

2022 Inclusion Blueprint

Firm Leadership Insights

Contents

1: About the Inclusion Blueprint | p 3

2: Executive Summary | p 6

3: Who Participated | p 7

4: Methodology | p 8

5: Firm Leadership Insights | p 9-20

Representation and Progress | p 9

Tracking Populations | p 13

Inclusion Policies and Practices | p 15

Measuring Inclusion and Remedying Inequities | p 18

6: Conclusion | p 21

Section 1:

About the Inclusion Blueprint

As the legal profession has become more sophisticated about diversity, equity, and inclusion (DEI), leading law firms and their clients understand that neither “checking the box” nor performative activism will get the job done. Progress demands change – change in the form of embracing debiased systems, adopting new processes, and shifting attitudes.

Since its launch in 2018, the Inclusion Blueprint has emerged as the primary tool in the legal profession to measure what law firms and their practice groups are doing to effect that change – **it is the only tool in the legal field that measures the “E” and the “I” in DEI**. More than just a gauge by which law firms can measure where they stand, the Inclusion Blueprint propels firms to take actions that will result in a more fair and equitable workplace – one where historically underrepresented lawyers have ample and equal access to professional development, leadership opportunities, and economic prosperity.

History and Evolution

The Inclusion Blueprint was first piloted in 2018 through a collaboration between [Diversity Lab](#) and [ChIPs](#). In its first year, it focused solely on women in intellectual property (IP) practice areas. Since that successful pilot, the Inclusion Blueprint has evolved in two important ways: (1) it now includes lawyers from underrepresented racial and ethnic groups (URE lawyers), LGBTQ+ lawyers, and lawyers with disabilities in all measurements and actions within the Inclusion Blueprint, and (2) it now invites practice groups beyond IP to complete the Practice Group assessment. In four short years, the Inclusion Blueprint has emerged as one of the profession’s most respected tools to measure equity and inclusion, as evidenced by the [large and varied group of law firm respondents](#).

The Inclusion
Blueprint is the **only**
tool in the legal field
that measures the
“E” and the “I” in DEI

What it Measures

At its core, the Inclusion Blueprint is a roadmap or “blueprint” of best practices proven to create and maintain diverse and inclusive workplaces, leveraging five key diversity and inclusion indicators.

1. Current diversity representation target thresholds

The Inclusion Blueprint includes thresholds for women, underrepresented racial and ethnic lawyers (URE lawyers), LGBTQ+ lawyers, and lawyers with disabilities (together, “underrepresented lawyers”) that firms should strive to achieve at both the Firm Leadership and Practice Group levels.

	Average Thresholds*	Above Average Thresholds*
Representation of women lawyers	21%	30%
Representation of URE lawyers	8%	15%
Representation of LGBTQ+ lawyers	2%	5%
Representation of lawyers with disabilities	1%	5%

* The Average Thresholds are based on 2020 NALP Equity Partner Averages. The Above Average Thresholds were determined by analyzing the current law school graduation rates and the current representation of historically underrepresented populations at Am Law 200 firms to set thresholds that are achievable but still challenging for most of the Am Law 200. In setting these targets, Diversity Lab looked at recent law school graduation rates and the current representation of historically underrepresented populations at the equity partnership level at Am Law 200 firms. The Above Average Thresholds are middle-ground targets between those numbers and definitely a stretch for the majority of Am Law 200 firms to reach in the short term. Reaching these targets is by no means the end goal.

2. Year-over-year diversity representation progress

Year-over-year progress is imperative for the legal profession to reflect the populations it represents. The 2022 Inclusion Blueprint Firm Leadership Assessment asked firms whether their leadership positions were more diverse in December 2021 compared to December 2020.

3. Demographics tracking

As successful initiatives like the [Mansfield Rule](#) have shown, when firms and practice groups track demographics, they can shed light on the makeup of their teams and thereby pinpoint issues and opportunities to implement DEI initiatives with strategic precision. The Inclusion Blueprint Assessment measures whether firms are tracking and measuring the distribution of key development, advancement, and leadership opportunities within the firm.

4. Practices and policies that boost inclusive behavior

In most law firms, a single partner’s actions can have a large impact on a junior lawyer’s success at the firm and their career trajectory. But firm management also has the power — and the responsibility — to implement firmwide policies and practices that incentivize inclusive behaviors by partners and others throughout the firm. This section asks whether firms have implemented those policies and practices firmwide.

5. Measuring inclusive behaviors and remedying inequities

This section of the Inclusion Blueprint asks whether firms not only measure various firm opportunities for each underrepresented population, but also whether they take action to remedy any inequities that the data illuminate. Measurement is important, but without action, it is far less meaningful.

What's Next:

While the Inclusion Blueprint has evolved and advanced with each iteration, there is always room for improvement. Here's the near-term plan:

- ➡ Transition the Inclusion Blueprint from an annual assessment to a two-year cadence, with the next assessment issued in November 2023, to meet the legal community's call for fewer surveys and to give firms ample time to focus on the actions they would like to implement and track;
- ➡ Provide past participants with a "pre-populated" assessment that includes their responses from the prior assessment to reduce resources required to complete the assessment and to allow a comparison of their year-over-year progress and actions; and
- 👥 Conduct focus groups with small and midsize law firms to understand how the Inclusion Blueprint can be better tailored to meet their needs.

The Diversity Lab team is always looking for ways to improve its initiatives, and the Inclusion Blueprint is no different. If you have suggestions, including inclusion practices that should be added, please email Leila Hock, leila@diversitylab.com. We can't wait to hear from you!



Section 2:

Executive Summary

Key **The legal profession has room to grow on inclusion tracking and measuring opportunities for lawyers with disabilities.** Fewer law firms include lawyers with disabilities in their equity and inclusion efforts than any other underrepresented population measured by the Inclusion Blueprint. This means that fewer firms are meeting the Average and Above Average Thresholds for lawyers with disabilities than for any other underrepresented population. It also means fewer firms grew their ranks of lawyers with disabilities in 2021 compared to 2020. And fewer firms track their population of lawyers with disabilities or the opportunities afforded to them than any other underrepresented group. To foster a truly inclusive culture, firms must begin including lawyers with disabilities in their diversity and inclusion efforts.

Fewer law firms include lawyers with disabilities in their equity and inclusion efforts than any other underrepresented population

Knowing that layered social identities result in unique experiences, opportunities, and barriers for each person, firms should track intersectionality in addition to each demographic separately.

Key **Tracking intersectional identities matters.** Intersectionality describes the ways in which inequitable systems based on gender, race, ethnicity, sexual orientation, gender identity, disability, and other forms of discrimination “intersect” to create unique dynamics and effects. For instance, Black women experience the workplace differently from white women. Knowing that layered social identities result in unique experiences, opportunities, and barriers for each person, firms should track intersectionality in addition to each demographic separately. The 2022 Inclusion Champions do exactly that, providing them with valuable insight into possible institutional biases to ensure that underrepresented lawyers are not treated as a monolith.

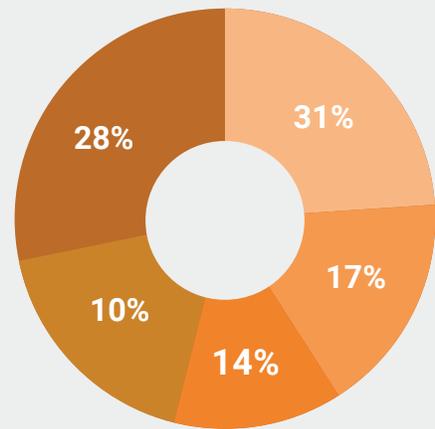
Key **Firms can do more to help close the pay equity gap for partners.** As evidenced by the results, few firms take meaningful action to ensure that partnership compensation across demographics is fair and equitable. From tracking the representation of the top 25% of compensation earners to having transparent processes for determining partner compensation to measuring the factors that contribute to partner pay by demographic population, firms consistently fall short on transparency and equity analyses and fixes for partner compensation. An important foundational step is conducting a pay equity analysis — less than 50% of large law firms that completed the Inclusion Blueprint have done so for women.

Law firms consistently fall short on transparency and equity analyses and fixes for partner compensation.

Section 3: Who Participated



Size of firms that participated



Types of firms that participated



Section 4:

Methodology

The 2022 Inclusion Blueprint, sent to 474 law firms in November 2021, invited firms to report on their systems, processes, and practices in place throughout 2021. The majority of firms received the assessment as a part of Diversity Lab's general outreach. 30 legal departments also asked their outside counsel firms (a total of 263) to complete the Inclusion Blueprint as a part of the [Diversity Dividends Collective](#). All law firms participating in the Inclusion Blueprint were invited to complete both the Firm Leadership assessment and Practice Group assessments for their individual practice groups. The results of the Firm Leadership assessments follow below. Results and takeaways from the Practice Group assessments are covered in a separate report.

The high response rate this year, paired with a strong incentive to complete the Inclusion Blueprint (as a part of the Diversity Dividends Collective) allowed Diversity Lab's data scientists to identify industry trends that the Inclusion Blueprint revealed beyond mere response rates. As such, readers of past year's reports will notice that this report takes a different, tiered approach.

Each section outlines the practices and metrics included in one of three categories: (1) **Foundational**, meaning that the vast majority (i.e., 80% or more) of the Inclusion Blueprint respondents take these actions, (2) **Progressive**, meaning that 50-79% of respondents take these actions, and (3) **Innovative**, meaning that fewer than 50% of respondents take these actions. Note that it is not necessary for firms to start with foundational practices and advance through progressive to innovative actions. In reviewing this data, firms should take note that all of the 2022 Inclusion Champions reported taking actions in all three categories (Foundational, Progressive, and Innovative), but reported the actions in the Innovative category at higher rates than non-champions.

 **Innovative: fewer than 50% of firms take these actions**

 **Progressive: 50 - 79% of firms take these actions**

 **Foundational: 80% or more firms take these actions**

In order to protect firms' identities, this report does not disclose any information about any individual law firm. All information is reported in the aggregate to ensure anonymity, and, consequently, encourage firms' participation and honesty in completing the Inclusion Blueprint.

Section 5:

Firm Leadership Insights

Representation and Progress Insights

Who led law firms in 2021?

28%

of all firms have an underrepresented lawyer as chairperson and/or managing partner.

31%

of large firms (with 200+ lawyers) have an underrepresented lawyer as chairperson and/or managing partner.

25%

of midsize firms (with < 200 lawyers) have an underrepresented lawyer as chairperson and/or managing partner.

Did firms meet the Average and Above Average Thresholds for representation in 2021?

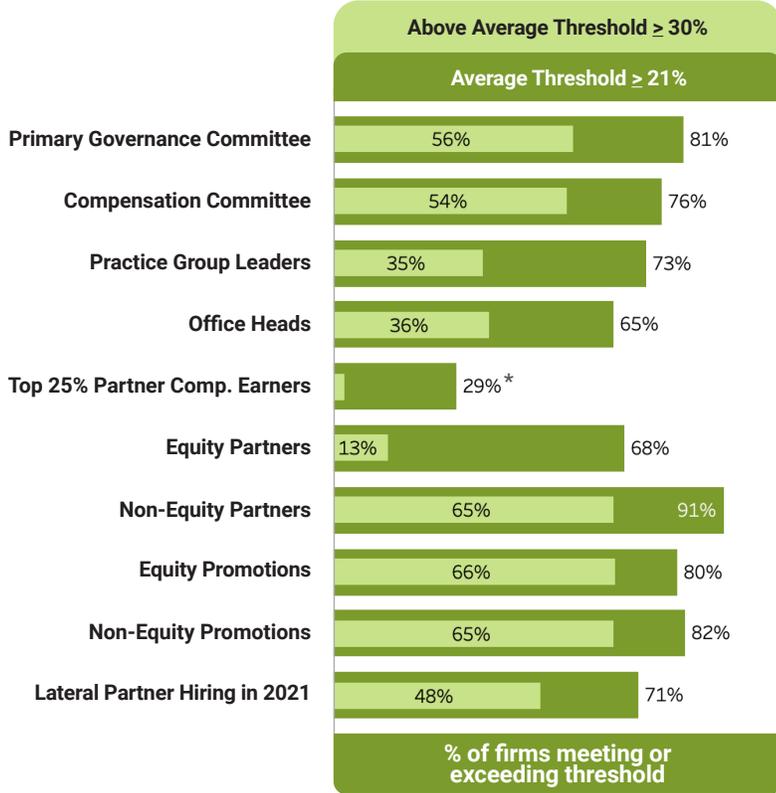
- While there is still room to improve, firms generally met Average and Above Average Thresholds for both women and URE lawyers in 2021. **Firms should approach inclusion for LGBTQ+ lawyers and lawyers with disabilities with the same rigor that they have applied to women and URE lawyers in recent years.**

How to read the graphs:

The bars correspond to the percentage of responding firms that meet each of the two thresholds at the Firm Leadership level. For example, 68% of firms with more than 200 lawyers meet the Average Threshold for women equity partners, while 13% of those firms meet the Above Average Threshold for women equity partners.

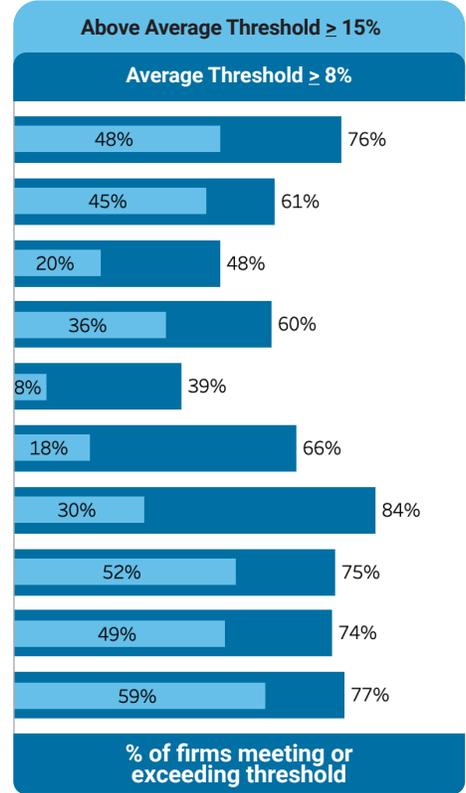
Firms with 200 or more lawyers:

Women Thresholds 200+

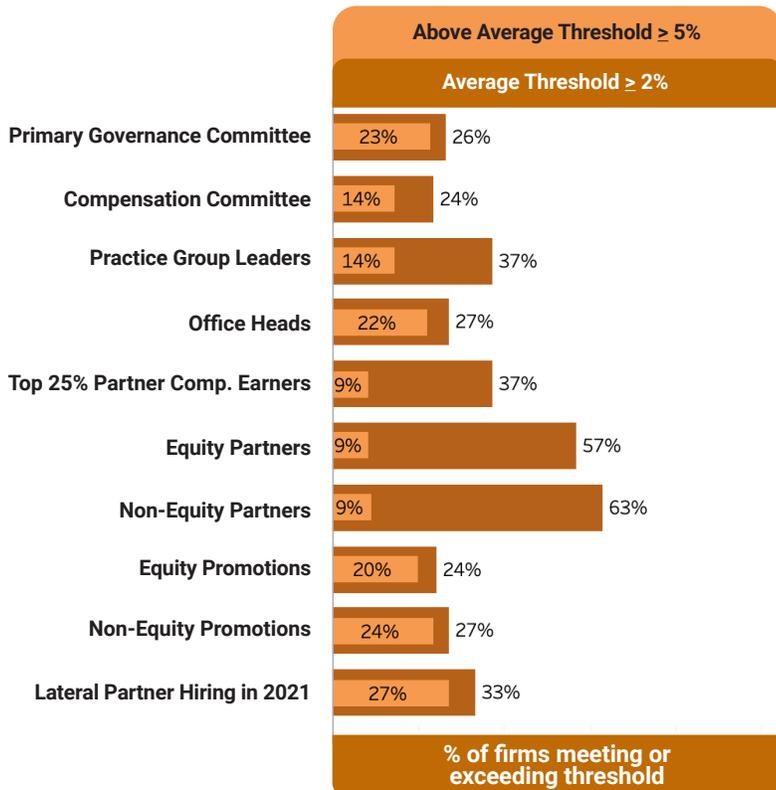


*3% of firms met the Above Average Threshold for this metric

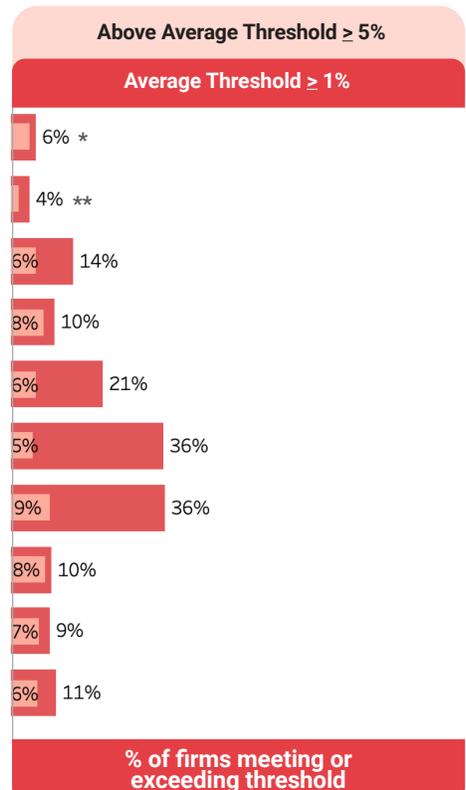
URE Thresholds 200+
(underrepresented racial and ethnic lawyers)



LGBTQ+ Lawyers Thresholds 200+



Lawyers with Disabilities Thresholds 200+

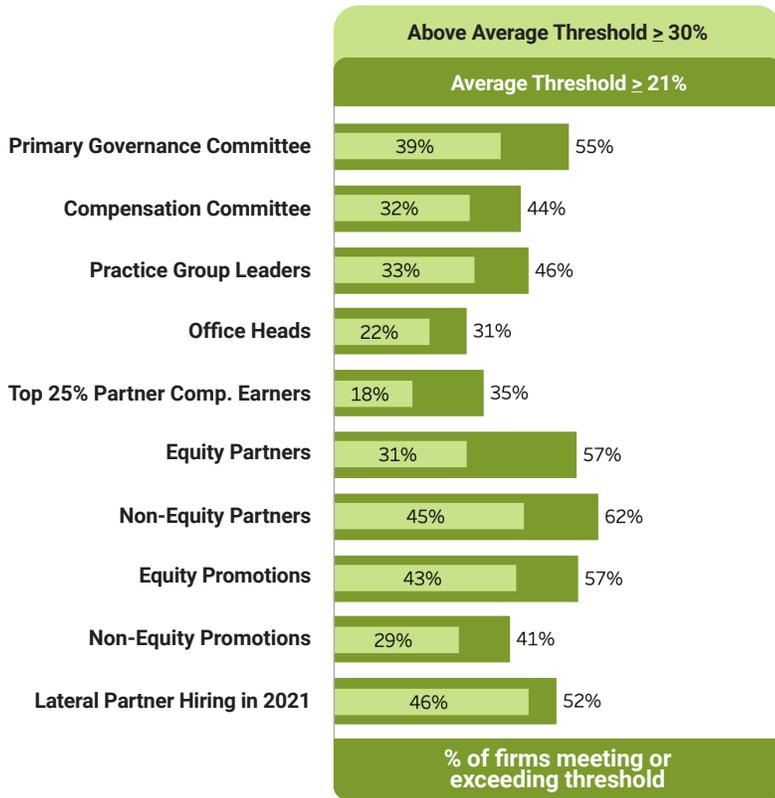


*2% of firms met the Above Average Threshold for this metric

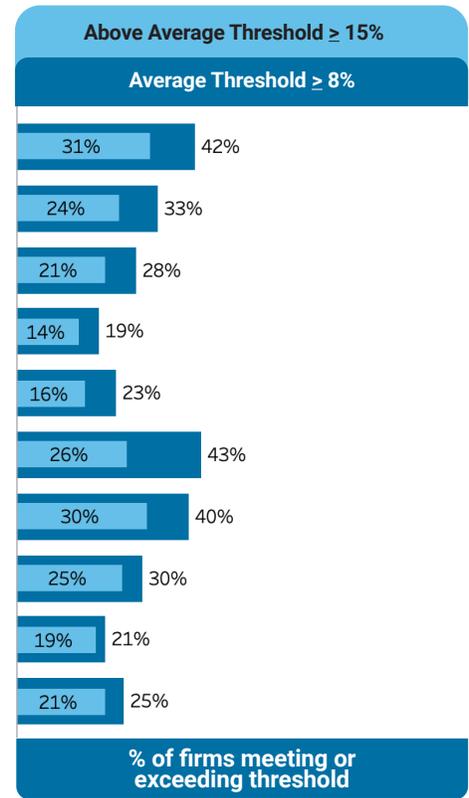
**4% of firms met the Above Average Threshold for this metric

Firms with fewer than 200 Lawyers :

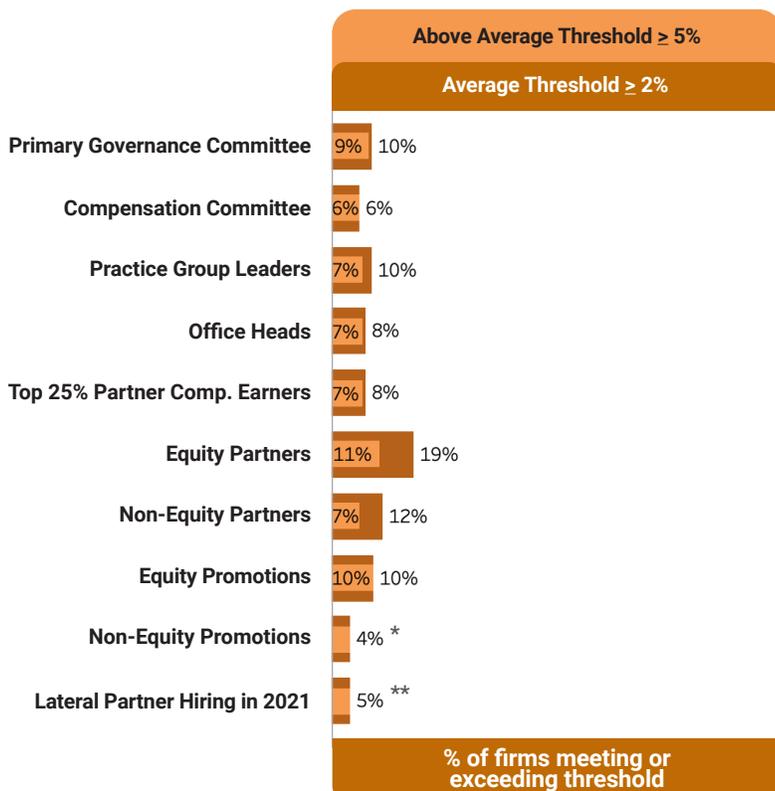
Women Thresholds < 200



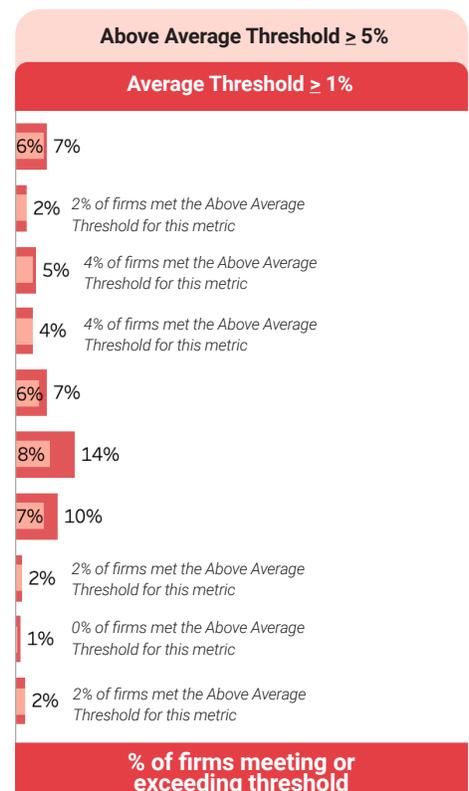
URE Thresholds < 200 (underrepresented racial and ethnic lawyers)



LGBTQ+ Lawyers Thresholds < 200



Lawyers with Disabilities Thresholds < 200



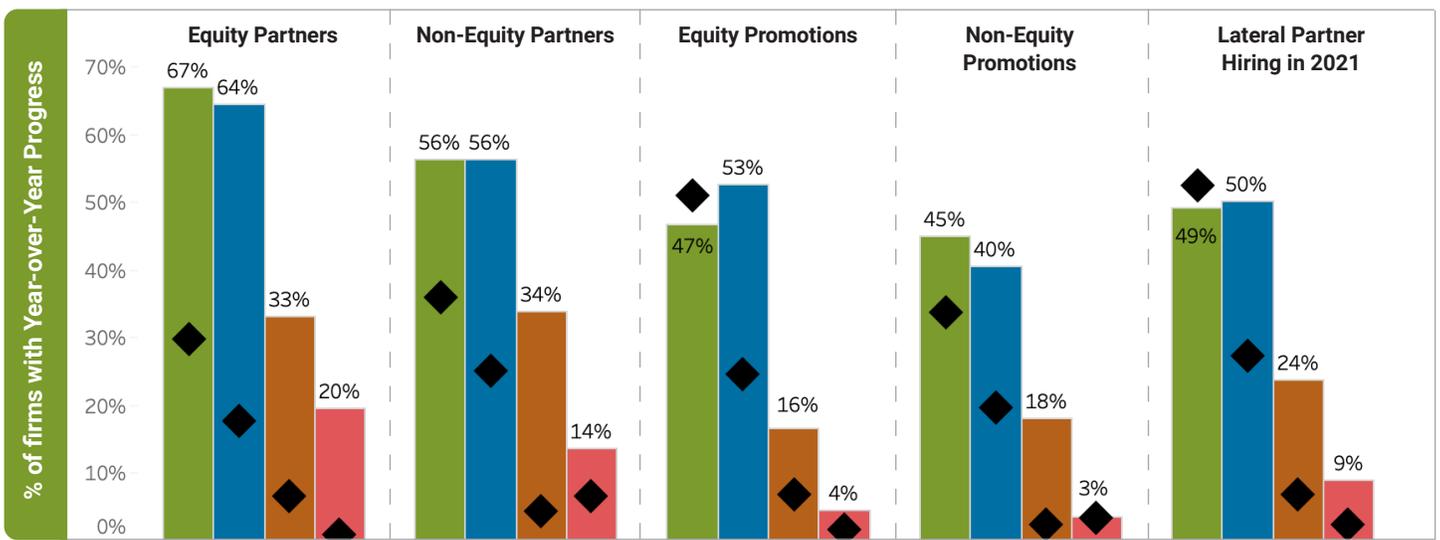
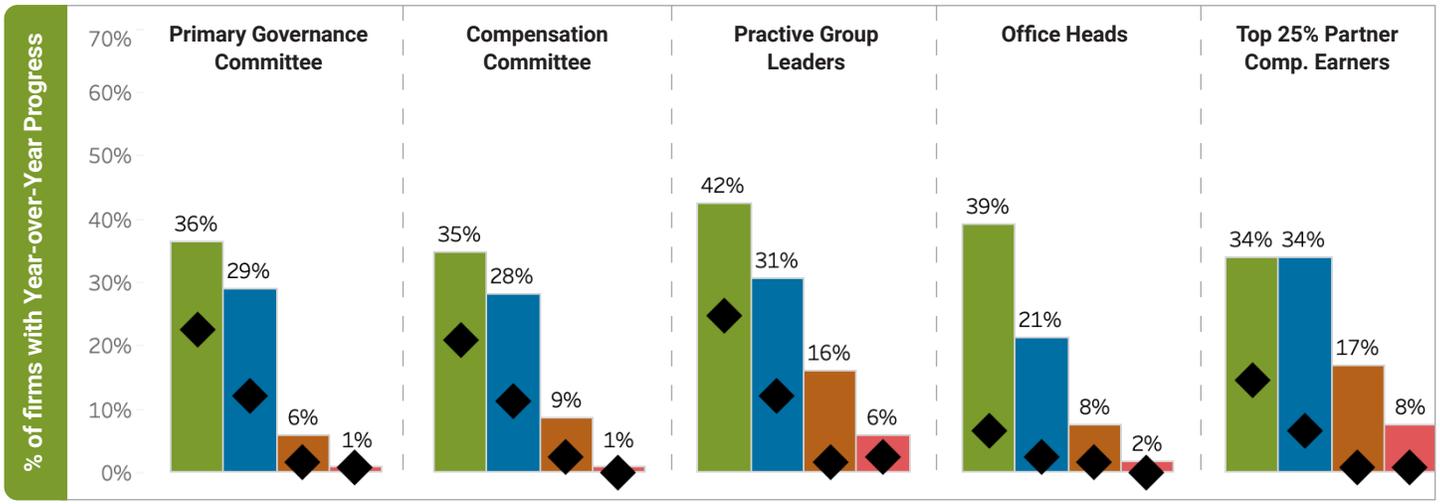
*4% of firms met the Above Average Threshold for this metric
 **5% of firms met the Above Average Threshold for this metric

Did firms increase diversity in 2021 at the Firm Leadership level?

- ↑ Midsize firms (with < 200 lawyers) are increasing the percentage of women promoted and hired into the equity partnership at a higher rate than large firms.
- ↑ Large firms are increasing the percentage of URE lawyers promoted and hired into the equity partnership at a higher rate than they are for any other underrepresented population.
- ↓ Fewer firms of all sizes increased the percentage of LGBTQ+ lawyers and lawyers with disabilities across all levels within the firm in 2021. This is particularly disappointing given that fewer firms met the Average and Above Average Thresholds for those populations, as well, indicating there is likely more room for year-over-year progress within those populations.

How to read the graphs:

The bars correspond to the percentage of large firms that reported increased representation from December 2020 to December 2021 for each category shown, and the diamonds represent the percentage of firms with fewer than 200 lawyers that reported increased representation from December 2020 to December 2021.



Tracking Populations

Why tracking is important: Not only do we know that “what gets measured gets managed,” but making tracking and measurement an inherent part of HR and talent practices necessarily injects structure and process into the practice. Tracking various populations at the firm provides management with insight into deficiencies in demographic populations at various levels within the firm. And that insight can help firms pinpoint where systemic or institutional biases are most prevalent, allowing firms to direct their DEI resources appropriately.

Firms with 200 or more lawyers: Foundational (>80%)  Progressive (50 - 79%)  Innovative (<50%) 

Level Tracked	Women Lawyers	URE Lawyers	LGBTQ+ Lawyers	Lawyers with Disabilities
Associate Population				
Partner Population				
Promotions to Partner				
Lateral Associate and Partner Hiring				
Associate and Partner Attrition				
Practice Group Leaders and Office Heads				
Primary Gov				
Top 25% Partner Compensation Earners				

Firms with fewer than 200 lawyers:

Level Tracked	Women Lawyers	URE Lawyers	LGBTQ+ Lawyers	Lawyers with Disabilities
Associate Population				
Partner Population				
Promotions to Partner				
Lateral Associate and Partner Hiring				
Associate and Partner Attrition				
Practice Group Leaders and Office Heads				
Primary Gov				
Top 25% Partner Compensation Earners				

The data from the Tracking Populations section of the Inclusion Blueprint present a clear message: Most firms track gender and racial demographics for representation of their associates and partners, and larger firms track those demographics plus LGBTQ+ lawyers for other traditional talent metrics, including headcount, promotions, and attrition.

What should firms do?

Midsized firms should begin tracking the demographic makeup of their lawyers for more advanced metrics, including partner promotions, lateral hiring, attrition, the makeup of the primary governance and compensation committees, the top 25% of partner compensation earners, and practice group leaders and office heads, where applicable. To stand out and make a large impact on inclusion, follow the Inclusion Champions' lead and track the representation of LGBTQ+ lawyers and lawyers with disabilities in the firm for all meaningful opportunities.



Most firms track gender and racial demographics for representation of their associates and partners, and larger firms track those demographics plus LGBTQ+ lawyers for other traditional talent metrics, including headcount, promotions, and attrition.

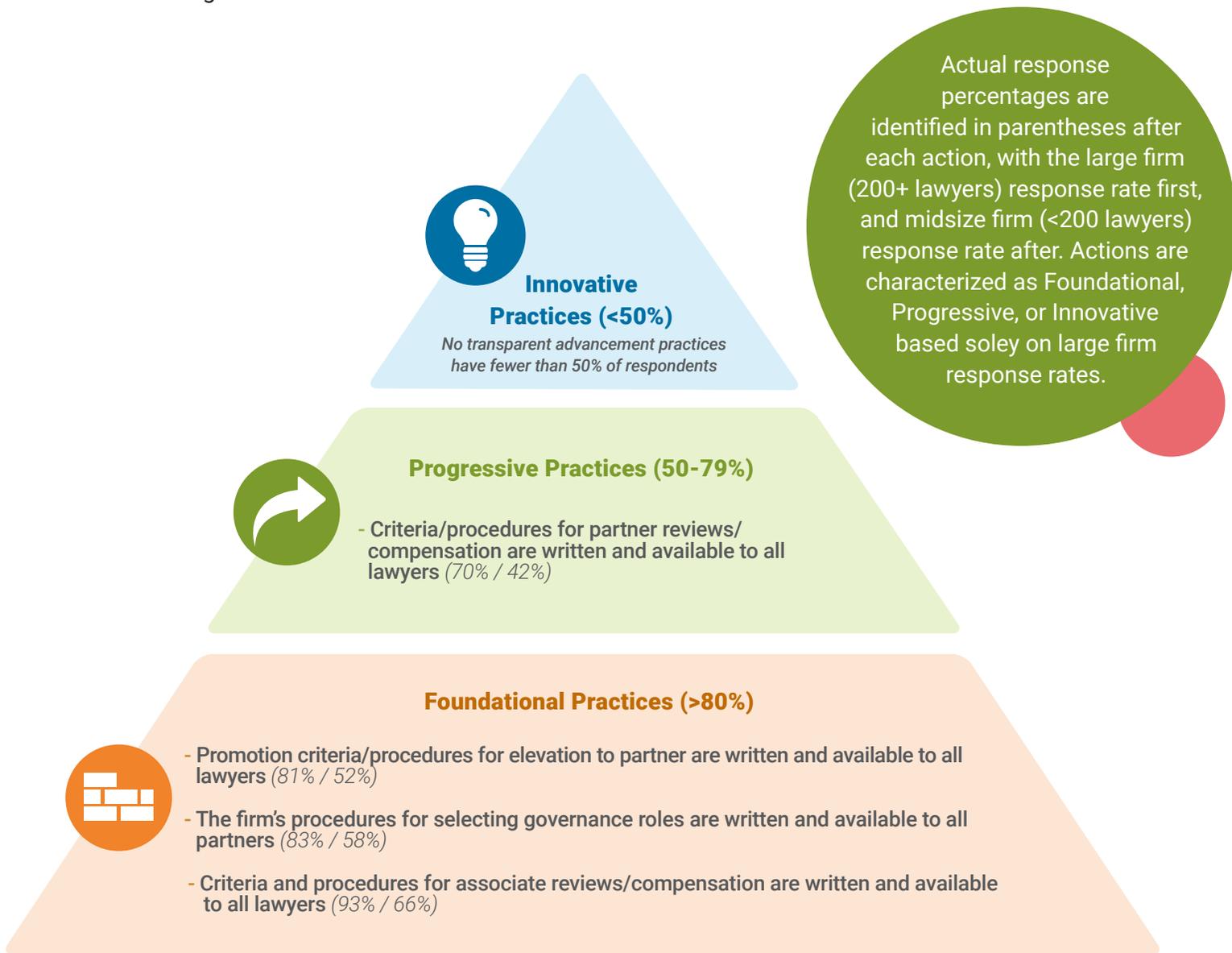
While most large firms track the makeup of traditional talent metrics (such as promotions, hiring, and attrition) for women, URE lawyers, and LGBTQ+ lawyers, fewer firms track the makeup of the top 25% of compensation earners for any population. With fewer than 10% of firms meeting the Above Average Thresholds for the top 25% of compensation earners for any underrepresented group, this is an important metric for firms to measure. **But until firms track the demographic makeup of their top compensation earners, they won't have the data to spark action.**

Inclusion Policies and Practices

The inclusion practices section of the Inclusion Blueprint identifies firmwide policies and practices that firms can undertake to inspire inclusive behaviors throughout the firm. The policies and practices fall into three primary categories for firms to consider as they evaluate their current status and goals for each area.

Transparent Advancement Procedures

Increased transparency and structure is an integral ingredient to creating an inclusive workplace and provides lawyers at the firm with insight into the behaviors and activities that the firm values. Research shows that “unwritten rules” can be more challenging for members of historically underrepresented groups to access and navigate.

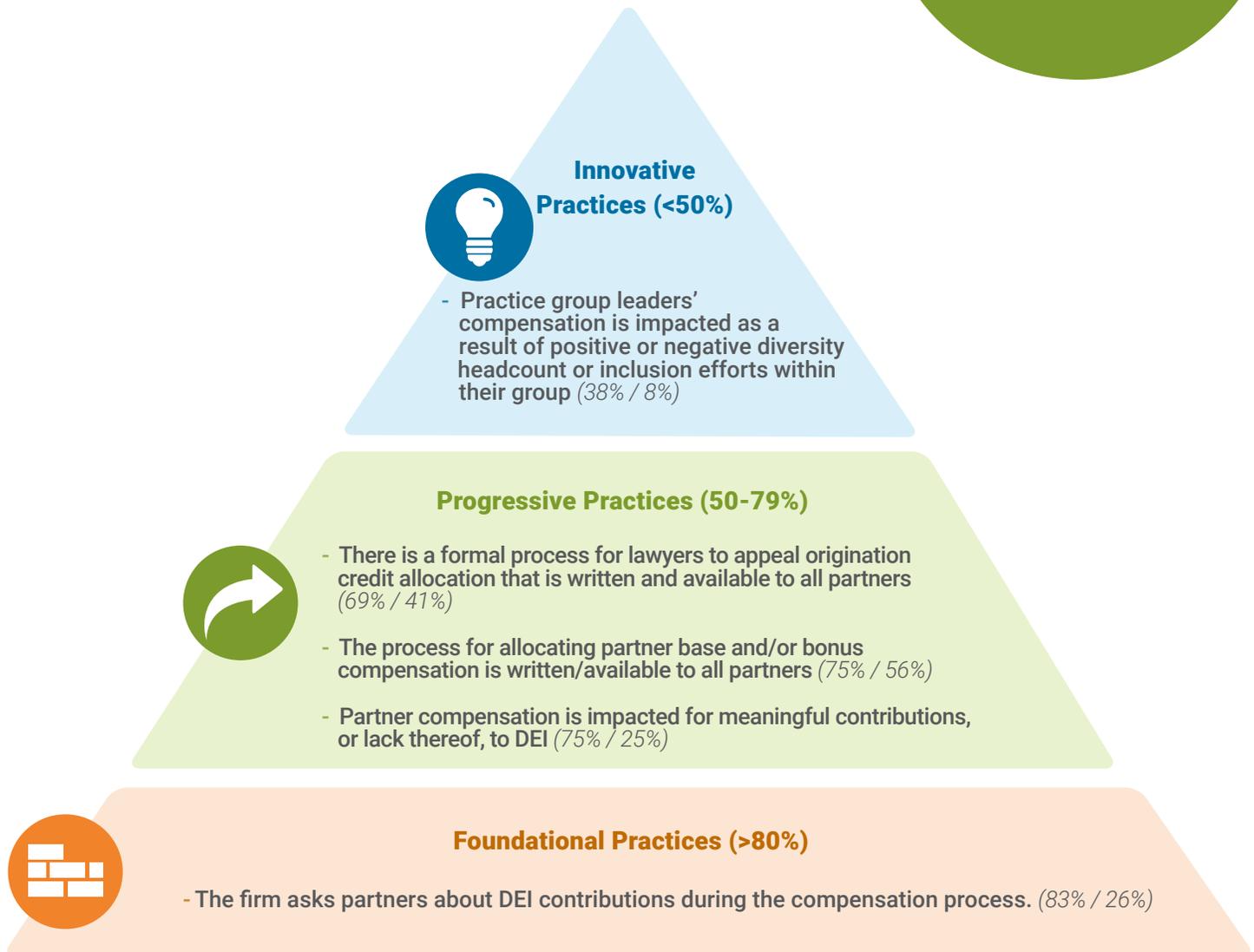


Compensation Policies and Processes

Tying compensation to DEI metrics bolsters accountability for progress and sends a clear signal about the firm's priorities. It is also a growing trend in corporate America, and firms that emulate their clients will be well-poised to show that their values align in meaningful ways.

Objective compensation metrics and a process to appeal and question origination credit provides underrepresented lawyers – who often feel the system is rigged against them when it comes to getting their fair share of credit for originating or expanding work with clients – with a voice and an outlet when they feel those decisions are unfair.

Tie compensation to DEI metrics to show that firm values align with clients' in meaningful ways.



Building an Inclusive Culture

All of the practices in the Inclusion Blueprint Insights help to build an inclusive culture – from a culture that embeds tracking and reporting into their HR processes to transparency in advancement and compensation decisions. Beyond those policies and practices, there are additional steps firms can and should take to uphold an inclusive culture within their firm. Seemingly small and simple actions – from including a formal report on DEI in governance committee meetings to expressly including and welcoming all gender identity expressions on bathrooms – send a signal that a firm’s culture doesn’t just tolerate differences, it welcomes and affirms them.

Seemingly small and simple actions affect firm culture in meaningful ways.

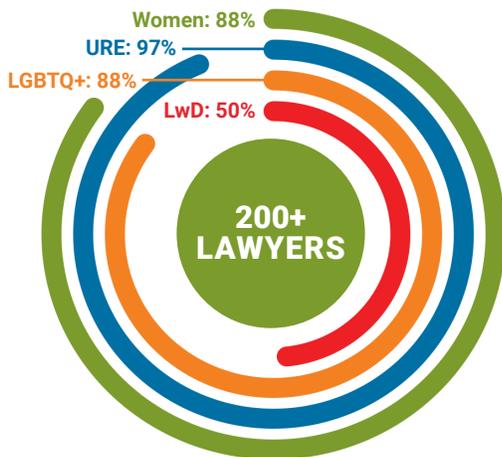


Measuring Inclusion and Remediating Inequities

Measuring inclusion and remediating inequities² is no doubt a tall order for most law firms, and it shows in the data. This section of the Inclusion Blueprint asks whether firms measure various professional opportunities for each underrepresented population, and whether they take action to remedy any inequities that the data illuminate. Measurement is important, but without action, it is far less meaningful.

Do firms participate 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?

Firms are focused on and taking action to hire women, URE lawyers, and LGBTQ+ lawyers into the firm, but fewer than 50% of firms report the same attention to hiring lawyers with disabilities (LwD).



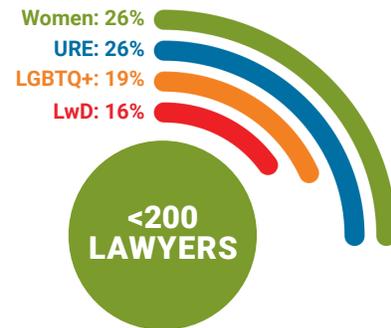
Do firms have supplemental professional opportunities (such as targeted client development coaching, leadership coaching, or sponsorship programs) specifically for underrepresented lawyers and track those programs' effectiveness on retention and advancement for such populations?



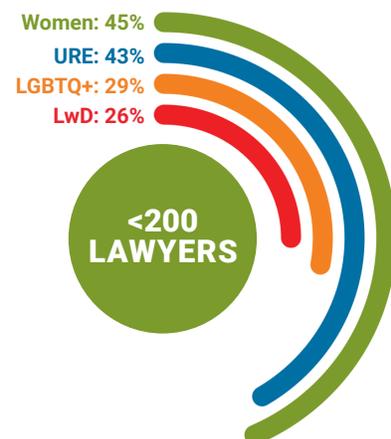
²This section was called "Tracking Metrics and Taking Action in Firm Leadership and Across the Firm" in the Inclusion Blueprint Assessment, but has been renamed here for greater accuracy.

Do firms track and analyze **non-billable activities (often called “firm hours” or “office housework”) and make meaningful changes to remedy unequal distribution across various demographic populations?**

*Various reports indicate that non-billable activities often fall on the shoulders of women and other **underrepresented lawyers**. Because those activities are typically not considered as heavily when making compensation determinations, this disparity may contribute to the pay gap at law firms. Firms that value these non-billable contributions by underrepresented lawyers should evaluate who makes them and either remedy inequities or provide credit for such contributions.*



Do firms track and analyze all **factors that impact base and/or bonus compensation (e.g., origination credit, matter expansion credit, or other business development and client service elements) for lawyers originating and expanding business and ensure there is a fair and equitable distribution of credit across demographic populations?**



For partners nearing retirement, is succession planning for client relationships analyzed by firm management and action taken to ensure fair access across demographic populations?

Having equitable opportunities to inherit client relationships – and the power, credit, and compensation that comes with them – is a key ingredient to closing the pay gap at the equity partnership level. Yet in 2021, it is clear that practice is not yet widespread.



Have firms conducted pay equity analyses in the last two years and made meaningful changes to remedy issues and keep them from reoccurring?

Fewer firms report conducting a pay equity analysis and making changes to remedy pay inequities than any other action asked about in the Inclusion Blueprint.



Section 6:

Conclusion

Where Do We Go From Here?

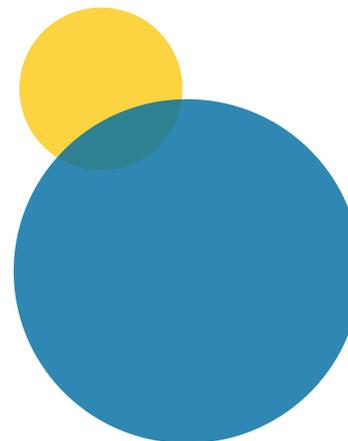
The Inclusion Blueprint is distinctive because it measures action. We encourage law firms to work with it in that spirit, engaging with each action listed as a way to evaluate their practices in that area. We invite law firms to develop a plan to adopt and implement new actions each year with the goal of applying an increasing amount of the practices and policies listed here. We recommend that firms use data to help prioritize which policies to start with. If you don't know where to start, look to the 2022 Inclusion Champions.

Diversity Lab uses responses from the Inclusion Blueprint to recognize Firm Leadership and Practice Group Inclusion Champions. The 2022 Firm Leadership Inclusion Champions undertook the actions identified below at higher rates than other firms.

- Tracking representation and implementing inclusion activities for **lawyers with disabilities**
- Tracking inclusion activities by **intersectional identities**
- Ensuring equal access to **succession planning of work and client relationships** for all
- Tracking and analyzing all **business generation factors that affect compensation for partners** and counsel and ensuring there is a fair and equitable distribution of credit and compensation
- Conducting a **pay equity analysis** and making meaningful changes to remedy issues
- Tracking and analyzing **non-billable activities** (often called firm hours or office housework) and making meaningful changes to remedy unequal distribution across all demographic populations
- Having a formal process for lawyers to appeal **origination credit allocation** that is written and available to all partners
- Linking **practice group leaders' compensation to diversity** headcount or inclusion efforts
- Expressly including and welcoming all **gender identity expressions** on firm's bathrooms

They shared insights into those actions via short videos, which you can view here: <https://www.diversitylab.com/2022-inclusion-champions-videos/>.

As mentioned above, the Inclusion Blueprint will continue to evolve to meet the legal profession where it is while pushing it to do better and achieve more. We look forward to hearing how the Inclusion Blueprint helps to shift law firms' actions in the coming year and continuing to measure the impact these important changes have on the legal profession.



About Diversity Lab

Diversity Lab works with law firms and legal departments across the globe to create more fair, equitable, and inclusive communities and workplaces. We disrupt bias in talent systems by embedding structure, accountability, and transparency. We leverage data, behavioral science, and design thinking to create and pilot experimental ideas with more than 300 leading law firms and legal departments across the U.S. and beyond. In collaboration with our clients, we measure the results and share the lessons learned with the broader legal community.

The Authors:



Leila Hock, JD
Chief Growth Officer
leila@diversitylab.com



Amber Boydston, PhD
Data Analytics Advisor
amber@diversitylab.com



Hannah DillmanMurnane, PhD
Manager of Strategic Initiatives & Data Analytics
hannah@diversitylab.com



Vianna Fagel, MBA
Director of Data Management, Analytics, & Reporting
amber@diversitylab.com