

Inclusion Blueprint 2020-2021 Strategic Planning Guide

An Inclusion Roadmap For
Firm Leadership

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Inclusion Blueprint Guide for Firm Leadership

Diversity Lab and **ChIPs** are providing law firms with the **Inclusion Blueprint Strategic Planning Guide** as a north star for assessing their firm's current inclusion efforts and determining what additional actions they should employ in 2021 and beyond to ensure that all of their lawyers — including those from historically underrepresented groups — have fair and equal access to compensation, leadership roles, and other critical career-enhancing opportunities.

In addition to measuring inclusion at the firmwide level, this Guide provides average and above-average diversity benchmarks to allow firm leaders to assess their current and progressive representation of women lawyers, underrepresented racial and ethnic lawyers, LGBTQ+ lawyers, and lawyers with disabilities.

For questions, please reach out to Erin Hichman, Director of Data Management at Diversity Lab, at erin@diversitylab.com.

Why Measure Inclusion? *Inclusion begets diversity. The more inclusive the firm and the practice groups are, the more likely that diverse teams of lawyers and leaders will thrive and succeed long-term.*

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Section I:

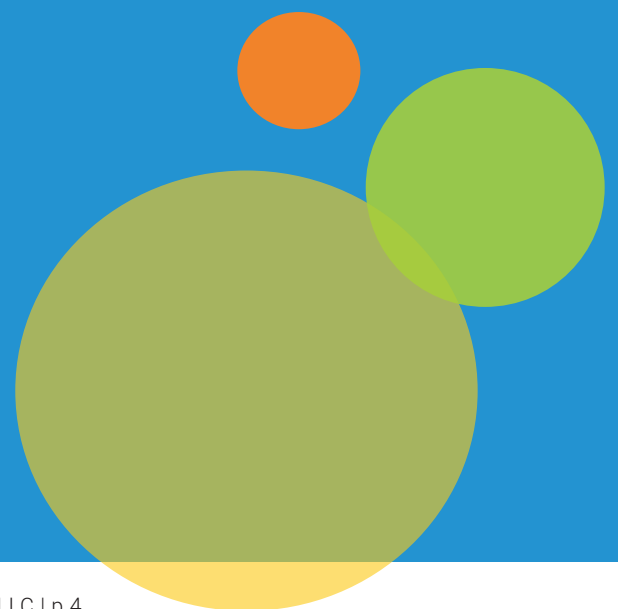
How to Use this Guide

This Guide includes average and above-average diversity representation benchmarks and a comprehensive list of inclusion activities that firm leaders can adopt to measure and improve inclusion at the leadership levels and firmwide.

Leveraging this Guide, firm leaders can clearly identify what they are already doing to ensure inclusivity (“2020: In Progress”), and what they can do additionally in 2021 and beyond (“2021: Strategic Plan”) to enhance their firm’s efforts to be more inclusive so that all lawyers have fair and equal access to career advancement and success. Leaders can also assess where their firm stands in comparison to the diversity representation benchmarks and measure their year-over-year progress.

As a starting point for tracking and measuring diversity and inclusion, this Guide asks leaders to focus on four historically underrepresented groups in law at the leadership levels — specifically, women lawyers, underrepresented racial/ethnic lawyers (“URE”), LGBTQ+ lawyers, and lawyers with disabilities.

As part of the firm’s tracking, it is also important to disaggregate these groups and take an in-depth look at inclusion and equity within each group and among the individuals. For instance, are Black women getting the same opportunities as white women? Are Latinx men and women getting equal access to work and sponsorship?



Section II:

Tracking Diversity Representation in Firm Leadership and Firmwide

Does your firm have a mechanism, system, and/or person that tracks the representation of the various lawyer populations firmwide – including the four historically underrepresented groups* – for analysis and oversight by Firm Leadership?

2020: In Progress	2021: Strategic Plan	
<input type="radio"/>	<input type="radio"/>	Current associate population
<input type="radio"/>	<input type="radio"/>	Current partner population (non-equity and equity)
<input type="radio"/>	<input type="radio"/>	Promotions to non-equity (if applicable) <i>and</i> equity partner
<input type="radio"/>	<input type="radio"/>	Lateral associate and partner hiring
<input type="radio"/>	<input type="radio"/>	Associate and partner attrition
<input type="radio"/>	<input type="radio"/>	Primary governance committee (e.g., management or executive committee or the equivalent) and compensation committee
<input type="radio"/>	<input type="radio"/>	Practice group leaders and office heads
<input type="radio"/>	<input type="radio"/>	Top partner compensation earners

**Women lawyers, underrepresented racial/ethnic lawyers ("URE"), LGBTQ+ lawyers, and lawyers with disabilities*

Section III:

Assessing Current Representation of Historically Underrepresented Lawyers in Firm Leadership and Firmwide

Fill in each box with one checkmark ✓ for average and two checkmarks ✓✓ for above average.

If your firm meets neither benchmark for a population, leave blank.

Does your firm currently meet the percentage representation thresholds for the various populations of underrepresented lawyers at the leadership levels and firmwide?

	Women Lawyers	URE Lawyers	LGBTQ+ Lawyers	Lawyers with Disabilities
Average 2018 MCCA Equity Partner Averages	At least 24%	At least 10%	At least 2%	At least 0.44%
Above Average Inclusion Blueprint Thresholds	At least 30%	At least 15%	At least 5%	At least 5%
Primary governance committee (e.g., mgmt. or exec. comm., board of directors, or equivalent)				
Compensation committee				
Practice group leaders				
Office heads				
Equity partnership				
Non-equity partnership (if applicable)				
Most recent class promoted to equity partnership				
Most recent class promoted to non-equity partnership (if applicable)				
Top partner compensation earners				
Lateral partner hiring over the last 12 months				

Yes

☐

No

☐

Does your current chairperson or managing partner identify as a historically underrepresented lawyer?

Section IV:

Measuring Representation Progress of Historically Underrepresented Lawyers in Firm Leadership and Firmwide

Has the percentage representation of the four historically underrepresented groups of lawyers in your firm increased over the past year in the following categories?

	Women Lawyers	URE Lawyers	LGBTQ+ Lawyers	Lawyers with Disabilities
Primary governance committee				
Compensation committee				
Practice group leaders				
Office heads				
Equity partnership				
Non-equity partnership (if applicable)				
Most recent class promoted to equity partnership				
Most recent class promoted to non-equity partnership (if applicable)				
Top partner compensation earners				
Lateral partner hiring				

Fill in each box with a checkmark ✓ if the percentage representation of that population has increased since this time last year.

If no progress has been made, leave blank.

Section V:

Tracking & Taking Action on Inclusion Practices in Firm Leadership and Firmwide

Firm leadership's involvement is critical to supporting inclusion at the firm. Does your firm employ the following inclusion practices?

2020:
In Progress

2021:
Strategic Plan

☐☐

Ask what each partner has done to **contribute to D&I** at the firm and/or in their practice group during the annual compensation review process

☐☐

Incorporate meaningful contributions, or lack thereof, to **D&I** into **partner compensation for practice group leaders**; **compensation** is impacted as a result of positive or negative **diversity headcount or inclusion efforts** within their group

☐☐

Include a formal report on diversity headcount and inclusion activities as a **routine agenda item** during the firm's primary governance committee meetings

☐☐

Ensure a **member of the firm's primary governance committee** leads or actively participates on the firm's **diversity and inclusion committees**

Tracking & Taking Action on Inclusion Practices (*continued*)

Transparency is crucial to ensure that all lawyers understand the criteria for career advancement. Has your firm documented and distributed the following to your lawyers?

2020:
In Progress

2021:
Strategic Plan



The process for allocating and crediting base and bonus **compensation factors** (e.g., origination credit, matter expansion credit, or other business development and client service elements)



The firm's **leadership appointment, nomination, or election procedures** for governance roles (e.g., management committee, practice group leaders)



The firm's formal **process for lawyers to question and appeal origination credit allocation**



The firm's **promotion criteria** and procedures for elevation to non-equity (if applicable) and equity partnership



The firm's performance review and compensation criteria and procedures for **associates and partners**

Tracking & Taking Action on Inclusion Practices (*continued*)

True Inclusion for each individual will improve the long-term success of building and maintaining diversity. Is your firm taking the following actions?

2020:
In Progress

2021:
Strategic Plan



Participating in the **Mansfield Rule**



Expressly including and welcoming **all gender identity expressions** on bathrooms



Amending or eliminating **policies that discourage employees from bringing their authentic self to work** (e.g., policies against piercings, natural hair, or displaying preferred pronouns in signature lines)



Tracking inclusion activities to ensure that lawyers who identify in more than one category (often termed **intersectionality**) are provided with equal access to opportunities (e.g., do Black female lawyers get the same access to opportunities as white female lawyers; do LGBTQ+ female lawyers get the same access to opportunities as heterosexual, cisgender female lawyers)



Tracking **non-billable activities** (e.g., firm hours, office housework) **and** making meaningful changes to remedy unequal distribution across demographic populations

Tracking & Taking Action on Inclusion Practices (*continued*)

2020:
In Progress

2021:
Strategic Plan



Tracking **all business generation factors that impact base and bonus compensation** (e.g., origination credit, matter expansion credit, or other client development elements) **and** ensuring there is fair and equal distribution of credit across demographic populations



Tracking **succession planning** of work and client relationships for partners nearing retirement and semi-retirement **and** taking action to ensure equal access across demographic populations



Conducting a **pay equity analysis** at least every two years **and** making meaningful changes to remedy issues to keep them from reoccurring



Providing **supplemental professional opportunities** (e.g., targeted client development coaching, leadership coaching, or sponsorship programs) specifically for underrepresented lawyers **and** tracking those programs' effectiveness on retention and advancement for such populations



Participating in **non-traditional recruiting** activities (e.g., **OnRamp Fellowship**, veteran job fairs, 1L internships from non-T14 and non-Ivy League law schools) to specifically target **and** hire historically underrepresented lawyers

Section VI:

“Do Something Hard” Challenge to Increase Inclusion Firmwide

Following George Floyd’s murder in 2020, many law firms issued statements confirming their commitment to racial equality and ensuring that all individuals are treated fairly in the workplace and beyond. Real change requires actions that are meaningful and sustained long-term. The following actions, when put in place by firm management and supported by all partners, signal that they are serious about and committed to making their firm’s own systems more equitable. **“Do Something Hard” challenges firms to take meaningful actions and measure the outcomes at the firmwide level.**

2020:
In Progress

2021:
Strategic Plan



Credit lawyers for work to advance D&I

- Provide 50 hours of “billable credit” to lawyers for meaningful contributions to D&I at the firm and in the profession (e.g., taking a leadership role in firm D&I efforts, leading affinity or inclusion groups, taking a leadership role in diverse bar or other trade organizations, formal or informal sponsoring and mentoring diverse lawyers, partnering with clients on D&I efforts);
- Track and measure whether those hours are being used equally across demographic populations; **and**
- Make changes to remedy unequal distribution across various demographic populations.



Incentivize partners to develop and advance diverse lawyers

- Link compensation of Practice Group Leaders and/or partners to D&I by materially impacting compensation for those lawyers who do and don’t successfully achieve three goals: **(1)** Staff the majority of their client pitches and matter teams with at least 50% diverse lawyers; **(2)** Equally share origination credit with the diverse partners on their pitch teams; **and (3)** Retain their diverse lawyers at the same rate as their non-diverse lawyers.

“Do Something Hard” Challenge to Increase Inclusion Firmwide (*continued*)

2020:
In Progress

2021:
Strategic Plan



Reward and compensate all lawyers equally

- Conduct a “pay” and “origination credit” equity gap analysis for all partners that measures compensation and business development/expansion credit gaps amongst demographic populations after controlling for title, seniority, and performance metrics; *and*
- Develop a plan to fix any inequities that are revealed by the analysis.