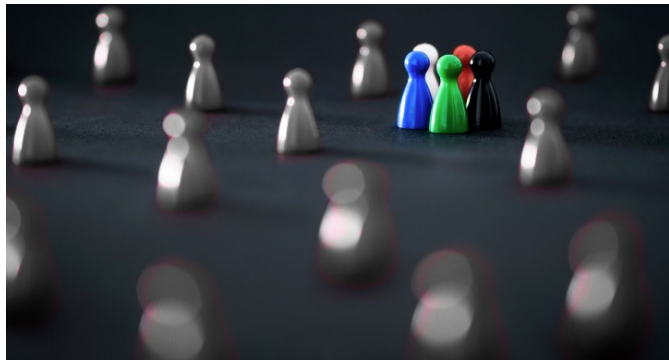


# A Conversation on Diversity and Inclusion with D&I Advisory Group Co-Chairs Amy Wang & Melissa Forshey Schwind

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Written By **Melissa Forshey Schwind** (mfschwind@wardandsmith.com) and **Amy P. Wang** (apw@wardandsmith.com)

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## Let's start at the beginning. So what's the difference in diversity and inclusion?

Diversity, to us, recognizes and values the differences in people. Often, people think of diversity as one particular characteristic or trait, but it's much broader than that. Diversity is not defined just by race, sexual orientation, gender identity, or any other singular trait. Inclusive

describes the welcoming environment we want to create for people in all their possible permutations. We want to encourage diversity and embrace those differences throughout our firm.

### Why do you feel it's important for law firms to focus on diversity?

Diversity and inclusion (also known as D&I) strengthen the value of services lawyers provide to clients and fortify the relationships that bind a firm together. We know that in today's global, multicultural business market, diversity has become an increasing priority for all organizations—particularly law firms—given the change in demographics of our clients' businesses. With approximately half of the millennial workforce reported as diverse, we think it's important for law firms to reflect the same demographics as the individuals they represent as clients. In addition, many studies support the reality that diverse teams have an important and positive impact on the success of an organization and its teams.

### Do you think a focus on diversity and inclusion impacts business?

Yes! Research from McKinsey shows that diverse companies outperform their competitors. (See *"Diversity Matters" November 2014*) Teams benefit from the input of individuals with varied perspectives and experiences because analysis and problem-solving occur with the "what-ifs" built-in. Like minds consider like scenarios, but a collective of different minds considers alternative scenarios earlier in the process. Different viewpoints on the issue may take longer to rise, if at all, for consideration in a more homogeneous environment. So, for those organizations that embrace and have success with diversity and inclusion initiatives, there is a visible positive impact on their bottom line.

## **How does organizational culture influence a firm's diversity and inclusion strategy? And how has the culture changed at Ward and Smith?**

Organizational culture significantly influences a firm's diversity and inclusion strategy because it not only reflects the awareness of leadership to recognize the value of such an initiative, but it's also an indication of the willingness of the "firm family" to grow. At Ward and Smith, we pride ourselves on values of teamwork, collaboration, and collegiality. Both our culture and our operational systems, including our compensation system, focus on coming together as a team to do what is best for the client. We have to have trust in each other to achieve that.

To successfully build our relationships in the Diversity and Inclusion context, we focus on understanding and aligning our D&I goals with those of the attorneys, staff, and external clients we serve. Since teamwork has been engrained in our culture since our firm's founding long ago, our culture has not so much changed as it has deepened. Developing a distinct diversity and inclusion program enables us to identify the best person for the team, not the best person for the "job."

## **Does Ward and Smith monitor the diversity of client teams and ensure diversity across client relationships?**

Yes, we do. Our Practice Section Leaders ensure that our case teams are staffed with a diverse group of talented attorneys. Our clients also have relationship attorneys, those who know the client culture and decision-maker well, even if they aren't the attorney handling the specific task. These attorneys mindfully match a client's need with a particular attorney's skill. Staffing decisions are made, at times, in concert with specific client requirements for diverse representation, but often staffing happens based on a particular issue. We continue to make an effort to staff our Practice Sections in a diverse manner. We're a work-in-progress.

## **What must happen for change to occur more quickly throughout the profession?**

Purposeful is better than quick. The legal field is the poster child for arriving late to the party. It's slow to move and react to market forces, whether it is regulations or law firm staffing. Despite the frustration that happens with this pace, the benefit in the Diversity & Inclusion arena is that a purposeful strategy can be more meaningful and culturally accepted. Ultimately, it's also more successful than a quickly implemented, cookie-cutter program that checks a box because everyone else is doing it. Successful initiatives and programs are deliberate and take time. Lack of success can be attributed to a failure of buy-in and inadequate education of those in the organization—especially those in leadership roles, whether in firm-wide management at practice group levels where assignments occur. Loss from turnover is an expensive price for failure in the form of investment and morale.

## **Should the recruiting process for new attorneys be changed, and how?**

Yes, and the recruiting process is the ideal arena in which to implement D&I efforts. Law schools, law firms, and corporate counsel benefit from joint efforts to develop a robust and distinct focus on pipeline programs for students. Diverse populations are still underrepresented in the entry-level ranks of law schools, which results in underrepresentation in post-law school employment. If action is taken earlier in a student's educational career, perhaps at an earlier point-in-time than the first-year of law school through undergraduate pre-law program, those populations may increase. Another forum for engagement is at the high school level through mock trial and Teen Court Programs. Early outreach by the profession can increase the visibility of

the increasing diversity of the profession and the opportunities.

## **Is retaining diverse talent an even bigger challenge than recruiting?**

Retention and recruiting both are challenging but in different ways. In the recruiting process, there are external challenges and factors out of the control of a hiring organization, such as candidate pools based on the student body makeup of a law school class. On the other hand, retention and inclusion initiatives tend to face internal challenges—such as not receiving the same focus or management support as the organization's recruitment and hiring efforts. Law firms must recognize the value and cost-saving potential of investing in the employment of professionals who support integration and inclusion development programming both on a firm-wide and on individual attorney basis.

## **What part should training play in ensuring the success of a D&I program?**

Education and training within an organization are critical and play invaluable roles in both the creation and successful implementation of a D&I strategy and program. It is imperative that employees at all levels—particularly those in leadership roles—receive appropriate education surrounding the importance of and challenges in the D&I space. A firm cannot expect all of its members to have the same level of understanding and awareness of the value and need for D&I efforts. Life experience varies, and thoughtful education, especially in the area of implicit bias, can provide a beginning platform to open conversations and establish expectations. Support and buy-in of an organization's D&I strategy can be stunted and unsuccessful if time and effort is not provided as support. This is not an area in which proclamation from the top down is the only element needed for success. Ultimately, firm-wide awareness and understanding must occur for the intentional growth under a D&I program to occur and succeed.

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