

In the Spotlight: Diversity and Inclusion-Focused Client Development Efforts

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The national conversation about racism and the need for social justice reached a boiling point after the death of George Floyd in May. Since then, law firms have been ramping efforts around what they can do to demonstrate their commitment to eradicating racism, and, within their organizations, how to support attorneys and staff of color. There are myriad ways to tackle this issue, but this article focuses on client and business development efforts that directly aim to support the efforts of diverse attorneys, as well as targeting clients that are also laser-focused on ensuring their work is increasingly handled by diverse teams.

In the legal sector, organizations like the Leadership Council on Legal Diversity (LCLD) emerged whose mission is to create a more diverse legal profession. Among other activities, the LCLD seeks to:

- Build effective programs for hiring, developing, retaining, and promoting diverse talent;
- Implement appropriate training, development, and mentoring programs designed to enhance the likelihood of the success and retention of our talent, with a particular focus on minorities and women;
- Create an appropriate function to guide diversity and inclusion efforts; and,
- Share information regarding best practices to foster the achievement of their objectives.

Other organizations focus on legal team diversity, especially with regards to outside counsel. For example, Diversity Lab launched the Mansfield Rule three years ago with 42 firms and is now up to 117 participating firms. Diversity Lab works with participating firms to annually measure the outcomes and iterate the program based on those outcomes to ensure firms continue to move towards their goal: diversify their leadership as much as possible. Diversity Lab recently launched its "Move the Needle" initiative, a kind of matchmaking between legal departments and outside counsel.

The five founding law firms have committed to: (1) invest more than \$5M over five years; (2) set aggressive, public firm-specific diversity goals; (3) experiment with innovative, research-based methods to achieve them; (4) measure the outcomes; and (5) share the results — including the successes and failures — with each other and the community. More recently, Diversity Lab has also arranged for business development coaching and training to select diverse partners at the founding firms. These attorneys receive one-on-one coaching and introductions to in-house legal departments that have indicated they are seeking to give more of their work to diverse attorneys.

Law firms that are at the leading edge of D&I client development efforts include Perkins Coie. This firm recently advertised a Director of Business Development, Diversity & Inclusion, who would focus specifically on identifying and connecting clients seeking to provide work to diverse attorneys. This position determines the appropriate attorneys of color or other diverse attorneys within the firm qualified to staff the work. The director will work closely with the firm's Chief Diversity & Inclusion Officer, among others.

As more firms ramp up their D&I efforts, it is an excellent time to take stock and ask:

1. What is your firm doing to support and give a leg-up to your diverse attorneys?
2. Is your firm's marketing department working in close coordination with your diversity officer to support lateral integration of new, diverse attorneys?
3. Is your firm offering business development training and coaching to attorneys of color?
4. Either through research or client feedback interviews, has your firm identified which of your clients have goals around staffing diverse teams?
5. Do the pitch teams your firm puts together reflect diversity by gender and race?

Firms that are successful in addressing these questions will be better prepared to meet the increasing demand of their clients for diversity and inclusion in their outside counsel. Leading firms and organizations are already blazing the trail. The time is right to evaluate whether or not your firm is taking tangible steps towards these efforts and, if not, putting a plan in place to address shortfalls with a sense of urgency.

About the Author – J. David “Dave” Harvey is the founder and President of Harvey Global Consulting LLC and an affiliate consultant for LawVision. Drawing on 20 years of experience leading business development efforts with AmLaw A-list firms, Dave advises law firm management, partners, associates, and marketing and business development leaders in successfully prioritizing and executing on their most important client development and marketing priorities. He also coaches individual partners and associates in defining and achieving their business development goals.