



 MAJOR, LINDSEY & AFRICA

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# DIVERSITY

DONE WELL 2021

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# DIVERSITY

DONE WELL 2021



**MERLE VAUGHN**

Managing Director &  
National Law Firm Diversity  
Practice Leader

George Floyd. Ahmaud Arbery. Breonna Taylor. #BlackLivesMatter. So much has happened since the first publication of *Diversity Done Well*. There has been a groundswell of momentum toward an inevitable social justice movement in the country generally, and in the legal profession specifically. Diversity, inclusion and belonging have emerged as the most important stated initiatives for law firms and businesses. Hopefully, this focus is more than just a moment and proves to truly be a movement—one that is well past due. It is time for equity in the profession—and for that to happen, the status quo will no longer suffice. Change requires courage.

Major, Lindsey & Africa has doubled down on its commitment to doing diversity well, and we've decided now is the perfect time to create a second edition of this popular publication. In it, we share how the organizations highlighted four years ago have evolved since the first edition and discover how these organizations are continuing to move the needle toward equity. The leaders in this piece are not all people of color, but they are all people of courage. Enjoy!



**MELBA HUGHES**

Partner & National In-House  
Diversity Practice Leader

One person may not change the whole world, but each one of us can help in the transformation.

At Major, Lindsey & Africa, we are deeply committed to diversity and inclusion for our clients and ourselves. We embrace, encourage and support DE&I wherever we can and believe a diverse workforce is essential to building a vital organization. We developed *Diversity Done Well* to showcase the thoughtfulness and dedication that is necessary to advance DE&I in the workplace.

This book has been a labor of love, and we hope to encourage others by shining a light on the examples of successful leaders in the legal community. These leaders are creative, talented and extraordinarily committed legal professionals. They have a vision of a more balanced and equitable workplace and set about to make a difference in their professions. I hope that their work will inspire others to join in this journey of transformation. Leadership is about participating and helping to advance a more just and equal world. It's also about inspiring others to say, "Yes, I can make a difference." Thank you to the leaders who spent so much time with us, without whom this book would not have been possible.

ULTIMATE  
VISION OF  
DIVERSITY,  
EQUITY &  
INCLUSION

“It would simply be that we are successful, and **success is not based upon race or gender. It’s just based upon excellence.**”

“We would see **more retention of our diverse and female talent** in terms of them feeling not just that they’re **safe and happy and thriving** but also that they’re **getting the work and development that they need.**”

“**People feel comfortable being who they are.** They’re welcomed, they’re included, they belong.”

“A place where **everyone feels like they are seen** and treated as individuals.”

“You’d see **diversity throughout the various levels of the organization**, from upper management through entry level. It’d be so visible, you’d say, ‘This looks different,’ but you wouldn’t be able to articulate why.”

“We would be an organization that is **characterized not so much by inclusion as by a sense of belonging**, where people are valued, heard and listened to, where you can bring your whole self to work.”

“I think that when diversity, equity and inclusion are successful, there will be **a much more open, collaborative, respectful and inclusive work environment.**”

“There would be a whole host of people, of **all colors and genders, who are successful at all levels** of the organization.”

“The workforce and **leadership looks like the population at large.**”

“Ideally, an organization’s **people would reflect the communities in which they work** and in which that organization operates.”

“If we could wave a magic wand and achieve diversity with a capital ‘D,’ the workforce would look different. **The faces would be different.**”

“The goal is for all of us to be able to be our authentic selves. We can come to work, be our best and do our best. It’s about **feeling you’re in an environment where your thoughts and views are respected and valued.**”

“There would be **equality everywhere.** One piece that every organization should be looking at is, ‘How can we **be more intentional in our programming, initiatives and decision-making** to make sure inclusion and diversity are focal points?’”



# CORPORATIONS



**SHARON BARNER**  
Vice President,  
General Counsel  
& Corporate  
Secretary,  
Cummins, Inc.



**What is your specific vision for your team and organization?**

I want my direct reports to role model the vision of the diversity we can achieve. To that end, my direct reports represent a leadership team that has racial, ethnic, gender and global diversity; my direct reports include a lawyer from India and one from China. Because Cummins is a global company with business in more than 194 countries, I believe it is critical to have lawyers with different attributes and different experiences to bring to the table different views and ideas that are critical in solving complex issues.

Diverse personalities and personality traits are also important on a team. For example, I am an introvert. I like to think about things and concentrate, which means I react a certain way in meetings. People who are extroverts get their energy from being around people who like to talk and tend to talk out loud when they think. This brings a different spectrum to the decision-making on the team. I try to build team diversity across those spectrums because I know in the work that we do, those things matter.

Having those visible and invisible diversity traits among my direct reports is important. As far as the legal team, both direct reports and my team across the globe, diversity is intentional. Of course, what diversity looks like differs around the world, but I am cognizant of one diversity trait that is always present—gender. I want to make sure my team across the globe has gender diversity. So there isn't a team I have that's not fully diverse from that spectrum, whether it's in the U.S., China, India or Latin America.

I also take that same vision into my organization as a whole. In the U.S. and throughout the world, we have several programs, projects and initiatives that are focused on diversity. I firmly believe that you have to be intentional about diversity on your teams.

**What strategies have you implemented to reach these goals?**

Regardless of where we're hiring in the world, the candidate slates must have different dimensions of diversity from the start. When we open a role up, we sometimes will get somewhere between 100 and 200 resumes. I want to make sure that my hiring managers have looked at race, gender, sexual orientation, disability and all the spectrums of diversity as they put a candidate slate together for consideration. You have to educate the entire team so that they understand that diversity is critical in the hiring process. It can't be a team of one; it's really something you must inculcate in your entire team.

The second thing for me is ensuring that once you have hired talented, diverse lawyers, you must work to retain, develop and advance those lawyers' careers. That means the lawyers have sufficient opportunity to be trained, to perform and to succeed—that they have visibility to leaders and the business, have good projects and work, get constructive feedback, and have good mentoring opportunities. We engage in and manage the career development of all the lawyers on the team, including our diverse lawyers, to ensure successful career journeys.

For example, we created a "buddy" system on the legal team. Everyone hired is assigned a buddy to help ensure the onboarding process and acclimation to the company go smoothly. We also consider visibility to business leadership and C-suite executives. We are purposeful about ensuring that diverse lawyers are included in visibility projects.

Third, we make sure that whether it's an internal leadership development program or external like LCLD programs, we're putting our lawyers in those programs so that they can develop additional skills. We also created a summer internship program and an externship program. We want to provide diverse law students an opportunity to gain legal skills and capabilities and to understand the roles and environment of in-house lawyers. We ask our law firms to work with the interns on our legal work, so the law firm also gets visibility to diverse talented lawyers. As a result, 100% of our interns have found jobs with law firms.

We started our summer internship and our externship programs when I came on board

“My sense of what belonging means is that you feel like you show up and everybody, including you, believes you belong at the table. To me, that's a sense of empowerment.”

in 2012. I have run summer programs and sat on the hiring committee at law firms, so I understand the importance of having the type of "hands on" work experience that Cummins can provide. Our programs are a great way to give diverse law students a jump start on getting a law firm job—if that's what they want.

Finally, while Cummins does not hire lawyers directly from law school, we do keep our relationships so that we can potentially recruit them to Cummins later in their legal careers.

**How are you measuring your progress? What accountability measures do you have in place?**

Numbers matter! There is lots of research that says when you have two or three women in a room, you get a much more inclusive and diverse atmosphere as opposed to when there's just one woman in the room. I think the other measurement for me, when I'm looking at my law firms, is the number of hours billed by diverse lawyers. So you don't just bring a pitch team in and then I never see the woman or the diverse lawyer from that team again. I also look at the complexity and sophistication of the matters that diverse lawyers are working on so that we help build skills and capabilities. Cummins has complex, challenging work, so we believe in putting our work where our values are. I think it's important that an associate be able to stay, learn, grow and become a partner at the firm if we're going to change the demographics of what law firms look like. I also look at the retention rate of the women and diverse lawyers who work on our matters.

We work to give diverse lawyers secondment opportunities so that the lawyer has good training opportunities with the client as well as access to and visibility with the client. We work with law firms on their diversity initiatives, and we will participate in programs or events to talk about diversity.

It's not just about getting diverse lawyers—it's also about retaining them. Again, I'm trying to put our work where our values are. You need good work to train diverse lawyers so that they can develop into partners and use Cummins work to do that. Internally, for my lawyers, it's a very similar thing. I try to make sure that it's not so quantitative. Are you getting good experiences? Are you getting exposure to leadership? Are you getting to work on complex deals or complex litigation? Are you doing something—other than just technical, hands-on work—that helps you grow as a leader for the businesses and functions that you work on?

So it's very much focusing on their career development and the things they need to do to meet their career development goals. If you ask a lawyer what they want to be doing in five or 10 years, they couldn't necessarily tell you if they're not in a law firm where becoming a partner is the "brass ring." In-house, there's more of a challenge to upward mobility because the organizations tend to be flat, so making sure we're working with diverse lawyers on career development is very important.

**Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?**

My sense of what belonging means is that you feel like you show up and everybody, including you, believes you belong at the table. To me, that's a sense of empowerment. How do you give people the empowerment to feel like, "I'm not just being asked here. I belong here." It's empowering them to bring their whole selves to work, to lend their voices, to state their opinions and to lean in to what it feels like to be in that room and be a part of that team.

On my leadership team, COVID-19 has resulted in us working from home, and we've gotten a lot closer because we spend a lot more time

in virtual meetings. In the beginning, I had a 30-minute meeting with my leadership team every day. On some days, all we do is check in. How are you feeling, how is your team? What are your challenges? What do you need us to help you with? On other days, we have a business discussion. Part of feeling like you belong is eliminating the feeling that you have to be validated at the table, and whatever you feel or think, you're entitled to say it. That's a process of creating and having an open and receptive environment—a nonjudgmental environment that allows you to speak your voice and have your truth out there, and people accept you. I expect my leadership team to go out and do the same with their teams and direct reports.

**Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?**

The company has a health and wellness team. For many years now, we have been focused on health and wellness—not just treating physical sickness. At most of our facilities around the world, we have a doctor or medical professional on staff. We have both a psychologist and a psychiatrist we work with to help us with health and wellness.

The stress we have as lawyers exceeds that of other professionals for lots of reasons—in-house, even more so, because you sit with your customers and your stakeholders all the time and they are stressed frequently about sales, regulations and all sorts of things. Then they bring that stress to you as their lawyer. So, in the legal function for at least a couple of years now, we have two of our lawyers who co-lead our health and wellness initiative and goal tree initiative. One is in the U.S. and one is in Australia. They have brought in several professionals to do programs with our lawyers on health and wellness issues and stress relievers. Our buddy program is also focused on making sure your buddy is acknowledging and treating stress. Just recently, we had a senior counsel meeting with about 20 of my lawyers from around the world. One of the Indiana Supreme Court justices came in to talk about health and wellness. We try to do several of those a year, just on the health and wellness of lawyers in particular. We've also had yoga and appreciation days for our entire team. This is another thing you have to be really intentional about. ■



## IVAN FONG

Senior Vice President, General Counsel & Secretary, 3M



### What is your specific vision for your team and organization?

One of my visions for our team and for our legal department is that it's a place where everyone is respected and valued for who they are and what they do. With different ideas, perspectives and life experiences in our organization, we are more likely to be more creative and more innovative and ultimately make better decisions and deliver better advice and service—all of which is enriching and translates into being a higher-performing legal department. Diversity, equity and inclusion are thus an integral part of our department's strategic plan. I'd like everyone in our department to feel genuinely welcomed and accepted and to have a sense of belonging. The best way to get everybody's best is to take advantage of all the different talent and skills on our team.

I don't think of diversity and inclusion as a specific goal or a destination; it's a journey. We are going to be doing this for a while, and we are always learning how to be better. I don't know if we'll ever get to an ideal state, but I think the important thing is to continue to work at it and to make sure people feel included. Feeling like you belong is really one of the best feelings.

### What strategies have you implemented to reach these goals?

We have a strong diversity and inclusion committee that regularly sponsors programs and other events to promote diversity and inclusion within our legal department. We also leverage the support we get from the broader 3M DE&I community. One of our lawyers is now 3M's chief diversity officer, so that's a nice connection point.

I'm very excited about some of the things we're currently focusing on in our diversity and inclusion program. The first is something called psychological safety, which means that people feel comfortable bringing their authentic selves to work and sharing their ideas. If you aren't able to fully participate in the work of our legal department because you don't feel

psychologically comfortable or safe, then we're not really getting your full potential.

Another exciting initiative is something 3M calls Allies to Advocates. The idea is that to be an inclusive leader, you can't be just an ally. You really have to be an advocate and make a personal commitment to do something to help women, people of color, persons with disabilities, members of the LGBTQ+ community and others.

In 2019, I was asked to be the company's executive sponsor for our disability network. I'm very excited to serve in that role, because I have long been interested in providing accessibility and supporting people with disabilities. Many disabilities are not visible, and we want an environment that allows people to be comfortable self-identifying. So we've put on programs, brought in speakers and had our own members talk about what it's like to have a disability. We're trying to raise awareness and understanding one step at a time.

We also focus on areas such as recruiting and hiring. We cast as wide a net as possible, and we employ the usual Mansfield Rule or Rooney Rule: When I get a slate of finalist candidates, I want to make sure it's a diverse slate. We also do structured panel interviews. These are interviews designed to minimize unconscious and other biases. Often, interviewers end up saying positive things about the person who's most like them, such as if they happen to have gone to the same school or like the same sports or whatever. Instead, we're focusing on the actual capabilities that we're looking for, and we ask candidates to describe a time when they engaged or were successful in exhibiting those capabilities. Also, we're asking the same questions of all the candidates so that we can get a consistent and calibrated view of them.

Then once they're here, I spend a lot of time focusing on developing and retaining our talent. We host lunches about diversity. We bring in speakers. We measure diversity and do supervisor training, because we want supervisors who not only understand the importance of good D&I practices but also make sure to engage in them. Last year, after the tragic killing of George Floyd, we also hosted companywide listening sessions and racial justice and equity training in our department. There are really a variety of things that we do to help reach our goal of having a diverse and inclusive legal team.

“An inclusive culture and a sense of psychological safety and belonging for everyone are necessary for us to continue to innovate and grow.”

### How are you measuring your progress? What accountability measures do you have in place?

We look, of course, at the demographics of our team. We also conduct talent reviews once a year; those reviews provide an opportunity not only to talk about succession planning and who needs to get developmental assignments, but also to look at the composition of our teams. To promote transparency and accountability, we recently led an effort to publish disaggregated D&I data for the large law firms and corporate law departments in the Twin Cities. We found that although we are at or above market availability in some areas, we have more work to do in others. And our legal department tracks progress toward 3M's companywide D&I goals (see 3M's 2020 Global DEI Report [here](#)).

Perhaps more importantly, I look at our internal survey results. We do employee opinion surveys and focus on responses that relate to diversity and inclusion. I set a pretty ambitious goal to become as best-in-class as we can (90% on our D&I Index). And for the past three or four years, we've done something else that I've found really interesting and helpful and that helps hold us accountable; it's called a maturity model assessment.

The maturity model assessment is a separate set of survey questions that measures our D&I maturity on a number of dimensions. It really does align with the idea that we are on a journey. We're not at the finish line, but we're beyond being at the starting line. So, depending on how our teams respond, we can assess the degree to which we have moved into a more mature phase of our D&I program. It's a great way, I have found, to hold ourselves accountable.

For example, one of the questions we ask is: To what extent are you aware that we support other organizations that promote diversity in the legal profession? We do a fair amount to support groups like the Leadership Council on Legal Diversity. We encourage participation and we support, as sponsors, bar associations of color or other affiliate bar organizations, both nationally and here locally. But when we did the survey, surprisingly, not very many people were aware of all the support we give. That led our D&I committee to recommend that we be a lot more visible about our sponsorship work in these areas.

### Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

We're doing a lot, though we're still somewhat at the beginning. It starts with articulating the belief that belonging is just as important as, if not more important, than diversity. In addition to our hiring and other corporate initiatives, we are really committed to this concept of promoting a more inclusive culture, working toward a sense of belonging. As I mentioned earlier, we want to foster a culture in which people feel they can speak up, express different views, raise concerns and engage in robust dialogue without fear of retribution or other adverse consequences. An inclusive culture and a sense of psychological safety and belonging for everyone are necessary for us to continue to innovate and grow. It's really a competitive strength for us as a diverse organization where people feel safe, accepted and included.

### Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

Mental health and wellness are important priorities for us. We did an energy survey a few years ago and found that, on many dimensions, our legal teams were near crisis or burnout. That was a good reminder for us that we need to make sure people are taking care of themselves. We were therefore one of the first in-house legal departments to sign the American Bar Association [pledge](#) on mental health and wellbeing. That was an important

message I wanted to send, not only to our legal department but also to the profession, about how important this topic is—particularly in this time of pandemic-induced isolation and virtual gatherings. Members of the legal profession already experience disproportionately higher rates of depression, severe anxiety, and alcohol and other substance abuse. During this time of increased stress and loneliness, our teams are physically, mentally and emotionally exhausted. We have to make extra efforts to provide support and remove any stigma associated with asking for or seeking help.

3M is all about improving every life, which is part of our vision statement. In this time of crisis, our people feel a very close connection to that purpose of improving every life. As a result, I want to make sure we cultivate a strong sense of community in our legal department. One of the things I observed when I came to 3M (now eight years ago) was how tight and closely connected our people are. We want to preserve that aspect of our culture, which is not to say that we don't have a lot of work to do, it just means that we seek to build strength on strength.

We brought together a lot of our mental health and wellness activities under an umbrella initiative called WISE, which stands for Workplace Inclusion, Satisfaction and Energy. This has given us some structure through which we can regularly update the legal department, so that people are aware of the work we're doing. For example, something as simple as "dress for your day" was a big hit. We sponsored a 3M employee group, founded by a member of our legal department several years ago, dedicated to promoting mindfulness and wellbeing. And at the end of this past year, the WISE committee hosted a special virtual event to recognize those nominated by their peers as champions of workplace inclusion, satisfaction or energy. Those kinds of things can help promote a culture of appreciation, gratitude, caring, support and grace. ■



**JIM KERR**  
Executive Vice President, Chief Legal Officer & Chief Compliance Officer, Southern Company



**What is your specific vision for your team and organization?**

You know, I think my answer to your question today is different than it would have been 12 months ago, given all that we have been through as a community and a company. The racial, social and political unrest of the past year has energized us to think more broadly about our diversity efforts as a company and as an organization. Beyond “diversity” as a narrow concept tied to representation, we are emphasizing a holistic approach that helps ensure all employees, especially those belonging to historically underrepresented and marginalized groups within society, are treated fairly within all levels of the organization and that everyone feels fully welcomed and valued at work. We also are looking outside our business and accepting greater responsibility for playing a role in helping ensure racial equity and justice in our communities. What hasn’t changed is my commitment to the following core principles, no matter the circumstances: 1) we will be a high-performing organization providing excellent service to our clients, and 2) we will value, embrace, support and care for one another on a human level—every person and every aspect of every person. The health pandemic and remote work practices have affected how we do these things, but I am proud of the way the team has stayed focused on these two principles.

**What strategies have you implemented to reach these goals?**

There are three areas of focus for us: first, our internal diversity and inclusion efforts; second, identifying, engaging and supporting diverse vendors, outside lawyers and law firms; and third, tailoring and coordinating our vendor-focused efforts, volunteerism and community engagement across the enterprise for maximum impact. While we have commitments and accountabilities in each of these focus areas, the work of building and maintaining an inclusive and equitable culture is never done.

Across Southern, we are developing and integrating a continuous feedback loop to advance and refine our DE&I initiatives. This

ongoing process of listening and learning will further inform our commitments and actions.

One example of our broader engagement is our summer internship program that is focused on minority law students. We do not hire lawyers directly out of law school, so this program is designed with an eye toward forging invaluable professional connections for the interns before they are even out of law school. We know that in-house experience with a company like Southern can open doors that may not have opened otherwise. Once someone interns with us, they are part of the family, and we can serve as a key professional connection. We are hopeful having the experience and heft of the Southern Company Office of General Counsel on their resumes when they’re applying for jobs contributes to success.

Another key, I believe, to maintaining a diverse and inclusive workplace is flexible work arrangements. We prioritize talent, execution and performance. We won’t retain the diverse talent needed to achieve these priorities if we don’t give employees the flexibility needed to balance work and personal demands. And we are informal about it; we try to encourage flexibility as a cultural norm. Employees should not miss important nonwork events because of artificial or arbitrary work conflicts. If you need to be at a doctor’s appointment with a spouse or elderly parent or at your child’s soccer game, you should be, if at all possible. The delivery of excellent legal services can be executed without the rigidity of a one-size-fits-all mentality about how the workday is structured. I have never been more gratified on this point than I have been during the past 12 months of working remotely. Our team has continued to perform at a very high level, while managing unique personal needs, including kids in virtual school and the caretaking of elderly parents. Most importantly, our employees have found the time to look after one another while working apart for so many months.

**How are you measuring your progress? What accountability measures do you have in place?**

As a management team, we review diversity and inclusion metrics every month in terms of representation, turnover and the opportunities that are available. We have a cultural scorecard and a workforce survey that we break down very granularly on an organization-by-organization

basis. As part of our renewed efforts on racial equity and justice, we are engaged in a process of reviewing and refining our metrics, KPIs and other forms of feedback and accountability. We also do annual employee engagement surveys that allow us to monitor the cultural health of the organization. Beyond the quantifiable, I also measure success by observation—are folks engaged, having fun, speaking up, asking questions, raising ideas?

We are seeing an increased interest in human capital and social issues from our investors and other stakeholders. While our board has always given a lot of attention to these issues, we see investors and others in general identifying issues related to human capital and social impact as important risks for management and boards to address. This is resulting in not only more attention to these issues but also greater transparency around related data and other information, which is, I think, a positive development.

**Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?**

When I think about the workplace, I always try to emphasize that this is only part of who we are and that when we are here, we need to be genuinely, completely who we are. No one should have to cover or shield in the workplace to succeed. If employees are comfortable bringing their whole selves to work, it makes the organization stronger and healthier. When we feel valued individually and collectively, we’re engaged and enthusiastic. To me, this is a simple view of work as a gathering of people working toward a common cause, each of whom belongs on equal terms in the most complete, most beautiful expression of who they are as individuals. This sense of complete belonging creates an optimized working environment.

Our goal is for Southern to be an attractive place for the most talented people, at all levels, to work, and we will do quality, excellent work. Attracting and retaining top talent requires a laser focus on the sense of diversity, belonging, community and humanity that we all deserve, individually and collectively.

I also try to be an open, transparent and human leader by breaking down some of the

“To me, [belonging] is a simple view of work as a gathering of people working toward a common cause, each of whom belongs on equal terms in the most complete, most beautiful expression of who they are as individuals.”

boundaries associated with titles and positions. My title isn’t who I am, and I try to give people confidence that the leadership of the organization cares deeply about each of them and their families and their lives away from work. We all enjoy our work most of the time, and our work is important, but let’s always remember that the work is not the end; it’s a means to an end, an important and I hope positive part of a larger, multidimensional life we all lead.

We try to find ways to spend time together as much as possible. We gather as a group, all levels of the Office of the General Counsel, once a month for lunch; there’s no program. The tables are all mixed up between different parts of the organization and different levels of employees. I even try to grab our CEO, CFO or other executives to join the lunch. The simple goal is to foster a sense of community and to have a little fun and fellowship.

We have an employee action council that runs a set program throughout the year. In addition to the monthly lunches, we’ll do quarterly lunch-and-learns, holiday potlucks, baking contests and other similar social events. During COVID-19, the creativity has really kicked in to keep us virtually connected, including a talent and art show, a book club, a movie club, a cooking club and an exercise group. I even attended my first “gender reveal” celebration virtually a few weeks ago with one of my groups!

**Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?**

I think we have talked about a lot of this already, but I think it all comes down to communication. As a leader, I know we can help alleviate a lot of stress by being transparent and informative. First, we have a sophisticated and comprehensive health benefits program that offers great mental health resources, and we make sure folks are aware and take advantage of what is available. Second, we communicate regularly and effectively around important information, especially around COVID-19-related safe work practices. We recognize planning and schedules for entire families are challenged right now. Again, allowing our professionals flexibility is designed to alleviate the stress that would attach to a rigid work schedule in such a uniquely challenging time. Finally, recognizing the impact social isolation can have on mental health, we encourage everyone to stay in touch with each other and to let us know of any specific or particular needs that arise. We try and lean in and do what we need to do to support particular employees or families who need some additional support. Throughout COVID-19, my constant refrain to the group has been “together we will get through this”; we are doing just that and we are growing and getting better all the time. ■



## TERESA ROSEBOROUGH

Executive Vice President – General Counsel & Corporate Secretary, Home Depot



### What is your specific vision for your team and organization?

As I think about my team and my organization, especially as it relates to the challenges we've faced in 2020 and the uncertainty of 2021, the idea that has resonated with me is the notion of "We're all in the same storm, but we're not in the same boat." As a leader, you have to get to know people as individuals—realize where they are in their journeys and help them on their personal paths to get what they need. Because what they need might not be the same thing as what the person next to them needs. We're all in the same storm, but how is their boat holding up? We must have leaders who can engage with a wide cross section of people across the department.

As the team grows and we interview new people for the department, we also have to make sure we're bringing in people who represent a wide range of backgrounds and experiences. They should feel welcome in sharing those backgrounds and those experiences—how they grew up, what challenges they've faced and what opportunities they've had—across the department. Exposure to diverse experiences and backgrounds enriches us all, both personally and professionally.

### What strategies have you implemented to reach these goals?

As a company, we've been very focused on open communication with our associates. For example, in addition to the intentional outreach we're doing with our teams, we've been hosting monthly, companywide town halls and listening sessions where associates can have open lines of communication with leadership. We're hosting these virtually and in our stores. We recently hosted a virtual town hall on diversity that had more than 7,000 participants, and the conversations have been very powerful.

We've had a DE&I team for more than a decade and have redoubled our efforts on that front.

Since 2017, the company has committed more than \$35 million to organizations working to address social equity. We realize there is more we can and should be doing both inside and outside The Home Depot, and we're taking a very thoughtful, strategic approach to ensure our initiatives have sustained, meaningful impact. We all own diversity, equity and inclusion at The Home Depot. There is not a single area of the company that does not have a role to play.

### How are you measuring your progress? What accountability measures do you have in place?

We look at measurement from all angles, and we report these publicly every year in our annual Responsibility Report. We also conduct an annual associate engagement survey that solicits feedback on how the company and our leadership are doing, including in our diversity efforts. Any associate can anonymously voice how they feel in their workplace and share their opinions and concerns, and we take this feedback very seriously. In our culture, our associates speak very candidly, and that can be a powerful way to measure your progress or lack thereof. Don't underestimate listening.

### Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

We have associate resource groups that are strongly supported by the organization. They do amazing work to create programs that celebrate and promote understanding across a diverse array of backgrounds—for example, how different cultures experience events and interactions. These groups help make sure we continue to understand and value diversity. The past year, we had unconscious bias training across the organization—in-person training for all officers and web-based training for all others. This training enables us to have a dialogue around unconscious bias and how it might play out in the workplace so we can create a culture of understanding and accountability around the impacts of bias. We also have a supplier diversity program that focuses on establishing and strengthening relationships with women-owned and minority-owned businesses, and we continue to expand our partnerships with diverse suppliers in strategic ways. On the legal

“As a leader, you have to get to know people as individuals—realize where they are in their journeys and help them on their personal paths to get what they need. Because what they need might not be the same thing as what the person next to them needs.”

side, we pay particular attention to the law firms that we work with. In addition to focusing on the skills and knowledge necessary to meet the needs of the company, we consider a firm's ability to leverage and provide a broad set of experiences—that is only strengthened by ethnic, gender, generational and racial diversity.

### Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

We can't ignore the influence of stress being created by issues like George Floyd, COVID-19 and unemployment. You have a country that's experiencing fear, uncertainty and confusion—and our associates are feeling these things as well.

Although we were worried about the dangers of COVID-19, we were also worried about people feeling isolated and distanced. Some people live alone; some people live with people they're happy to be with for a few hours a day, but not all day. Some people have had to take on new responsibilities for their child care and become educators at the same time they were trying to show their presence at work by being on videoconferences all day. So there is this new reality of virtual work, staring at a computer screen all day without the normal walking around that you would do in an office building, plus the lack of human contact and touch.

So, we have Care Solutions, which includes unlimited visits to emotional support providers, and we've waived the copays for those services so that people can reach out. We have a 24-hour hotline that people can call. We've encouraged leadership to make sure they're connecting with people, having more frequent engagements, picking up the phone and calling people and asking how they're doing. We're staying in

touch as much as we can. We're listening and responding to people who need help and attention. Again, it's all about providing our associates with the support and resources they need to weather this storm together. ■



**LAUREN TASHMA**  
Executive Vice President, General Counsel & Secretary, Graphic Packaging



**What is your specific vision for your team and organization?**

**LAUREN:** Our goal both as a department and as an organization is to foster diversity and inclusion. Our employees are our greatest asset and play a significant role in achieving the strategic vision we have articulated for Graphic Packaging. Despite the challenges of working in a COVID-19 reality, I am proud to say we have enhanced our D&I initiatives over the past year. We have announced business resource groups, including one for women and one for African Americans, with clear plans for others. We have also created an Inclusion Council, which will serve to advise senior leadership. The council will be made up of a diverse representation. In addition, our leadership development programs and curriculum will have a strong emphasis on D&I education. In our most recent ESG report, we have increased the transparency with which we report our workforce statistics, including gender, multicultural and generational data. Understanding our baseline will help us better measure our progress toward increasing our overall diversity. I am thrilled to see that there is a recognition going all the way up to the board of directors that our diversity initiative is not just the right thing to do in general but also the right thing to do for our business and for our talent development in the organization. Because our initiative has visibility at the highest levels, we have created true accountability for ourselves.

**What strategies have you implemented to reach these goals?**

**JEWELLE:** We use our core values to define our culture, including those of respect, teamwork and accountability. We recruit, hire and promote based upon merit; personal characteristics such as gender, race and age have no bearing. We also vigilantly enforce our Code of Conduct, EEO and Anti-Harassment policies, and take swift and decisive action when we have evidence that one of those policies has been violated. Today, we are moving beyond compliance and diversity

to inclusion, which means recognizing our differences and how they are valuable to the company. In December, we highlighted several of our women leaders around the globe. During Black History Month, we are celebrating achievements of Black leaders across the country. As Lauren mentioned, we are also establishing business resource groups that will make recommendations for change based on the perspectives of diverse and special interest groups.

**Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?**

**LAUREN:** Especially in these very bizarre times, I think that having that sense of belonging—and more importantly, having that sense of team—is incredibly critical. It is amazing to me, though, because within the law department, we have built such a powerful sense of team and a sense of family that bore fruit during the pandemic. They say that during the darkest time is when you see the light the best. My people came together and have connected with each other in unbelievable ways. People need to have that sense of belonging, of being a part of something bigger than themselves in order to make that all work. The past couple of months confirmed what I knew on some deep level before any of this hit. I saw my people step up not just to reach business objectives but also to watch out for each other and take care of each other at a time when people really need that extra touch. I am optimistic that we are going to emerge from this an even stronger team and will continue to leverage that to prevail over whatever obstacles get thrown at us going forward.

**JEWELLE:** One of the things that attracted me to Graphic Packaging and has kept me here is the sense of family. Everyone works really hard and we are sometimes stretched thin, but we always come together to celebrate major life events: birthdays, births, weddings, deaths. We cover one another with grace and compassion and support each other through life's transitions. Teamwork and relationships are two of our core values, and it goes beyond the work itself. Over the past year, I have had a number of open and honest conversations with colleagues about race. I have been able to answer questions and share my perspective on recent and historical

events without once feeling uncomfortable. People truly seek to understand. When you can share your authentic self and be accepted, that is what fosters a true sense of belonging, and that is the Graphic experience.

**Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?**

**LAUREN:** In the wake of the pandemic, we've been even more attuned to mental health. For us, the journey that is going to take us back to having our workforce in the office will be a very emotional process for a lot of people. The pandemic team crafted a very carefully done survey that went out to all our employees working remotely right now to gauge the impediments to returning to the office to really understand what is going on in people's heads about how they feel about working from home and how they feel about coming back. We want to be very careful, very deliberate and very respectful of what is going on in people's minds. We want to make this transition work for our employees as well as the overall organization.

**JEWELLE:** The company provides free EAP services to employees and their families and an extensive wellness program with periodic wellness challenges. Our Benefits team has done a wonderful job managing the wellness program through the pandemic and providing access to resources employees may need. Our managers are also given a lot of latitude to provide flexible work schedules and time off for individuals.

Most of the law department is working remotely, but we meet at least once a week to provide project updates so that everyone maintains a connection. As with everyone else, most of our meetings are done via videoconference. We can see one another, joke about our décor or the pets or children who sometimes make appearances, and generally maintain that feeling of connectedness. It helps us to continue operating as a team versus as isolated individuals, which would not be healthy.

**LAUREN:** We have also really relied on "virtual outreach" from the highest levels of the organization. At the beginning of the pandemic, our CEO created video messages to go out to our entire organization to keep people informed and also to maintain a sense of connection. This outreach also extends to how our CEO communicates quarterly results to the organization. Before the pandemic, our CEO would stand up in front of all the people at corporate and go through the results, and we would send a recording of those meetings to the organization. Since the pandemic, he has been doing those town halls from his desk via Global Virtual Town Halls. He's talking through results and people are sending in questions in real time, and he is answering them on the fly as he sits at his computer on camera. We have gotten an incredible reaction to that. People feel so much closer to the CEO because he is being very real about the challenges we are facing and about the importance of the work that we as an organization are doing. It bolsters those ties, and I think it is just very reassuring. ■

“Today, we are moving beyond compliance and diversity to inclusion, which means recognizing our differences and how they are valuable to the company. ... As Lauren mentioned, we are also establishing business resource groups that will make recommendations for change based on the perspectives of diverse and special interest groups.”

– JEWELLE JOHNSON



**JEWELLE JOHNSON**  
Assistant General Counsel & Chief Employment Counsel, Graphic Packaging



## MARK ZEMELMAN

Senior Vice President & General Counsel, Kaiser Foundation Health Plan, Inc., and Kaiser Foundation Hospitals



### What is your specific vision for your team and organization?

There's an objective vision and there's a subjective vision. The objective one is pretty simple, which is ultimately where we hope to get to: the workforce and leadership reflect the population at large.

The harder question is the subjective one. Subjectively, we're trying to get to a place where everyone feels like they are seen and valued as individuals, meaning that there aren't any assumptions made about them based on their demographics. And this would apply equally to every member of my department regardless of their demographic differences, as well as everyone in the entire organization. At the end of the day, we want to be at a place where each person feels like they're truly being seen and measured in terms of their performance at work based solely on themselves as individuals, rather than assumptions being made.

My hope is that we create psychologically safe spaces and provide the tools, support and incentives for the members of our department to dig deep and engage in the hard work of self-reflection, recognize the biases that we all have, and do our best to self-correct for them. I want us to build empathy for one another so that we give grace when we don't get it exactly right and support to keep working at it, as a team.

### What strategies have you implemented to reach these goals?

It starts with using the right legal recruiter who is committed to providing me a diverse slate of top candidates. We use Merle Vaughn. Her commitment and understanding of how to recruit an excellent, diverse panel of candidates is indispensable. She's built diversity, consistency and excellence into our candidate searches across the board, and that's allowed us to hire a diverse set of lawyers who are top flight. She has been working with our department for many years now and it's really changed us. Our department is relatively diverse compared to most, and it is an absolutely remarkable group of lawyers.

Next, you have to consider whether your hiring criteria are effectively maintaining the status quo. In the legal field, it's easy to focus on things like large law firm experience and graduation from a prestigious law school. Whether such criteria are valid predictors of success might be debated, but you have to ask yourself whether focusing on such criteria perpetuates inequality that may have occurred in the law firm and law school selection processes. You have to be willing to consider expanding your criteria to enable your recruiter to find highly qualified and diverse candidates.

There are two more strategies that I think are pretty critical. One is having candidates submit writing samples based on a prompt we give them. We have our recruiter "blind" the responses so we do not know whose sample is whose when we review and grade them. This gives us an apples-to-apples comparison of our candidates on a very important aspect of their job—providing legal advice in writing—which we evaluate with hopefully minimal bias. That's been a bit of an eye-opener for me; it has shown me my own bias. Along similar lines, in candidate interviews, we have our panels ask prepared questions that are job relevant, and each panel asks each candidate the same questions. Again, the goal is to get an apples-to-apples comparison of candidates. We are considering whether we could implement an interview system where we give the same questions to every candidate and we don't know which candidate is giving the answer.

The other strategy—and in some ways, it's the opposite approach—is that I have greatly expanded the amount of time we spend interviewing. I make sure to interview every finalist, spending a minimum of two hours with each one. The reason is that if you only interview for an hour, you only really learn about somebody's interviewing skills. You don't really learn about them. People are well-prepared and they're geared for an hour, so when you get into two, three, four hours, you get past that and you start to learn about who they are as individuals.

Finally, you respond to the times. After the George Floyd killing, we put a lot of programs into place in response to the many issues raised by that tragedy and other social and racial inequities that can no longer be ignored. One of the most effective was doing the 21-day Racial Habit Building Challenge from the ABA and San Francisco Bar Association, where we all read materials and reviewed videos and podcasts

“I make sure to interview every finalist, spending a minimum of two hours with each one. ... People are well-prepared and they're geared for an [hour-long interview], so when you get into two, three, four hours, you get past that and you start to learn about who they are as individuals.”

each evening, and then got together the next day and talked about them. Another great program was a series of seminars, each taught by four or five members of the department, on the immigration history of various groups of people, e.g., Asians, Jews, Europeans, African Americans, Latinx, Native Americans. Each group told the story through the personal histories of their families.

That was quite powerful. These and other of our programs have been transformative in the creation of a truly inclusive work environment where colleagues are learning to see and appreciate one another as individuals who are made more effective because of, not despite, their differences.

### How are you measuring your progress? What accountability measures do you have in place?

They're also objective and subjective. The objective is easy. Periodically, I look at what our hiring looks like. I think we've done very well in the sense that, last time I looked, we were batting 50/50—our hires over the prior 10 years were about 50% Caucasian and 50% minority, which is roughly a reflection of

California. Then I look at the results in terms of what our team at present looks like. The team is not entirely where I want it to be. About two-thirds of the lawyers are women, so from a gender diversity standpoint, I think we're doing well. My leadership team has as many women as men. With respect to minorities, we're about a third diverse among the lawyers and the leadership team.

The subjective side is harder. How is the morale of the people in the department? How are they feeling about how they're treated? Employee survey scores can give some insight into morale. But those types of metrics only tell part of the story. What I try to do is maintain very close contact with a very small but very diverse group of lawyers who I trust will give me very honest feedback. They will tell me how they are feeling and how they think their colleagues are feeling. It goes back to that sense of "Do you feel like you are being viewed as an individual for your individual merits and that you're being cultivated and given opportunities suitable for you, or are you feeling like you're being judged by characteristics that have more to do with general population characteristics rather than who you are?" Gathering this information is only one piece of the puzzle. It's what you do with it that matters. We are working on being more responsive to how people feel about being a member of the department and making adjustments as we go.

### Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

No one person can create belonging. It's inherently a group task. One of the best things that I've done is hand over much of the task of driving the culture to a group of people. They do a lot of stuff and they're constantly coming up with great ideas—from just getting together for lunch in the kitchen to doing a lot of very pointed educational sessions around diversity issues, choosing books by minority authors to read and discuss, and sharing backgrounds. They also take the lead on our community service work, which can be diversity related or not.

The field is wide open right now. Companies and law departments haven't mastered this area. There's still lots of room for experimentation. One of the neat things about my diversity and

inclusion committee is that it's got enough people on it now that there are lots of creative juices flowing and people are coming up with new ideas. I just love what's coming out of it.

### Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

Mental health is a major initiative of the organization. There are very good mental health services to support employees. We also put the department's leadership team through an intense session on how to help people who are in crisis. On a more micro level, in recognition of the isolating effect of the department's move to a virtual environment, our diversity and inclusion team implemented regular CURE (Connect, Unwind, Release, Enrich) Chats—opportunities for colleagues to gather around a virtual watercooler and simply share with one another. ■

# Momentum for Change: Diversity, Equity & Inclusion in the Legal Industry



**DUSTIN LAWS**

Managing Director

To say that 2020 was a tumultuous year would be an understatement. One of the many outcomes of the year's events has been a long-overdue reckoning with systemic racial injustices, inequities and lack of representation in our society.

Diversity, equity and inclusion (DE&I) efforts have, as a result, become high-priority initiatives for leaders across the private and public sectors, compounding the legal industry's historic struggle with DE&I and amplifying the fact that the industry can and should be doing more to cultivate diverse teams and an equitable and inclusive culture.

The notion that diverse teams lead to better outcomes has long been established. Over time, the legal industry has made efforts to foster DE&I. Informal diversity initiatives gave way to diversity committees (largely run by partners), which, in turn, paved the path for law firm partners and leaders to appreciate the fact that dedicated DE&I professionals were necessary if any substantive progress was to be made. Today, many firms have created DE&I functions staffed by professionals who, if effectively deployed within a firm, have a seat at the table, the ear of firm leadership and a level of influence to advocate for change.

The scope of a DE&I role is broad ranging and will undoubtedly evolve in tandem with increasing expectations from clients for firms to be more diverse and inclusive and from a discerning and competitive legal talent market. While the job of a DE&I professional is rewarding, I suspect it can sometimes feel like rolling a boulder up a hill. Diversity professionals are responsible for setting strategy and goals and ensuring that systems and equitable opportunities exist for all attorneys, particularly attorneys who identify as diverse. They coordinate with employee resource groups and help develop and introduce diversity programming. They serve as the external face of the firm with clients and through other sponsorship or speaking engagements. And they manage data—an immense amount of data that is reported to clients, associations and publications and that is also leveraged as an internal tool to help partners understand the “why, what and how” of the function.

Many of these responsibilities (and more) would be listed in a position description for a law firm diversity role. What is not typically listed but is equally important is the responsibility to be a catalyst for change in a firm's culture. For DE&I to be effective, it must be pervasive, and today's law firm DE&I professionals are pushing harder than ever to ensure that diversity is a consideration in all aspects of how a firm operates. Try as they might, a law firm DE&I professional cannot be successful in any of these endeavors without the support of the firm's partners and attorney leadership. Though still a challenge, it would be easier to roll that boulder up the hill with some help.

The recent push for greater representation and for dedicated diversity professionals in the industry is encouraging. 2020, for all its tumult, created a sense of urgency and momentum to curtail systemic racism and place more emphasis on diversity and inclusion. The industry's ability to sustain this momentum and continue to evolve diversity practices will be a true sign of progress and one that I hope to be able to report on in future iterations of this report. ■



# LAW FIRMS



# Baker McKenzie.

## What is your specific vision for your team and organization?

We want to make sure we are bringing diversity, equity and inclusion to everything we do at Baker McKenzie, embedding these efforts into the fabric of our organization.

Building a culture of inclusion and becoming a truly diverse organization starts with our recruiting. We want to make sure we're casting a broad net in our candidate pools so that we are capturing all the wonderful and outstanding talent and diversity of our communities.

But recruiting is only one aspect. Retention, development and advancement efforts are equally critical. In addition to *who* makes up our workforce, we must look at *how* the workforce operates. We must create and advance a culture of belonging where people feel engaged and supported so they can thrive. Part of that culture change involves addressing structural issues, and that can be more challenging. For example, how does our feedback system work? What are our policies? What are our best practices—do they involve inclusive leadership? These systems and structures have often been in place for a long time. We need to take a closer look at how they work for everyone in an equitable way.

I also think it's very important to focus on purposeful work, particularly with Gen Z and the new generation of professionals. Many people were focused on purpose for a long time, but it's certainly become more amplified.

“Part of [creating a culture of belonging] involves addressing structural issues, and that can be more challenging. ... These **systems and structures have often been in place for a long time. We need to take a closer look at how they work for everyone in an equitable way.**”

So, for example, after the horrific murder of George Floyd and the global discussion that followed around race and inequality, I think many organizations were looking at what they were doing in the area of social justice and how they could do more. Professionals expect the businesses they work for to take a stand, to call out injustices, to have a positive influence. This is something we take seriously at Baker McKenzie and, as we have said many times, we are not neutral.

## What strategies have you implemented to reach these goals?

We are progressing many exciting and impactful D&I initiatives at our firm. We look at our D&I efforts through a comprehensive lens. It's not about a program here or a program there, but more about how we can ensure all our efforts are aligned toward changing the culture of our organization. We are also focused on outcomes and impact.

We were the first global law firm to enact the 40-40-20 Gender Aspirational Targets. These targets call for a 40-40-20 gender balance—representing 40% women, 40% men and 20% flexible (women, men, nonbinary)—for interviewed candidate shortlists for lateral principal, partner and senior director+ business service hires as well as internal promotion considerations. We aim to achieve this by July 1, 2025, and we've had tremendous support for this initiative, which has been one of the most uplifting experiences of my career. We have also established race and ethnicity targets in the U.S. and in our London office. We believe what gets measured gets done, and so metrics and benchmarks are important to us.

Additional activity to operationalize our diversity and inclusion efforts includes our Leaders

Investing for Tomorrow women's sponsorship program, which provides 1:1 sponsorship for rising women lawyers at our firm with an eye toward advancing them to leadership. We are proud that approximately 40% of our partner promotions over the past several years have been women, so we are making true progress. But we have much more work to do.

With regard to ethnic minorities, in North America in particular, we have several initiatives underway. In January 2020, we hosted our first Lawyers of Color Conference that brought together our lawyers of color from across North America as well as other offices for a two-and-a-half-day conference in Washington, D.C. It was amazing. It included significant stakeholders, such as our senior leadership, clients, friends and experts. We came together for mentorship, sponsorship, networking and discussions, and it was a huge success and an import initiative that we will continue.

We also have prioritized promoting antiracism within our organization. This work started long before last year when the world witnessed the brutal murder of George Floyd. We were among the first law firms to make unequivocal statements about the impact of George Floyd's murder and the devaluation of the Black community and the lives of Black people lost to police brutality. And we followed these statements with action—forming an antiracism task force in North America, as well as a similar task force on a global level, to focus on promoting antiracism and building greater inclusion and equity both within the firm and in the legal industry.

The NA Antiracism Task Force's efforts include examining the firm's processes—recruitment, work allocation systems and other long-standing practices—with a critical eye toward rooting out bias and increasing equity and inclusion.

We also have what we call “affiliate networks,” which is our terminology for employee resource groups. These networks include our Black-, Asian- and Latinx-focused groups, as well as members of the LGBTQ+ community and allies, and our BakerWomen groups, which are focused primarily on mentorship and opportunities for networking and professional development. Additional networks include those focused on parenting and wellbeing.

Another thing we have here at Baker McKenzie, and it's critically important, is senior leadership

support. We're very fortunate that our Global Chair Milton Cheng and our senior leaders are extremely supportive. That's been a real game-changer in terms of being able to have proactive conversations and move this forward, because if you're still stuck at the “why,” it's very hard to make meaningful progress.

## How are you measuring your progress? What accountability measures do you have in place?

We look closely at our data every six months. As part of that, we closely watch our lateral recruiting efforts to ensure we are getting diverse candidate slates.

I'm a big fan of looking at our existing systems and building greater inclusion into what we are already doing that is working well, rather than building new systems that may be disconnected and function as a silo. We also make D&I part of broader firm conversations. It infuses our firm strategy and we strive to apply an inclusive lens across all aspects of that strategy and its implementation.

At all our large firm meetings, we talk about diversity and inclusion. At our practice group gatherings, there are sessions dedicated to diversity and inclusion. We look at where we can enhance our current conversations so that they become part of the overall narrative. We want our people hearing about and experiencing multiple facets of D&I from many different people in many different areas of the firm. Not just from me, but also from our leadership, from our practice group leaders, and from our directors and department heads, as well as from our junior team members, who are all folding this into their narratives, engaging in and bringing an inclusion lens to all they do.

## Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

Belonging is the real work of inclusion. We're talking full engagement with the organization. It's not enough to just have diverse members of an organization. We have to ask our people, how are you interacting with your environment? How can you bring your full self to the job and realize your full potential? There's a lot being done in this space to make sure not only that

we have a richly diverse workforce, but also that we are unlocking everyone's full potential and leveraging these diverse experiences to serve our clients better. We're focusing on inclusion and belonging, so each person at our firm can continue to develop and grow, and be empowered to realize their full potential.

## Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

Mental health and wellness are critical components in the wellbeing of our people, delivering the service our clients expect and the overall success of our firm. That's why in 2018 we launched a global wellbeing program that took a firmwide approach with activity built in at a local level. Globally, our colleagues have access to resources such as an external assistance program. We also have a variety of local-level activities, including committees, seminars and initiatives like the North America Parents & Caregivers Initiative, which provides advice for balancing working arrangements and personal circumstances. Communities like this one have been an area of particular focus during the pandemic as we show our support for colleagues who continue to deliver incredible client service while balancing “virtual” schooling and providing child care at this time.

We want to give our people the ability to show up and do their best, and prioritizing wellbeing plays a huge role in that. It's great being able to support colleagues in focusing on their own wellness, looking at what each of us can do individually as well as what we can do organizationally. Our wellbeing program is a global priority but has been tailored from a local perspective, rather than simply a one-size-fits-all perspective, and that approach has been very well-received. ■



**ERNEST  
GREER**  
Co-President,  
Greenberg  
Traurig LLP

## GT GreenbergTraurig

### What is your specific vision for your team and organization?

Our clients deserve an approach that is creative and cost-effective, delivered with intense, meaningful support from all our attorneys. Our diversity of backgrounds, cultures, languages, education and so forth help us deliver this vision to clients. We are proud to be able to approach clients' legal issues with our varied perspectives about the law and an inherent creativity when it comes to addressing those legal issues. The overarching vision is to deliver an out-of-the-box approach that converts into value for clients.

This vision is executed every time clients call upon Greenberg Traurig and we do not need to scramble to find diverse associates and partners to work on their matters. Diversity is not about having one Black partner or woman partner who can show up in a room because someone asked for "diversity." The goal is to have a plethora of people on whom you can call and who will grow with you, to be in a position of having diversity even *within* diversity. Clients may say simply, "I want a diverse lawyer on this matter," but they also want diverse perspectives. We are a firm that is well suited to continuously advance diversity at all levels of the firm, from leadership to new and seasoned partners to associates. Our vision is to be a firm that brings that diversity to the table and not fall into the trap of just bringing one or two diverse attorneys.

### What strategies have you implemented to reach these goals?

Greenberg Traurig has had diversity and inclusion as core tenets since Day One. For many years, as a society, we have heard a great deal of talk, and seen little action, about the needs of lawyers who are diverse in race, ethnicity, gender and sexual orientation. Our approach as a firm is to act rather than merely talk.

We live our diversity strategy by ensuring we include the many core elements of our profession. We have done a great deal of impactful work in that regard, and to take things a step further, in July 2020, we launched our Social, Racial and Economic Justice Action Plan. The firm has committed to spending \$5 million

over the next five years to support programs that address the causes and effects of systemic racism in our society and seek to provide impoverished communities and individuals economic, social and cultural rights. One of the marquee components of this commitment will be supporting the firm's Equal Justice Works fellows dedicated to addressing racial, social and economic justice issues mostly while working at local organizations and projects. We also launched the Social Justice Action Academy not only to educate and train our employees on matters of race, justice and equality, but also to facilitate and encourage what we call "courageous conversations." Our focus on education and implementing our social action plan continues to evolve each day.

### How are you measuring your progress? What accountability measures do you have in place?

Progress is very important to us. Our Social, Racial, and Economic Justice Action Plan gives our associates pro bono hours or billable-equivalent credit for diversity and inclusion initiatives.

We hold an annual diversity summit in which our top management leaders and our operational leaders spend the day talking about what we have done well, what we haven't done well and how we can continue to improve.

We do not simply have a diversity program or initiative. We have a robust Diversity, Equity and Inclusion Department. Our chief diversity, equity and inclusion officer is a woman who is a partner in the firm, and the department director is a former partner at another firm. We made these choices because we felt that anyone who leads DE&I in a law firm must understand the life of being an associate and the life of being a partner, and needs to understand recruitment and generating business.

Most importantly, we approach progress holistically. We do not just look at diversity as the number of diverse shareholders. We look at and consider diversity on our executive committee, among our managing shareholders and global practice heads, and within other leadership roles. Numbers are just part of the story. Diverse people are needed in leadership roles on all levels to create a truly diverse workplace, where people feel empowered and are free to bring their full selves to work, and into a firm's future.

“As a proud Black person, when I see Black people on the executive committee, in the hallways and running offices, then I recognize that this is an opportunity for me to belong. It is no longer just me, but rather ‘we.’ When I see other people who look like me, I know that the institution is one where I will not only be accepted but also gain a sense of community.”

### Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

People need to see themselves—that is how they know and trust that they belong. It goes back to not just having the one minority partner in an office. As a proud Black person, when I see Black people on the executive committee, in the hallways and running offices, then I recognize that this is an opportunity for me to belong. It is no longer just me, but rather “we.” When I see other people who look like me, I know that the institution is one where I will not only be accepted but also gain a sense of community.

### Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

Mental health and wellness pose a unique challenge in the COVID-19 era. This is true not just for law firms but also for our clients' legal teams. While technology has allowed us greater and instantaneous, albeit virtual, access to clients and to each other, the workday has become longer and dates are blurred. Our firm's wellness team has created an expanded program to help employees with medical, emotional and mental health needs. The program includes strategies and resources—like financial health and home workouts—that focus on the “new normal” and the stress associated with “COVID fatigue.” In addition, given the challenges with social distancing and working remotely, this team created the GT Buddy

Support Network. This is a voluntary program where firm employees connect and buddy up with a colleague. They agree to support each other emotionally and socially and to check in to help each other navigate some of the complexities we are all experiencing—even if in diverse ways. ■



# Dechert LLP

## ANDREW J. LEVANDER

Chairman,  
Dechert LLP

### What is your specific vision for your team and organization?

One of the things I did long ago when I first became chairman was to help develop our guiding principles about how we live, who we are and what's important. One of those tenets is, "Build an inclusive firm that reflects the diversity of the world in which we practice."

We are constantly thinking about *where* we should be recruiting and *how* we should be recruiting. We want to make sure that the people who have an opportunity to perform are diverse and feel included. Over the past few years, we've made great progress making sure that everybody—not just the partners, not just the lawyers, but *everybody* in the firm—has their voices heard.

### What strategies have you implemented to reach these goals?

We've implemented both a top-down and a bottom-up approach. At our partners' retreat in 2018, we held a formal training program facilitated by a behavioral change group called Steps. The interactive session focused on implicit bias, something that really matters if you want to build an inclusive and diverse culture. Steps used actors to perform brief skits, and then partners were asked to react to the skits. These sessions were so effective that we've had regular, additional sessions for our partners in the time since. We've also held sessions with our associates and business service professionals, who appreciate discussing these important issues with the partners.

Dechert has been innovative with its programs. We've developed very strong affinity groups for veterans and for families, as well as for our Asian, Black, Hispanic, Greater Middle Eastern and LGBTQ lawyers. The Global Women's Initiative is focused on the development of our women lawyers. Under the GWI, we have a Sponsorship and Sustained Support (SASS) program, which is designed to help midlevel and senior female associates find sponsors and support. In the five years before

we implemented SASS, just under 20% of the promotions to partner were women. And since we started with SASS, we're up to 31%, including 55% in the 2020 class. That's not just happenstance; it's focused and purposeful. It involves making sure women have the tools and support to get from one level to the next.

Our recruiting efforts are very focused on diversity. This past year, more than 60% of our lateral partner hires were women. Again, that's not happenstance. And these are very high-quality people; it's not like we're sacrificing here. Sometimes people say that it's hard to get really good people. But you just have to work harder sometimes, and you have to make your organization a place where people want to be and where they feel supported. If you look at Dechert's management levels, 43% of the 14 members on our Policy Committee are women or people of color. Among our office managing partners across the world, around 40% are women or people of color, including in our three largest offices: New York, Philadelphia and London. When you think about these goals and focus on them, you can get results.

A few years ago, we started awarding annual prizes for recognition in various categories, such as exceptional teacher and innovation. A number of Dechert people get nominated, and there's a committee that sorts through it all and selects the winners. Winners are celebrated at the annual State of the Firm presentation and receive \$10,000. Most recently, we added a "diversity champions" category, and this past year we had about a hundred nominations and gave out four awards. I think of the old expression, "Put your money where your mouth is." We've done that at Dechert.

No one thing will solve the diversity issue. You have to do many things at once. There's a lot that goes on and it's not a straight, linear line. You've just got to keep working at it every day.

### How are you measuring your progress? What accountability measures do you have in place?

We've been recognized in a variety of ways. There are a number of surveys now, such as "Great Place to Work," and we've been doing extremely well over the past couple of years. When your workplace is inclusive, it's not just one group being catered to; it's everybody feeling

like they belong—they are on the same page, on the same team and pulling in the same direction.

I am usually skeptical about surveys. But when you see an upward trajectory in many different categories, in many different surveys, I like to think there's something positive going on.

### Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

We have the SASS program, where we make sure that women partners are really sponsoring, helping and supporting younger women associates. It's not just some sort of obligatory, check-the-box kind of program, but a truly supportive program that helps younger women believe in themselves, build confidence and feel like they belong. I also think that expanding the inclusive leadership training facilitated by Steps from only the partners to the entire firm demonstrates our commitment to inclusion and helps everyone feel like they're part of a team and part of the Dechert community.

We also create a sense of belonging through various cultural initiatives, including several themed weeks throughout the year (Wellbeing, Diversity and Inclusion, Innovation, and Dechert's Birthday). Each week includes opportunities for everyone to get together around a common purpose, attend guest lectures and have a bit of fun.

### Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

We were already heading down the road of really thinking through those issues and coming up with programs before COVID-19 hit. For example, we implemented Meditation

Mondays. Anyone in the firm who wants to can attend a half-hour weekly meditation session and can utilize the app to meditate at any time.

When COVID-19 came along, we quickly pivoted to make sure we were offering even more support to our people, and I think we clearly demonstrated the importance of community at Dechert with our resolute focus on retaining our talent during the pandemic.

We recognize the hardships of where we are. The pandemic has put an added strain on people in ways that are hard to detect and predict. We need to be very sensitive to these issues, and we are trying to be. We have an entire framework called Thrive@Dechert that focuses on wellbeing in a holistic way, from emotional and physical health to social connection. We have offered extensive training on maintaining wellbeing and managing stress during times of exponential change, and we just finished our own "Life Strategies" curriculum with Dr. Rao. In addition, we added on-demand fitness classes, support groups and much more. Another thing we added for our working parents is a program called The Young and the Restless, aka Dechert Storytime. Readers from across the globe gather weekly to read to our children. Our CEO, Henry Nassau, was the first reader.

We also recognize the significant impact that the murders of Black men and women are having on the mental health and wellness of our community. This past year, in response to the Black Lives Matter movement, we launched a town hall and speaker series to address topics on racism and social justice, as well as how to cope from a mental health perspective. Our objectives are to provide a safe space for Dechert people to learn, share ideas and support each other. We remain committed to doing our part, and will continue our efforts to make Dechert the best place it can be. ■

“No one thing will solve the diversity issue. You have to do many things at once. There's a lot that goes on and it's not a straight, linear line. You've just got to keep working at it every day.”



## KIA SCIPIO

Director of Diversity & Inclusion, Ropes & Gray

# ROPES & GRAY

### What is your specific vision for your team and organization?

In my perfect world, we would be in a place where everybody feels valued, respected and included; it would truly feel like a culturally competent community. We spend a lot of time at work, and it would be nice to know that what we're offering and what we're asked to do is valued beyond just saying we have a diverse person on our team. It would mean that a person's contributions are legitimately valued and respected. So, how do we get to this place?

In my view, getting there is through really thoughtful, strategic, impactful and intentional actions toward achieving that sense of community and cultural competence. I think you need to have a really strong, well-thought-out and fully adopted strategic plan. The plan has to have goals that you've outlined for creating this level of cultural competence. You'd have metrics by which to measure your progress toward those goals, recognizing that some of the goals are longer term than others. So you have to have benchmarks to say by this point we want to be *here*—but the ultimate goal is to be *here*.

### What strategies have you implemented to reach these goals?

Last summer, I built a road map that will get us to the point of creating a thorough strategic plan. With over a year of information gathering from various outlets—listening sessions, focus groups and the recommendations generated from the firm's Racial Equity and Inclusion Task Force—there are areas on which the firm should be focused. We are able to delve into those areas in a meaningful and impactful way that affects both the attorney talent and business support teams.

The Racial Equity and Inclusion Task Force was created as a result of conversations that were had following the death of George Floyd and others. In the small group listening sessions that led to the creation of the task force, people were able to share how the events in the spring and throughout Memorial Day weekend were impacting them personally, which then impacted them professionally as

well. The listening sessions initially started with our attorneys and then expanded to include our business support team members. There was an awakening in terms of the experiences of people, especially people of color, within the firm community. From that awakening, the task force was formed to address some of the key issues that rose to the top regarding what was most impacting our community of color at Ropes & Gray. The fact that our leadership came together and said, "Look, we need to have a task force that digs into these issues," was a huge step in the right direction of impacting the culture of inclusion for which we strive.

We have a wonderful community as it is, but it can always be better. And part of the reason I was brought on was a recognition that there is more work to do. Being able to co-chair this task force with the involvement of our diversity committee co-chairs and the representation of our policy committee speaks to the importance of this effort. We have associates and business support team members on the task force. It is an inclusive experience that looks at how everybody is impacted by the systems and processes we currently have in place. We're looking at how we can adjust those systems and processes to address issues of bias and how they may create roadblocks to allowing people to truly maximize their potential. Again, this is working in conjunction with the development of a longer-term, more in-depth strategic plan.

We're also expanding our cultural awareness programming. There have been lots of discussions about having implicit bias training. And if we're really getting to the heart of implicit bias, it's not a one-time training. It's something we have to do on a continual basis. In addition to trainings that introduce the concepts of unconscious or implicit bias, you have to have follow-up workshops and engagement activities so that people can see how those biases can play into and directly impact the systems and processes we have at the firm—and how those, in turn, impact the experience that somebody has working at Ropes & Gray. You can have a big, firmwide presentation where thousands of people show up on a Zoom webinar. But it's not really going to make a difference until people know how it impacts their day-to-day behaviors. We recognize that the curriculum is going to have to be targeted to specific groups, whether it's our recruiting, attorney development or professional development teams; our practice group leaders; or our business support team leaders. All of them

“You shouldn't wait until there's a crisis to create opportunities for open forums and discussions about what's going on. I also think that the kinds of changes that we're looking for and striving to make really mandate regular and open communication from and with leadership.”

have to have a specifically targeted curriculum that addresses cultural awareness.

We're also seeing greater involvement in our affinity forums from both the attorney talent and business support teams. They're really having an impact on the educational programming that we have at the firm. People are going to the leaders of these groups and asking questions about what's appropriate and what's not. I think all of that is very impactful. It shows active engagement in creating a culturally competent work environment.

### How are you measuring your progress? What accountability measures do you have in place?

You've got to set metrics and benchmarks to know whether you're progressing toward your goal. Otherwise, when you say, "Diversity and inclusion are priorities and we're committed to them," that leaves you open to ... not a whole lot. You could say that, but what are you doing toward that?

When you have a strategic plan with articulated goals and objectives, there's a level of accountability that ensures you're genuinely working toward that goal. If your plans aren't working, it makes you reassess why and/or whether that's a truly attainable goal. And if the goal is not truly attainable, why is that the case?

The strategic plan must be measured and thoughtful about sustainable and positively impactful efforts and not just responding to industry, client and community demands. It's about being proactive in furthering diversity, equity and inclusion.

Accountability is key. I think what we're seeing now is people are holding their employers accountable. I try to find the silver lining in

all this chaos, and I think there is now a real understanding that having to hold ourselves accountable for what we say is a priority.

There is a movement now to set and articulate diversity, equity and inclusion goals and metrics. I think it was very bold and audacious for Clifford Chance to publicly declare where it wants to be by 2025. It's one thing to say it internally in your organization. It's another thing to make it public. I think it really demonstrates a level of commitment that says, "We are putting our money where our mouth is." Because the things they're talking about trying to accomplish can't be achieved by having one diversity director or one chief diversity officer. You have to have the resources available and the leadership support to make these changes happen.

### Belonging has become the next evolution of diversity and inclusion. How have you moved your team from merely focusing on diversity to creating a sense of belonging?

In addition to the trainings, it's important to have a level of engagement to really have a sense of how people are feeling. I think this is when the affinity forums and business support resource groups at Ropes & Gray come in handy. Their members can really give you a sense of where people are and how they're feeling about the organization.

You shouldn't wait until there's a crisis to create opportunities for open forums and discussions about what's going on. I also think that the kinds of changes that we're looking for and striving to make really mandate regular and open communication from and with leadership. I think far too many times people are in positions where they should be in the know, but they aren't and there is no accountability for them.

We have to be able to put something in place that lets us know we are working toward and making progress on the goals we've set forth through communication and setting up metrics. We have to be willing to listen to and provide opportunities for people to express what their experiences are—not just in a moment of crisis but also on an ongoing basis.

### Wellness and mental health have also become a focus within inclusion. How is your organization supporting the mental health and wellness needs of your legal team?

We've done a lot of engagement efforts around mental health and wellness. One of these is a seasonal mindfulness meditation series that happens multiple times a week at different times, so that every time zone across the firm's offices all over the world can participate.

Each of the offices has also taken on its own wellness initiative. For example, during the summer, our San Francisco and Silicon Valley offices were doing a virtual yoga session every Friday afternoon. The D.C. office has done an "unwind and have fun" session. They were doing a trivia lunchtime every week but have since shifted focus so that every week two people from the office talk about how they're coping with COVID-19. I think there have been a lot of opportunities for people to connect and engage.

Our health and wellness team has done a great job of making sure people are feeling engaged and making people aware of the resources available to them as members of the Ropes & Gray community. If people need advice and counseling from a therapist, those benefits have been made readily available. If there've been any questions about what's covered, the firm has been very responsive. Reaching out to people has been a big thing with everyone working remotely. Because, as you can imagine, while we're talking about our families, there are some people living alone, and they've been isolated for so long. I think there's been a huge push by the firm to make sure people are engaged. ■

# Conclusion: Everyone Wants to Belong



**JASMINE GUY**  
Diversity & Inclusion and  
Corporate Social Responsibility  
Program Manager

Verna Myers is known for saying, “Diversity is being invited to the party and inclusion means being asked to dance.” Using this analogy, belonging is being asked for input into the playlist for the dance music and then asking anyone you want to dance with you.

It’s not just having a seat at the table but also feeling comfortable enough to contribute and share ideas and, in turn, having those ideas heard and respected. Too often a seat at the table means to sit or stay in your place, but when we want to create a culture of belonging, ideas should be solicited and accepted from everyone, including from those who are often silent in the room.

D&I is something that is a marathon, not a sprint. We’re on this journey over time, so it’s important we stay the course and implement plans that are sustainable. Creating a sense of belonging is everyone’s responsibility in the organization, not just leadership’s. We all must work together for this to work. But where do you start to ensure everyone—not just your teammates—feels like they belong?

- Engage with people at different levels and backgrounds around the watercooler (virtually or in person).
- Discuss career goals with a more junior colleague from a different background or demographic group than you.
- Actively develop and mentor individuals of diverse backgrounds and demographic groups.
- Partner with a colleague to provide visibility on each other’s behalf.
- Intentionally seek out ideas/ insights from people who might not look like you.
- Give credit for ideas by name and be sure that others are not overlooking the originator of the idea.

I cannot stress the importance of creating an environment of belonging. Attrition will reduce, while engagement will increase. Individuals and teams will show more innovation in client solutions. Teams will become more cohesive, morale will improve, and overall mental health and wellness will get better.

People are really speaking out now, so leadership has to respond and show genuine commitment. And then we have to support each other in all of this. We have to be very intentional with our actions and the words we use, making sure we aren’t excluding people and are open to feedback to learn what we can do better next time. We need to demonstrate that we’re serious by taking appropriate action. ■

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