Diversity and Inclusion Summit

October 21, 2020
9:00 a.m. – 4:00 p.m.

CT Bar Association
Webinar

CT Bar Institute, Inc.

CT: 4.0 CLE Credits (Ethics)
NY: 2.0 CLE Credits (D&I)

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As a lawyer I must strive to make our system of justice work fairly and efficiently. In order to carry out that responsibility, not only will I comply with the letter and spirit of the disciplinary standards applicable to all lawyers, but I will also conduct myself in accordance with the following Principles of Professionalism when dealing with my client, opposing parties, their counsel, the courts and the general public.

Civility and courtesy are the hallmarks of professionalism and should not be equated with weakness;

I will endeavor to be courteous and civil, both in oral and in written communications;

I will not knowingly make statements of fact or of law that are untrue;

I will agree to reasonable requests for extensions of time or for waiver of procedural formalities when the legitimate interests of my client will not be adversely affected;

I will refrain from causing unreasonable delays;

I will endeavor to consult with opposing counsel before scheduling depositions and meetings and before rescheduling hearings, and I will cooperate with opposing counsel when scheduling changes are requested;

When scheduled hearings or depositions have to be canceled, I will notify opposing counsel, and if appropriate, the court (or other tribunal) as early as possible;

Before dates for hearings or trials are set, or if that is not feasible, immediately after such dates have been set, I will attempt to verify the availability of key participants and witnesses so that I can promptly notify the court (or other tribunal) and opposing counsel of any likely problem in that regard;

I will refrain from utilizing litigation or any other course of conduct to harass the opposing party;

I will refrain from engaging in excessive and abusive discovery, and I will comply with all reasonable discovery requests;

In depositions and other proceedings, and in negotiations, I will conduct myself with dignity, avoid making groundless objections and refrain from engaging I acts of rudeness or disrespect;

I will not serve motions and pleadings on the other party or counsel at such time or in such manner as will unfairly limit the other party’s opportunity to respond;

In business transactions I will not quarrel over matters of form or style, but will concentrate on matters of substance and content;

I will be a vigorous and zealous advocate on behalf of my client, while recognizing, as an officer of the court, that excessive zeal may be detrimental to my client’s interests as well as to the proper functioning of our system of justice;

While I must consider my client’s decision concerning the objectives of the representation, I nevertheless will counsel my client that a willingness to initiate or engage in settlement discussions is consistent with zealous and effective representation;

Where consistent with my client's interests, I will communicate with opposing counsel in an effort to avoid litigation and to resolve litigation that has actually commenced;

I will withdraw voluntarily claims or defense when it becomes apparent that they do not have merit or are superfluous;

I will not file frivolous motions;

I will make every effort to agree with other counsel, as early as possible, on a voluntary exchange of information and on a plan for discovery;

I will attempt to resolve, by agreement, my objections to matters contained in my opponent's pleadings and discovery requests;

In civil matters, I will stipulate to facts as to which there is no genuine dispute;

I will endeavor to be punctual in attending court hearings, conferences, meetings and depositions;

I will at all times be candid with the court and its personnel;

I will remember that, in addition to commitment to my client's cause, my responsibilities as a lawyer include a devotion to the public good;

I will endeavor to keep myself current in the areas in which I practice and when necessary, will associate with, or refer my client to, counsel knowledgeable in another field of practice;

I will be mindful of the fact that, as a member of a self-regulating profession, it is incumbent on me to report violations by fellow lawyers as required by the Rules of Professional Conduct;

I will be mindful of the need to protect the image of the legal profession in the eyes of the public and will be so guided when considering methods and content of advertising;

I will be mindful that the law is a learned profession and that among its desirable goals are devotion to public service, improvement of administration of justice, and the contribution of uncompensated time and civic influence on behalf of those persons who cannot afford adequate legal assistance;

I will endeavor to ensure that all persons, regardless of race, age, gender, disability, national origin, religion, sexual orientation, color, or creed receive fair and equal treatment under the law, and will always conduct myself in such a way as to promote equality and justice for all.

It is understood that nothing in these Principles shall be deemed to supersede, supplement or in any way amend the Rules of Professional Conduct, alter existing standards of conduct against which lawyer conduct might be judged or become a basis for the imposition of civil liability of any kind.

--Adopted by the Connecticut Bar Association House of Delegates on June 6, 1994
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Diversity & Inclusion Summit (CDC201021)

Agenda

9:00 a.m. Welcome Remarks from Amy Lin Meyerson, CBA President

9:30 a.m. - 10:00 a.m. Signatory Data Presentation - Cecil J. Thomas, CBA President-elect

10:00 a.m. - 11:30 a.m. Plenary Workshop: Aleria PBC - Paolo Gaudiano & Lisa Magill

11:30 a.m. - 12:00 p.m. Break

12:00 p.m. - 1:00 p.m. Plenary Workshop (cont.)

1:00 p.m. - 1:30 p.m. Break

1:30 p.m. - 3:00 p.m. Keynote Speaker and Q&A with Sharon E. Jones, Institute for Inclusion in the Legal Profession, and Moderated by Sandra S. Yamate, Institute for Inclusion in the Legal Profession

3:00 p.m. Closing Remarks from Cecil J. Thomas, CBA President-elect and Amani Edwards, CBA Director of Diversity and Human Resources
Amy Lin Meyerson, CBA President, Law Office of Amy Lin Meyerson

Amy Lin Meyerson is the 97th president of the CBA. Attorney Meyerson is a solo practitioner at The Law Office of Amy Lin Meyerson in Weston, where she practices in the area of domestic corporate law. She is a past president of the National Asian Pacific American Bar Association (NAPABA) and the NAPABA Law Foundation and a past chair of the American Bar Association’s Solo, Small Firm and General Practice Division. Attorney Meyerson is the founder of the Connecticut Asian Pacific American Bar Association.

Cecil J. Thomas, CBA President-elect, Greater Hartford Legal Aid

Cecil J. Thomas is an attorney at Greater Hartford Legal Aid, Inc., where has represented thousands of low-income clients, predominantly in housing matters, since 2006. He has led appellate and class action litigation resulting in significant victories on behalf of low-income Connecticut residents.

Beginning in July of 2020, Cecil is the Vice President of the Connecticut Bar Association, having previously served 4 years as co-chair of the CBA’s Diversity and Inclusion Committee. He serves as Vice-Chair of the CBA’s Pro Bono Committee, and in 2016, served on the Connecticut General Assembly’s Task Force to Improve Access to Legal Counsel in Civil Matters.

Cecil is president of the UConn Law School Alumni Association, past president of the South Asian Bar Association of Connecticut and a member of its Advisory Council, a member of the Connecticut Law Tribune Editorial Board, a James W. Cooper Fellow of the Connecticut Bar Foundation, and a Fellow of the American Bar Foundation.

Cecil received the Connecticut Supreme Court Law Day Award in 2008, the Hartford County Bar Association’s Judge Maxwell Heiman Memorial Award in 2013, and the New Leader in the Law Award from the Connecticut Law Tribune in 2014. In 2019, he was included in the UCONN Law School “Gallery of Pioneers” photo exhibit, recognizing alumni “who have broken through barriers and/or have emerged as leaders in public, business or philanthropic life.”

Cecil received his Juris Doctor from the University of Connecticut School of Law. He graduated cum laude from Brandeis University with a Master of Arts in American History, and a Bachelor of Arts in Politics and History, with honors.

Amani Edwards, CBA Director of Diversity & Human Resources

Amani is the Director of Diversity and Human Resources at the Connecticut Bar Association and a Doctoral Candidate in Public Administration and Policy at the University at Albany, SUNY, with a focus in public management, specifically diversity management. Amani is also a Fulbright Scholar, Gilman Scholar, and Ronald E. McNair Scholar. Her work and research are focused on issues related to human resources and diversity, focusing on representative bureaucracy, organizational justice, employee voice and accountability, performance management, and bias and discrimination.

Paolo Guadiano, Ph.D., Co-Founder & Chief Scientist, Aleria PBC

Paolo Gaudiano is Chief Scientist of Aleria, President of Aleria Research, and Executive Director of Quantitative Studies of Diversity and Inclusion (QSDI) at the City College of New York. These organizations combine Paolo’s decades of experience in business, technology and academia, to transform how people think about diversity and what they do about it, with the ultimate goal of making our society more inclusive and
equitable. Paolo is a Forbes contributor on Diversity & Inclusion, has written for and been interviewed by a number of other media outlets, and is a sought-after public speaker, having given hundreds of presentations in the US and abroad, including a TED talk. He holds degrees in Applied Mathematics, Aerospace Engineering and Computational Neuroscience, and is the recipient of numerous awards including a Neuroscience Fellowship from the Sloan Foundation, a Young Investigator Award from the Office of Naval Research, and a Moonshot House Fellowship from the Kravis Center for Social Impact. He was a tenured faculty member at Boston University and has also taught at Tufts University and CCNY.

Twitter: @icopaolo (individual) @aleriapbc (company)
LinkedIn: https://www.linkedin.com/in/pgaudiano/
TEDx talk: https://aleria.tech/tedxfultonstreet

Sharon E. Jones, Jones Diversity, Inc., Board of Directors, Institute for Inclusion in the Legal Profession

Ms. Jones is a diversity consultant who specializes in providing diversity/inclusion consulting and training to law firms, professional services firms, corporations, not for profits and other types of organizations. She is the President of Jones Diversity, Inc. Her firm’s broad range of services enable the organization to fully utilize, retain, and promote diverse employees into leadership roles and to build diverse and inclusive workplace cultures and communities. She has served as the Interim Founding Director for the Center for Diversity Innovation at the University at Buffalo which focused on research in diversity and inclusion and bringing those best practices to employers in all sectors.

Ms. Jones has practiced law and been a community leader over a 25-year career, including positions as a federal prosecutor, with major law firms and with Fortune 500 Corporations. She has been highly successful as a litigator, a counselor, an educator, and a problem-solver regarding extremely complex and sensitive matters. From 1985-1989, Ms. Jones served as an Assistant United States Attorney for the Northern District of Illinois, based in Chicago, where she conducted federal grand jury investigations and trials in high profile white-collar criminal cases. In private law practice, she was a partner at Bird, Marella, Boxer, Wolpert & Matz and Senior Counsel at Orrick Herrington & Sutcliffe in Los Angeles.

In the corporate sector, Ms. Jones managed litigation matters worldwide for Abbott Laboratories, as well as advising senior management in matters of crisis management and in fashioning creative solutions to highly complex business issues. Most recently, Ms. Jones acted as Senior Counsel at SBC Communications (now AT&T).

Ms. Jones was Counsel of Record in the amicus curiae brief filed in the United States Supreme Court in 2003 by the Black Women Lawyers Association of Chicago in Grutter v. Bollinger and the University of Michigan in support of diversity in higher education.

She is the author of “Mastering the Game: Career Strategies for Success” which provides the unwritten rules for career success for women and diverse professionals (May 2018).

Ms. Jones is a graduate of Harvard Law School and Harvard College.

Lisa Magill, Co-Founder & CEO, Aleria PBC

Lisa Magill passionately tackles real-world problems with innovative and impactful solutions. After several years in the financial services industry, Lisa gained extensive entrepreneurial experience holding key positions on the founding teams of funded and acquired technology startups. Over the years she has been recognized for her commitment to community and the impact of her efforts focused on mentorship, education and creating
opportunities for women and marginalized communities. Currently she leverages her passions and expertise to help take the guesswork out of diversity & inclusion as Co-Founder and CEO of Aleria.

Twitter: @lisamagill and @aleriapbc
LinkedIn: https://www.linkedin.com/in/lmagill/

Neeta M. Vatti, Co-Chair, CBA Diversity & Inclusion Committee, Quinnipiac University School of Law
Neeta M. Vatti is the Assistant Director of Professional and Career Development at Quinnipiac University School of Law. Ms. Vatti also serves as a member of the legal and policy teams for the Office of the Connecticut Senate Democrats. Ms. Vatti is one of the co-chairs of the CBA D&I Education Initiative Subcommittee. She is a member of NALP and of the South Asian Bar Association of CT.

Sandra S. Yamate, CEO, Institute for Inclusion in the Legal Profession
Sandra S. Yamate is the CEO of the Institute for Inclusion in the Legal Profession (“IILP”). IILP is a 501(c)3 organization dedicated to creating a more diverse and inclusive legal profession through research and educational programming. IILP works primarily in the US but has begun expanding its efforts into the UK, EU, and Latin America. Sandra spent ten years as the Director of the American Bar Association’s Commission on Racial and Ethnic Diversity in the Profession and the preceding three years as the first Executive Director of the Chicago Committee on Minorities in Large Law Firms. Prior to that, she was a litigator in Chicago for ten years.

Sandra is the Immediate Past Chair of the National Judicial College (“NJC”) and serves as a member of the board of the National Association of Women Lawyers (“NAWL”). She also serves on the Leadership Advisory Council of the National Asian Pacific American Bar Association (“NAPABA”), chairs the Harvard Law School Asian American Alumni Group, and is a member of the New York City Bar Association’s Diversity Equity & Inclusion Committee.

Sandra helped found the Asian American Institute, the National Women’s Political Caucus of Greater Chicago, and a number of local diversity bar associations. Sandra earned her JD from Harvard Law School as well as an AB in Political Science (cum laude) and History (magna cum laude) from the University of Illinois at Urbana-Champaign.

Kean Zimmerman, Tokio Marine HCC – D&O Group
Attorney Kean Zimmerman work as a Claims Counsel for Tokio Marine HCC D&O Group in our Farmington office. He loves his job but is also very passionate about coaching moot court.

As a law student, he was part of the first moot court team that Michigan State University's law school had ever sent to the Hispanic National Bar Association's Uvaldo Herrera Moot Court Competition. He became a part of the Connecticut Hispanic Bar Association upon his graduation and was able to help found the CHBA's moot court program. So far that program has assisted eight local Connecticut teams of law students in competing at the HNBA's national competition.

He is also honored to serve as the vice president of the CHBA, as a deputy president of Region 1 of the HNBA, and co-chair of the CBAs Diversity and Inclusion Committee. In his spare time, he enjoys running, baking, and spending time with his wife and two rescue dogs.
MEASURING THE INVISIBLE
WHY AND HOW YOU SHOULD MEASURE INCLUSION
INTRODUCTION

A growing number of leading organizations are prioritizing Diversity, hiring D&I officers and investing in related initiatives — and for good reasons. It’s more than the “right thing to do.” The benefits of diversity are well documented.

Diversity has been repeatedly linked to improved business performance. Reports by Mercer, Forbes, Catalyst and others have all concluded that a diversified workforce drives greater innovation and business growth. It can also help your team stand out to potential candidates, recruit top talent and improve retention.

Diverse companies are 35% more likely to financially outperform the market

Organizations are spending billions of dollars in an attempt to move the needle. They’re publishing diversity reports and investing in unconscious bias trainings, pay analyses, interventions in recruiting processes, employee surveys and more.

But within most organizations these diversity initiatives, while well intentioned, are failing to effect significant and lasting change. Even with clear values, commitment from leadership and access to resources, very few companies can point to significant, quantifiable progress. A study conducted by Boston Consulting Group found that 97% of respondents reported that their companies had a D&I program in place, yet only 25% of them felt they had personally benefited from it.

Current approaches simply aren’t enough.
Business leaders often ask us for specific suggestions on what they can do to increase diversity. Sometimes the answer surprises them: *increasing diversity should not be your goal.*

This isn’t to say that diversity is not important; however, in order to drive meaningful and lasting change the focus needs to shift away from diversity and toward inclusion.

Consider your typical diversity report, that highlights the demographic breakdown of a team by a few dimensions such as gender, ethnicity, LGBTQ+, veteran status, age and disability. Collecting this data, tracking your growth (or lack of growth) year-to-year and reporting your progress publicly can be positive signals to candidates or employees from underrepresented groups. But a diverse team isn't necessarily an inclusive one. What's more, these reports, and the initiatives put in place in response to them, often don't take into account intersectionality, the concept of overlapping and intersecting identities that can affect the likelihood of experiencing bias and discrimination.

"Hiring people from diverse groups is easier than successfully addressing the deep-rooted cultural and organizational issues that those groups face in their day-to-day work experience."

*Boston Consulting Group*
MEASURING DIVERSITY IS NOT ENOUGH

Setting arbitrary goals and hiring candidates to simply improve the numbers reflected in diversity reports isn’t going to serve those individuals or the organization well. Newly hired candidates from underrepresented communities often feel like they don’t fit in and aren’t provided the same opportunities to grow within the organization. As a result, they may have low job satisfaction, low engagement and decreased performance. Eventually, they will leave. This affects your company’s churn rate, overall employee satisfaction and performance, and can spark “diversity fatigue” and backlash.

These unintended, negative ripple effects are all too common. Without a concerted approach that considers inclusion as well as diversity, organizations risk focusing on the wrong metrics and investing in the wrong pieces of the puzzle.

Making your company inclusive is a key ingredient of your organization’s success. In fact, it is inclusion that drives diversity and business performance.
UNDERSTANDING INCLUSION

The words “diversity” and “inclusion” are often referenced together as if they are one concept. But that’s not the reality and minimizes the importance of each one on its own.

Diversity is easy to define as a measure of how an individual’s personal characteristics differ from those of the normative majority of their organization. Inclusion, on the other hand, is more difficult to understand. While some formal studies have attempted to give a clear definition of inclusion, more often than not inclusion is defined in qualitative terms, such as this oft-quoted phrase by Vernā Myers: “diversity is being invited to the party; inclusion is being asked to dance.”

Part of the challenge in defining it, is that inclusion is largely invisible. Oftentimes, as discussed in a recent study by Catalyst, one only notices inclusion in its absence, when one is feeling excluded. This is a primary reason why business leaders tend to be less aware of biases within their organizations. Inclusion is particularly invisible to those who enjoy it.

But if inclusion is invisible, how do we measure it?
QUANTIFYING INCLUSION

Aleria has developed a framework for quantifying inclusion and uncovering inclusion-related challenges and opportunities that exist within your organization.

Our framework effectively categorizes individual workplace experiences that affect the satisfaction, engagement and performance of each employee. In particular, we look to identify specific “incidents of exclusion”, i.e., negative situations that employees experience as a result of their ethnicity, gender, age, sexual orientation, physical ability or other personal traits.

We then categorize these experiences into Categories of Inclusion.

When you visit a doctor’s office they don’t just ask you “on a scale of 1 to 10, how healthy do you feel?”

Instead, they give you a questionnaire that includes a lengthy list of symptoms and diseases, and ask whether you are currently experiencing or have previously experienced any of them. This information helps the doctor assess your overall health and, more importantly, it helps the doctor diagnose specific problems and suggest recommended courses of action.

When measuring inclusion within an organization, we use a similar approach to uncover the most pressing concerns and the best initiatives to prioritize for impact.

An effective way to assess the level of inclusion within your organization is to ask your employees whether and how often they experience the incidents captured by the Categories of Inclusion. This can be done through a survey or interviews.

Our 9 Categories of Inclusion are a great starting point for unlocking the full potential and impact of inclusion within your organization.
# Categories of Inclusion

## Access & Participation
- Being able to speak with anyone in the organization, access to leadership and resources, ability to interact across silos, accessibility is prioritized in the creation of spaces and procedures.

## Skills Use & Assignments
- Being included in projects that leverage your skills, clear metrics and processes for assignment distribution, tasks being assigned based on skills or capability, participation in strategic initiatives.

## Learning & Growth
- Regular and consistent performance reviews, support for professional development, support to attend conferences and professional events.

## Compensation & Benefits
- Clear and transparent compensation structure, being paid adequately for performance, salary increases with promotions or increased responsibility, having access to higher-paying roles.

## Career Opportunities
- Clear, consistent and fair promotion processes, leadership willingness to discuss career opportunities, support for lateral moves within the organization, access to higher roles.

## Work-Life Balance
- Availability of flex time and remote work options, assistance with caregiving (child care, elder care, etc.), comprehensive family leave policies.

## Recognition
- Appreciation for tasks indirectly related to your role, recognition of contributions during performance reviews, acknowledgment of participation and contributions in meetings.

## Respect
- Diverse perspectives are encouraged and respected, being comfortable sharing your unique personal traits openly, not being the subject of microaggressions, not being subjected to sexual harassment.

## Workplace Interactions
- Not being interrupted in meetings, having your opinion count, making sure that administrative tasks are assigned equally, assurance that one’s role is as significant as the roles of colleagues.
BENEFITS OF THIS FRAMEWORK

There isn’t a one-size-fits-all solution for Diversity & Inclusion. Each organization is unique and must analyze its processes, policies and procedures to identify the greatest opportunities to foster inclusion internally.

Our framework was designed to help leaders determine the level of inclusion within their organization, and its impact on overall performance. Quantifying inclusion in this way uncovers the specific experiences that impact individual employees on a day-to-day basis, strategically categorizes them and then pinpoints which of them most affect overall employee satisfaction.

Instead of reactive interventions and generic trainings, organizations can intentionally and strategically improve the experiences of their entire workforce and build a stronger, more connected culture that fosters greater employee satisfaction and superior company performance.

Using our framework, you will be able to focus your resources on the Categories of Inclusion and specific inclusion initiatives that will drive the most significant improvements. As a result, your organization can:

- Reduce the cost and risk of trial and error approaches to D&I
- Estimate how much money you can save by implementing inclusion initiatives
- Attract & retain diverse talent, improve employee satisfaction and reduce churn
Is your company committed to improving Inclusion and increasing employee satisfaction? Our Inclusion Assessment can help you identify the opportunities that exist within your organization.

1. **Introductory Workshop**
   - Learn key concepts and leverage our methodology to engage and educate stakeholders

2. **Discovery Workshop**
   - Collaboratively uncover and discuss biases, interactions and experiences that could be causing individuals to feel excluded

3. **Exploration & Analysis**
   - Gather and organize knowledge, expertise and data, using our software simulations as a guide

4. **Inclusion Report**
   - Clarify how your organization can leverage inclusion to increase overall performance & employee satisfaction

This 4-part process was designed to:
- Engage your entire organization in creating an inclusive culture
- Establish a consistent, foundational understanding of the value of D&I
- Uncover structural and procedural biases that are negatively impacting your employees’ satisfaction and business performance
- Examine the unique day-to-day experiences of individuals within your organization
- Identify where your team should focus for the most meaningful impact

To learn more, click below or visit https://aleria.tech/inclusion-assessment.
RELATED RESOURCES

Looking for more? These articles explain our approach in more detail:

- **Companies Should Stop Focusing on Diversity**
- **Eight Reasons Why We Need To Focus On Inclusion Rather Than Diversity**
- **Inclusion is Invisible: How to Measure It**
- **Inclusion is Invisible: What You Should Measure**

If you found this guide and the articles above useful, you’ll likely enjoy our weekly, hand-curated D&I newsletter. Each Tuesday we highlight new reports and studies, interesting insights, valuable resources and upcoming events and opportunities. **To ensure you receive future issues, click the box below or visit https://aleria.tech/newsletter.**

**SUBSCRIBE**

**About Aleria**

We take the guesswork out of Diversity & Inclusion.

Our human-centric approach was developed out of years of research and uniquely leverages behavioral science and computer simulations to impact the way people think about Diversity & Inclusion, and, more importantly, what they do about it.

Have questions? Send us an email at info@aleria.tech.
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Moment to Movement: Strategies for Sustainable Retention and Advancement

SHARON E. JONES
JONES DIVERSITY, INC./DIRECTOR, INSTITUTE FOR INCLUSION IN THE LEGAL PROFESSION
OCTOBER 21, 2020
Agenda

I. Introduction

II. Building Blocks to Leadership Roles

III. Creating Successful Mentoring Relationships (Formal/Informal)

IV. Creating Successful Sponsorship Relationships (Formal/Informal)

V. Inclusion Begins with “I”: 10 Steps for Individuals to Create a More Inclusive Legal Profession

VI. Questions and Answers/Discussion
Building Blocks to Leadership Roles
Attorney Development Building Blocks

- Sponsorship Relationship
- Professional Development Training
- Substantive Legal Training
- Mentoring
- Feedback & Performance Review System
- On-the-Job Training (Quality & Quantity of Work) Assignment System
Creating Successful Mentorship Relationships
Benefits of Mentoring – for the Mentee

- Feedback without formal evaluation
- Opportunities to observe
- Safe outlet for admitting needs
- Developmental checkpoints
- Celebrate and recognize accomplishments
- Access to information and another perspective
- Integration into firm’s/organization’s culture
- Develop cross-cultural and cross-gender competencies and relationships
Benefits of Mentoring – for the Mentor

➢ Improve management and communication skills
➢ Enhance leadership and reputation
➢ Expand professional networks
➢ Personal satisfaction
➢ Counteract professional isolation
➢ Create a legacy
➢ Give back to others
➢ Develop cross-cultural, cross-gender competencies
➢ Promote retention of key individuals
Why Choose a Formal Mentoring Program?
Goals of a Formal Mentoring Program

- To ensure that program participants have at least one effective mentoring relationship
- To convey information regarding the firm/organization’s business goals, culture and organizational politics
- To assist in Mentee’s professional development
- To provide informal feedback
- To promote retention of diverse lawyers/reduce unwanted attrition
Best Practices

- Assign a billing number to the mentoring program
- Assign someone internally to monitor the program’s activities
- Find ways to make participation in the mentoring program valuable/fun for both Mentors and Mentee
- Compensate/recognize mentor/mentee time for this initiative
- Recruit the best natural mentors to the program
- Be willing to exclude lawyers known to be bad mentors
- If possible, create mentoring pairs outside practice groups
Best Practices cont’d

➢ Make sure there is a one-time change process for a match that will not work

➢ Create an online evaluation/survey which seeks quarterly feedback on program’s effectiveness

➢ Monitor the program on a real-time basis and adjust based on feedback
Best Practices cont’d

➢ Establish rules for your program regarding the frequency of meetings and minimum time expected

➢ Try to match people within a geographic location

➢ Consider mentoring clusters as an advanced move—when one on one mentoring has worked or as an alternative to individual pairs
Taking the Mentoring Relationship to the Next Level

MENTORING CLUSTERS
Clusters - What to Do

- Create the same confidentiality agreement among all members of the cluster
- Spend time getting to know all the members of the cluster (no more than 6 people)
- Spend some time to discuss how you will move forward—frequency of group meetings; individual pair meetings; topics to discuss as a group/objectives of the cluster
Clusters - What to Do cont’d

- At the initial meeting, schedule out the first three cluster group meetings and always keep 3 meetings on your schedule
- Select a different Mentee to be in charge of each meeting
- Have the Mentee in charge of the meeting set the discussion topic and agenda—after discussion with other group members
Clusters - Pros

- Gives you the benefit of the knowledge and experience of two or more Mentors/Mentees
- Gives participants the chance to form relationships with more people
- Can energize a continuing mentoring relationship
Clusters - Cons

- Can provide scheduling challenges since more people are involved
- May make it more difficult initially to create mentoring relationship bonds due to a larger number of people in the relationship
Creating Successful Sponsorship Relationships
Mentoring vs. Sponsorship

- Mentoring programs are very useful, particularly, at the early stages of a career. Helpful for early career development.

- **Sponsorship** involves 1) having a person of power and/or influence 2) in the room when decisions are made 3) who is willing to advocate on your behalf.

- Research shows that women and minorities often don’t have the powerful relationships necessary to inspire them, propel them, protect them and advocate for them as they advance.
Why Diverse Lawyers Leave

- Often don’t understand the “unwritten rules” for success at the organization
- Often don’t understand the value proposition for partnership/leadership
- Often feel no single influential partner/person is in their corner (i.e., don’t have a sponsor)
- Often feel like “outsiders”
- Can’t figure out a path forward that works for them (i.e., no adequate role models)
Diversity and Inclusion Retention Focus

- Sponsorship programs directly address loss of women and other diverse lawyers at the mid-level by building key relationships at an earlier level to encourage them to stay.

- Research shows sponsorship relationships increase job satisfaction, commitment to organization, and desire to stay at the firm—all key to the advancement of women and underrepresented minorities into leadership roles.

- Sponsor/protégé matches should be across lines of difference in order to maximize building multi-cultural competencies and disrupt any unconscious bias.
Formal Sponsorship Program Benefits

Firm/Protégé Benefits

- Greater visibility and access to a broader group of senior leaders
- Increased readiness for advancement to leadership roles
- Increased job satisfaction, commitment, and desire to stay at the firm/organization for high performing women and underrepresented minorities
- As protégés advance to leadership roles, they will be better prepared for the complexities and expectations of these new roles
Sponsorship Program Benefits

Firm/Partner Benefits

- Sponsorship relationships lead to better leaders and better teams
- Builds conscious awareness of the underrepresented female and minority talent pool in the leadership pipeline
- More opportunities to assess the readiness and desire to advance to leadership roles for key women and people of color
- Opportunity to translate the language of success and teach key leadership skills to a group of high performing future leaders
- Increased willingness to advocate on behalf of women and other diverse individuals and use influence on behalf of women’s and other diverse individuals’ advancement in the firm
- Reduction of any unconscious bias through contact with this diverse talent pool
- Build multi-generational competencies
Formal Sponsorship Program Benchmarks

- **PwC UK**: Breakthrough Program
- **Deutsche Bank Global**: Accomplished Top Leaders Advancement Strategy (ATLAS)
- **Deloitte**: Emerging Leaders Development Program (ELDP)
- **Citibank**: Women Leading City
- **Cisco**: Inclusive Advocacy Program (IAP)
- **American Express**: Women in the Pipeline and at the Top (WIPAT)
Inclusion Begins with “I”

TEN STEPS FOR INDIVIDUALS TO CREATE A MORE INCLUSIVE LEGAL PROFESSION
Ten Steps for Individuals to Create a More Inclusive Legal Profession

1. I will educate myself on the history in the United States on racial inequality and injustice beginning with slavery for Blacks and learn the history of other groups with respect to injustice and inequality.

2. I will educate myself on barriers within the legal profession and my organization on gender/race and ethnicity/disability and sexual orientation.

3. I will personally mentor a diverse professional.

4. I will personally advocate for the promotion of diverse professionals.

5. I will hire diverse people.
Ten Steps for Individuals to Create a More Inclusive Legal Profession (cont’d)

6. I will examine my decision-making process to make sure there aren’t racial/gender stereotypes which I unconsciously hold

7. I will speak up when I hear a racial/sexist or other inappropriate comment

8. I will make sure diverse voices are heard in meetings and other decision-making processes

9. I will purchase from diverse vendors (e.g., court reporters, caterers, arbitrators, consultants etc.)

10. I will actively participate to be part of the solution to systemic racism at work and in the world
Questions?
Resources

Sylvia Ann Hewlett


*As a Leader, Create a Culture of Sponsorship*. Harvard Business Review. October 8, 2013

Catalyst

Creating Positive Change in the Legal Profession: Successful Mentoring Strategies for Women Lawyers

By: Sharon E. Jones
Jones Diversity Group

If you are reading this article, probably you already know that mentoring is important to your success in the legal profession. Also, you may recognize that you do not have the kinds of meaningful mentoring relationships required to have a significant impact on your professional development. If you find yourself in this position, you are in the company of most women in the legal profession. With this in mind, I want to motivate you to become very intentional about your mentoring relationships. You must make a concerted effort to transform existing interactions into the types of relationships you need to be successful in the profession. (For purposes of this article, use your own definition of success. My definition includes women and people of color in leadership roles throughout the profession.)

Poor mentoring relationships are one of the reasons women, as a demographic group in the profession, have not achieved the success we have expected. Improving the way women informally connect to and relate with senior lawyers is likely to increase the advancement we achieve as well as boost our professional self-fulfillment. Finally, we will create positive change in the profession by reaching leadership roles and asserting our different “lens” to create more inclusive workplaces and policies. As you can see, creating more effective mentoring relationships is a win/win proposition: We win and the legal profession wins.

The Facts

In order to develop a successful mentoring strategy, you have to understand the facts. You need to be knowledgeable of the statistics regarding the advancement of women associates, partners, in-house counsel, General Counsel, and others in the profession. Are the trends improving for the hiring and advancement of women? How many women do you see in leadership roles? Two good sources for data are Catalyst (www.Catalyst.org), a research organization that focuses on women’s issues in the workplace, and NALP (www.nalp.org), an organization that annually conducts demographic research on U.S. law firms. So what are some of the key facts as of 2009?

- 19.21% of all partners are women
- 1.88% of all partners are women of color
- 45.66% of all associates are women
- 11.02% of all associates are women of color
- 17% of the Fortune 500 General Counsels are women

What are the trends? The percentage of women in each category above is increasing, (except for General Counsels which decreased by 1% last year) but at a very slow pace. If you noticed anything from these statistics, it’s that there is a significant reduction in the percentage of women as we move into the highest levels of the legal profession. What causes this significant attrition? There are many possible explanations, but I know that a part of that attrition is due to few or ineffective mentoring relationships.

One factor influencing the quantity of mentoring relationships women have is the difficulty creating informal mentoring relationships across gender lines. There are two types of mentoring relationships: formal and informal. Formal relationships are usually set up by an organization and there is a match made by the mentoring organization and not by the individuals. Informal mentoring refers to relationships that occur “naturally” or without an external structure. Informal relationships generally develop between people who have lots of apparent similarities. In a profession or law firm that is predominantly white male, it is not surprising, that informal relationships generally don’t develop “naturally” between white women or women of color and white males.

Law firms work like a patronage system. If you don’t have someone watching out for you, you’ll fall through the cracks. It’s very hard to find a Mentor if there’s not somebody who identifies with you. Either you have the same likes or you come from a similar background or you can talk about your school or something to draw
a connection. And for a lot of people of color and for a lot of women, there isn’t anyone in the partnership, in the upper echelons, that has a similar background or can empathize with you or relate to you and therefore, you don’t end up having a Mentor.


Another reason why these informal relationships are difficult to develop naturally across gender lines is that many men have a presumption that women have a lack of commitment to the organization and/or the profession. Some men routinely say that it doesn’t make sense to invest the time and resources in women attorneys who are highly likely to leave the firm to have children and work in a less demanding environment or leave the profession altogether. In order to develop an informal relationship across gender lines it is very important that you are aware of that common presumption and that you are prepared to rebut it with the facts of your personal situation.

Effective Mentoring Relationships Focus on the Unwritten Rules

Once you have formed a mentoring relationship, it is really important to make the relationship as effective as possible. What should happen in an effective mentoring relationship? What are most of us missing? There is much research that demonstrates that what we lack is an understanding of the unwritten rules of success in the profession:

Advancing in today’s business world is often as much about learning and playing by the rules as it is about talent and results. Some rules are explicitly stated in organizational handbooks, performance review procedures, or by senior leadership. But other rules are left implicit—unwritten—for employees to decipher on their own. Those who do not have the tools or access to this maze of unwritten rules and the important knowledge they provide remain left out, no matter how competent they are.


One of the most important things you can do to cultivate effective mentoring relationships is to get your Mentors to articulate the unwritten rules of your workplace culture:

- What are the internal politics?
- How do things work behind the scenes?
- What is the preferred way to get the organization to be responsive to your needs?
- How can you position yourself to be successful in this culture?
- Who are the key movers in your workplace?
- How can you differentiate yourself from the pack and get an opportunity to work alongside the firm’s decision-makers?

The answers to these questions can greatly impact your success. Your Mentors within your organization can also help to minimize and identify problems resulting from gender-based differences. It is highly likely given the professional demographics of the legal profession (i.e., predominantly white and male), that your firm or corporation is run by white males. If that is the case, the culture will value characteristics, traits and behaviors that white males do naturally, but which may be foreign or uncomfortable to women. For example: self-promotion. White male culture values the art of self-promotion. Those who appropriately self-promote often advance. Those who are quieter and fail to self-promote are often under-valued and un-rewarded. Generally, women and people of color are socialized not to self-promote. But refusing to do so in the legal profession is a sure recipe for failure. Our task is to find an authentic way to self-promote which is appropriate within our workplace and with which we are comfortable. Your Mentor can and should coach you on this common cultural difference.

As hard as developing successful mentoring relationships are for women in general, it is even more challenging for women of color. “Women of Color in U.S. Law Firms,” Catalyst, 2009 at 5. Women of color face the challenges of identifying and developing relationships across multiple lines of difference, including, race, gender, ethnicity, socioeconomic status, sexual orientation/gender identity, and nationality, among others. These factors have more than an additive effect—it makes their challenges exponentially more difficult. These seemingly impenetrable difficulties can easily be observed in the small number of women of color partners (1.88%) and the high attrition rate within law firms.

The point of these facts is not to depress you but to demonstrate the connection between developing effective mentoring relationships and career success. Now that you are really focusing on this topic, let’s discuss some strategies to create these important relationships.

Strategies for Mentees

1. Seek out Mentors Across Lines of Difference—It is really important to have Mentors who are knowledgeable about your practice area, the profession, the firm or your corporate legal department and where you want to go with your career. Find the best Mentors you can identify and be intentional about developing relationships with Mentors across lines of difference (e.g., race, gender, ethnicity, religion, sexual orientation, age, etc.). By so doing, you expose yourself to your Mentors’ networks and relationships which may be completely new to you. You also get to see the world through that lens of difference. If some of your Mentors look like the white male power structure in your firm or organization, you will learn a lot by understanding how they view the world and what they think you need to do to be successful. Plus, these diverse Mentors often are very powerful or have access to powerful people who you would like to know.

2. Give as well as take—Mentees often approach mentoring relationships as unidirectional. They take and receive but don’t think to give back. That type of relationship is usually short lived because no one likes to be in a relationship for too long that is lopsided. One way to help your relationship flourish is to make sure you give something back to your Mentor. It doesn’t have to be a lot, but it does have to be valuable. For example, the Mentee can often assist the Mentor understand emerging internet and social media trends. Most older Mentors do not fully understand how to access or utilize new media. Sharing that type of advice can be extremely helpful to your Mentor. Expose your Mentor to your networks and contacts. If you have a relationship built across lines of difference, your Mentor may appreciate the opportunity to expand his or her network. By so doing, you assist your Mentor in building multicultural competency.

3. Be Prepared and Respectful of Your Mentor’s Time—Find out what works best for your Mentor in terms of scheduling. Some people are “email people” and some people prefer telephone and still others would prefer you work with their administrative/executive assistant. Use the method of communication which your Mentor prefers—even if you don’t. The older your Mentor is, the more likely he or she may prefer telephone conversations and in-person meetings. When you have a time scheduled, tell your Mentor what you would like to accomplish at the outset of the meeting and make sure you don’t spend more time than allotted without checking with your Mentor’s schedule. Do not make “immediate” (i.e., I need you to review this right now) time demands on your Mentor unless it is truly an emergency. Such demands suggest you don’t respect your Mentor’s time and commitments. Remember: poor planning on your part does not make an emergency on your Mentor’s part.

4. Develop Mentoring Relationships both Inside and Outside Your Organization—It is important to have many different Mentors—especially Mentors both inside and outside your organization. Mentors inside your organization are very helpful to guide you through internal politics and to create opportunities for you. They can also “vouch” for you and raise your perceived value within the organization. Outside Mentors can serve the same role for you in the profession at large, within a bar association or other outside organization as well as provide a “safe” place to discuss topics you don’t want to talk about with someone in your firm (e.g., plans to leave).

Strategies for Mentors

1. Teach the Unwritten Rules of the Profession and/or your Legal Organization—This strategy is one of the most important for the Mentoring relationship. Use the relationship to discuss these rules explicitly and implicitly. How are things done? How is consensus built? How do you build the credentials to be qualified for a certain future role or position? What do people look at to determine your value? What is your reputation? How are you viewed by others? A Mentor should answer all of these questions over time. If the Mentor doesn’t know the answers, he or she should be able to point you in the direction of someone who knows. If your Mentor can’t do that, you have the wrong Mentor.

2. Provide Leadership and Visibility Opportunities—Mentors should be able to provide leadership and visibility opportunities for their Mentee within the firm or legal department or within the profession or civic community. It is important for lawyers new to the profession to get junior leadership opportunities so they can develop leadership skills before attaining a senior leadership role or in order to have the qualifications for a senior leadership role. A Mentor, who knows his or her Mentee well, can usually pass on some opportunities or suggest his or her Mentee to others when an organization is looking for someone to take a leadership role. Similarly, visibility opportunities which give the Mentee an opportunity to shine are very important both within the firm and outside the firm. People have to see you in successful roles in order to think of you for future roles. Ask your Mentor to suggest such opportunities if he or she doesn’t make them readily available.

3. Share Strategies for Balance/Sequencing—If your Mentor has a lifestyle similar to the type of life you wish to have, you should make sure you ask how he or she has attained this work/life balance. Depending on the age difference or gender difference, the strategies may not be useful or applicable to you. But, your Mentor should be able to introduce you to someone who might be able to provide some helpful advice about how to achieve balance or a sequencing that might work for you. This is very important because to achieve leadership roles, women need to stay in the profession for most of their work life. That suggests that success in the legal profession is more similar to completing a marathon as opposed to a sprint and you need the strategies of an endurance runner as opposed to a sprinter.
Strategies for Both Mentors and Mentees

1. **Build Multicultural Competencies**—Use the relationship to build multicultural competencies both for the Mentee and the Mentor if it is a relationship built across lines of difference. By so doing, you will increase your own knowledge and competitiveness and you will enhance both parties’ knowledge and competitiveness. As we move forward in the global economy of the 21st Century, individuals with multicultural competencies will be most successful and sought after by employers, clients and others. To the extent your Mentor is a senior person within your firm or legal department, these multicultural competencies may cause your Mentor to support or sponsor programs or cultural changes which make your workplace more inclusive. Discuss the challenges that women or women of color may face in the profession and use the mentoring relationship to help you develop a success strategy that deals with them.

2. **Share Access to Networks**—Mentors and Mentees should share their networks with each other. By so doing, you increase the value of the relationship for the other person. You also increase the likelihood that the relationship will flourish and be sustainable over time.

3. **Confidentiality is Extremely Important**—Most research on how to create effective mentoring relationships emphasizes the importance of confidentiality to the success of the relationship. Mentors won’t tell their Mentees sensitive information if they think the Mentee will tell others. Mentees won’t share their concerns with their Mentors if they fear it will be circulated all over the workplace or used in their performance appraisal. The one big exception to this arises when your Mentor is within your firm or legal department and you share something which may constitute an ethical violation, malpractice or sexual harassment. In such an instance, your Mentor will have a fiduciary obligation to share this information with the appropriate management leaders at the firm or in the legal department. If you share such information, you need to know what the likely outcome is. Your Mentor should tell you that he or she cannot keep this type of information secret. If you aren’t ready to take it to management, one way to avoid this situation is to share it with a Mentor outside your organization since no such fiduciary obligation is likely to exist. That’s another reason why it’s important to have Mentors both inside and outside your organization.

**Sponsors vs. Mentors vs. Friends**

Your Mentor is not your best friend. Your Mentor is someone with whom you have a professional relationship and that relationship has many of the characteristics described above. Your friendships don’t need to have any of the characteristics described above. These are different types of relationships with distinct purposes. Similarly, your Mentor doesn’t have to be your Sponsor or vice versa. Your Sponsor is the one who will speak for you and talk about your strengths and be willing to place his or her chips on you when its time to vote or make the decision. In today’s world, you need a Sponsor to attain the highest level of advancement to a law firm partnership. This is true for both men and women. You need to make sure you have identified your Sponsor and that he/she has agreed to play that role for you. In my view, an explicit conversation is required. If you have no Sponsor, it is highly unlikely that you will advance to partnership within that firm. It might be time to look for another place. Similarly, in most corporations, you need a sponsor to advance to the highest levels. The same advice applies. If you have not developed a Sponsorship relationship when it is time to advance, move to another place and try again.

**Mentoring Relationships are a Journey and Not a Destination**

One important facet of a successful mentoring relationship is that it is a relationship. Like a fine wine, it will improve with time. You want to spend time getting to know your Mentor and vice versa and to build the bonds of trust so that when the time comes to discuss the most sensitive issues you both feel comfortable being candid. Some relationships last a lifetime and some have a definite end. Just like any other relationship, you may not know where it is going to go when you first start it—just spend quality time and enjoy the ride.

**Resources**

- “Unwritten Rules: Why Doing a Good Job Might Not be Enough,” Catalyst, 2010
- “Women of Color in U. S. Law Firms,” Catalyst, 2009

Sharon E. Jones

Sharon E. Jones is President of Jones Diversity Group. Her firm provides diversity/inclusion strategic consulting and training to leaders of law firms, corporations, government and not for profit organizations. Her firm’s broad range of services enables organizations to fully utilize, retain and promote diverse lawyers into leadership roles as well as create inclusive workplace cultures.

Jones Diversity Group conducts assessments of law firm cultures with respect to diversity and inclusion; provides diversity and inclusion training/education, mentoring program design and training; management leadership coaching around issues of diversity and inclusion and strategic plan design and implementation. Sharon’s work with Jones Diversity Group is national in focus but has involved work with global entities. She is a regular speaker at conferences within the legal profession, including partners’ retreats; women’s and minority retreats and bar association diversity conferences.

Sharon has practiced law and been a community leader over a 20 year career, including positions as a federal prosecutor, with major law firms and with Fortune 500 Corporations. She has been highly successful as a litigator, strategist, manager, counselor, an educator and a problem-solver with regard to extremely complex and sensitive matters.

From 1985-1989, Sharon served as an Assistant United States Attorney for the Northern District of Illinois, based in Chicago, where she conducted federal grand jury investigations and trials in high profile white-collar criminal cases. In private law practice, she was a partner at Bird, Marella, Boxer, Wolpert & Matz in Los Angeles. In addition to her litigation practice, she was responsible for all in-house continuing legal education, as well as being an adviser to clients on a variety of employment and workplace harassment issues. She was Of Counsel at Orrick Herrington & Sutcliffe in Los Angeles, where she created and implemented its litigation training as well as firm-wide orientation training and evaluation programs. Sharon has taught Trial Advocacy, both as an Adjunct Professor at Northwestern Law School and at the National Institute for Trial Advocacy.

In the corporate sector, Sharon managed litigation matters worldwide for Abbott Laboratories, as well as advising senior management in matters of crisis management and in fashioning creative solutions to highly complex business issues. Most recently, Sharon acted as Senior Counsel at SBC Communications (now AT&T).

Sharon is a past President and co-founder of the Black Women Lawyers Association of Chicago. While Program Chair she created the innovative monthly BWLA Roundtable luncheon series designed to increase mentoring and networking opportunities for its members. Sharon is currently on the Board of Directors for Women Employed. She also served as a consultant to the ABA General Counsel Steering Committee to the Minority Counsel Program. She is a past Chair of the Chicago Bar Association Committee on Racial & Ethnic Diversity and was instrumental in the 2006 adoption of the Chicago Bar Association’s Diversity Initiative and Commitments on Racial & Ethnic Diversity for law firms and corporate legal departments. Sharon is the First Vice President of the Harvard Law School Alumni Association and will become its President in June 2010. She is an alumnus of Leadership Greater Chicago.

Sharon has received numerous awards including most recently the Black Women Lawyers Association of Chicago’s Woman of Vision Award (2006); Chicago Bar Association’s Breaking Barriers, Building Bridges Award (2008); and the Young Women’s Leadership Charter School’s Industry Leader Award (2008). She is co-founder of the Association of Black Radcliffe Women (1975) and Black Women Lawyers Association of Chicago (1986); two organizations which continue to thrive.

Sharon is a co-author of a guide published by the American Bar Association in May 2004 entitled, “Walking the Talk: Creating a Law Firm Culture Where Women Succeed” which deals with the retention and promotion of women in law firms.

Sharon is a graduate of Harvard Law School and Harvard College.

She can be reached at sharon@jonesdiversity.com and 312-498-6375; Jones Diversity Group, 372 West Ontario Street, Suite 501, Chicago, IL 60654.
Additional Reading

1. How Inclusion Improves Diversity and Company Performance: