

# TO INCREASE DIVERSITY, CULTIVATE MENTORSHIPS

By Elizabeth J. McInturff and Isabella C. Demougeot

Studies show that organizations with diverse leadership structures are more likely to outperform companies without them. McKinsey & Company's 2018 "Delivering Through Diversity" report found that companies in the top quartile for gender diversity on their executive teams are 21 percent more likely to experience above-average profitability, and companies with ethnic/cultural diversity are 33 percent more likely to outperform on EBIT (earnings before interest and taxes) margin.

Noting these profitability trends and looking to connect with its diverse client base, the legal industry has made diversity hiring a top priority. The diverse candidate pool that firms can draw from grows each year. Currently, female-identifying students make up 50 percent or more of students enrolled in law school and outnumber men in top programs, according to an April 2019 report by the American Bar Association's Commission on Women in the Profession. About 31 percent

of enrolled students are from traditionally underrepresented groups, according to a 2019 women in law school report by Enjuris.

Notwithstanding the growing participation in legal education, the legal field itself continues to struggle with retaining diverse attorneys and opening doors to positions of influence. Despite making up half of law school graduates and 46 percent of a typical associate class, female-identifying attorneys represent only 24 percent of all partners, and just 22 percent of equity partners, according to the 2019 Vault/MCCA Law Firm Diversity Survey. This number drops significantly when looking at women of color. Less than 4 percent of women at partnership levels are women of color. Overall, minority attorneys represent just 10 percent of all partners and 9 percent of equity partners.

While firms are embracing diversity in recruitment, 22 percent of overall departing attorneys in 2018 were from minority groups, the same report showed. At the associate level, 28

percent of departing attorneys were persons of color. Of the women and minority attorneys who do stay in the legal field, they hold a smaller percentage of leadership roles. Although an increase from previous years, just 11 percent of a firm's management group are persons of color and 26 percent hold management or executive positions.

## A SEAT AT THE TABLE

The reasons for women and minority attorneys choosing to leave or being left out of the legal field or positions of power are complex and often deeply rooted in industry culture. Female and minority attorneys report feeling pressured or guided to tracks that do not lead them to the executive committee. Here, attorneys Celeste Bruce, Linda Thatcher, Eduardo Garcia, and Charlotte May, as well as the authors, share that they experienced challenges or barriers within the legal profession that they attribute to being based on their gender or ethnic or cultural background.

So, how can the legal field (and attorneys themselves) ensure that female and minority persons get a seat at the proverbial table? The answer often lies in mentorship.

Mentorship can play a pivotal role in a lawyer's evolution and lead to greater career success and engagement. Persons with successful mentorships report improved career outcomes through higher compensation, promotions, and engagement with their careers. For companies, successful mentorship often means higher employee retention and employment satisfaction for both mentor and mentee.

The attorneys interviewed for this article believe that mentorship made the difference between developing their careers and leaving the legal profession altogether. Mentorship was most critical in connecting them with positions of power within their firms and the legal field.

"Mentorship is and has been extremely important to my career path. I would not be where



*There's so much practice and trial and error that goes along with the profession itself that it inherently requires mentors [who] will help fill in those blanks.*

**EDUARDO GARCIA**

Stein Spierling Bennett De Jong Driscoll PC

I am today if it were not for those who have taken time to help me navigate the legal field,” says May, senior corporate associate at Covington & Burling LLP. Her mentors helped her improve as a lawyer, advocated for her both inside and outside her firm, and suggested opportunities to help advance her career.

Garcia, senior associate with Stein Sperling Bennett De Jong Driscoll PC, agrees with May, noting that the legal profession is “not black and white; there’s lots of grey.”

“There’s so much practice and trial and error that goes along with the profession itself that it inherently requires mentors [who] will help fill in those blanks, how to handle judges, juries, [and] the practicalities of the practice,” says Garcia.

Mentorship should begin early in an attorney’s legal education. A 2019 *Harvard Business Review* article noted that traditionally underrepresented people may not have the customary networks available to boost their work or suggest them for advancement opportunities. By beginning mentoring during their legal education, women and minority attorneys are more able to “catch up” in terms of making key connections for opportunities and advancement.

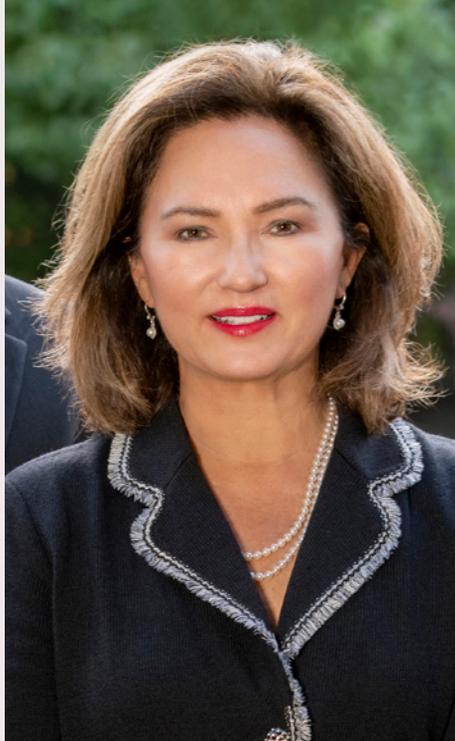
During law school, Garcia developed an informal mentoring relationship with one of the deans, giving him access to networks and connections that were not otherwise readily visible or available to him.

## ADVOCATES IN THE ROOM

The social structure to develop informal mentoring relationships may not be there for every woman or minority attorney. To create this space, many law firms, bar associations, and other professional organizations have created formal mentorship programs. A 2017 study by Heidrick & Struggles, a global leadership advisory firm, found that 74 percent of minority respondents had participated in a formal mentorship program and are more likely to maintain active relationships with their mentors.

Garcia says formal mentorship programs may be just as valuable as informal mentorships to opening doors to women and minority candidates.

Mentors outside a field of practice or even the legal industry also are an often-underutilized resource for attorneys. Thatcher, founder and



Michael Ventura Photography

managing partner of the Thatcher Law Firm, looked for mentors in the business world when she opened her firm. The practice of law is a business, Thatcher points out, so who better to learn from about running a business than other businesspersons? “I sought out individuals who could provide me with practical information that I would not get in a book or class,” Thatcher says.

Mentors also can assist women and minority attorneys by acknowledging the unique challenges they face in the workplace. All of the attorneys interviewed for this article described instances in their careers where their actions or behavior would be considered zealous advocacy if coming from someone else, but as a result of their background have been told that they are being emotional and to tone it down. Having mentors who have experienced similar situations or were able to pick up on the issues helped these attorneys adjust and change the narrative.

Male attorneys also have been particularly helpful as mentors and champions for some of these women attorneys. For example, Bruce, a partner at Rifkin Weiner Livingston LLC and co-chair of the firm’s complex civil and commercial litigation practice, shares that two of her most influential and significant mentors have been men.

“I have had two great mentors in my career: Alan Rifkin and Bruce Marcus. Each was more interested in an attorney’s skill set and talent than their gender. This mentality allowed me

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*I sought out individuals who could provide me with practical information that I would not get in a book or class.*

**LINDA THATCHER**

*Thatcher Law Firm*

the opportunities that have led to my professional successes,” says Bruce.

May also has found support in mentors of a differing gender. She recounted a time when one of her male mentors noticed that her opposing counsel, who was male, ignored her or spoke over her on calls, or only responded to her communications if the response was directed to one of her male colleagues. To combat this attitude, May says her mentor “would specifically only have me talk on calls, and if opposing counsel asked questions to my mentor, he would direct them to me in such a manner that it would be impossible for me to be ignored.”

These attorneys found great value in their mentee–mentor relationships, crediting their mentors with increasing their job satisfaction, helping them feel confident in their careers, and connecting them to important resources and opportunities for advancement.

For the legal field to continue to evolve for women and minority attorneys, these attorneys need a place at the table. For them to get to the table, however, they need mentors and advocates in the room to support and encourage them based on their merit, skills, and talents.

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