

Ideas For Closing BigLaw's Diversity Gap

By **Frederick Nance**

This article is part of a Law360 Diversity Snapshot series of essays by five Black law firm leaders on improving diversity in BigLaw. Click [here](#) for a video featuring narrated excerpts.

What can large law firms do to reach their diversity and inclusion goals? Time has taught us that the substantive answers to that straightforward question are frustratingly elusive.

Although it has been de rigueur for decades for firms to publicly commit that they will hire, nurture and promote diverse lawyers, the level of resulting progress is, in a word, anemic.

The average number of African American partners at large law firms has yet to crack 2%. Given that most large firms have significant offices in large urban areas, that stubborn statistic is a non sequitur for these powerful institutions that are otherwise quite adept at doing whatever is necessary to achieve their goals.

Consider this series, where Law360 sought perspectives from attorneys of color serving in executive leadership roles at major firms. There isn't even a handful of options in all of America from which to choose.

So why don't today's actual diversity levels within large law firms match the oft-stated lofty aspirations? The answers are both simple and complex.

At the most elemental level, one could readily conclude that the actual willingness of firms to do the things necessary to make real progress simply doesn't match their stated intentions. A fairer, more nuanced explanation for many firms is that they've come to realize that the void between even earnest statements of intent and making it so can't be bridged without sustained efforts emanating from the highest levels of leadership, sometimes challenging well-worn cultural norms.

While this forum won't accommodate the articulation of a comprehensive diversity and inclusion strategy that would, over time, materially improve a firm's prospects for real progress, there are some universal best practices:

- A clearly articulated and sustained commitment from the highest levels of the firm is the most important determinative factor.
- Establishing metrics and accountability for those charged with spearheading progress can make a critical difference.
- Creating and sustaining a pipeline of talented lawyers from diverse backgrounds who develop relationships and prove themselves over years is the most likely path to generating partners of color who become part of the fabric of the firm.
- Establishing rigorous training and assignment systems to assure that lawyers of color don't fall through the cracks when senior lawyers instinctively gravitate toward those



who remind them of themselves. This is particularly important during economic slowdowns or periods of remote working.

- Mentors and advocates for minority lawyers cannot be left to serendipity.
- Highlighting the successes of minority lawyers among the firm's ranks serves multiple salutary purposes.
- Connecting lawyers of color to key client relationships and otherwise supporting their client development efforts will pay ever greater dividends over time.
- Minority lawyers with the wherewithal to succeed at large law firms always have other options. It's in a firm's self-interest that senior leadership routinely stay in contact.

These are examples of best practices, each of which requires multiple steps to achieve. But if enough firms earnestly undertake such measures, our industry could look a lot different in the foreseeable future. Many of our best clients can't wait. Some of them won't.

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