



Diversity In Law: Attorneys from Underrepresented Groups Detail Experiences on the Ground in Big Law

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2024



Diversity Project

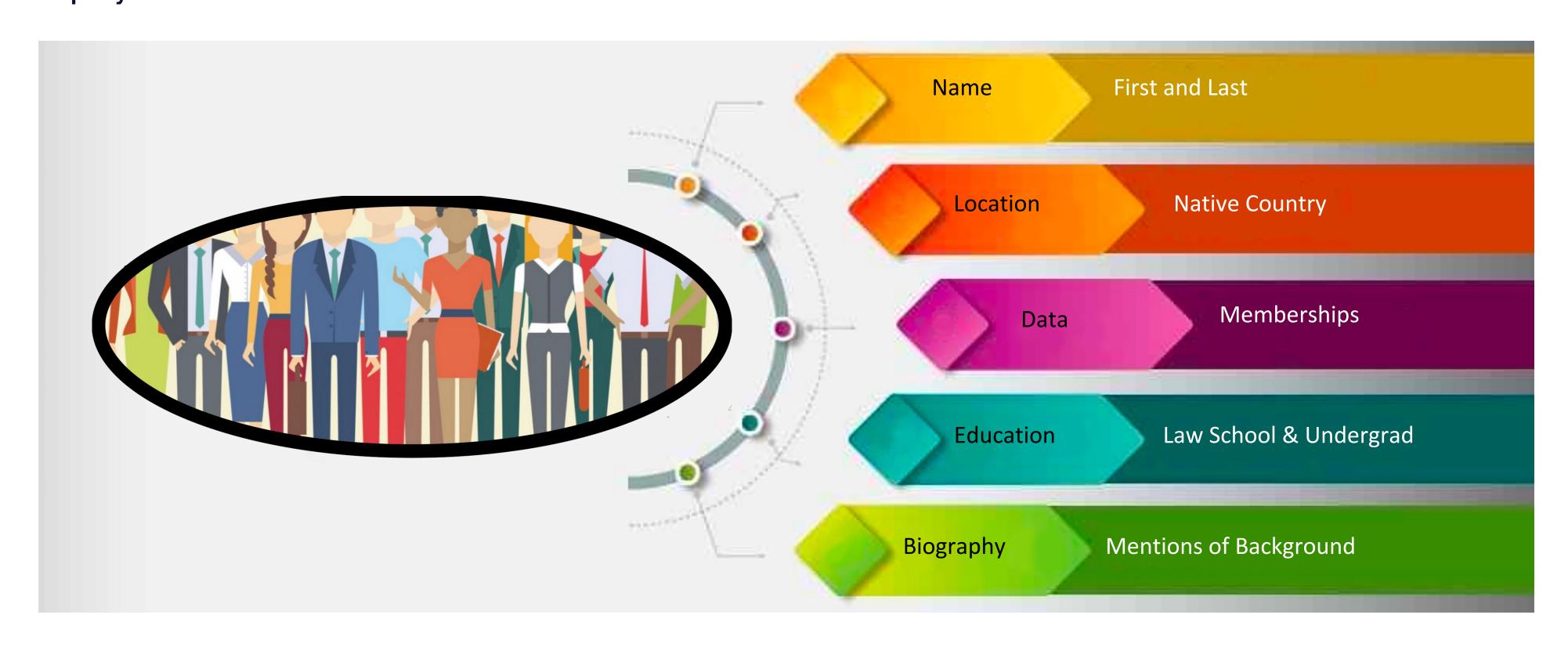
Data

**Objective: Report and Promote Diversity Hiring** 

Began In Summer 2020





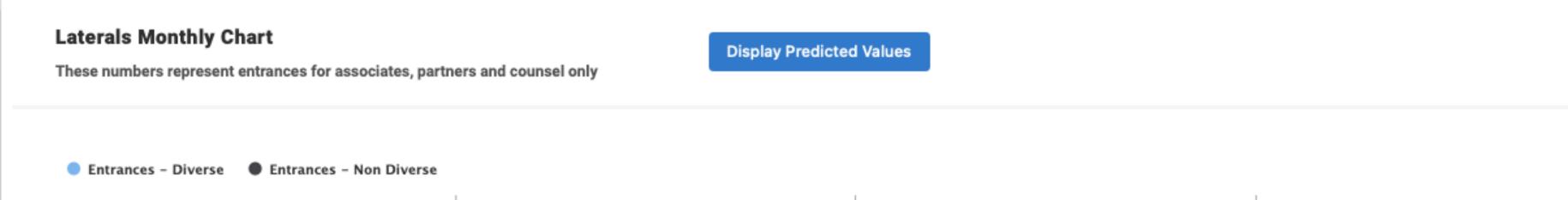


We are determining the probability of Diversity, not ethnicity and we do not store any type of ethnic information in our database. We are only looking at data points to help us discover the PROBABILITY of diversity within the attorneys in our database. The general error rate is within +- 5% which is true for 95% of our total firms. However, we know there are outliers where the error rate might be higher and we will continue to gather data and adjust as needed.



931





#### Gender, Ethnic and Partner Diversity Breakdown

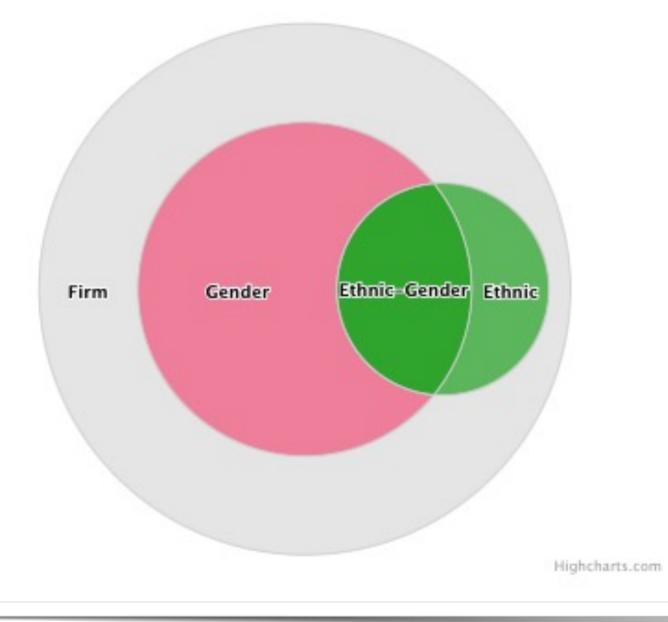
Gender Diversity	Associate	Partner	Counsel	Support	Total	Perc
High	199	103	55	15	372	39%
Low	189	281	90	11	571	60%

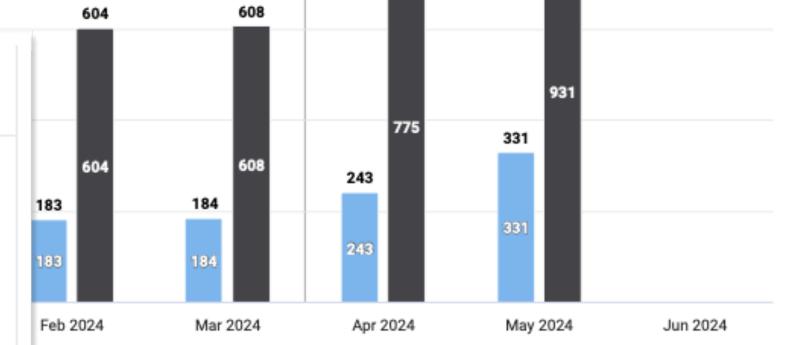
Ethnic Diversity	Associate	Partner	Counsel	Support	Total	Perc
High	90	41	11	8	150	15%
Low	298	343	134	18	793	84%

Partner Diversity	Number	Perc	Total Partners	
Gender	103	27%		
Ethnicity	41	11%	384	
Both Gender and Ethnic	19	5%		

#### Ethnic and Gender Diversity

629





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### About the Respondents



#### 638 completed the survey

Women 59% Men 39% NonBinary .78%

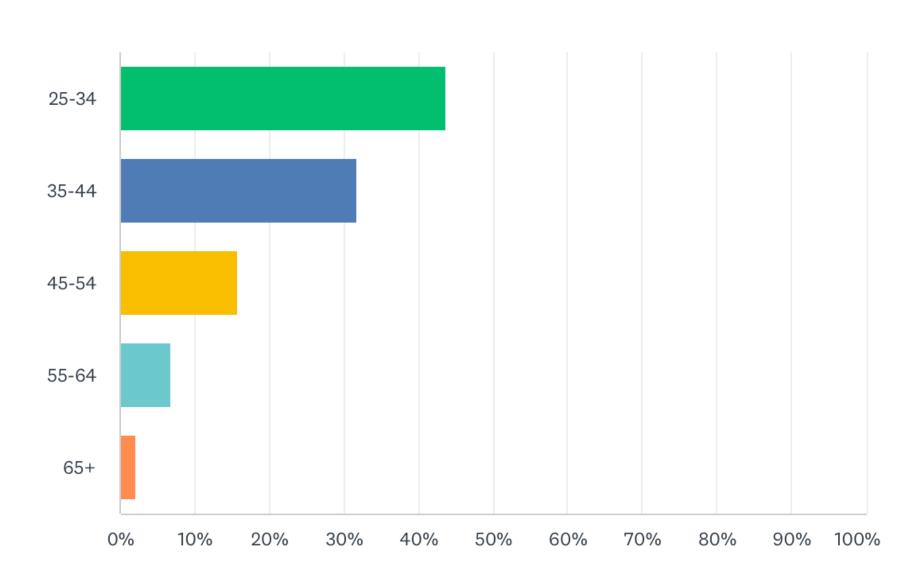
Black or African American was 31%
Asian or Asian American was 29%
Hispanic or Latino/Latinx 17%
Two or more races 8%
American Indian or Alaska Native .32%
Native Hawaiian or other Pacific Islander .47%
Some preferred not to identify or had other responses

Most were between the ages of 25 and 35

78% were either working at or had worked at a top 200 firm

Please select your age range.

Answered: 630 Skipped: 13

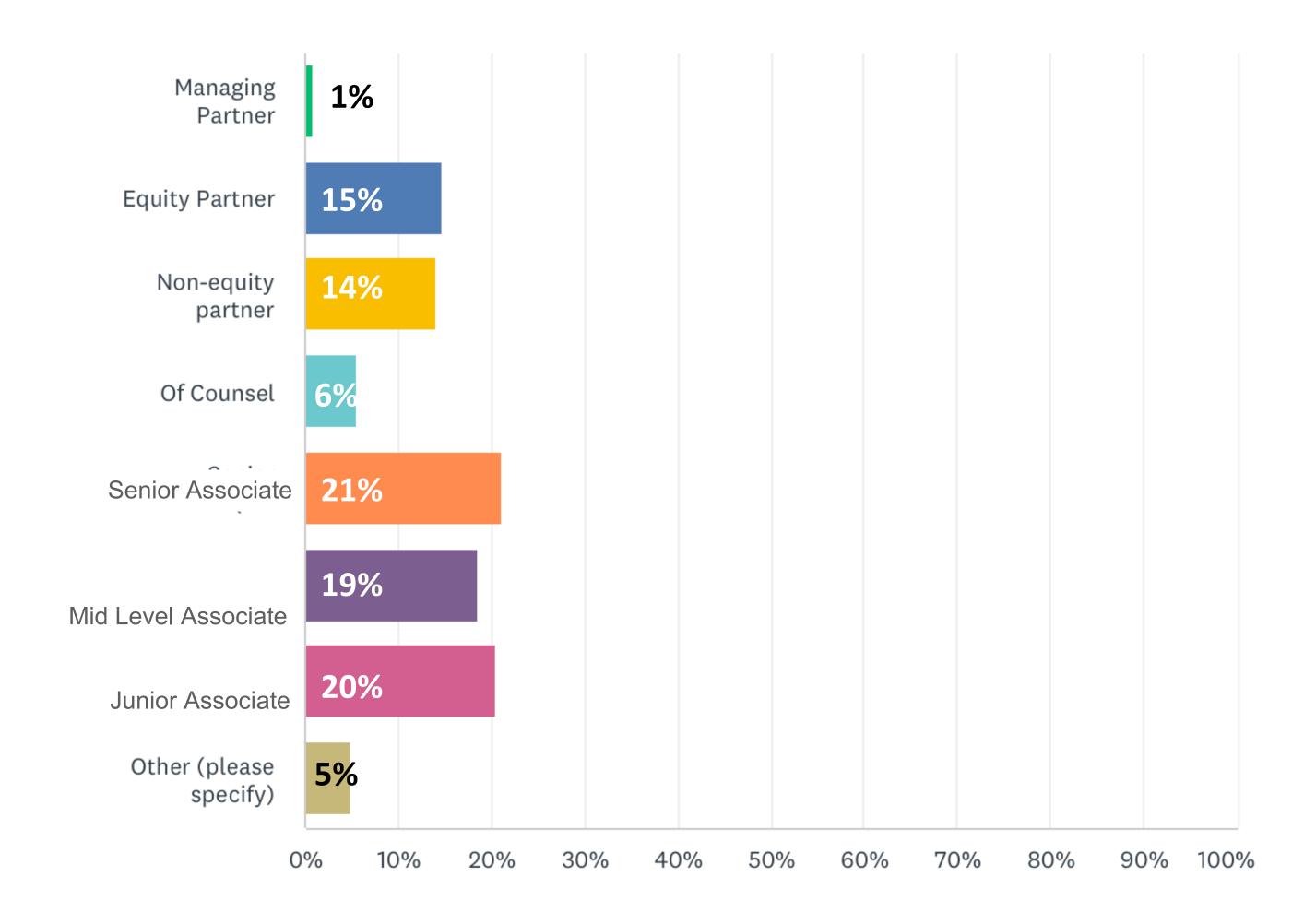






What is your current title, or your last job title when you were at the top 200 law firm?

Answered: 485 Skipped: 158

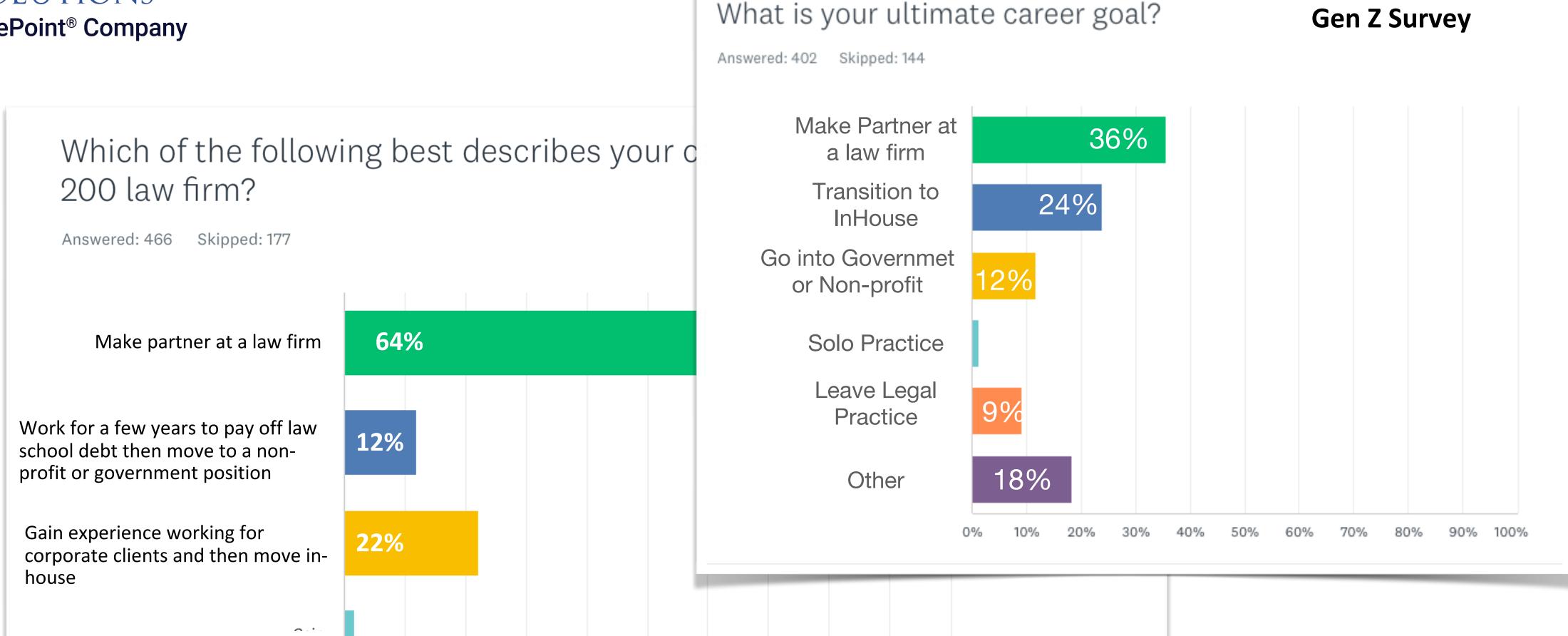






Gain experience and then

start my own firm



50%

60%

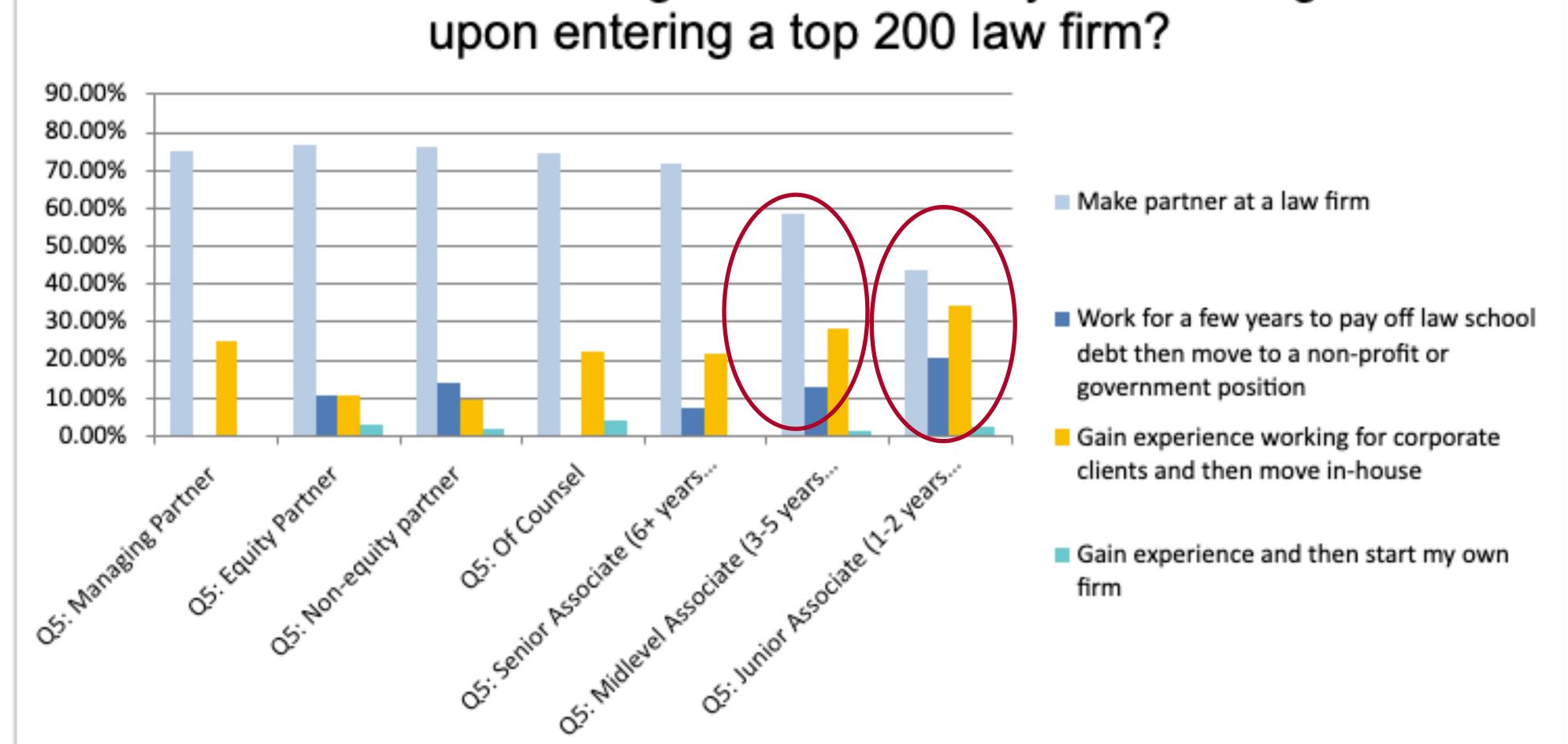
70%

40%





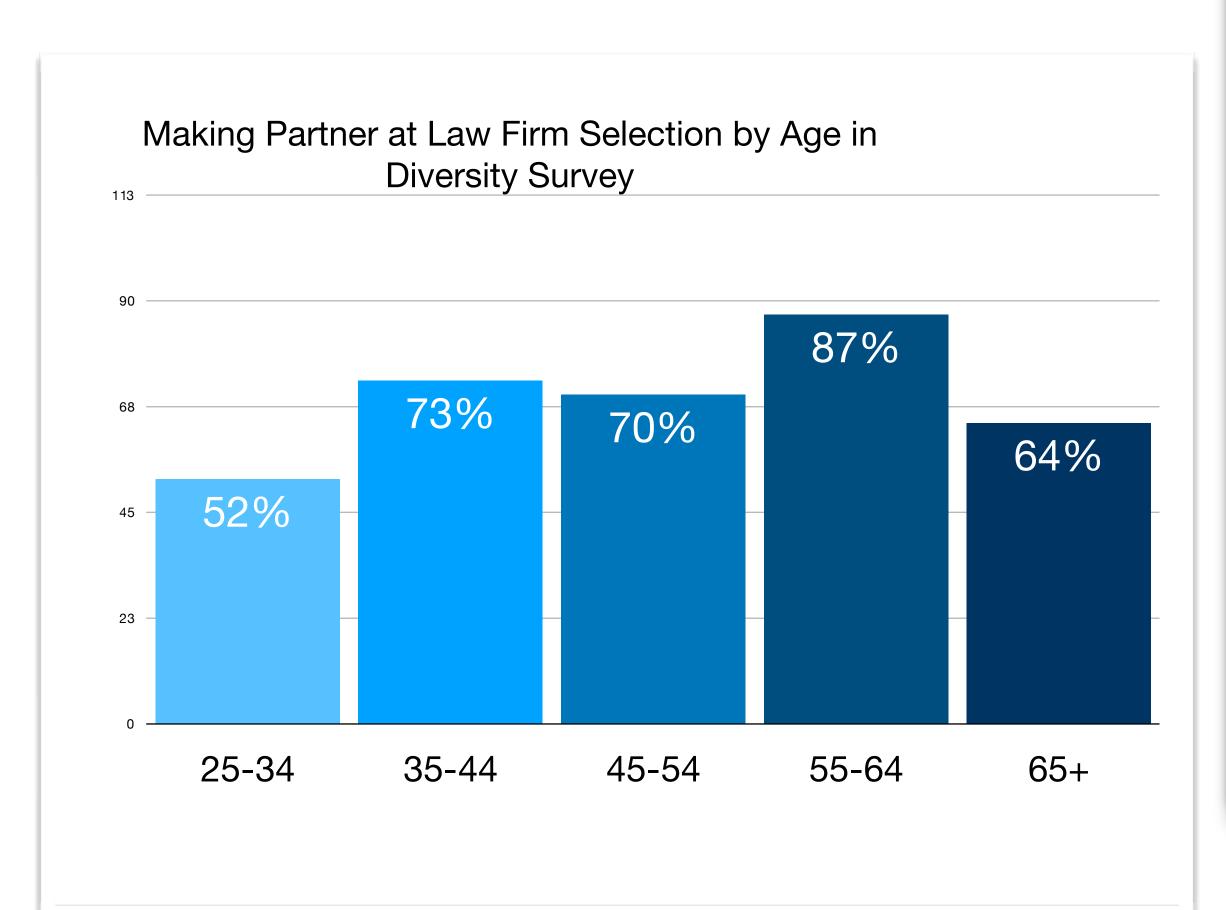
#### Which of the following best describes your career goals upon entering a top 200 law firm?

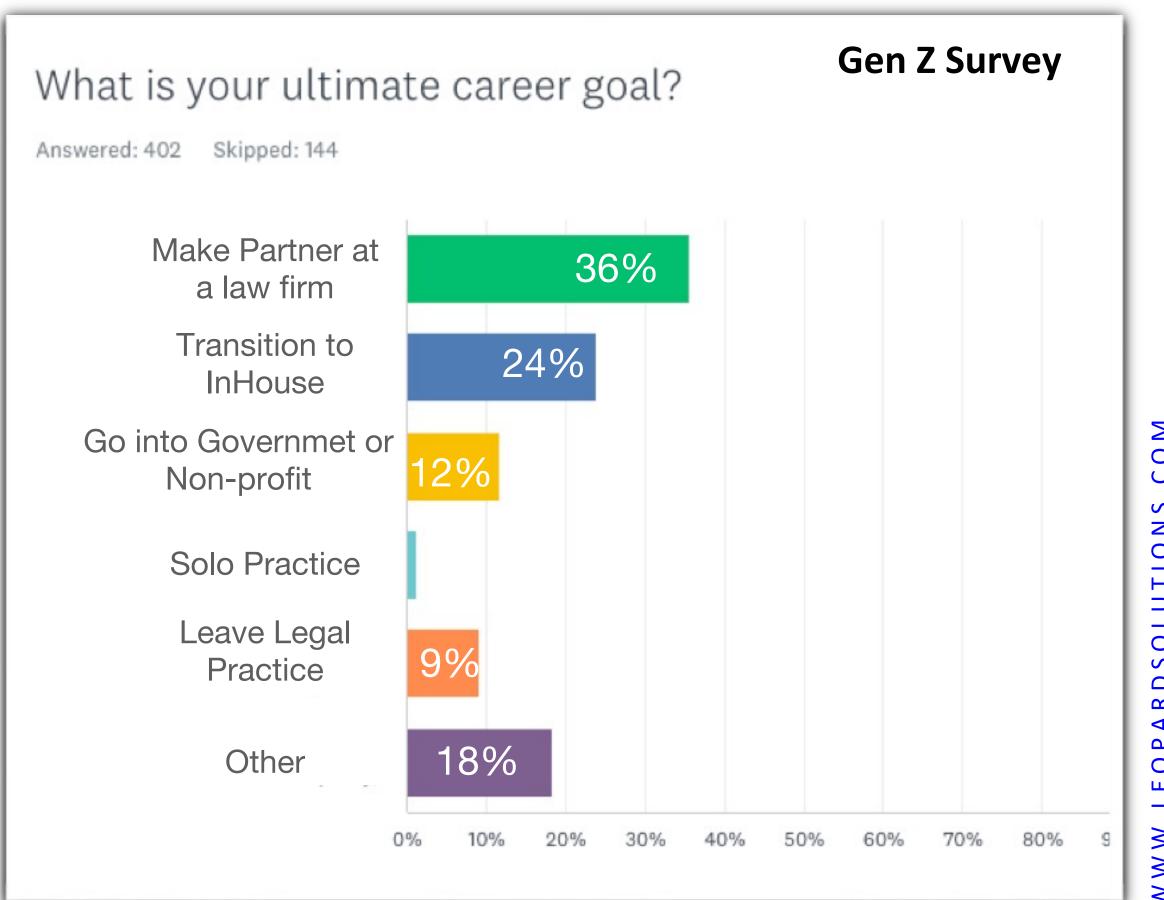






More diverse men sought to make partner than diverse women (67% compared to 62%). The Gen Z survey saw men seeking partnership at 55% to women at 37%





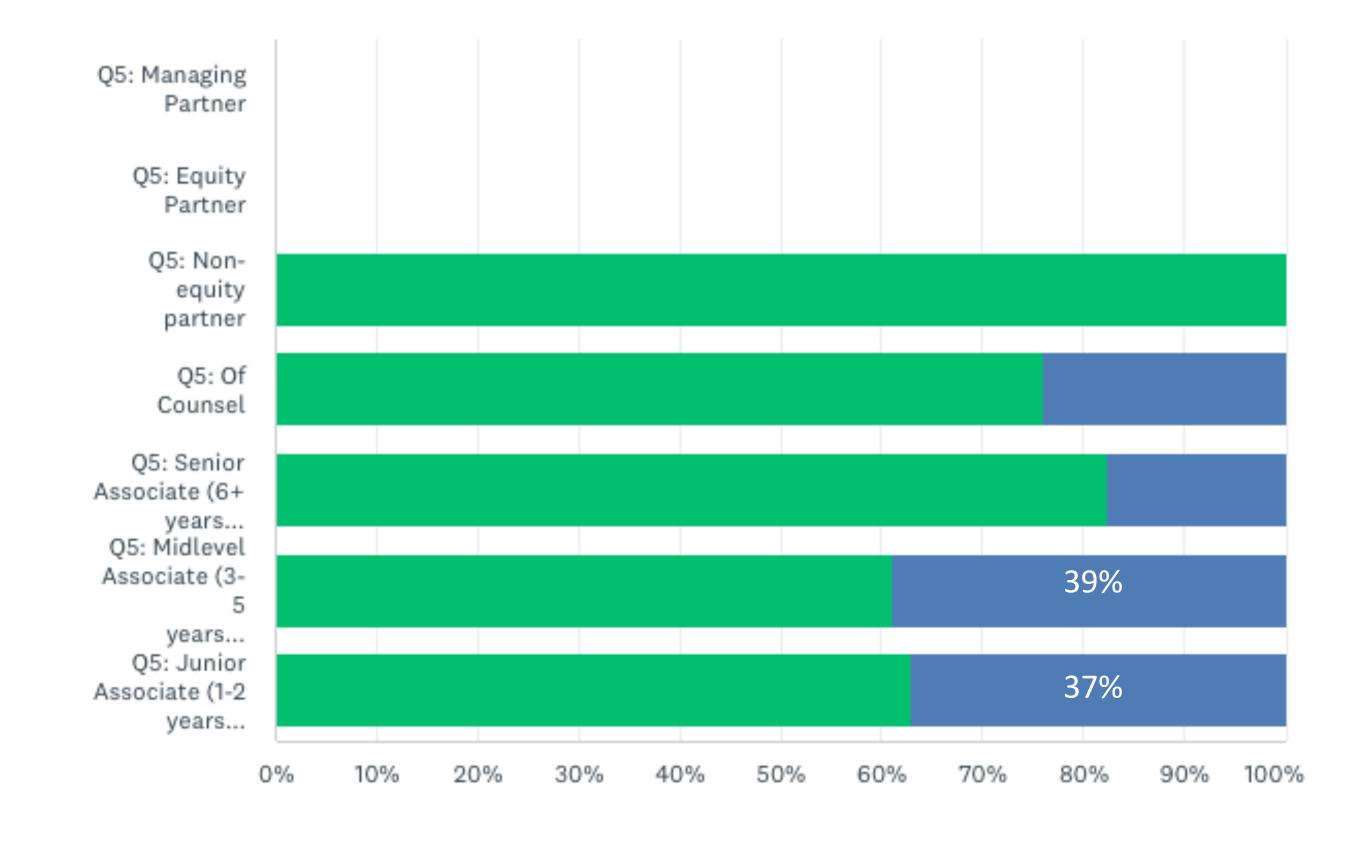
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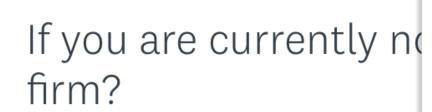
If you are currently not a partner, do you see a path to partnership at your firm?

Answered: 300 Skipped: 161



No 📗

Yes



Answered: 319 Skipped: 324

Yes

No

0%

2024

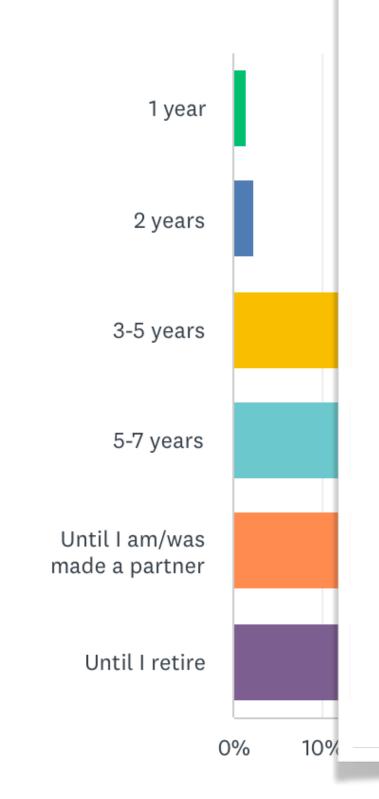


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Ideally, how long would y

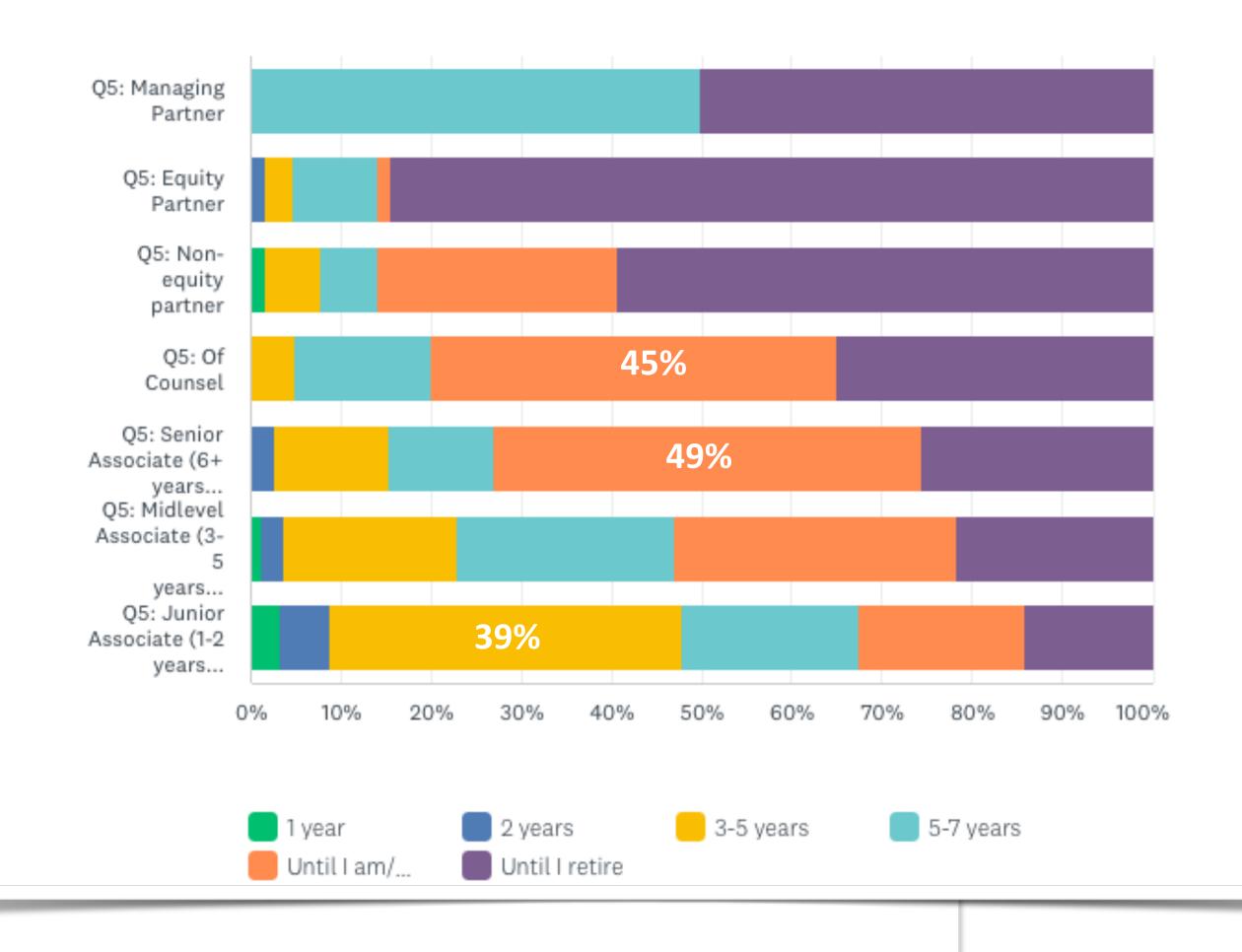
Answered: 424 Skipped: 219

liked to work at the top 2



Ideally, how long would you like to work at your law firm or would you have liked to work at the top 200 law firm that you have left?

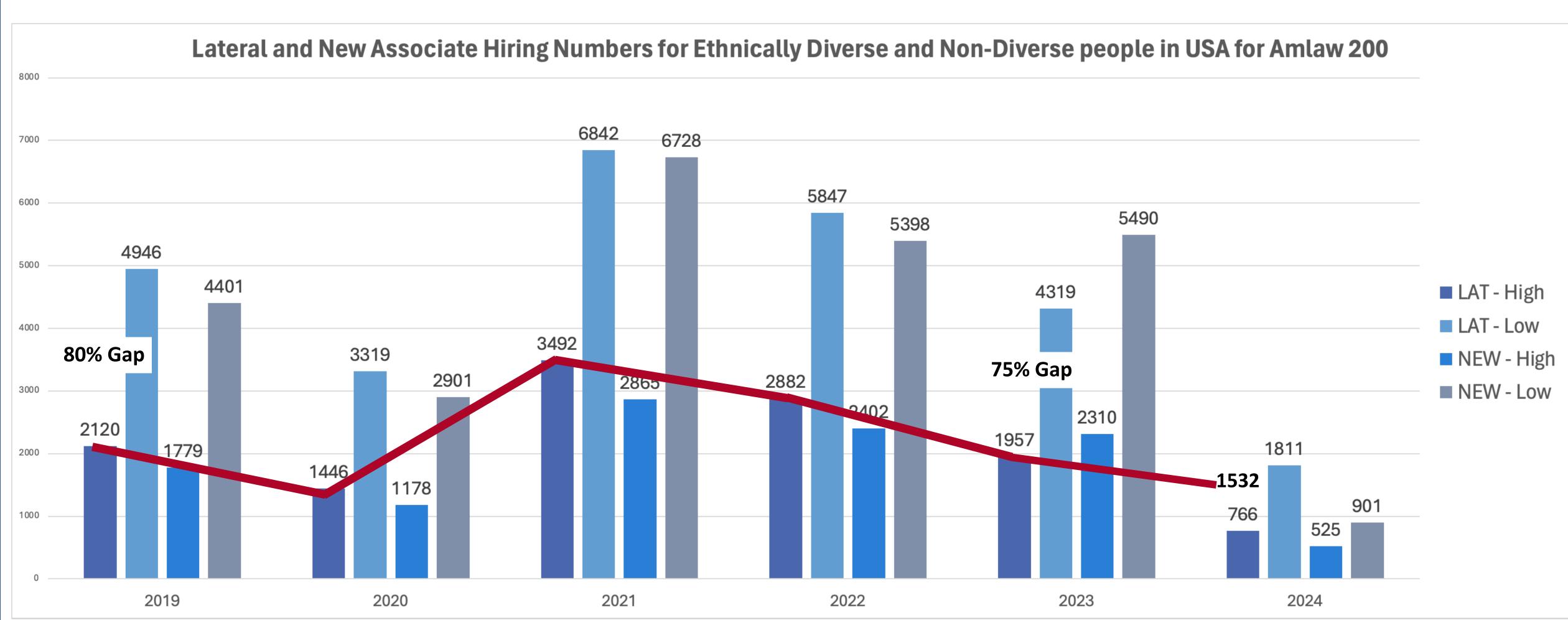
Answered: 405 Skipped: 56



#### **Hiring Numbers**



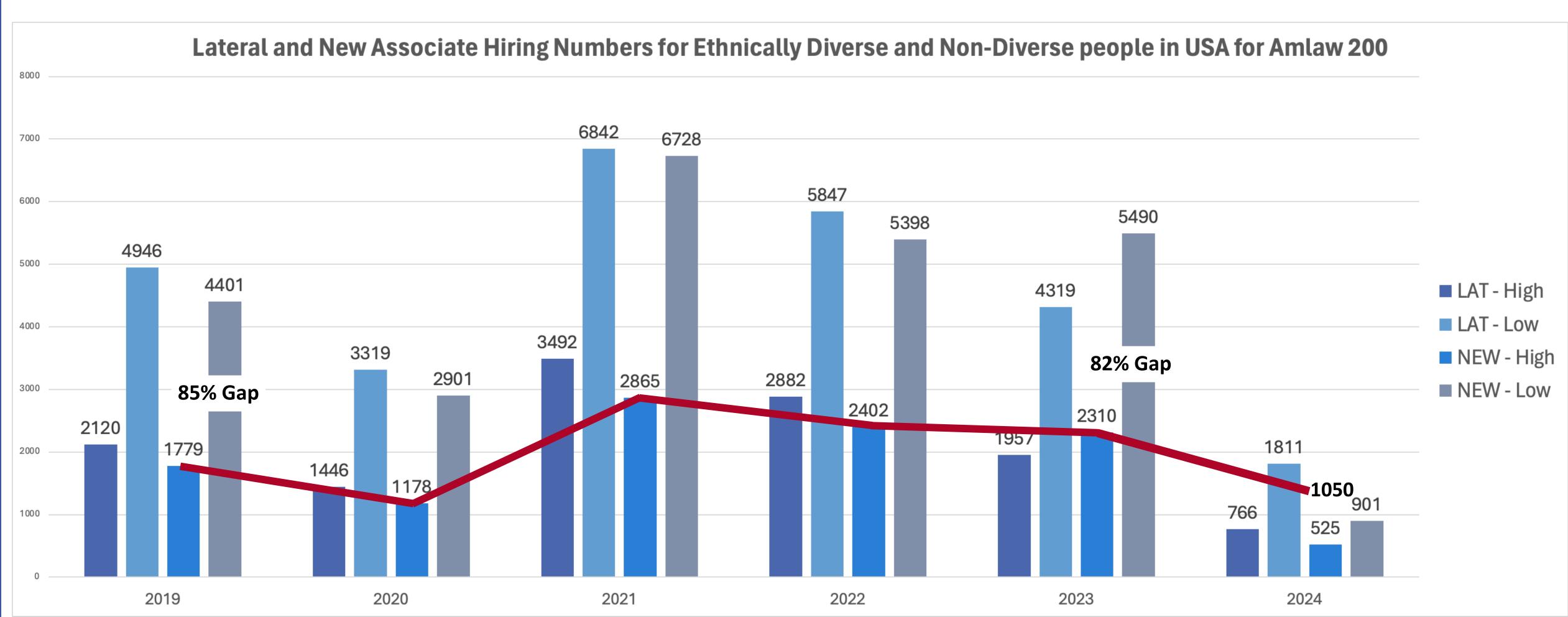




#### **Hiring Numbers for Entry Levels**











#### GEORGETOWN UNIVERSITY | THE FEED

**ACCESS & AFFORDABILITY** 

April 12, 2024

## Study: Law school diversity fell 'substantially' after state-level affirmative action bans

Racial diversity decreased at law schools subject to state-level affirmative action bans, according to a recent <u>study</u> from three law professors at Yale University, New York University, and Northwestern University, <u>Reuters</u> reports. The study is "the first comprehensive empirical study" of the effects of affirmative action on racial diversity at U.S. law schools, the researchers say.

#### MEASURING THE IMPACT OF AFFIRMATIVE ACTION BANS

To explore the impact of state-level affirmative action bans, the researchers looked at enrollment data from every U.S. law school between 1980—when the study says law schools began to include information on the number of minority students they enrolled—and 2021

They focused on 23 public law schools across 12 states, including California, Arizona, and Michigan, where race-based affirmative action bans had been enacted since 1996.

The study calculates that affirmative action bans reduced the share of minority students at those public law schools by between 10% and 17%. That decline was even larger at "top 20" law schools (as ranked by *U.S. News & World Report*), where the share of minority students plummeted between 36% and 47% following state-level affirmative action bans. Black and Latine students accounted for almost all of the declines.

The fallout from affirmative action bans may be felt well beyond higher education, researchers say. Top law schools are often feeders to leadership positions in government and

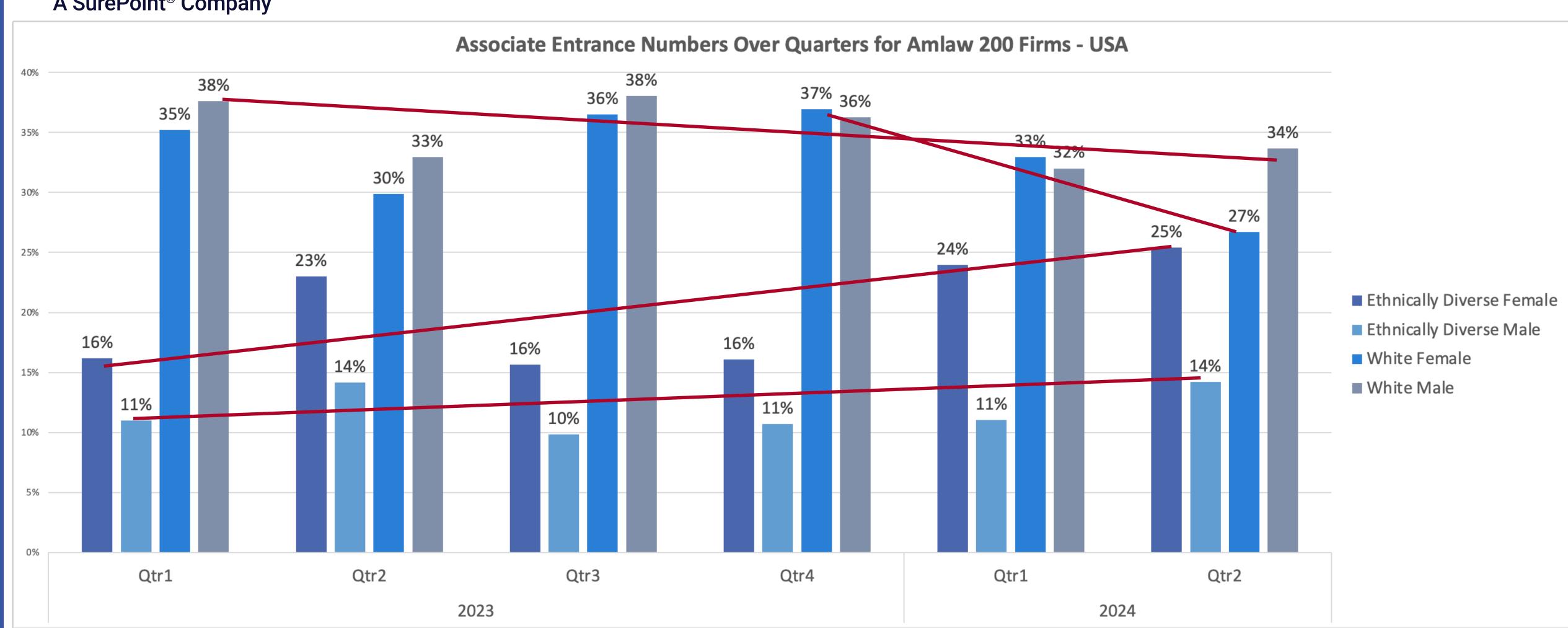
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#### **Overall Associate Hiring Numbers**



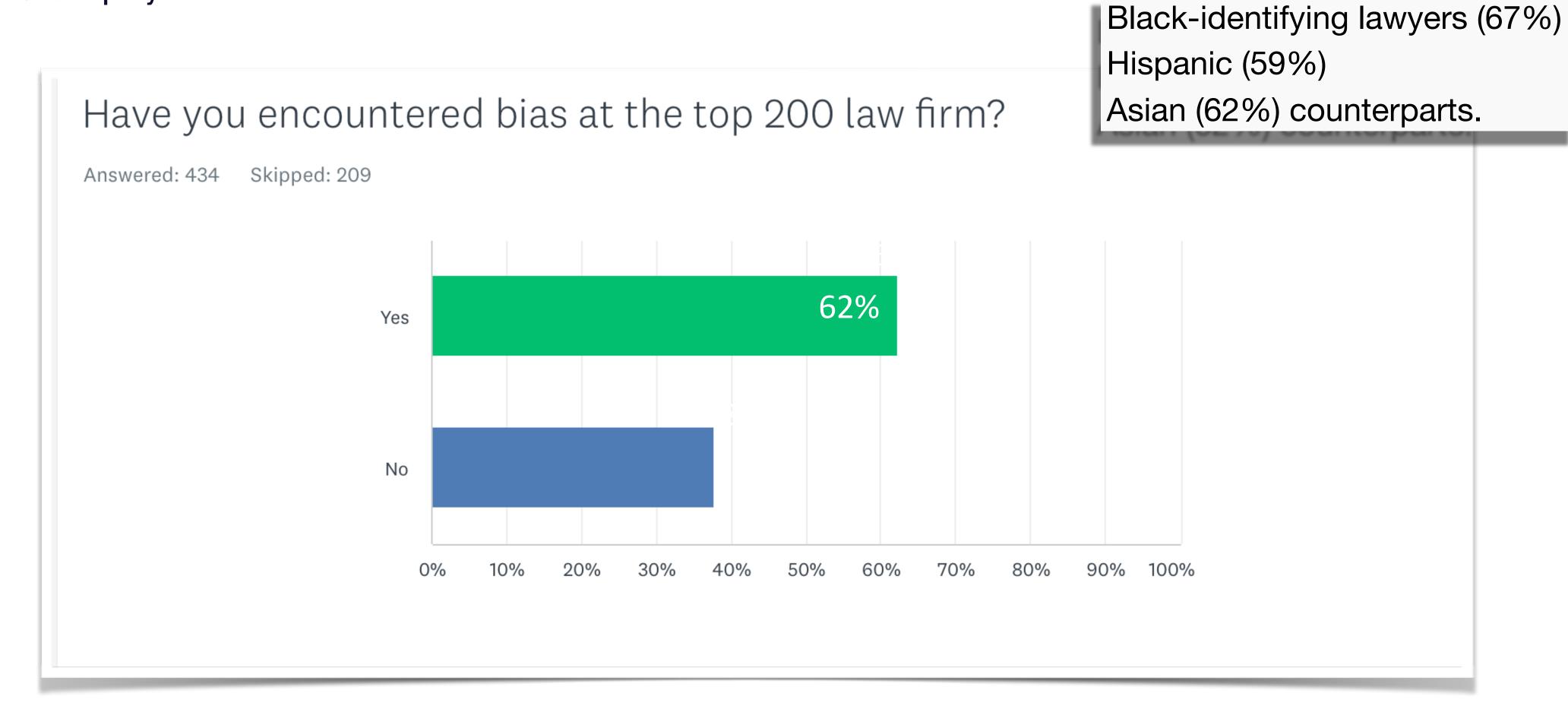


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#### **Hearing from Diverse Women**



Numerous racist remarks, and being explicitly told that I was being "demanding" for asking if I could have a POC or woman mentor.

white male bias

After I made partner, I was the only partner in my practice group in New York for several years. A white male partner was hired as a lateral and within months named leader of the practice group in New York. I get the sense that as an Asian American female, I confront a bias that I'm friendly, easy to work with, hard working and excellent in substantive knowledge, but not seen as executive or leadership material. I've **struggled against this bias** my entire career.

In my early years, it was assumed that as the junior female, I would make the arrangements to have food for client meetings. The junior male associates were not expected to do this, it was always the women. As a woman, I was told I did not have sufficient "presence" to make partner. But I did make partner anyway, with clients and different partners supporting me. However, once I had children, certain colleagues became less supportive and others, while supportive, relegated me to a "service" role and refused to allow me access to clients or full credit for the work that I am responsible for. This has continued to the point where I am no longer an equity partner.

Seeing all white and/or white male teams, with **no diversity**. White partners with less business making more money than diverse partners with more business.

Yes. I have been **treated differently than my white male counterparts**. They are invited out, to drinks, with clients, golf events, pitches. I have been added as the diversity card, but then have not appeared on the matters that followed. I have not been accorded the same level of respect as my white male counterparts and have been left out of pitches that I brought in, likely because I was not the industry expert or someone was moving too quickly without thinking.

Been told by client that "the lawyers" should discuss a certain issue, as if I wasn't a lawyer; been given the unsolicited advice to go to a different firm in order to be both a mother and a successful partner, in response to my comment that I wasn't interested in having children

Reports of only black employees talking too much, black balling of black employees so they **do not receive work**, firm did not sponsor anything during black history month but sponsored lots of St. Patrick day events, comment that MLK day is not a real holiday, being called little girl

Despite many advances since I started practicing 29 yrs ago, the "old boys club" is alive and well.

ne exceptions, work alloc ortunities are not equal for ment recognize and acknowledge the inequal

My first job out of law school I was aggressively sexually harassed, called "little girl", and had constant comments about my appearance.

In BigLaw with some exceptions, work allocation, client responsibility, are management opportunities are not equal for women and never will be until the males in management recognize and acknowledge the inequality.

The lack of opportunity and supportunity and supportunity

The top law firms are rife with discrimination and a culture of fear and retaliation

tors

xperience and I would recommend

ne to avoid it.

The unpredictability of work and the expectation to be available at any time was not sustainable with my family life.

ng on the ed or om gender pted and taken by ng a social work/life balance is a struct to definite work large for everyone and that every single workplace has jerks and that definite have to work every second of

It was a very bad wo

Some partners/supervising attorneys prefer to work with associates most similar to them (male, often white)

advocating for my own promotion and compensation increase.

There was "one way" to practice and charge clients that was not conducive to efficiency or value of support or

Seems to me that men are always offered morwomen. Once a woman does a job well, she is

The stress of dealing with gender bias, coupled with the fact that my work would be found wanting regardless of its quality, negatively affected my work

My firm is very vocal about supporting women attorneys, and it's received recognition for its efforts in that area. But it's hollow and doesn't translate to a better experience or more opportunities for women at the firm.

requires lawyers to prioritize work above everything else in a way that has simply become untenable and unappealing for many. Efforts to promote and support women (and other underrepresented groups) will always fall short as long as the billable hour and 24/7 availability are measures of success.

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#### **Work Assignment Issues**



Not being included in succession plans (even though I knew the client well and managed their matters), not being included in origination even though I played a critical role in the pitch

implicit bias, marginalization, exclusion from plum assignments/opportunities

No work opportunities from firm

not getting enough work, being confused for other Black people, being ignored because I was confused for staff/a paralegal

Put on a pitch without being asked because the client was a similar ethinicity.

No work opportunities from firm

**Work Allocation** 

M&A practice groups tend to staff Caucasians and males

Preference toward giving billable work to white Associates. Harsher feedback on substantially the same work product as white comparators.

Reports of only black employees talking too much, black balling of black employees so they **do not receive work**, firm did not sponsor anything during black history month but sponsored lots of St. Patrick day events, comment that MLK day is not a real holiday, being called little girl

Partners are less than comfortable assigning me a lot of work. It may just be that they care about my work life balance, but I see less of that concern regarding my peers

Being included in a client pitch for appearances/token, but not given substantive work on the matter

Preference toward **giving billable work to white Associates.** Harsher feedback on substantially the same work product as white comparators

How work is distributed between myself as the only black associate in my group compared to my white counterparts.

Distribution of Work/Credit for work performed





Does the firm have specific initiatives to hire historically underrepresented attorneys?

69% YES 31% NO

## Do you have a metric used to measure how attorney work assignments are distributed in

line with your DEL goals?

27% YES 73% NO

When asked to rank their firm's diversity from poor to excellent, no one responded with Excellent. The largest response was firmly in the middle of excellent and poor.

When asked about their firm's onboarding and training program on DEI, no one responded with Excellent. Again, most answers were firmly in the middle.

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#### Bias



Not been long enough at the job as a 1st year associate to have encountered this issue yet.

#### **Racial bias**

Generally microaggressions. Nothing overt.

**Implicit bias is in every single element** of how we are graded. There is a presumption that my analysis is incorrect even I am right. My successes are whispered and my mistakes are screamed from the mountain tops.

So many to share, sadly.

implicit bias, marginalization, exclusion from plum assignments/opportunities

**Favoritism and nepotism**. For favoritism, it is clear that younger white male colleagues get the training and opportunities to do the "heavy lifting" while some of us diverse attorneys don't get that opportunity or when we do it is limited and unaccompanied by a partner or someone to train/mentor you

I have only been supported

Microaggressions

Racism, Sexism, all the isms.

I was called a unicorn by senior management because I was gay.



#### **Not Being Seen**



**Not seen** by co-workers, **not invited** to social outings and lunches, walked in on team celebrations I wasn't invited to, low hours while other team members hours were very high, consistently invisible, lack of sponsors, lack of mentors, lack of firm communication, lack of involvement on a firm-wide or management level

Being confused with another associate of the same race and gender; critiqued more harshly for the literal same or similar mistakes made by white counterparts

not getting enough work, being confused for other Black people, being ignored because I was confused for staff/a paralegal

#### confusing me for the only other person of my background

mistaking me for another attorney of the same race and the same happening to other minority attorneys and summer associates

-I recently lateralled, but at my old firm, senior white partners refused to respond to emails and rarely worked with associates of color

Being mistaken for paralegal / court reporter rather than partner handling a deposition

Being mistaken for the mailroom guy. Being asked to work on cases not as high profile

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#### **Good Intentions Can Still Fail**





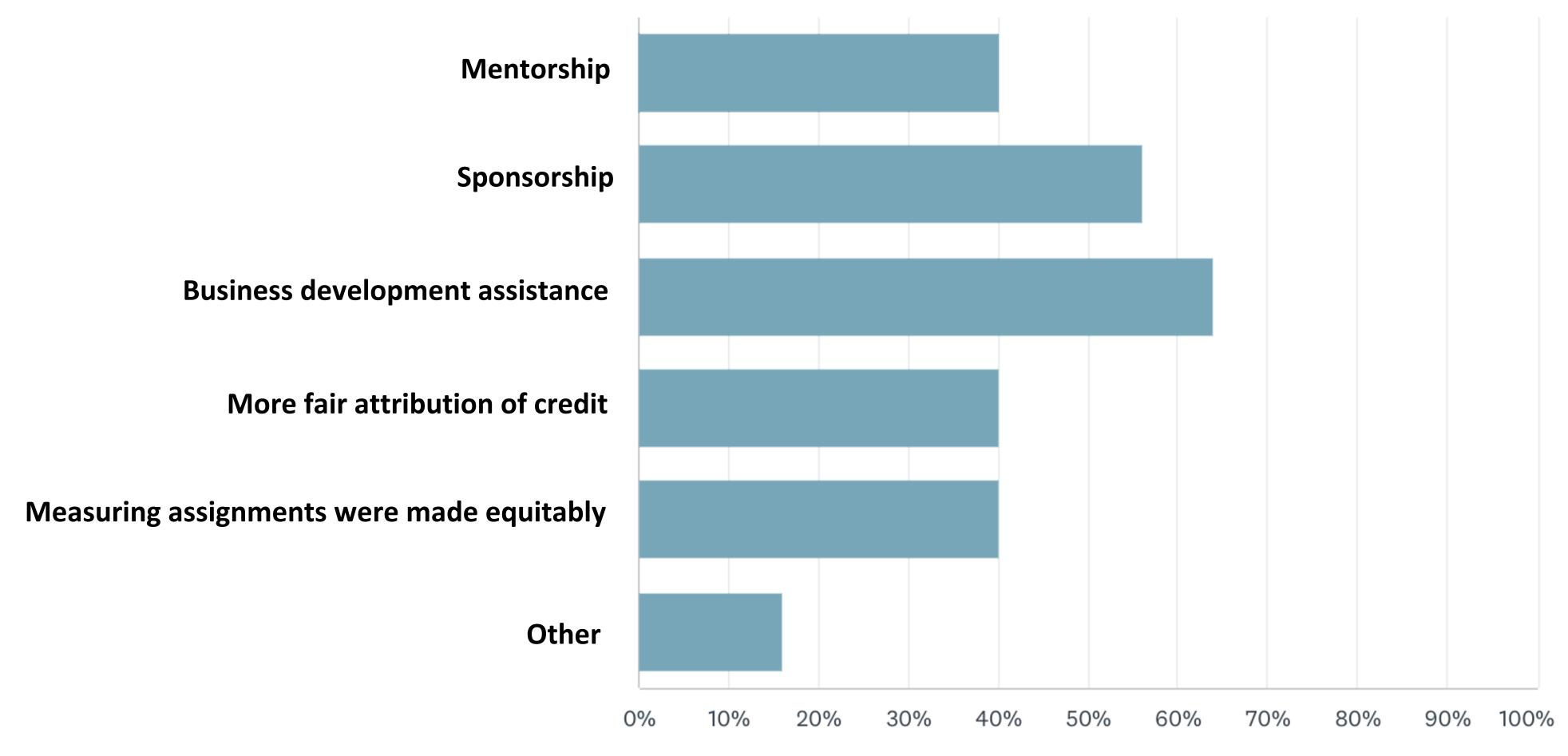
My firm's management really tries to find solutions to a very complex and challenging problem. Despite all of the training and monthly messaging regarding diversity, the equity partners at the firm are 95% white. Consequently, there is no accountability as this is a for-profit business venture, and the book of business dictates success and accountability - or lack thereof. This results in an environment of tacit acceptance of all sorts of "bad behavior." Much is probably not intentional, but most likely grounded in willful ignorance and general lack of care based on the concept that if it doesn't move the financial needle, it's not that important. As an immigrant, most of the uncomfortable experiences I encountered can be summed as general ignorance and lack of interest in foreign cultures and norms. I probably attribute much of this is to the general tunnel vision I've witnessed amongst the real producers at large firms.

#### SLIDE FROM OUR SURVEY OF DEI PROFESSIONALS IN 2023









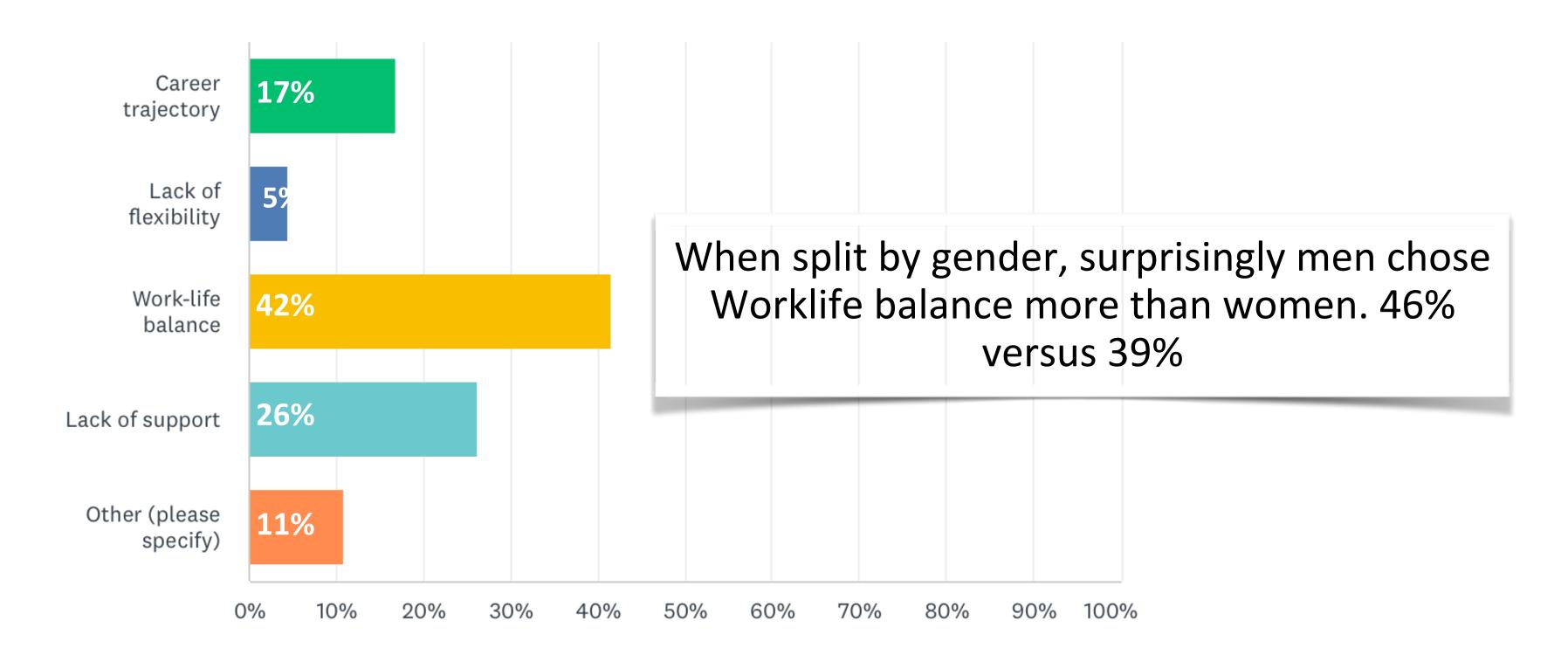
Thoughtful succession planning. But you should stop focusing on equity partnership as if it has inherent value. Yes, there is more power in firm decision-making for equity partners, but industry focus should be on creating partners from underrepresented backgrounds and making sure they are supported, have access to clients, and are set up for long-term success. If we see a noticeable change in demographics at the partner level generally, we will be able to move on to focusing on equity partnership.





#### What was your biggest frustration in working at the top 200 law firm?

Answered: 397 Skipped: 246







### On a scale of 1-5, please rate the following statements, 1 being totally disagree and 5 being totally agree.

Answered: 400 Skipped: 243

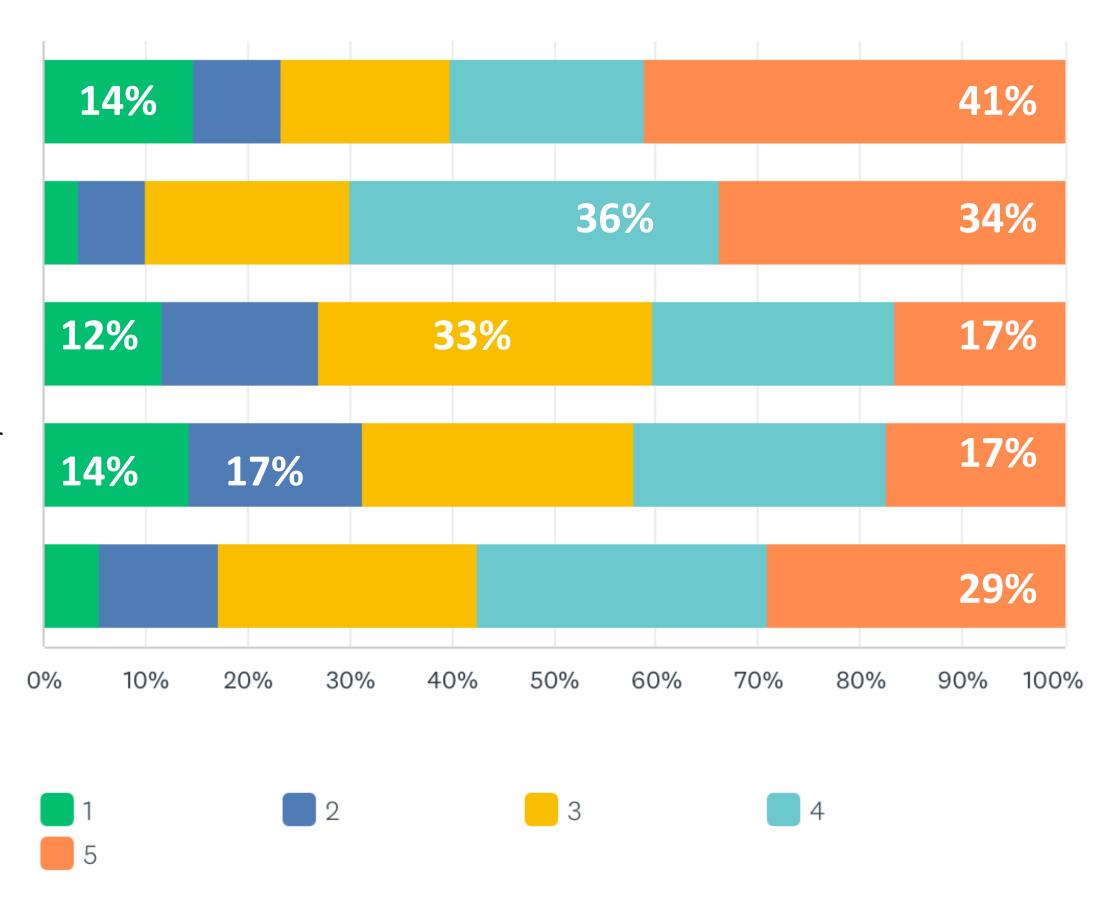
I received formal (firm assigned mentorship

The partners' at my firm value and appreciate my work

My firm's assignment system is fair

The work at my firm is fairly allocated and everyone is given proper attribution irrespective of gender or ethnicity

My firm provided varied opportunities for informal networking within the firm

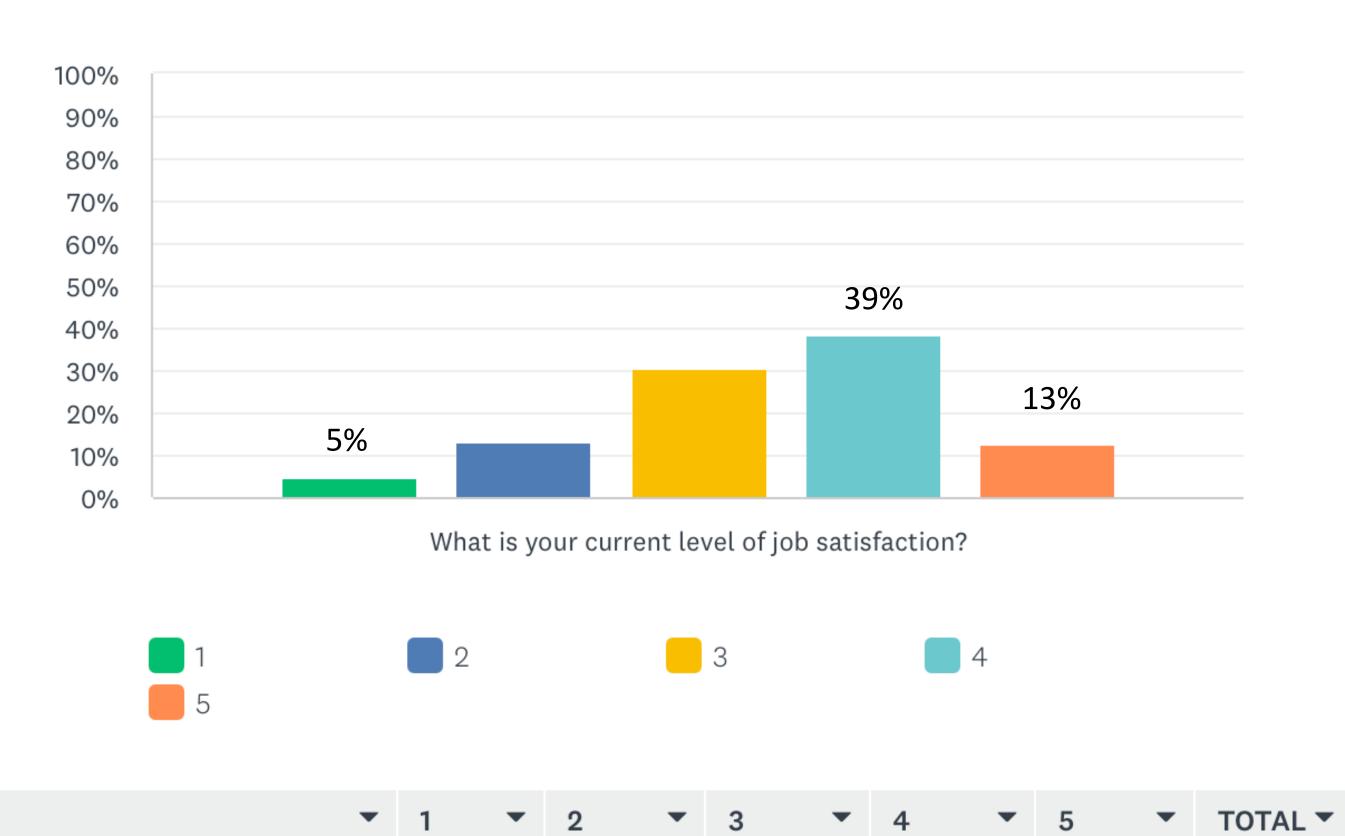






#### Please rate between 1 to 5, 1 being very dissatisfied and 5 being very satisfied.

Answered: 485 Skipped: 158



WEIGHTED

**AVERAGE** 

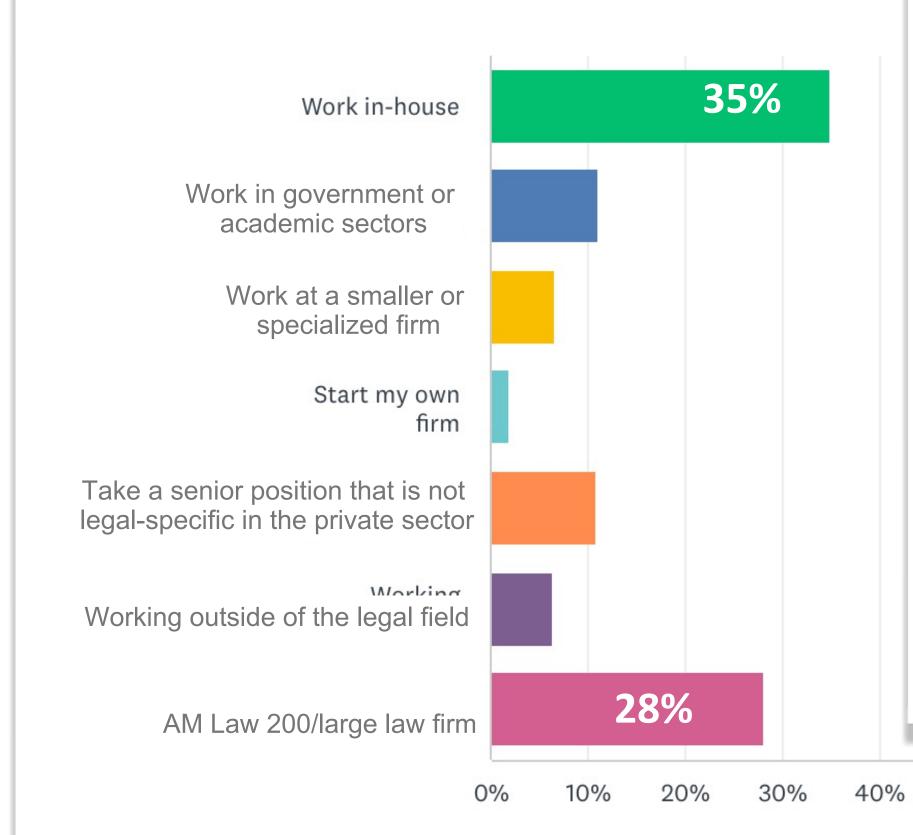


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### If you left your current position, what most?

Answered: 438 Skipped: 205



#### Currently, how open are you to new job opportunities?

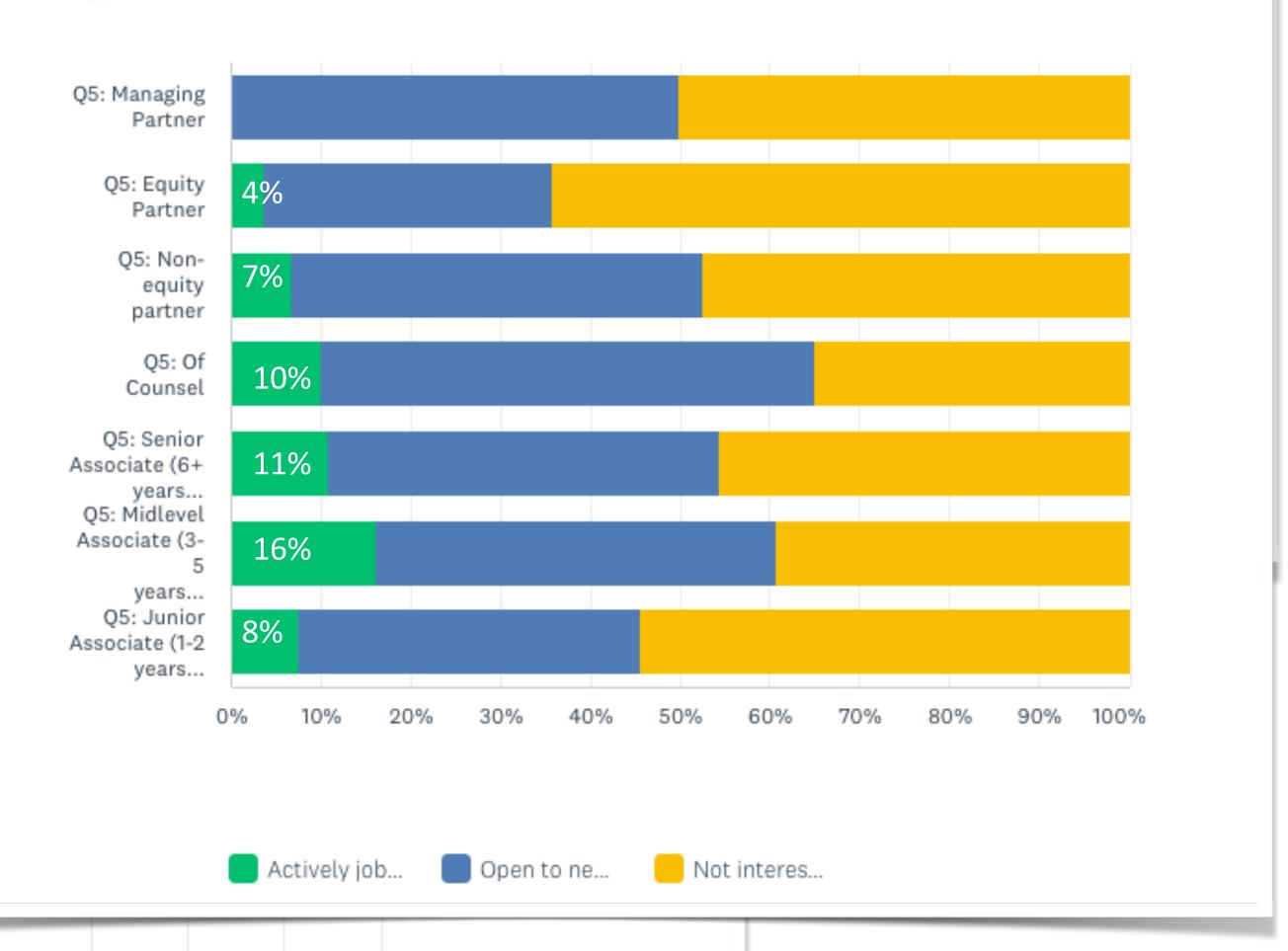
100%

Answered: 381 Skipped: 80

50%

60%

70%

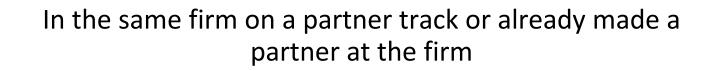






#### Where do you see yourself in five years?

Answered: 433 Skipped: 210



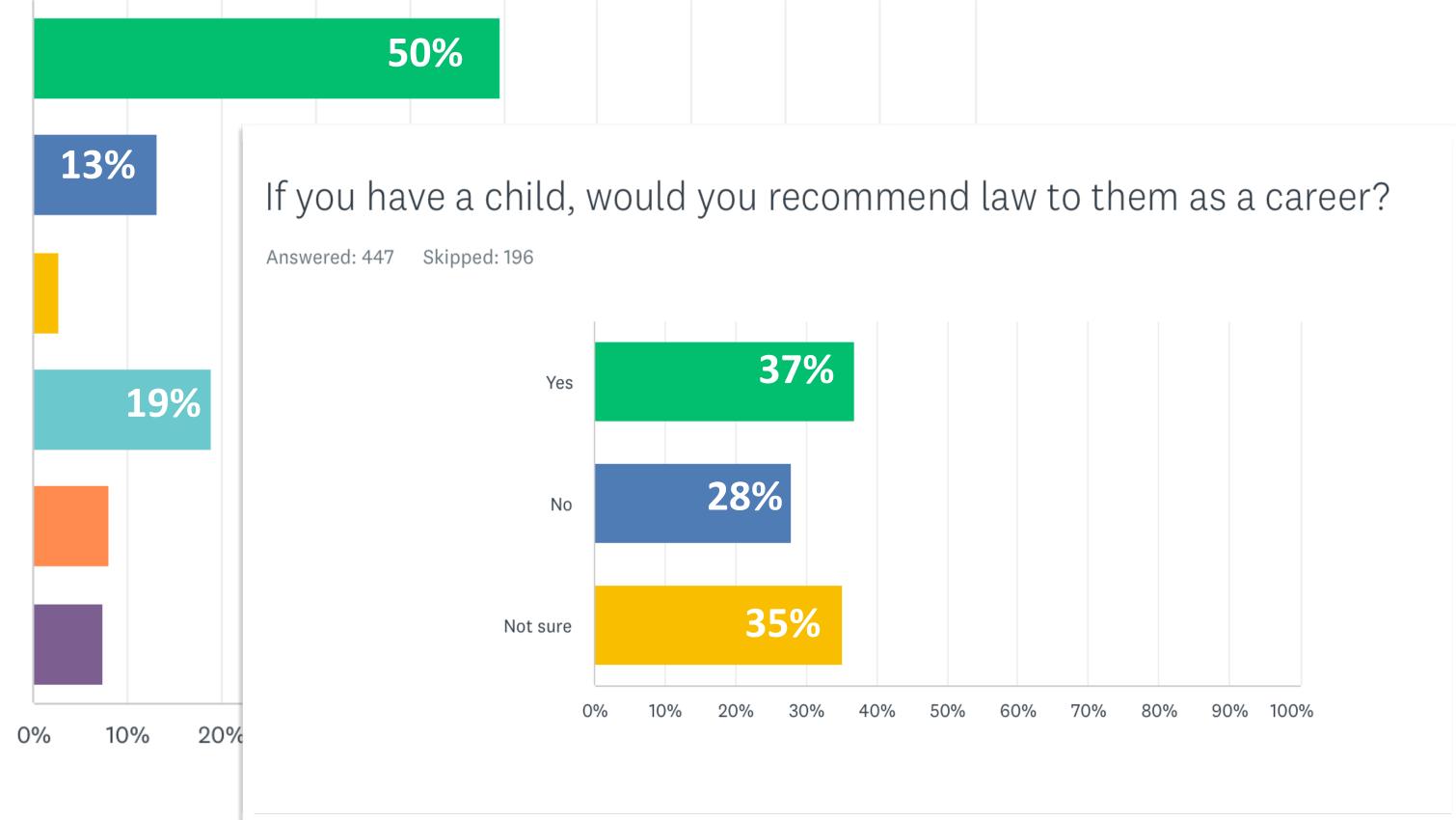
On a partner track or already a partner at a different law firm

Started my law firm or business

Working in an in-house position at a corporate legal department

Join government or academic organization

New Career outside of the legal field

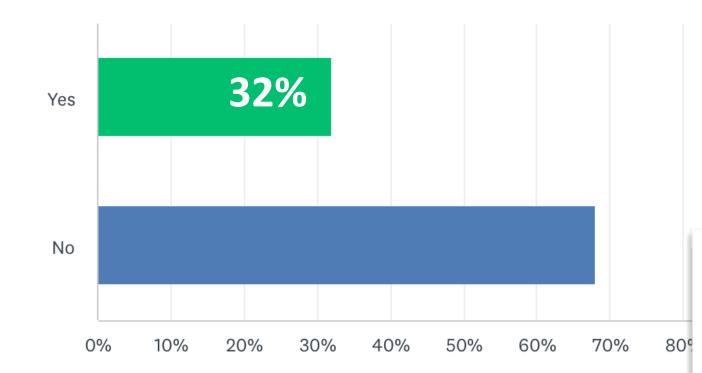






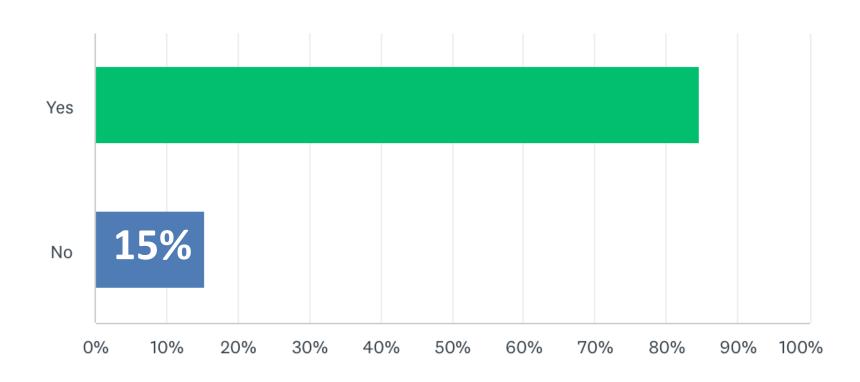
Have you ever been asked to sit in on a client pitch and then not assigned to the corresponding work?

Answered: 456 Skipped: 187





Answered: 144 Skipped: 499

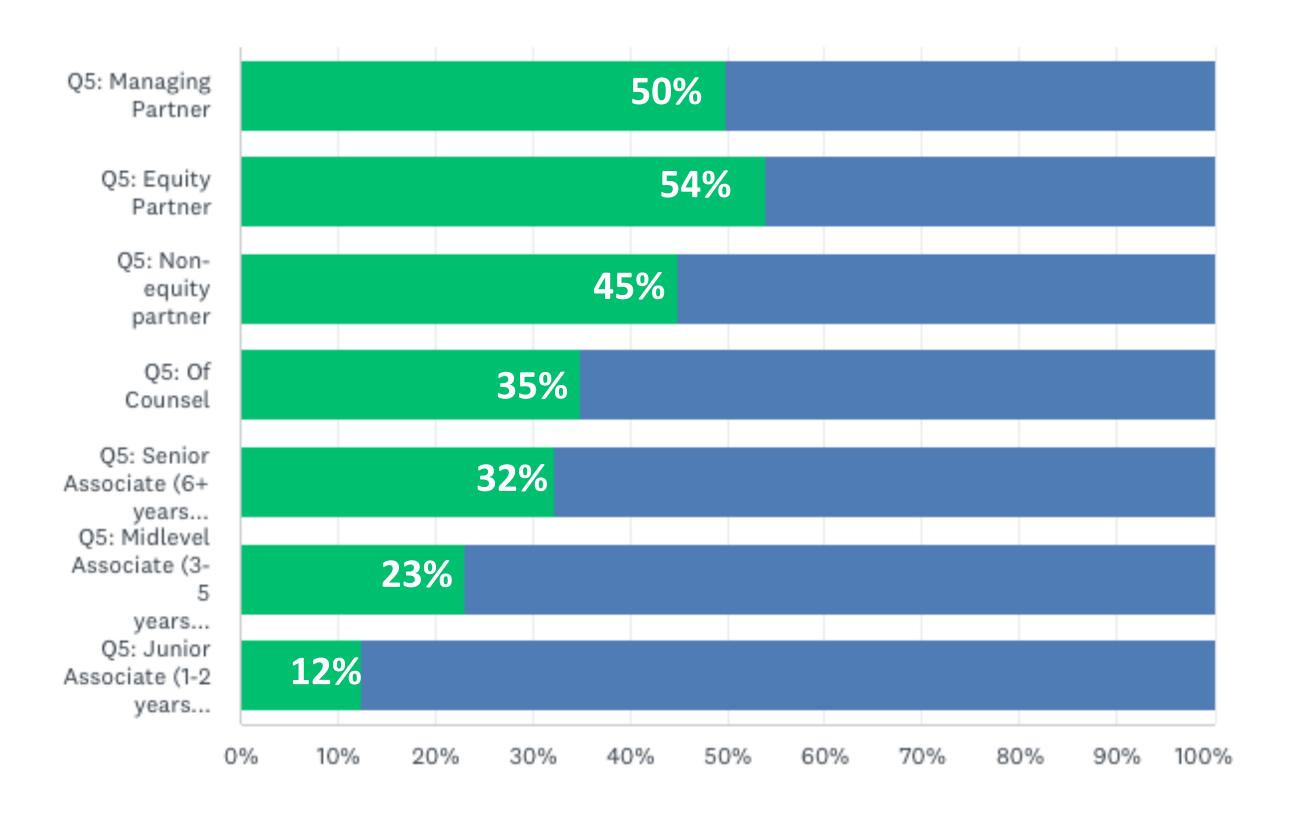






### Have you ever been asked to sit in on a client pitch and then not assigned to the corresponding work?

Answered: 368 Skipped: 93



No 📗

Yes



#### **Not Included After Being On the Pitch**



I feel that I am frequently added to pitches to check the "diverse" and "female" boxes

I was on two successful pitches, and the work was never assigned to me even though I had expertise. In one instance, the senior associate was protective of keeping all the work. In another, I'm not clear why I was not assigned work.

I was included in a pitch and an initial call and then immediately fell off the deal team. The client was very intentional with diversity. **My diversity was used to win the pitch**, but then the work did not follow.

Been part of several successful pitches or initial meetings of onboarded clients, but never got assigned any work subsequently.

I was used to show there is diversity but not staffed on the deal

I was also placed on pitch material without being told in advance.

i have been included in pitches to meet client's diversity requirements but have not been given work assignments

My picture would be added to slide decks as one of the attorneys pitched to handle matters. Never got to go along to pitches or work the cases.

It happens all of the time. You participate in a large pitch, and the firm typically get less work than you anticipated. If a case doesn't come in in my practice group or geographic region, I likely won't see that work or interact with the client again.

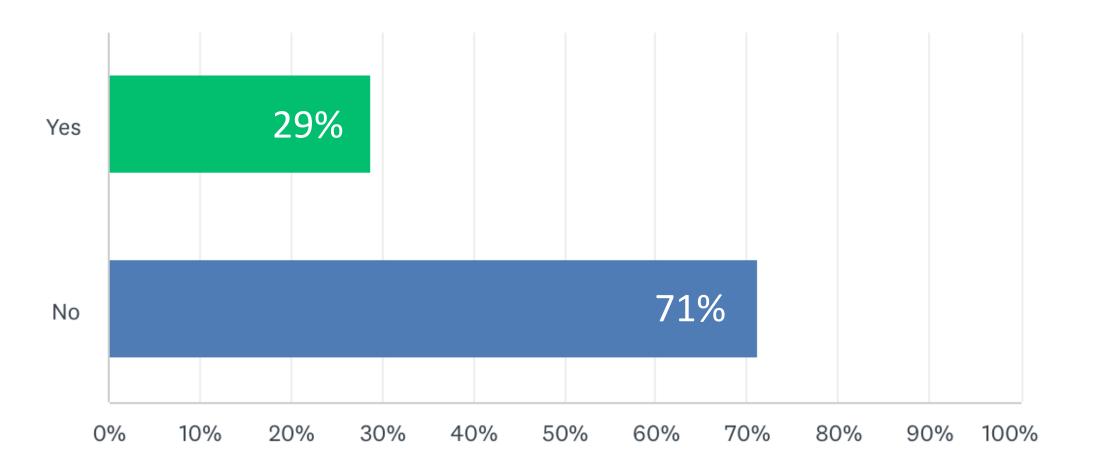
I am routinely included in pitches I am unaware of and then not included on the work that is obtained despite it being appropriate for my level and practice.





To your awareness, were you ever given a work assignment because of a client request for more diverse representation?

Answered: 431 Skipped: 212

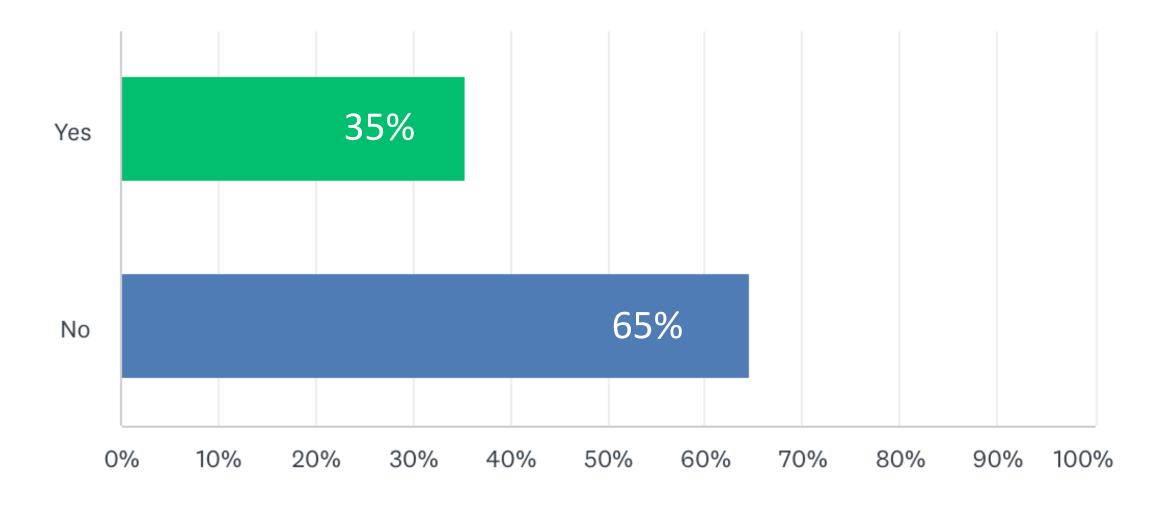






Does your firm have a diversity initiative where it has pledged pro bono hours to advance racial equity?

Answered: 423 Skipped: 220

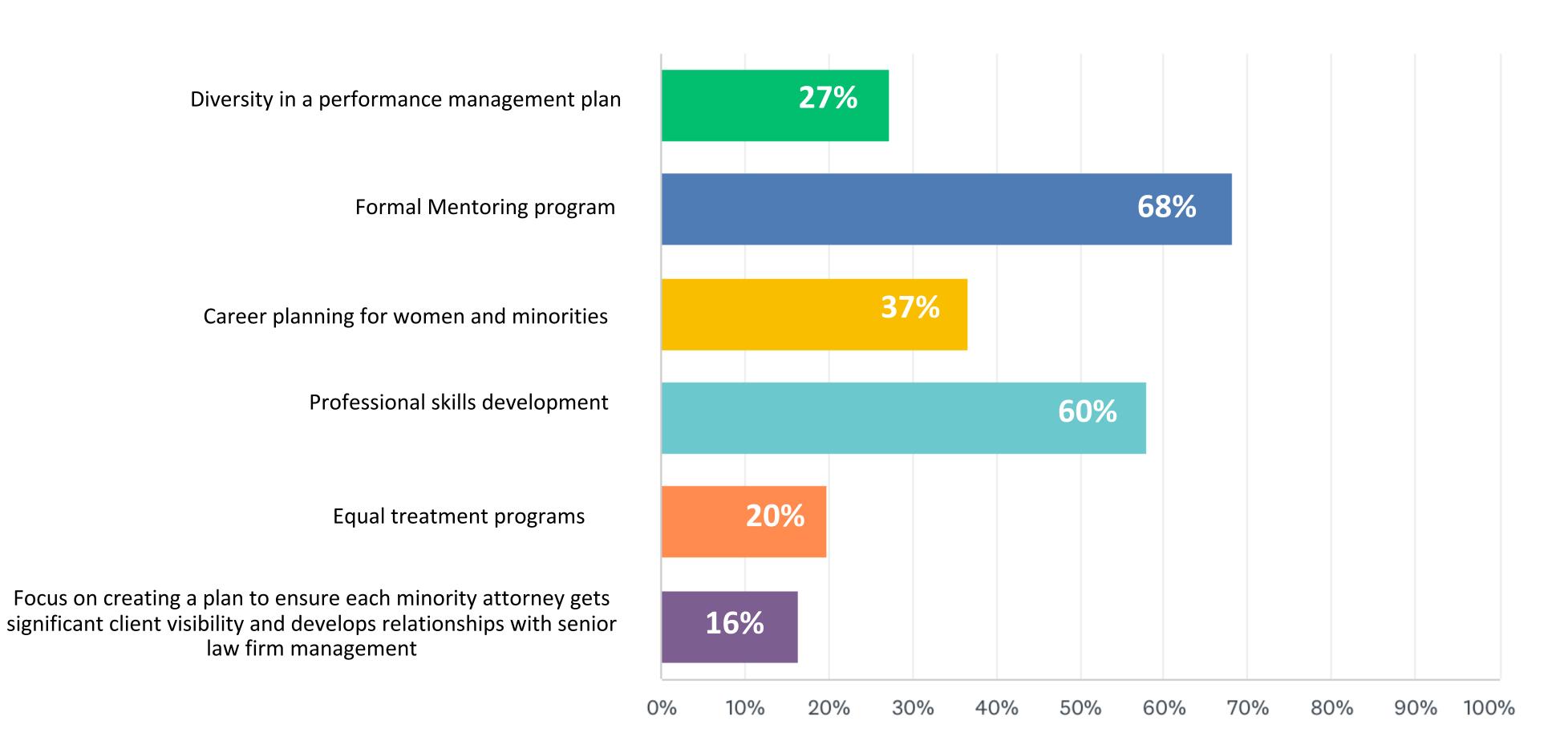






## Which of the following tactics does your firm employ as part of a diversity program:

Answered: 347 Skipped: 296



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#### **Additional Thoughts They Chose To Share**



The firm's efforts, perhaps well intentioned/meaning, are largely ineffective. It's mostly support staff that attend and care, leadership at the top does not participate. Also the efforts are largely superficial. Lip service and window dressing come to mind.

I worked at XXXX XXXX and did not think I could make partner or equity partner and have a healthy family be the only women that made equity partner were single, divorced, or without children. I didn't want that future so I left and went to smaller firm

Sadly, no matter how good the program is at a law firm, the numbers continue to illustrate how much work still needs to be done.

I'm retiring, but with the merger of my firm into a larger firm, the DEI culture is not the same. If I were not retiring, I'd consider leaving.

Formal mentorship programs are much more important to the development of diverse--particularly Black associates. Other associates have informal opportunities for growth and development all the time. Without formal programs, Black associates may be left behind.

Be careful of firms who have partners with high turnover rates.

#### my current firm is the best, and only firm (out of 5) where i've felt a sincere commitment to proactive DEI

My firm is very ethnically diverse and has many female partners. It encouraging for young associates, and especially female associates to see other young women elevated to partnership. The firm also fosters many committees (women's committees, DEI, etc.) geared towards creating a space for diverse attorneys to discuss salient issues and to highlight the achievements of diverse professionals across industries for the firm at large. Additionally, diverse associates receive meaningful assignments and have an equal opportunity to earn complex work and meet with clients face-to-face.

Judges and clients should demand diversity in their matters. However, it should still be a meritocracy - make it fair for all parties. Let the hard work speak for itself and stave off favoritism

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#### **Additional Thoughts They Chose To Share**



Feels like there are different standards for me than others. The Nextion "Thomas Meyer" study definitely resonate

too much lip service of diversity initiatives, no real support. Also, senior asian women at firms are often unsupportive and ultra demanding. Not a good look and also not great for younger asian female coming up the ranks.

Judges and clients should demand diversity in their matters. However, it should still be a meritocracy - make it fair for all parties. Let the hard work speak for itself and stave off favoritism

I am a senior associate in a 300 lawyer law firm. I am one of only two black attorneys in the state for my firm. I dread going into the office because of the overall isolation. We are partner heavy and the culture is lacking in any true engagement. Maybe its a combination of my age, race, and marital status but I feel isolated in a way that I did not feel at my prior mid-law firm (under 70 lawyers with four offices across two states). My local and statewide minority bar associations keep me encouraged and engaged but **the firm is not even trying and will almost certainly lose me long-term even if I do make partner in the next year or two.** 

I barely have enough experience to comment on being a diverse attorney at an amlaw law firm but I will admit that I am concerned about my future prospects working in a law firm such as these.

As an African American gay male it is hard to be recognized, promoted in the confines of a large firm

**Diversity in the legal field is still quite low. Many firms don't appear committed to diversity as much as they are interested in appearing to be committed.** This is perhaps the most disappointing part of being a diverse attorney. I am understanding of the fact that diversity is currently low but I wish others were as interested in seeing this change as I am. The whole situation leaves me feeling as though a significant number of people in the legal field will never respect me as an equal.





#### **Demographics**

The survey, conducted between March 13 and April 17, received 643 participants. The respondents identified as 59% female and 39% male. Among them, 31% were Black or African American, 29% Asian or Asian American, and 17% Hispanic or Latino/Latinx, with 8% identifying as two or more races. Participants included 60% associates (with a 21% plurality being senior-level), 29% partners (15% equity, 14% non-equity), and 6% Of Counsel.

#### **Traditionalists**

Making partner was the top goal for attorneys from underrepresented groups, with 70% seeing a path to achieve this. Transience was not prevalent: 33% planned to stay at a BigLaw firm for 3-7 years, 26% intended to stay until making partner, and 38% wished to retire at their current firm. Only 9% were actively searching for new employment, and 47% were not interested in new opportunities. The partner track was the predominant choice for career aspirations over the next five years, with 63% aiming to become a partner at their current firm, a different firm, or to be on track toward partnership.

#### **SUMMARY**

#### **The Disconnect**

Almost two-thirds (62%) of survey participants reported encountering bias at an Am Law 200 firm. Over one in four disagreed with the statements, "My firm's assignment system is fair" and "The work at my firm is fairly allocated and everyone is given proper attribution irrespective of gender or ethnicity." Additionally, 32% disclosed being invited to participate in a client pitch but not involved in the subsequent work, with 15% of these instances not relating to their area of practice.

#### **Areas for Improvement**

Furthermore, 35% reported their firms had diversity initiatives pledging pro bono hours to advance racial equity, and 29% were aware of receiving work assignments due to client requests for more diverse representation. However, tactics like "equal treatment programs" and plans to ensure minority attorneys gain significant client visibility and develop relationships with senior law firm management were the least commonly employed, noted by less than 20% of those surveyed.