



Belonging, Equity, Inclusion and Diversity (BeID) in the Legal Industry

Building a Business Case



1

The Change Agents



Jennifer Johnson
CEO, Founder



Jashn Agrawal
Senior Leader, People & Culture



Karen Stevens
Managing Director, Career Mobility & Experience



2




Session Objectives

1. Understand Legal industry’s BeID maturity (*incl. initiatives & blind spots*)
2. Build clarity on the meaning of BeID elements and their relationship to each other
3. Ideas on how to address blind spots and further the BeID business case/agenda
4. BeID in action at Accenture




3



Business Need for BeID

Companies with ethnic & cultural diversity in top leadership are 33% more likely to have industry leading profitability	<i>McKinsey & Co.</i>
Racially diverse companies have shown to achieve 15x their sales revenue	<i>American Sociological Association</i>
Teams that follow an inclusive process make decisions 2X faster with 1/2 the meetings	<i>Forbes</i>
76% of job seekers consider a diverse workforce an important factor when evaluating firms/job offers – with 32% choosing not to apply to a company that lacks workforce diversity	<i>Glassdoor</i>



4

BeID in Legal Industry

The good news...



Perception	The Legal industry is lagging (other professions and industries) in BeID
Current State of BeID*	<ul style="list-style-type: none"> • Women & minorities under-represented at law firms/in-house law depts. (esp. in leadership roles) • Cases of lack of pay equity (when compared to non-diverse attorneys) are prevalent as well • Women & minorities often overlooked during promotions, opportunities, and benefits • Vast divide between lawyers and staff: benefits, compensation, career paths, worthiness
Market Action	<ul style="list-style-type: none"> • Many in-house law departments are actively participating in their organizations' BID programs • Such companies are establishing clear BID related expectations for majority-owned law firms they retain for legal services. They are also increasing their use of minority-owned law firm • Consequently, several majority-owned law firms have started to ramp-up their BID efforts. Also, there has been a surge in new minority-owned law firms in the US




* 2021 Report on Diversity in U.S. Law Firms


5

BeID in Legal Industry


The bad news...



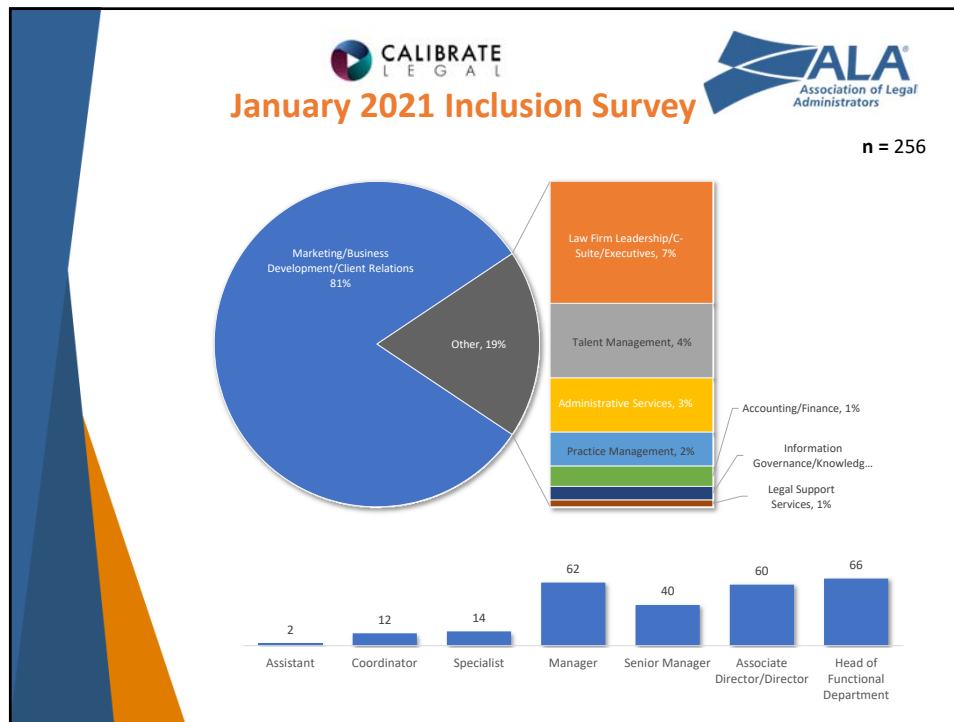
Blindspot	40%+ of Law Firm human capital is excluded
Law Firm Website (Actual Example)	<p>We are proud of the work we have done and the work that we continue to do to ensure that the demographics of our people reflect the rich diversity of our clients and our communities. Here is a snapshot of where we are. We will continue to use the levers at our disposal to increase the pipeline, develop our talent and create a firm culture where everyone feels that they belong as their authentic selves.</p> <ul style="list-style-type: none"> • 26% women partners • 14% racial/ethnic minority partners • 5% LGBT+ partners • 35% women in senior management • 45% women promoted to partner in 2021 • 14% racial/ethnic minorities promoted to partner in 2021 • 28% of our colleagues are members of <name of ERG>, our global LGBT+ & Allies Network



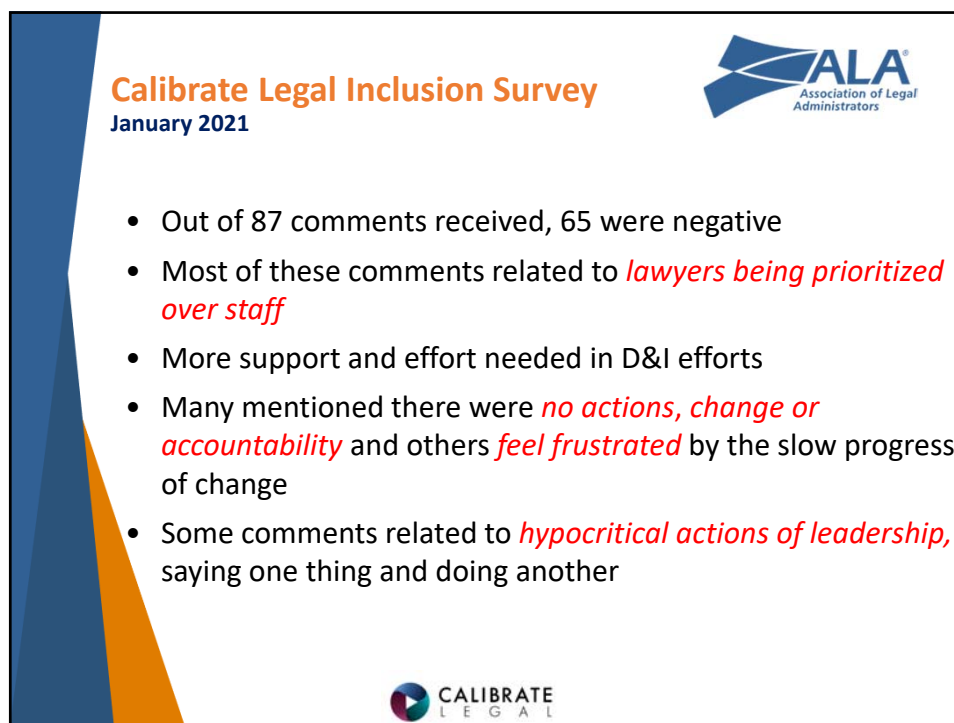
1. #IncludeNON-LawyersInDiversityInitiatives
2. #ParticipateInERGs/AffinityGroups



6




7



8

Calibrate Legal Inclusion Survey
January 2021



The D&I activities are often open to diverse lawyers but not to diverse staff.
Manager

Recognizing multiple forms of diversity, especially diversity of thought, can often hinder more progressive I&D work.
Associate Director/Director


I've not seen anything to suggest more than lip service to the cause.
Manager

The firm has included me, but I have often felt harmed by the conversations had in those spaces and have had to put forth immense emotional labor.
Specialist

Lawyers rule, everyone else drools!
Manager

I would be reprimanded for doing this - At my firm, I feel empowered to talk about barriers to inclusion, and the need to hold myself and others accountable for removing them.
Head of Functional Department

They do this for lawyers mostly; legal staff are still significantly under represented. A big focus for our firm right now is gender equality for comp. Women lawyers have been consistently been paid less than their male counterparts. Same goes for many female staff members -- but when I've raised this with COO, CHRO, and Chief DE&I Officer (individually and in a group meeting, by email and face-to-face), I was shot down, told its not true, and basically told to keep my mouth shut even after presenting data received directly from HR/Comp proving my point. It took 5 years, but now they're starting to quietly talk about pay equity for female lawyers and said staff pay equity will follow in a few years. A few years!!!!
Head of Functional Department



9

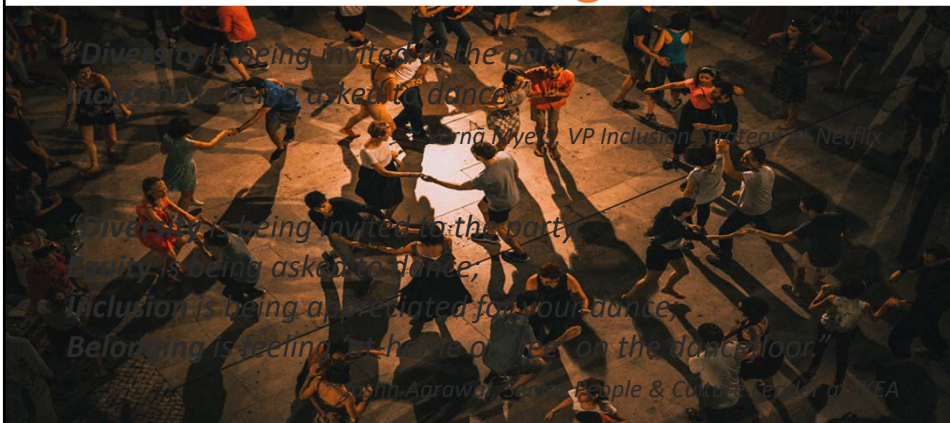
BeID: Belonging, Equity, Inclusion, Diversity



Myth: Inspiring a sense of **belonging, equity and inclusiveness** is a natural consequence of a **diverse** team or firm.


10

Understanding BelD





*“Diversity is being invited to the party,
 Inclusion is being asked to dance,
 Equity is being given a seat,
 Belonging is feeling at home on the dance floor.”*

—Robin Myers, VP Inclusion, Netflix
—Ashwini Agrawal, Senior People & Culture, IBM, NYEA



3. #MyAuthenticSelf@Work






11

Audience Exercise

1. List @ 10 specific forms of your identity
2. Be specific ... e.g.
 1. I'm a *Texan* vs. I'm *American*
 2. I'm *Catholic* vs. I'm *Religious*
 3. I'm the *Oldest/Favorite Child* vs. I'm *One of 3 Kids*
 4. I have *Autism* vs. I have a *Disability*
3. If comfortable, type some of the identity forms in the chat




12

The Big 8*



- Age** (kid, youngster, college student, older adult, etc.)
- Ability** (physical, mental, cognitive, learning, emotional, etc.)
- Race** (perceived physical characteristics & features)
- Ethnicity** (culture, language, ancestry, national origin, cultural beliefs, etc.)
- Gender** (cisgender, transgender, nonbinary gender, genderqueer, etc.)
- Sexual Orientation** (heterosexual, gay, lesbian, bisexual, asexual, queer, pansexual, etc.)
- Socioeconomic Status** (standing based on income, wealth, or poverty)
- Religion** (major world religions, agnostic, spiritual, atheist, etc.)

* Appalachian State University, Center of Academic Excellence

Qs. What are reasons people choose to/not to share certain aspects of their identity?




4. #ExperiencedBiasInLife

13


Identity Metrics

6 versus 30+



No.	Metric	No.	Metric	No.	Metric
1	Age	12	Geographical Location	23	Personality & Thought-Style
2	Behavior & Ethiodiversity	13	Ideologies	24	Physical Disabilities
3	Citizenship Status	14	Income	25	Political Beliefs
4	Cognitive Disabilities	15	Language, Linguistics & Accents	26	Privilege
5	Criminal Background	16	Life Experiences	27	Race
6	Cultural Background	17	Marital Status	28	Religious & Spiritual Beliefs
7	Education	18	Mental Health	29	Sex
8	Ethnicity	19	Military Experience	30	Sexual Orientation
9	Family & Upbringing	20	Morals	31	Skills
10	Gender Expression	21	Neurodiversity	32	Social Roles
11	Gender Identity	22	Parental Status	33	Socioeconomic Status
				34	Work Experiences


Source: www.builtin.com



14



The Mechanics of Bias

Did you know?



Unconscious Processing
Capacity = 11 MN POI/Second

Conscious Processing = 40
POI/second




Source: www.forbes.com

15


The Mechanics of Bias

Did you know?



The 7/11 Rule

1. Education Level
2. Economic Level
3. Perceived Credibility, Believability, Competence, Honesty
4. Trustworthiness
5. Level of Sophistication
6. Sex Role Identification
7. Level of Success
8. Political Background
9. Religious Background
10. Ethnic Background
11. Social/ Professional / Sexual Desirability



Source: [Michael Solomon, PhD, Psychologist, Chairman, Marketing Department Graduate School of Business, NYU](#)

16

The Mechanics of Bias

Explicit versus Implicit

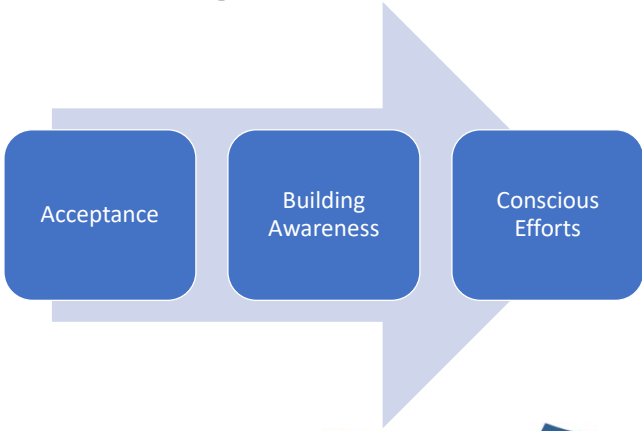


CALIBRATE LEGAL ALA Association of Legal Administrators

17

The Mechanics of Bias

The ABC of Mitigation



Acceptance Building Awareness Conscious Efforts

CALIBRATE LEGAL ALA Association of Legal Administrators

18

Promoting BeID in Law Firms



Get Executive Buy-in

- Identify exe. sponsor, champions, blockers
- Evaluate benefits vs. cost of doing nothing
- Prepare business case



Set BeID Goals

- Benchmark (against industry/competition/client requirements)
- Select immediate focus areas
- Set time-based performance targets



Baseline BeID Definition

- Showcase standard definitions
- Collate stakeholder definitions
- Build common definitions that align with firm aspiration



Develop Relevant Solutions

- Define yearly initiatives
- Establish measurement mechanism
- Build project teams



Assess BeID Maturity

- Ascertain metrics
- Identify data sources
- Build scorecard



Implement, Maintain & Report

- Facilitate/support implementation
- Establish frequent health-checks & fine-tune
- Report performance




19

Where to begin?

It's a marathon, not a sprint



- **Identify** leaders who hold BeID topics as a priority
- **Engage** them in dialogue around universal inclusion – build awareness to blind-spots & unconscious biases
- **Evaluate & benchmark** your business services diversity status, inclusivity, sense of belonging to set future state goals
- Create/run **campaigns** (ongoing basis) to allow & promote employee authenticity
- Establish **accountability** for hiring & developing diversity (not just racial/ethnic)
- **Appreciate/celebrate** differences that make us all more successful
- **Measure, report & refine** performance periodically



20

CALIBRATE ID

Benchmarking program for law firm business services teams

ALA
Association of Legal Administrators

BRYAN CAVE LEIGHTON PAISNER LLP

Ballard Spahr LLP

Seyfarth

Thompson Knight

HUSCH BLACKWELL

KILPATRICK TOWNSEND

VORYS

ROBINS KAPLAN LLP

NEXSEN PRUET

CALIBRATE LEGAL

21



ALA
Association of Legal Administrators

CALIBRATE LEGAL


BeID @ Accenture

#INCLUSIONSTARTSWITHI

22




Remember...



The future is already here. It's just not evenly distributed yet

William Gibson

23




Thank You!



Jennifer Johnson
CEO, Founder



Jashn Agrawal
Senior Leader, People & Culture



Karen Stevens
Managing Director, Career Mobility & Experience



24