recruiting and retention of diverse and women attorneys. Attorneys who began their legal careers during the 1990s recession likely thought that the legal job market could never get worse. But we have learned with the recent downturn that there is a new level of low for people seeking work and people who have lost work.

Since the 1990s, there have been many changes, among the most noteworthy being the development of the internet. The internet has allowed us to track and analyze data and trends. In 1992, as a new lawyer, it was difficult to determine how the recession was affecting minority law students and lawyers. We did not have access to the internet to communicate or read articles on any trends. The information regarding how the recession was affecting our classmates was always anecdotal and usually within our small circle of friends. Today, we are able to access data regarding minority attorneys at law firms across the country and are able to share information.

How did Baker Donelson do during 2010? We lost five minority attorneys in 2010, but we also gained 13 additional minority attorneys, bringing us to a total of 44 minority attorneys. At only 7.7% of our total attorney headcount, it is not our highest percentage. So we worked harder. We created a Minority Associate Advisory Board to meet monthly and provide us with feedback and best practices. We held a diverse shareholder business meeting in Nashville. We continued with next steps after our 2009 Firm-wide inclusion training, with a Diversity Dialogue and a lunch and learn for the entire Firm. The Chair of the Diversity Committee met with the summer associates in each office and with our incoming minority associates. We were involved with the re-creation of a GLBT Bar Association in Nashville. We continued our memberships in organizations geared towards diversity, and joined another organization that shares best practices among diversity initiative managers at other law firms. We also appointed our first Diversity Coordinator, Tammy Reeves.

What are we doing this year? We hope to heed some of the lessons that we learned during 2010 and throughout this recent downturn. There are no magic answers to recruiting and retaining diverse attorneys, and there are no short cuts. We need to continue with successful practices that we have used over the years. We also have to incorporate new ideas into our thought processes, such as not only sharing data, but also sharing successful strategies. If you are not hiring, then you need to redouble your efforts on retention of your attorneys. We will continue to expand our inclusion efforts and to become more involved in GLBT issues and we will continue to learn about each other in 2011. We are optimistic about this new year and hope to write a new chapter in our Firm's progress.