



## Raising the Bar | Volume 17, Issue 3

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### JUST DON'T DO IT

## Seven Things to Avoid When Working with Young, Diverse Lawyers

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Your firm, sorely lacking in terms of diversity, has just hired a fresh batch of bright-eyed young, diverse lawyers looking to make their mark on the legal profession. But don't be fooled, the simple act of hiring them will not rectify your diversity problem. Firms must build cultures to allow young, diverse lawyers to thrive and make them want to stick around for the long haul.

Since no two firms are the same, we will focus on seven common practices and situations your firm should avoid when creating an inclusive environment.

1. **Don't deny the facts; change them.** We all know that the legal profession has not historically consisted of many women or racial, ethnic, LGBTQ+, or other minority groups. While we have made strides during the past 20+ years, we cannot deny that the profession's historical lack of diversity continues to have a lingering impact on the shape of the profession today, where there continues to be fewer diverse attorneys in seniority positions, partnership tracks and ranks, decision-making roles, and firm leadership. Those are the facts, and this persevering historical foundation is often reflected in how law firms handle the recruiting, retention, and promotion of attorneys. While acknowledging these disparities is a good start, it is not a stopping point. Don't get fatigued. The benefits of doing the hard work to truly build a more diverse law

firm and legal community are manifold, and you and your clients will reap the rewards. After all, diversity is more than a catch phrase. It is a process of growing and evolving to foster a workplace environment that offers a variety of real-life perspectives, approaches to critical thinking, the formulation of legal strategy, and the creation of unique solutions to problems.

2. **Don't treat your diverse new hire like a shiny new toy.** Nothing is worse than being treated like the "token" anything. Avoid the pitfall of introducing your diverse new hire only to diverse clients or colleagues. While it is certainly appropriate and important for young, diverse lawyers to be introduced to similarly situated counterparts in the legal profession, it is equally important to meet non-diverse lawyers with whom they share other commonalities. Making meaningful introductions will have a greater, more positive impact. For example, in addition to making connections with diverse attorneys, introduce your new diverse hires to your mentors, your most trusted associates, and/or the clients for whom they will be working. Together the whole of these connections will create a more well-rounded experience for your diverse lawyers and demonstrate your commitment to their long-term success and development.
3. **While it is true that diverse lawyers are encouraged by seeing other diverse lawyers at their firm, do not fall into the trap of assigning only diverse lawyers to mentor your diverse new hires.** Instead, get to know your diverse new hires. What areas of the law interest them? What are their hobbies? What groups, bar associations, or community organizations are they involved in? Which partners at your firm have not only the work to fill the new hire's plate but a genuine interest in developing new talent? Consider making mentor assignments based on these factors instead of just teaming up two diverse lawyers. And come right out and ask diverse lawyers about their mentoring preferences. Pairing diverse new hires with only diverse mentors *could* limit your new hire's growth potential. Be thoughtful and, when appropriate, be ready to make more than one mentor assignment.
4. **Professional appearance and attire are mandatory in the legal profession.** Our clients deserve it, and our duty as officers of the court demands it—period. But professional attire, including facial hair, hairstyles, and personal style, encompasses a wide array of options all within an acceptable range. The last thing your firm should do is hire diverse candidates and then ask them to blend in with the wallpaper and/or stop being so different or diverse. Don't be the firm that expects

all women to wear skirts, forbids more than one ear piercing, and refuses to hire anyone with braids.

5. **When a young, diverse lawyer presents a complaint of racist or insensitive behavior by a peer or supervisor, do not downplay the encounter or make excuses.** It does not matter if the purported bad actor is your friend or has an abrasive personality. It does not matter if you or the firm believe the purported offender is a good person. It likely took a great deal of courage for the diverse lawyer to report the incident, so be sure to listen, learn more about the encounter, and address it directly and appropriately. If young, diverse lawyers cannot expect your firm to look out for their best interests, there is little to no chance that they will want to contribute to the overall long-term success of the firm.
6. **A common complaint of young, diverse lawyers is that firm leadership expects them to instantly, and aggressively, leverage relationships with other diverse professionals.** But young, diverse lawyers are not a monolithic group. You should not assume that your new diverse hires have ties or relationships with similarly situated diverse members of the legal community based solely on a shared skin tone, ethnic group, or status as a minority. Firms cannot solve their diversity “issues” by hiring one diverse lawyer and presenting that person to the legal community as the solution. This expectation and the resulting pressure on diverse new hires to magically cultivate access to an untapped market of clients and legal professionals is unfair and unhealthy. Nor should young, diverse lawyers in the infancy of their careers be pressured to capitalize on their existing connections with community leaders, public officials, or other members of the legal community. These valued relationships were likely built over many years and should be respected. Give your firm and the new hire a chance to build mutual respect and trust with appropriate professional boundaries and expectations. With time and effort, new hires may proactively suggest ways that they can best utilize their connections to organically achieve their and the firm’s shared goals.
7. **It may come as a surprise that the first step that many diverse lawyer candidates – and potential clients—take in assessing a firm’s commitment to diversity is not checking the Diversity, Equity, and Inclusion page of your website.** Rather, they often go directly to the pictures and bios of your attorneys to see what your firm values. A diversity statement is a great starting point and an identification of your commitment, but it means nothing if you cannot show that you execute on the statement. Therefore, do not become complacent in your efforts

once you have a few new diverse hires. Diversity, equity, and inclusion is not a “one and done”; it is an evolving process. More hires must be made. Antiquated policies must be changed. Firm culture must evolve. Recruitment never stops. Implement procedures to check in regularly with *all* new hires as time progresses and they become an acclimated part of the firm’s workforce. Initiating and maintaining open lines of communication during their early tenure will help identify any problems and hopefully increase retention rates. When the year is over, assess your successes, recalibrate your plans, and set more aggressive goals—along with specific action steps to take you where you want to go.

## Conclusion

Like the practice of law, there are rules, and exceptions to rules, and exceptions to those exceptions. Here, the overarching rule is simple: If you want to hire young, diverse lawyers that stay for the long haul, you must surround them with colleagues, community, and culture that will champion them for success. These seven tips outline common situations that many firms encounter. Address them properly, and you will make great strides toward building a truly diverse work culture.



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