A BROADER PERSPECTIVE

LEGAL DEPARTMENTS PROFIT FROM DIVERSIFICATION EFFORTS

By DOUGLAS S. MALAN

At MassMutual Life Insurance Co. in Springfield, Mass., general counsel Mark Roellig recognizes the importance of diversifying his legal department.

He believes that a mix of lawyers from various backgrounds offers him access to a broader range of perspectives when dealing with legal issues. And, he says, forging a reputation as a company that hires minorities helps attracts the highest-quality attorneys.

But there is a capitalist rationale to the hiring philosophy that goes beyond Roellig’s personal ideals. “The fact that we are marketing and selling to a population that is becoming increasingly more diverse means our internal population has to be diverse or we will not be successful from a business perspective,” Roellig said. “Diversity is a central piece of our business strategy and a central piece of our recruiting and retention practices.”

For some time now, many companies have made it clear they are not interested in hiring as outside counsel law firms that are “just a bunch of white guys.” And now, increasingly, these same companies want their own legal departments to be a reflection of the melting-pot population.

But legal departments, like law firms, face an array of challenges when it comes to diversifying the ranks of attorneys. And it’s even a tougher task in an economy such as this one, when many companies are not in a hiring mode.

There’s evidence that minorities are underrepresented in the bar overall. The American Bar Association reports that 9.7 percent of nearly 900,000 lawyers practicing lawyers are minorities and that about 30 percent are women, both white and non-white.

The Washington, D.C.-based Minority Corporate Counsel Association (MCCA) has attempted to get a feel for minority representation in corporate legal departments based on feedback from its approximately 300 members.

That group determined that about 13 to 15 percent of all in-house lawyers, not just general counsel, are minorities and about 30 to 33 percent are women. The MCCA also reported last year that among Fortune 500 companies, one in five GCs was a woman, while minorities made up only about 8 percent of all general counsel.

That’s a step up from about 10 years ago when there were three minority general counsel and 22 female general counsel total in Fortune 500 companies, according to the MCCA.

DIVERSE NETWORKS

Veta Richardson, who is MCCA’s executive director, said corporations may not be taking full advantage of resources when it comes to finding talented minority attorneys.

“In-house counsel are not as frequently in the marketplace looking for talent,” she said. “They’re not as well-versed with the different diverse networks as those who are recruiting year after year.”

The MCCA, which works in tandem with the Association of Corporate Counsel to encourage diversity within the corporate bar, serves as a liaison between legal departments and minority bar associations eager to hear about job openings.

“With an in-house legal department, the time and budget is limited, and the attorneys may not be aware of other networks where they can cast a wider net,” Richardson said.

And then there’s the challenge of corporate legal departments maintaining their diversity efforts even when they’re not necessarily in a position to hire new lawyers.

Creating ties with minority bar associations and other organizations is essential, Roellig said. His department reaches out to, and interacts with, a number of minority bar associations and participates in mentoring programs and networking events hosted by those groups.
MassMutual also is active in the Lawyers Collaborative for Diversity, a Connecticut-based non-profit corporation that links corporate legal departments and law firms with minority bar associations and minority student groups at law schools.

MassMutual is one of five corporations involved in the organization. Their events include social functions and panel discussions focused on how to break into the profession and succeed as a young lawyer.

"It’s a big process," Roellig said of branding a legal department as one that’s attractive to minority lawyers. "If you’re not doing a bunch of things, you don’t have a chance."

MassMutual’s 70-lawyer department includes 27 women and six attorneys of color.

And once those attorneys arrive, they “need to see there are opportunities to move up,” Roellig said. To that end, the MassMutual’s legal department created a mentor program that includes a senior-type mentor and peer-type mentor to help new attorneys navigate the corporate environment.

OPEN RELATIONSHIP

Cristi C. Walker, a senior counsel at Northeast Utilities in Berlin, Conn., said her legal department managers focus on providing new and more complex opportunities to minority and women lawyers. She calls that a vital component of retention.

“There’s an open relationship with your immediate supervisor and you can request a certain type of work or take on areas of the law you may not specialize in to get that opportunity,” Walker said. “That’s on the minds of our superiors. They’ll ask if you’d like to take on a more challenging matter.”

Northeast Utilities is active with local minority bar associations so it can identify minorities and women for possible job openings. To better connect with law school students, who usually opt for higher-paying law firm jobs out of college, the company offers an internship where the student splits time with a Connecticut law firm.

As the company has taken more legal work in-house, it has added 13 lawyers in Massachusetts and Connecticut in the last three years, with eight of them being women and four of the 13 being minorities. Overall, Northeast Utilities has 39 attorneys spread among offices in Connecticut, Massachusetts, New Hampshire and Washington, D.C., and 16 of them are women.

The importance of a diversified legal department, Walker said, is linked to problem-solving. “A work environment is enhanced by recognizing people’s differences, and their perspectives bring something to the table that produces an end result,” she said. “That’s why we look at ways to improved diversity in the company.”