

# The Metropolitan Corporate Counsel®

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## *Diversity – Law Firms*

### A Diversity Integration Process Par Excellence

*The Editor interviews Kevyn Orr, Partner and Chair of the Jones Day Diversity Task Force.*

**Editor:** Please tell us about your professional background and whether or not you are still involved with diversity?

**Orr:** Yes, I am and have been all of my professional life. At the University of Michigan School of Law I was a member of BLSA (Black Law Students Association) and served both as the faculty liaison for the organization and on the University's faculty hiring committee. In those roles I was able to offer the perspective of students of color, which I felt was a critical perspective for the institution to have in that era of controversy around affirmative action. After graduating from Michigan in 1983, I started practicing as a trial lawyer with a majority Miami law firm where I was on their recruiting committee. I was involved in mentoring and outreach with the Black Lawyers Association in Miami as well, eventually becoming chair of the Racism in the Profession Committee. Today, in addition to having an active bankruptcy and litigation practice and serving on the firm's Advisory Committee, I am the Chair of the Jones Day Diversity Task Force, a position that allows me to work on diversity both within my firm and the profession.

**Editor:** Would you tell us about the Jones Day Diversity Task Force and its mission?

**Orr:** Jones Day's Diversity Task Force (DTF) was organized in 1987. The DTF is composed of 19 partners from 12 domestic offices, and is diverse by gender, race, ethnicity, sexual orientation, location, and practice area. It meets at least monthly to determine how to recruit, retain, develop and promote the best possible lawyers from a diverse talent pool. Our firm's core mission is to provide exceptional client service by ensuring that these lawyers are fully integrated into the firm and that they develop a sense of ownership of the firm.

**Editor:** How does the task force implement its mission?

**Orr:** The Task Force implements its mission in two ways. One way is through outreach to organizations dedicated to increasing diversity in the profession. That outreach may involve financial contributions, participation in a study, or our presence at events honoring diversity pioneers. In the case of student organizations, we serve on career panels, as interviewers in mock interview programs, and as judges for moot court competitions. We also engage with our clients on diversity issues by examining and discussing best practices. The other way we implement our mission is by giving our own lawyers many opportunities to participate in our outreach to diverse organizations and to increase their own diversity awareness. In 2009 Jones Day participated in, and often hosted, scores of diversity events involving lawyers from all of our domestic offices. We've also supported their attendance at diversity seminars offered by Corporate Counsel Women of Color, the Minority Corporate Counsel Association, the Project for Attorney Retention, the National Association of Women Lawyers, and Lambda Legal, to name just a few. So, we collaborate extensively with our lawyers, including practice group heads, in the interest of diversity. Obviously, I cannot be aware of all of the diversity opportunities in all of our 14 domestic offices, so if someone sees an opportunity for us, say, an organization with which they're involved, we take their lead and not only with financial support but also with volunteers.

**Editor:** What changes has the Diversity Task Force made under your leadership?

**Orr:** I'm fortunate that my predecessor, Ali-



Kevyn Orr

son Marshall, who's still a member of the Diversity Task Force, recruited into service a number of the partners now on the Task Force. Her continuing contribution together with the work of the Task Force members have given us a great platform for pursuing our diversity priorities. But no Diversity Task Force however well constituted can be effective without the support of firm leadership. Jones Day has a long history of such support, and we benefit today from the clear message from our Managing Partner, Steve Brogan, that diversity is a crucial foundational value of the firm. Steve and his predecessors have created a wonderful system of consensus relationships among the diversity committees in our various offices. My goal has been to develop a review process that prioritizes our efforts into three broad categories. The first category involves matters involving national organizations that mutually benefit both the firm and the organizations. For example, this year we are participating at the highest level with the National Association of Women Lawyers (NAWL), Lambda Legal, and the Sponsors for Educational Opportunity (SEO). The second category involves those events where we historically have been involved, such as job fairs and affinity group events at the local and regional level. The third category involves events that we either weren't aware of or did not have access to, but came to our attention through the work of our partners or associates.

**Editor:** Tell our readers some of the details regarding your mentoring and other retention programs at Jones Day?

**Orr:** Our initial focus is recruiting new associates. Traditionally, we have recruited at over 40 law schools, conducting hundreds of interviews during the campus interview season. Once our associates are here performing at a high level for a few years, we want to assess their strengths. Those who remain at the firm yield a direct benefit not only to the

*Please email the interviewee at [korr@jonesday.com](mailto:korr@jonesday.com) with questions about this interview.*

bottom line of the firm but they also enhance the diversity at the firm. The studies I have seen indicate that formal and informal mentoring is one of the key components that helps minority lawyers feel like part of the fabric of a law firm. While mentoring takes place in all of our offices, we do not mandate that it take place in any particular way. Typically, however, it takes two forms: a formal mentoring program and an informal program. In the formal program, every associate in practice five years or less is assigned a partner mentor. The firm provides financial support and mentors are encouraged to participate regularly in the process, be it lunches in a local restaurant or a cup of coffee in our cafeteria. We also offer programs that mentors and mentees can benefit from attending together on such subjects as Work Life Balance, Dealing with Difficult People, Business Development for Newer Lawyers, etc. We also give our associates the chance to take the lead. For instance, in our Washington, DC office, we have a TGIF gathering run by the associates – it's a social event to give everybody an opportunity to spend some time together. The informal process is an organic one that grows out of working together and building relationships in the firm where all lawyers are encouraged to participate.

By mentoring, we are trying to build a sense that you fit in here and you have a future here. We want our associates to develop an ownership interest in the firm and to visualize themselves in a leadership position here. To do this, we must be willing to reexamine our efforts. Many of the young people coming up today seem to have a different approach to diversity than prior generations. For example, when I graduated from law school in 1983, it was not unusual to be the first minority at a law firm, as was true in my case. Indeed, my generation looked upon being the first not only as an opportunity but as a solemn and somewhat sacred honor based upon the sacrifices that people who came before had made. Now, after a quarter of a century of concerted efforts to end discrimination, when today's young associates walk into an institution, if they don't see a diverse cadre of partners and associates, the message to them might be different. Their generation no longer expects to be the only minorities at a firm. So, there is a change in terms of the expectations today. We must be prepared to ensure that those associates who have grown up in a diverse environment see themselves as successful lawyers at our firm. Our mentorship program is designed to make this happen by giving our associates the opportunity to involve themselves as much as they want in the firm and to become a part of the institution.

**Editor: Would you elaborate on Jones Day's participation in the Leadership Council for Legal Diversity?**

**Orr:** The Leadership Council for Legal Diversity (LCLD) grew out of Rick Palmore's 2004 Call to Action and the 2008 Summit in Scottsdale, Arizona. The Summit was an extension of the prescient and courageous efforts of Rick, Dennis Broderick, Tom Mars, and many others, to encourage both other clients and law firms to re-affirm their commitment to diversity and to re-double their efforts to ensure that the diversity gains that had been achieved were not lost. Jones Day is among the founding members of the LCLD and is proud to participate through its working group on retention and outreach.

The importance of LCLD cannot be overstated when one remembers that at one time, the business of the United States was largely home grown and *Fortune* 500 companies were represented by large domestic law firms. Business is now global. There is an interrelationship between domestic business and international commerce that has become inextricable. So the concept of diversity, which was originally called affirmative action, has broadened substantially to become a business imperative that has domestic and international implications. As a global law firm, Jones Day is a proud member and participant in the LCLD.

**Editor: Has the financial crisis affected diversity efforts in recruiting or retention at your firm?**

**Orr:** No, as always, we have been true to our character and maintained our commitment to our newly hired associates, our summer class, and to our diversity efforts. Hence, we did not rescind any offers that we made to our associates, and we didn't defer anyone. As we do every year, we brought our class into our New Lawyers Group and they came to Washington, DC from all of our offices, domestic and international, to participate in the Jones Day Academy shortly after joining the firm this past fall.

We were fortunate to be in a position to continue to hire laterally, which has included several LGBT and other diverse partners – because we found good people who happen to be either members of the LGBT community or other diverse attorneys. We were in a situation where we could take advantage of the downturn of the business cycle with a long-term vision. Retention at large continues, and our commitment to the long-term health of the firm is constant and has served us well over time. So, we actually managed to grow in the past year or so, and this helped our diversity.

**Editor: Where do you see diversity initiatives and programs headed at Jones Day, and/or at law firms in general?**

**Orr:** When I entered the profession over 25 years ago, the percentage of minority partners in majority firms was about 1.8 percent. Today, even among the major law firms, that figure is only about 6 percent. Fortunately, Jones Day's numbers exceed the national averages with respect to women and minority partners. Nevertheless, recent figures show that law firm admission of minority and diverse candidates actually has gone down. In light of these trends, we have to continue existing efforts while considering different ways to address the introduction and retention of diverse candidates into the legal profession, particularly for large corporate law firms.

We also have to re-examine professional development. All too often associates talk about a perception that they're not getting the same opportunities, the same attention paid to their professional development. So, we have to examine whether they are getting the opportunity to build their skills. For example, if young lawyers want to become litigators, are they getting stand up time? Does the firm have a pro bono program that allows associates to represent clients in different critical areas? At Jones Day our newer lawyers, with supervision from senior lawyers, get real experience representing pro bono clients in housing, immigration, veterans appeals, and an array of other matters according to their interests. We must continue to find a way to give them opportunities to develop their professional skills in a manner that enhances their professional development but does not impair their career development. An effective professional development approach has to include meaningful feedback. It is vital that new lawyers receive feedback so that they can either self-correct or develop a skill set that is perceived to be lacking.

At Jones Day, we try to take away the mystery of working at a law firm right from the start. New lawyers join the firm as a member of the New Lawyers Group, a program where first-year lawyers spend a year rotating among the various practice groups getting to know the practices and the lawyers in them. This enables our new lawyers to decide which group appeals to them and where they think their strengths lie. We believe that this process, which represents a significant investment on the firm's part, enhances the probability that they'll have a successful career here and signals a long-term commitment to them and to their development as lawyers.