

Action Items for In-House Lawyers to Enhance Outside Counsel Diversity

Identify and Empower Law Department Champions

1. Identify lawyers in your law department, regardless of rank, who are personally committed to improving diversity; ask everyone because you may be surprised. These are your **champions**.
2. Task champions with acculturating new minority outside counsel on the bureaucracy, traditions, and personalities they must navigate to increase their likelihood of success.
3. Regularly check-in with your champions on how the company can better support them.
4. Do quarterly reviews with your champions to identify institutional barriers to getting more work to diverse outside counsel and discuss how to overcome them.
5. Ask your diversity champions to model these behaviors, and then discuss emulating their tactics group-wide:
 - a. Request minority partners and associates on your cases, and for specific assignments such as depositions or motions. If you don't know any, look on the website or ask the firm to identify them.
 - b. Don't assume partners are grooming minority associates; ask, encourage, and be personally involved in coaching them.
 - c. Provide minority outside counsel meaningful feedback for improvement, such as with mishandled communications, poor judgment calls, and incorrect assumptions, helping them to learn and grow.
 - d. Coach your minority counsel on upcoming difficult conversations or presentations they will make to business leaders.
 - e. On law firm pitches, call out a lack of diversity and identify this as a reason for rejection if appropriate. If you must select a non-diverse team, obtain a commitment to diversification going forward and hold the firm to it.
 - f. If a minority associate on a pitch team appears to have no defined role, include the person in Q&A to demonstrate that you *see* them, then pin down the lead attorney on exactly what their role will be and how their experience will be maximized. Hold the firm to its commitments.

Foster Direct Interaction Between Your Law Department and Diverse Lawyers in Your Space

1. Identify the leading minority outside counsel in the practice areas and jurisdictions most appropriate for your company (and don't think small—consider M&A, IP, and other high-value areas as well as lower risk work), by seeking referrals from:
 - a. Peers at other companies.
 - b. Your existing diverse outside counsel.
 - c. Leadership of legal diversity organizations.
 - d. The search function at www.namwolf.org, which lists pre-vetted, highly qualified, minority and women owned law firms representing major institutional clients.
2. To build relationships and a talent bench, get your lawyers actively involved in the leadership and committees of legal diversity organizations brimming with talent from major firms, regional firms, and local minority owned firms. Ensure at least one lawyer on your team is involved in each of the major legal diversity organizations.

3. If your company restricts lawyers to X conferences a year, consider allowing an extra diversity conference if the lawyer commits to active involvement and regular reporting.
4. Invite minority lawyers to meet-and-greets and CLEs with your law department.
5. For outside counsel invited to conduct internal CLEs, insist that all panels have at least one minority speaker.
6. Meet annually with minority partners and associates who have excelled in representing your company and ask: How can we retain other diverse counsel of your caliber? How can we help you build your business? How can we help you develop promising minority associates and junior partners in your firm?
7. Ask the firm how you can help high-potential minority associates make partner; then ask the associates.
8. Help exceptional minority service partners and junior partners develop business by inviting them to industry events, to speak on organization panels, and by referring them to your peers.
9. When filling secondments, insist on a concerted effort to identify minority secondees.
10. Consider mini-secondments of a few weeks to allow minority associates to learn about your business from the inside.

Celebrate Wins!

1. When a minority partner or associate has a successful outcome, call out the success internally *and* to the leadership of the law firm.
2. When your minority outside counsel do well, specifically request them on new matters.
3. Invite your most promising minority outside counsel—from junior associates to partners—to meet with law department leadership and your diversity champions to celebrate wins and strengthen relationships.
4. Ask if your most promising minority outside counsel are receiving origination credit and how you can help them do so.
5. Ask your most promising minority outside counsel how you can help raise their profile in the firm and broader legal community. *I.e.*, explore how you can sponsor their success.
6. Demonstrate the internal value you place on diversity progress by namechecking, promoting, and financially rewarding your diversity champions and sharing within the department that their success in diversifying your outside counsel is one of the reasons you have done so.
7. When you speak at conferences, name check your minority outside counsel who are present or who are active in the organization.
8. Seek legal diversity awards so that others may emulate your success.

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These suggestions are based on my own experience both as a mentor and as managing partner of a minority-owned law firm primarily representing Fortune 500 companies. My views should not be ascribed to my firm, its clients, or my colleagues. Over the past three decades, I've served on the boards of the National Association of Minority & Women Owned Law Firms (NAMWOLF), Minority Corporate Counsel Association (MCCA), California Minority Counsel Program (CMCP), and National Employment Law Council (NELC). I actively mentor scores of young attorneys of color, including associates and junior partners at small, regional, and major national/international firms, and junior in-house counsel in a wide range of industries.