

Chapter 9: Challenges Law Firms Will Continue to Face Despite Being Diverse

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Retention Issues

Many diverse attorneys feel like a "mark" follows them inside firms that makes it more difficult for them once they are trained as thoroughly, their mistakes are judged more harshly, they are given less sophisticated work, they are rarely in meetings or allowed significant client contact, and so they move on.

Many top law firms remain suspicious that diverse attorneys were educated, gained job experience, and were hired to meet quotas rather than on their merit. Because of this presumed inferiority, diverse attorneys are given poor assignments, not getting mentors. The routine mistakes young attorneys make are more costly to diverse attorneys because of the prejudices in the firm. When diverse attorneys are not provided challenging work, are not mentored, and become unhappy, they leave law firms where they are unhappy.^[1]

Almost all law firms and attorneys I spoke with admitted to having serious issues with retention of diverse attorneys despite the facts that clients want to see diversity and demand it and diversity in law firms is carefully tracked.

For various reasons, some based on the limiting preconceptions firms have about them, others based on law firm culture, diverse attorneys face retention issues at law firms. These impediments to doing the work long term are interrelated, so the false preconceptions, for example, the better mentorship opportunities will be for diverse attorneys. The better the

the retention of diverse attorneys will be. The better their retention, the fewer false preconceptions there will be a derail diversity efforts and prevent law firms from experiencing the full benefits of a diverse workforce.

How an attorney is treated, how an attorney views life in a law firm, and how confident an attorney is about belong significantly affect that attorney's legal career as well as law firms' ability to do business.

Many diverse attorneys join law firms and then end up leaving within a few years.^[2] This often occurs because th not see upward potential,^[4] and do not receive the best assignments and believe their skills would be more valu Diverse attorneys give various other reasons for leaving their firms:

- Feeling like they do not belong
- Feeling left out
- Lack of access to inside information
- Inability to get enough work (hours)
- Not being given substantive work
- Feeling like tokens
- Inability to get adequate sponsorship, mentoring, and training
- Inability to generate enough business
- Inability to form relationships with influential partners
- Lack of positive feedback
- Lack of role models for their diverse group
- Family considerations
- Geographic considerations
- Major market versus smaller market considerations
- Feeling uncertain about the future

Feeling Like They Do Not Belong

Diverse associates often feel isolated when they notice that few of their colleagues or superiors share their back attorneys report feeling like they do not belong. They may feel like their contributions are not valued as highly as attorneys and that they do not fit in with the other attorneys they are working with, either because their values and perceived to differ. Diverse attorneys may be perceived as lacking commitment to work as a result of their family not being invited to informal functions, not being viewed as potential leaders, and that the [focus is on their gender](#) instead of on their skill.^[7]

Feeling Left Out

Many attorneys from diverse backgrounds report feeling left out in law firms. They feel like they are not included i asked out for lunches, and they are not made part of social groups and activities that occur with firm employees c attorneys also report feeling like they exist on their own "island." In a study conducted by the Minority Corporate C regarding minority attorney experiences at law firms, participants discussed the "acute isolation minority attorney as exclusion from 'peer camaraderie, socializing, and support that make the first few years [at a law firm] more tol of workplace inequity are frequently embedded in an institutional structure that preserves exclusion, even if it pro exclusion."^[9] As lawyers attempt to implement "remedial decrees designed to eliminate the effects of systems th subordinated workers, they find themselves dealing with issues of organizational norms, culture, and structure."^[10] new associates are unable or unwilling to conform their lifestyles and values entirely to the firm's culture conflict a large-scale departure of nontraditional associates."^[11]

Lack of Access to Inside Information

One of the more important ways to get ahead in law firms is by having access to inside information, such as know and weaknesses of various attorneys and partners, client relationships, and work distribution within the firm. This

make attorneys feel like they are part of the group and enables them to make correct career decisions. Many diverse attorneys lack access to this sort of information, which affects their ability to advance in the firm.

Inability to Get Enough Work (Hours)

The most important contribution young attorneys make to law firms is their ability to work lots of hours. A major reason for getting enough hours to succeed. Hours are the lifeblood of attorneys--both partners and associates. Without billable hours, careers are often short-lived.[12]

In law firms, work can be distributed in a variety of ways. Some law firms use central assignment systems, where work is assigned to a central person and then distributed fairly among them. Assignments that come through central assignment can be short-term work, and central assignment does not necessarily result in attorneys getting a lot of hours consistently.

A law firm can be a very isolating place for an attorney. It can be even more isolating when an attorney does not have the work the attorney is given is unimportant. Workflow has a great impact on an attorney's career. When there is no work around, associates are at constant risk of upsetting partners. If you're not productive, you're not essential to the firm.

To get lots of hours, attorneys need to work on long-term assignments and form relationships with attorneys in the firm who have access to long-term work. Most tasks that lawyers do are not on huge matters. The majority of work in large law firms is done by individual lawyers giving work to each other and associates. Partners develop relationships with other attorneys and feel comfortable with. Most law firms distribute work informally in this way: partners give work to the attorney they like best, who they believe their clients like best, and who they are most comfortable with.[13]

The problem with partners assigning work is that it creates a self-reinforcing feedback loop of partners supporting the advancement potential of associates who are like them and not assigning work to attorneys they don't identify with.

Recently, I spoke with an attorney who has practiced law at the same major law firm for the past twenty years. He has managed to survive for two decades in one of the most competitive and demanding law firms in the country but also made a name for himself. He went to work each day and never left without "making his hourly target for the day," and he has lived his life like that as long as you are making your hours, you'll always be okay," he told me. "It's only when your hours stop that there is a problem."

Many attorneys agree that tallying billable hours is one of the most harrowing aspects of practicing law in a firm. After decades after practicing as an attorney--I still have nightmares that weeks have gone by and I haven't billed any hours. I know I am committing professional suicide by not billing hours.

Not Being Given Substantive Work

Many diverse attorneys in law firms report that they are not given substantive work. They believe that partners have more leniency for their mistakes than for the mistakes of nondiverse attorneys and thus will not give them important work to do. Attorneys who are not given substantive work have limited prospects for advancement. Few minority associates "are classified as potential 'stars'--young attorneys who are cultivated as future firm leaders--in the firm, and therefore few minorities get . . . challenging assignments . . . [leading to] . . . to be stuck with routine work leading nowhere." In addition, they are not given appropriate feedback on their work, which enables them to improve their output; law firms end up giving them nonsubstantive work instead. "Even when information is available uniformly . . . organizational leaders may 'track' individual employees, informally grooming them for success by controlling their access to choice work assignments." [15] Minority attorneys report that not being given substantive work is discouraging. It leads many to leave the firm long before they are formally passed over for partnerships.[16]

Feeling Like Tokens

Many minority attorneys report they are put on important matters to make the law firm look diverse when really they are given unimportant assignments. Or they are highlighted on law firm websites so the firm is perceived as diverse, but they are not

later. This tokenism is problematic. Black attorneys in particular experience this.^[17] Women and other minorities attend functions or award ceremonies, to speak to law students of color, to pose for publications, but never to have partners in power other than at those events. Furthermore, they report meeting with clients only when race or gender advantage to the firm, for example, when a client specifically requested a diverse legal team or when a client is a

Inability to Get Adequate Sponsorship, Mentoring, and Training

To get ahead in most law firms, attorneys need sponsors who support them to partnership.^[19] They also need mentors to show them the ropes along the way and train them. An attorney without a sponsor has an extremely difficult time advancing. Attorneys sponsor junior attorneys when the junior attorneys impress them and when they can identify with them. To sponsor those who are most like them, attorneys from various diverse backgrounds often have an issue getting sponsors. There are not many attorneys like them in the law firm. A self-reinforcing feedback loop arises, where diverse attorneys do not get sponsors and thus do not advance to a position where they can sponsor others like them.

Similarly, according to a study by David B. Wilkins and G. Mitu Gulati, white mentors tend to feel more comfortable in relationships with other white men, in turn making it "difficult for blacks to form supportive mentoring relationships." The lack of women and minorities at the senior partner level, fewer women and minorities are mentors.^[21]

To be most effective, attorneys need lots of training from more senior lawyers. When attorneys are not trained by mentors, their work does not develop the way it must for success. This training is nearly constant, and attorneys need feedback.

If the law firm and its partners do not believe a given attorney has potential, they will stop giving the attorney meaningful work and leave the attorney on his or her own. Once that happens, the attorney's advancement ceases and peers move ahead.

The difficulty diverse attorneys have in finding mentors, and therefore in gaining access to the training they need, often causes them to leave large law firms and in the earlier stages of their careers.^[23]

Inability to Generate Enough Business

For an attorney to stay employed in a law firm permanently, business generation is extremely important.^[24] Attorneys who do not become partners and have a say in the future of the law firm must develop a book of business.

One issue diverse attorneys face is that clients tend to develop business with attorneys who are similar to them. (For example, Michigan alumni are disproportionately likely to serve same-race clients.)^[25] It is more difficult for attorneys to generate business with clients who do not share their background. Most CEOs, general counsel, and others who generate business tend to be white males. Because diverse attorneys are most likely to attract business from attorneys of their background, they have fewer potential clients to draw from than white attorneys do.

Firms with high billing rates make it difficult for young attorneys to bring in business, too.

Inability to Form Relationships with Influential Partners

The inability to form meaningful relationships with influential partners severely limits the careers of diverse attorneys. Lack of contact and mentoring is increasingly recognized as a key process for the success of attorneys. "Disparity in social capital and mentoring experiences with partners, rather than disparities in merit and performance, can explain the 'paradoxical' experience of minority lawyers' dissatisfaction and departures after being hired into large law firms."^[26]

One writer notes that social relationships leave "some black lawyers at a distance from their white colleagues.... If they don't go to church together on Sunday enough, they don't have dinner together enough, and they don't play enough sports together to develop sufficiently strong relationships of trust and confidence."^[27]

Lack of Positive Feedback

Many diverse attorneys report their work is criticized more than the work of their peers. Black associates frequently are criticized more harshly than their white contemporaries on similar mistakes. There is a perception in many law firms that criticism is not be "up to snuff." Because of the expectation that minority associates perform only average or acceptable work, criticism confirms this initial perception and forms a vicious cycle. On the other hand, absent a compelling reason to think otherwise, whites are more likely to be dismissed as . . . 'growing pains' since these associates are presumed competent." [28] [criticism leveled against them leads many diverse attorneys to leave law firms, which compromises their ability to](#)

The lack of positive feedback diminishes diverse attorneys ability to improve, get more meaningful work, and fully advance in law firms. Because their work is more harshly criticized, mainly because of the erroneous and outrageous criticisms discussed earlier, diverse attorneys understandably long for an environment where they receive positive feedback. When they know what they are doing right and can do more of that. [29]

A few black attorneys I worked with told me they felt more comfortable working in government legal departments than in a law firm environment. They said they received positive feedback on their work, the environment was more egalitarian, and they advanced if they did good work. They commented that law firms were not as welcoming of diversity as the government.

Lack of Role Models for Their Diverse Group

Young diverse associates are more likely to join a law firm when they see diverse attorneys in positions of power. Having diverse attorneys on the management committees of law firms likely improves retention of diverse attorneys. Having role models demonstrate how it's possible to succeed in the firm increases the odds of retaining diverse attorneys. [31]

Minority attorneys report there is a self-reinforcing feedback loop inside large law firms, and many attorneys leave because of a lack of appropriate role models to look up to and follow. In large law firms, there may not be many women, gay, black, or Hispanic attorneys. The number of black attorneys at AmLaw 100 firms, for example, generally can be counted on one hand, even though the number on that list has more than doubled in size in the past twenty years. [32] In addition, in a Law360 survey of more than 1,000 law firms, women made up a little less than 20 percent of equity partners. [33] Furthermore, a January 2017 bulletin from the National Law Placement (NALP) indicated that 1.89 percent of partners overall identify as LGBT, which does not match the diversity in our society. [34]

Most management committees are composed of the attorneys with the most business. For reasons discussed earlier (e.g., lack of training, and lack of substantive work, lack of meaningful relationships with senior attorneys), lower numbers of diverse attorneys are on the most business in a firm. And when diverse attorneys are appointed to management committees without the necessary business, it is perceived as tokenism.

On the other hand, studies demonstrate that the mere presence of a diverse judge on a panel can influence the verdict. In sexual harassment and sex discrimination cases, judicial panels "with at least one female judge decided cases more than twice as often as did all-male panels." [35]

One study indicated that a panel of two white judges and one black judge was more likely to decide cases upholding the status quo outcomes than was an all-white panel. [36]

The presence of a diverse person on a management committee can influence the committee's decisions, including on diversity-related matters.

Family Considerations

Women attorneys at law firms may have family obligations that they cannot abandon. In society, women are traditionally

caregivers, not men.[37] In most circumstances, women are considered responsible for children.[38] Women attorneys' family are held back in their careers by these gender-specific expectations, which law firms perceive as incompatible with a law firm.[39]

Work in a law firm often involves assignments that are time pressured: trials in a large case, deadlines for transactions to be filed by a certain time. These deadlines are often [nonnegotiable](#).

Negative consequences are accorded to attorneys who are not around to make sure legal work is done properly. Attorneys' family obligations sometimes compete with their ability to be constantly available to the law firm. Attorneys who dedicate themselves to the job are often believed to be ineligible for partnership or advancement because they cannot meet the demands of the law firm's clients.

Flex-Time Lawyers releases an annual list called the "50 Best Law Firms for Women." Most of these firms allow attorneys with reduced hours to be eligible for equity partner promotion. In 2014, only one lawyer at those firms received that promotion; one in that category was promoted to partner.[40] Evidently, even at these more lenient firms, attorneys find it hard to fully committing to the job. "Individual partners continue to point to women's child-bearing and child-rearing responsibilities as the cause of the lack of women lawyers in leadership positions, despite significant literature to the contrary." [41]

Because of these preconceptions, many women attorneys face difficult choices.[42] They often choose to leave the law firm) because they believe they will not advance at a firm that prejudices them and holds them back because of their family obligations.[43]

Due to family obligations, a woman attorney might ask for part-time hours. "In a survey of three thousand women in the largest law firms, sixty-seven percent of the respondents reported that part-time work results in lesser opportunities for advancement." [44] In a 2007 study of Massachusetts lawyers at the top 100 firms, "women who [work] part-time stay in law firm positions for longer periods of time, but are less likely to make partner than the fulltime women who do remain." [45] In that same study, women who left law firms did so because of "difficulty integrating work and family/personal life." "Programs and policies that are available only to women are susceptible to the dreaded 'Mommy track' label and are often perceived as a path for second-class citizens." [47]

In a 2016 Issue of *OC Lawyer Magazine*, a survey was published in which four hundred men and women across the country were asked why they left the law profession. Of the respondents, 84.7 percent were women, and their responses are listed below.

The primary reason I left my firm was...
I wanted to spend more time on other pursuits
Bias or discrimination (e.g., due to race, gender, parental status, etc.)
Lack of opportunity, training, and/or support to develop a book of business
Lack of opportunity to advance
My compensation was too low
I felt disrespected
I had to leave due to family reason (e.g., spouse's job, military service, etc.)
Lack of opportunity to do the type of work I wanted to do
The work was not meaningful
The job was too stressful
Lack of flexibility regarding hours
The job demanded too much time

Toxic work culture

I wanted to spend more time with my family

Table 9.1 *OC Lawyer Magazine* Survey: Why Women Respondents Say They Leave the Law Profession

The second choice many women attorneys face is whether to have a family at all. Many choose to remain single because they fear that would limit them in the law firm. This unfortunate choice occurs far too often. "Studies suggest women are less likely to be married or have children than their male counterparts."^[49]

The third choice is whether to remain at their law firm and risk asking for flex time or other arrangements to accommodate a family schedule. This exposes them to the risk that the law firm and partners will perceive them as uncommitted to their work in the long term. Law firms do not like to compete with other priorities in attorneys' lives.

Because the law firm is so demanding, women often feel that they cannot be part of the law firm environment while having children. To retain women partners, change is needed to ensure that they remain. Policies that allow women to have more power over the trajectory of their careers with alternative scheduling are important.

Geographic Considerations

In areas of the country that are not diverse, law firms have a more difficult time retaining diverse attorneys than in the most cosmopolitan cities. This phenomenon often is more pervasive in the Midwest, suburbs, and towns outside major cities.

Several diverse attorneys indicated to me that they wanted to live and work in areas where there were other diverse professionals with whom they could socialize. This is especially so for young attorneys who want to meet others. One attorney from Portland and one from San Francisco said they preferred living in areas like their respective cities rather than in small towns where they felt like their diversity was accepted and there were other people like them they could socialize with. Another attorney from a small Southern town said she was having trouble breaking in to the social scene at her firm as well as in the town. She wanted her firm to move to a larger city where there was a more active social scene for single people.

Partners in law firms in areas of the country with low diversity indicated they often have issues retaining diverse attorneys. One attorney at her firm in Florida had a difficult time retaining black attorneys because the area did not have a lot of African Americans. She said that the most recent African American attorney she hired ended up leaving her firm and moving to Atlanta to work for a firm with professionals similar to her.

In these instances, the geographic area influenced the legal market and prompted diverse attorneys to stay at the firm if they were comfortable in the area or to leave because they felt out of place where they were working.

Major Market versus Smaller Market Considerations

The largest law firms in the largest cities are the most likely to attract the most diverse attorneys, but, ironically, they have the highest turnover with retention--whether or not an attorney is diverse. These law firms are much more "sink or swim." They may expect attorneys to be self-starters and may make associates feel like commodities; mentors may be unavailable, and the amount of business may be so large that a partner can be exorbitant. Attorneys often need to bring in large, institutional clients. In general, these highly competitive markets are pretty unwelcoming places for all attorneys.^[51]

Law firms in smaller to midsized markets do not have the same turnover as larger markets, and attorneys in them tend to stay for everyone. Partners often retire later, associates who stick around make partner, and most attorneys have few competitors. Staying with the firm and making it work.

Attorneys, diverse or not, leave the most competitive firms in the major markets more than they do smaller firms in smaller markets. These firms make it hard for everyone--regardless of diversity--to have long-term careers in them.

Because most qualified diverse attorneys are most likely to be hired at the largest law firms in the largest cities with the best opportunities to make partner, the cycle may be self-reinforcing: attorneys go to firms where there are not a lot of opportunities and leave.

Feeling Uncertain About the Future

Many diverse attorneys often note that they do not feel confident about their future in a law firm, which impedes their long-term outlook for staying at a firm. It should be noted, though, that all kinds of attorneys report feeling uncertain about their future in a law firm.

The pressure to achieve high billable hours may be felt disproportionately by women associates "with competing responsibilities" and among those who anticipate such responsibilities."

Additionally, attorneys might doubt whether advancement is achievable in their law firm when they see a dearth of advancement in their firm.^[52] (In 2015, the NALP found that just 7.52 percent of partners at major law firms were minorities.)^[53] Another source of uncertainty is lack of mentorship. "Minority lawyers leave before becoming senior associates because they are not getting meaningful training and mentoring nor believe that they have a realistic chance of becoming partners."^[54]

This consequently leads to dissatisfaction, uncertainty about whether advancement in the profession is achievable, and eventually to attorneys leaving law firms.^[55]

Lack of Mentors

One thing that helps attorneys stick with and succeed in the practice of law is having a good mentor. Without a good mentor, many diverse associates fail at law firms. Mentors offer associates profound career advantages. Nowhere is mentoring more important than for a diverse attorney who may feel alone in his or her organization.

A mentor helps an attorney understand the unstated rules and politics of the law firm, get the best assignments, build relationships with decision makers in the firm, and feel supported in the development of his or her career. A mentor is more experienced, is older, has had similar experiences, and is available to provide advice and counsel.

The most successful attorneys--regardless of their diversity--had the benefit of a mentor. Mentors can be from within the firm or outside the firm; sometimes an attorney's mentor is his or her parent who is an attorney. Attorneys with parents who are attorneys are watching the parent and witnessing the parent's level of dedication. They will have a realistic understanding of what it takes to be an attorney. This type of parent mentor can discuss issues and give advice to the attorney.

Why Mentors Are So Important

Throwing new attorneys into the law firm environment with no support or guidance is unwise because it squashes their potential for being able to do the work long term, to the detriment of both the attorney and the firm. Attorneys need to know the firm's culture ahead in a law firm.^[56] Every law firm has an unstated set of rules that people follow, and certain things are important to one and not to another. A mentor can guide an associate in the right direction. A good mentor can help a mentee in so many ways that it is hard to overstate the importance of this relationship. Here are just a few of the ways a mentor can be an invaluable resource, and all the more so for a diverse attorney, who may feel marginalized in a firm.

A mentor can help an attorney avoid certain partners. Some partners may be on the way out; may be ungrateful or difficult to work for; may give cryptic instructions for difficult assignments; may not have good work; and may consistently give poor reviews to attorneys working for them. A good mentor can help a mentee avoid these sorts of partners. Working with a toxic partner can be career-limiting, a morale killer, and discouraging to young attorneys. When an attorney is told which partners to avoid, the attorney can make more informed decisions about where to invest effort.

A mentor can help an attorney know which partners to get on the good side of. In every law firm, there are certain

please. They may have access to the best work, may be rainmakers with a lot of business, may be connected with important people, may be on important management committees. If an associate curries favor with one of these partners, it can be beneficial to their career. A good partner can make sure an attorney always has work to do, can help the attorney advance to make a name for himself or herself, can help the attorney along if they leave the firm. Some mentors protect their mentees through their entire careers. Many successful attorneys in law firms--and even junior ones--are where they are because a mentor has protected and helped them along their careers. They can work their entire career without having to generate business because they got in good with the right partners. A mentor can provide access to information about who does and does not like the mentee and why they feel this way. Attorneys may not know if they are not impressing and may need to do more work with people who like them. When attorneys understand who their friends and enemies are, they are far more likely to be successful.

A mentor can take an attorney on business development meetings. Good mentors take mentees on business development meetings to inform attorneys of the requirements in terms of business development. Watching the older attorney can help the mentee learn what is necessary to succeed in business development. Mentors also introduce mentees to a network of contacts that they can use later. Knowing how business is generated is important for attorneys and can provide them with more employment opportunities. Attorneys who attend business development meetings with their mentors gain skills and contacts.

A mentor can tell an attorney what he or she is doing right. Many attorneys may not realize what they are doing right. They are doing better than other attorneys. The law firm environment is filled with all sorts of doubters and puts people on the defensive. Attorneys tend to hear much more about what they are doing wrong than about what they are doing right. Constant criticism can take its toll and is one reason so many people leave the practice of law. This is especially so for diverse attorneys. A mentor can encourage attorneys by making them aware of their strengths and building on them.

A mentor can tell an attorney what he or she is doing wrong. Good mentors also tell attorneys what they are doing wrong. Young attorneys do not even realize what they are doing wrong, so it is important for them to get this feedback from their mentors. It can be related to their attitude toward the work, taking too long or not enough time on assignments, asking for too much help, not socializing enough with other attorneys outside work, being careless with details, or not doing what is expected of them. Looking out for them and pointing out mistakes enables attorneys to correct these faults before it's too late.

A mentor can help adjust an attorney's expectations. Many attorneys--associates and partners alike--have inflated expectations of the quality of work they should be doing, their compensation, advancement, and the challenges they should be given. They set unrealistic goals for their careers. Mentors can act as sounding boards and temper high expectations. Also, an attorney needs to be aware of the work that are expected. In some firms, 2,500 hours may be needed to be competitive with other associates, and in others it may be 1,800. A mentor can give an attorney insight into how his or her hours stack up to those of other attorneys. Attorneys can get into trouble by not billing enough hours, and they also can get in trouble by billing too many hours.

A mentor can provide insight on who to emulate. Every law firm has an unwritten behavior code. Mentors can help attorneys understand what behavior is considered admirable. When attorneys know who is doing well, they can observe that attorney's behavior and emulate the positive aspects of it. They can associate with attorneys who are succeeding and avoid attorneys who are on the defensive.

A mentor can explain how the firm is doing financially. Law firms can be risky places to work because they go through ups and downs. When the firm is doing poorly, a good mentor can help an attorney understand when it may be time to leave (before the attorney is laid off) and when it may be time to look extra busy and indispensable. When the law firm is doing well, a mentor can point out the opportunities for advancement.

A mentor can advise an attorney on how to overcome adversity. Mentors who share similar characteristics as the mentee are helpful in helping the mentee overcome difficulties related to diversity that the mentor encountered. Mentors demonstrate that it is possible to succeed in the face of challenges. Having someone to identify with is an important source of encouragement. Attorneys pull through when things get difficult. Relating with stories is one of the best ways to teach people.

A mentor can guide an attorney in managing his or her personal life. The personal lives of attorneys working in law firms can be difficult. Attorneys are argumentative with each other, which causes stress; the hours are long, which causes stress; the workload required is often unreasonable, which causes stress; and deadlines pile up day after day, which causes stress. Attorneys are not present most of the time, but when they are, they usually are not "present," and this is not pleasant to be around. Many attorneys have families, nurturing relationships or raising children. A good mentor can show a young attorney how to find balance and success in both law and in life outside of work. Many attorneys leave the practice of law because they cannot manage their personal lives. Attorneys who do not manage their personal lives properly end up extremely unhappy at work.

A mentor can provide contacts. Good mentors share their contacts from in-house, other law firms, government, and academia. They know countless attorneys whose mentors assisted them in transitioning into new careers by putting the attorney in touch with the right people. It is much easier to get a new position or to find the information they need with the help of a mentor's network.

Why Diverse Attorneys Face Difficulties Getting Mentors

Lack of mentorship is a key reason why diverse attorneys do not do better in law firms. It's hard for diverse attorneys to get mentors in law firms for various unfair, incorrect, or prejudicial reasons.

Partners only mentor associates they believe are the smartest or the most likely to stick around. They are interested in attorneys they believe are the best qualified and likely to do the work long term. As discussed earlier, diverse attorneys are often perceived as not being qualified or as unable to do the work long term, so partners may not choose to mentor them.

Women face difficulty getting mentors because they are perceived as lacking in long-term commitment to the firm. Partners often believe women will not stick around or that they will grow less committed to work because of family commitments.

To meet their diversity goals, firms must confront preconceptions they have about diverse attorneys and create flexible work arrangements for them.

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[1] See, generally, Judge John Hack, "Diversity Quotas: Would They Be Legal, Would They Make a Difference?" 4, 2014, which finds that attempts to force law firms and chambers to recruit a specified percentage of a certain type of attorney are destined to fail quickly.

[2] See Leonard and Levine, *The Effect of Diversity on Turnover: A Large Case Study*, 13, <http://faculty.haas.berkeley.edu/levine/Papers/Leonard%20&%20Levine%20Diversity%20&%20Turnover%20W>

[3] See *Creating Pathways to Diversity: A Set of Recommended Practices for Law Firms*(Minority Corporate Counsel), 17, <https://www.mcca.com/wp-content/uploads/2017/04/Book-2Blue.pdf> .

[4] See, generally, Staci Zaretsky, "The Best Biglaw Firms for Minority Attorneys Who Want to Make Partner," *Above the Law*, 2017, <http://abovethelaw.com/2017/08/the-best-biglaw-firms-for-minority-attorneys-who-want-to-make-partner/>, v. 2017, more than 30 percent of law students are minorities, only 15 percent of lawyers and less than 9 percent of partners are minorities.

[5] See *Creating Pathways to Diversity*, 18-19, <https://www.mcca.com/wp-content/uploads/2017/04/Book-2Blue.pdf>

[6] See Leonard and Levine, *The Effect of Diversity on Turnover*, <http://faculty.haas.berkeley.edu/levine/Papers/Leonard%20&%20Levine%20Diversity%20&%20Turnover%20W>

[7] See Charlotte L. Miller, "Checklist for Improving the Workplace Environment (or Dissolving the Glass Ceiling)," (1996): 6-9; Government of New Brunswick, "Employer Checklist on Workplace Environment and Satisfaction," V. 2017 Initiative, https://www.gnb.ca/0012/Womens-Issues/wg-es/tools/pdf/employer_checklist-e.pdf.

[8] See *Creating Pathways to Diversity: A Set of Recommended Practices for Law Firms*(Minority Corporate Counsel), 17, <https://www.mcca.com/wp-content/uploads/2017/04/Book-2Blue.pdf>.

[9] Susan Sturm, "Lawyers and the Practice of Workplace Equity," *Wisconsin Law Review* 2002 (2002): 277, 285; Susan Sturm, "The Law Firm Caste System: Constructing a Bridge between Workplace Equity Theory and the Institutional Analyses of Law Firms," *Berkeley Journal of Employment and Labor Law* 30, no. 1 (2009): 85-132.

[10] Sturm, "Lawyers and the Practice of Workplace Equity."

[11] Richard H. Sander, "The Racial Paradox of the Corporate Law Firm," *North Carolina Law Review* 84 (2006): 1001-1030.

[12] See Rhode, "Law Is the Least Diverse Profession in the Nation," https://www.washingtonpost.com/posteverything/wp/2015/05/27/law-is-the-least-diverse-profession-in-the-nation-why-we-are-not-doing-enough-to-change-that/?utm_term=.9d0fc7ef133b.

[13] Ibid.

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