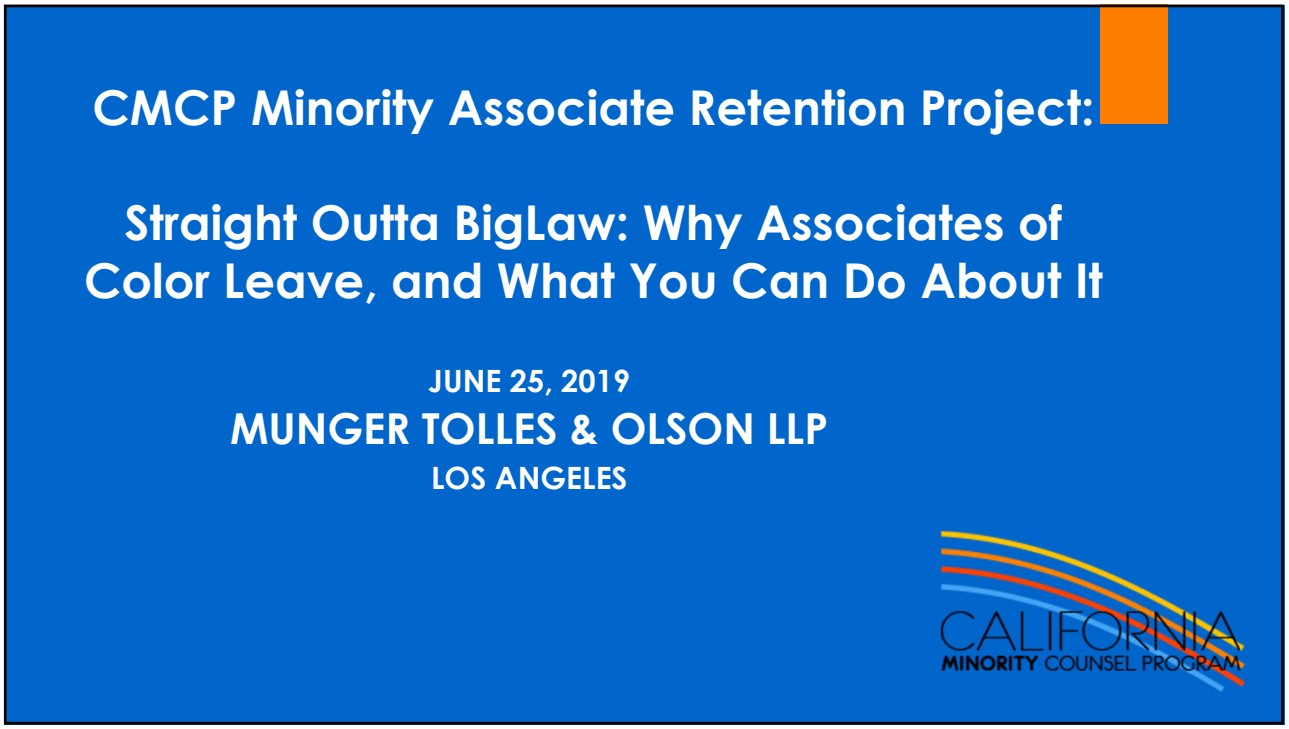
CMCP Minority Associate Retention Project:
Straight Outta BigLaw: Why Associates of Color Leave, and What You Can Do About It
JUNE 25, 2019
MUNGER TOLLES & OLSON LLP
LOS ANGELES
CALIFORNIA
MINORITY COUNSEL PROGRAM

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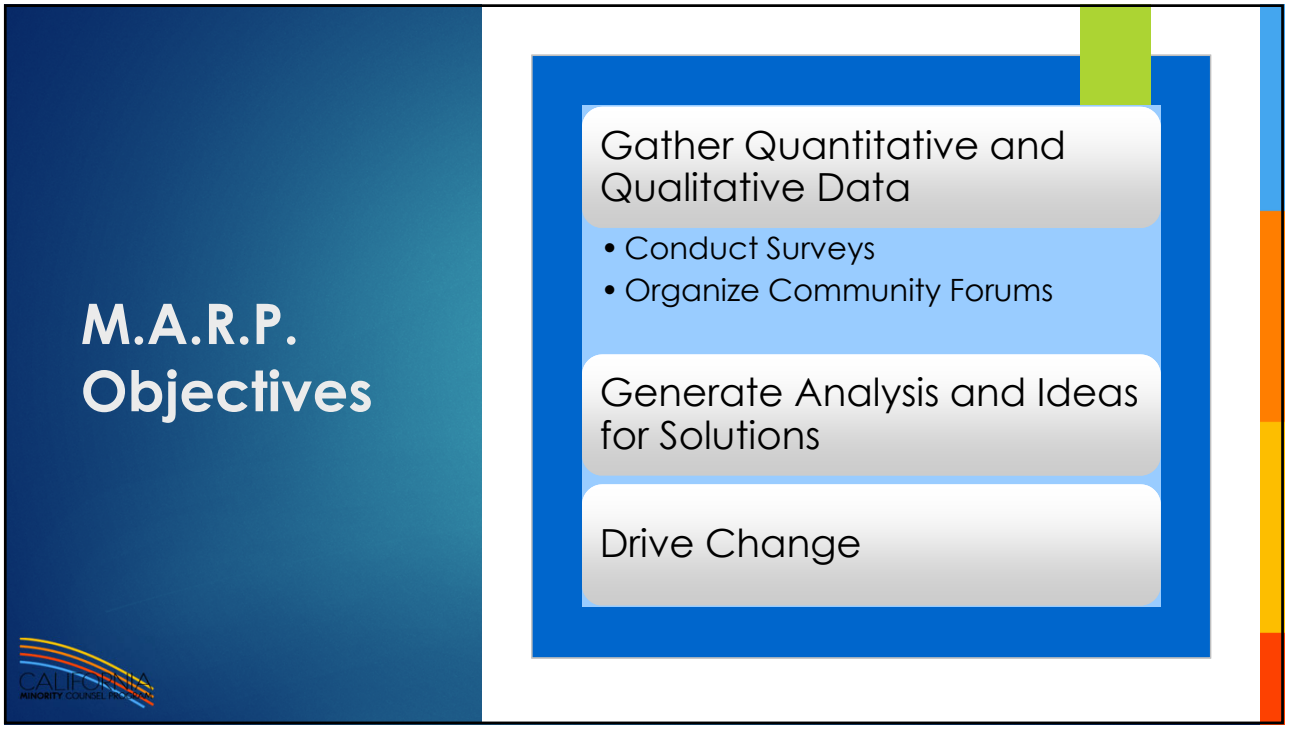
M.A.R.P. Objectives
Gather Quantitative and Qualitative Data
• Conduct Surveys
• Organize Community Forums
Generate Analysis and Ideas for Solutions
Drive Change

2

Agenda

1. Objectives for Program
2. Review of Research on Attorneys of Color in Firms
   - Research Overview – Robert White
   - CMCP Surveys – Meena Patel
3. Solutions Breakout Groups:
   - Law Firm Partnership Track – Nancy Fong
   - Law Firm Diversity Committees, ERGs and Committed Individuals – Rekha Chiruvolu
   - Internal Challenges for Minority Associates – Kenneth Trujillo-Jamison
   - Bar Groups and Diversity Organizations – Robert White
   - Legal Departments Involvement – Preston Hopson
4. Debrief and Discussion
5. Reception

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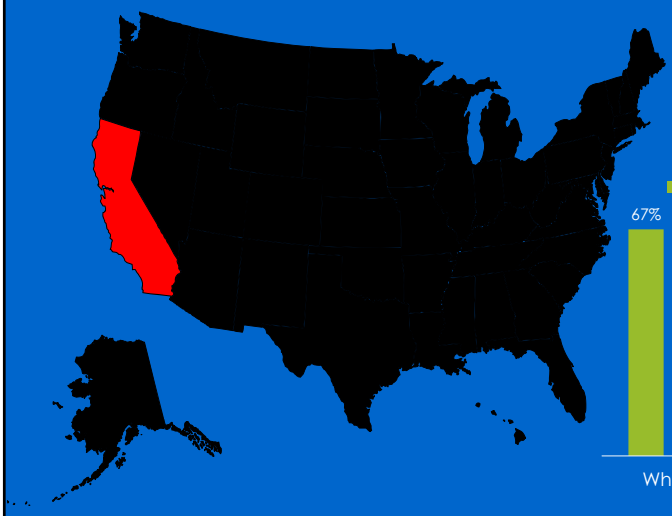
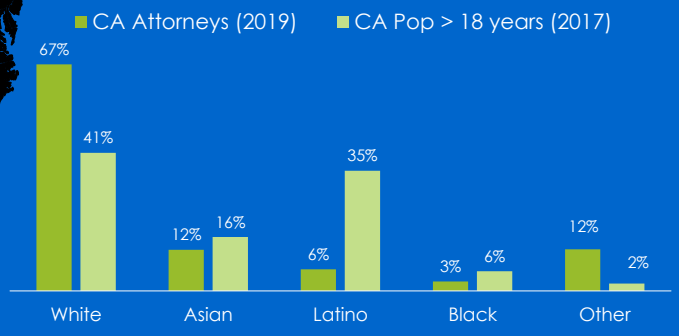
The State Bar of California

What Does the Attorney Population Look Like Today?



- Attorneys in California are much less diverse than the state as a whole
- Latinos are particularly underrepresented



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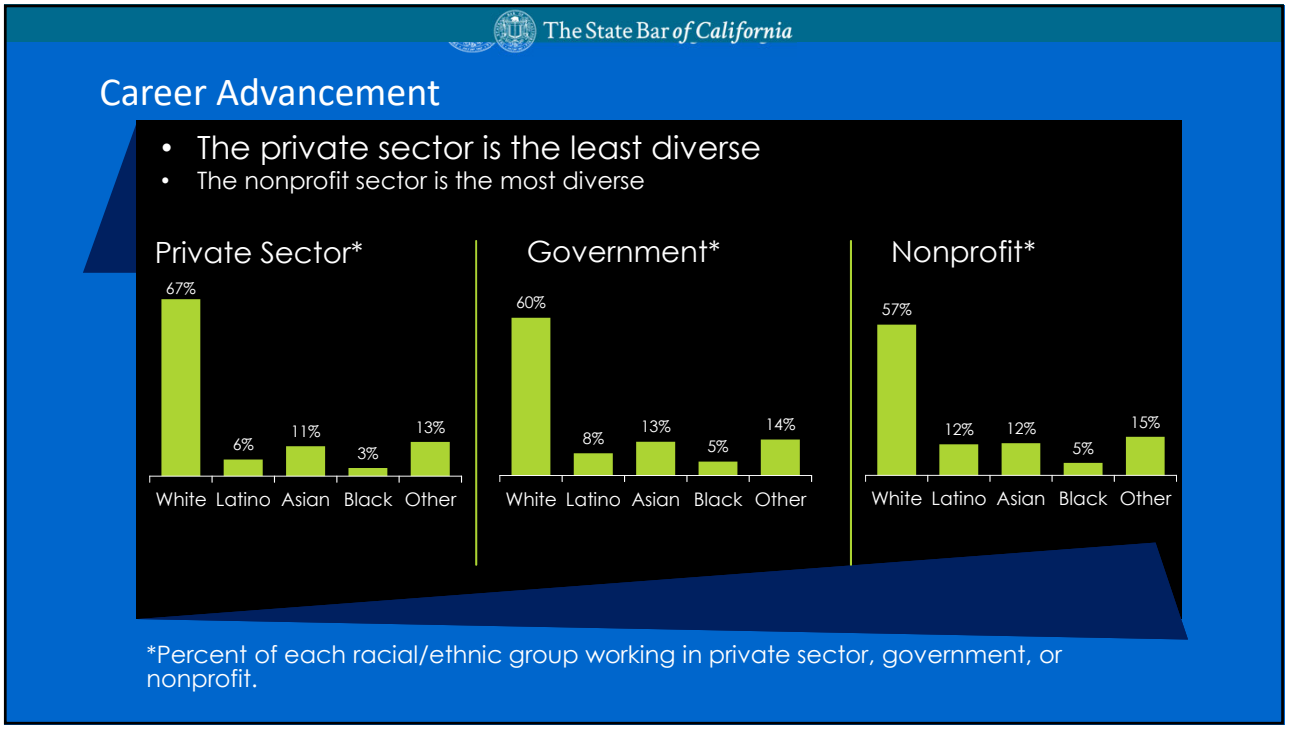
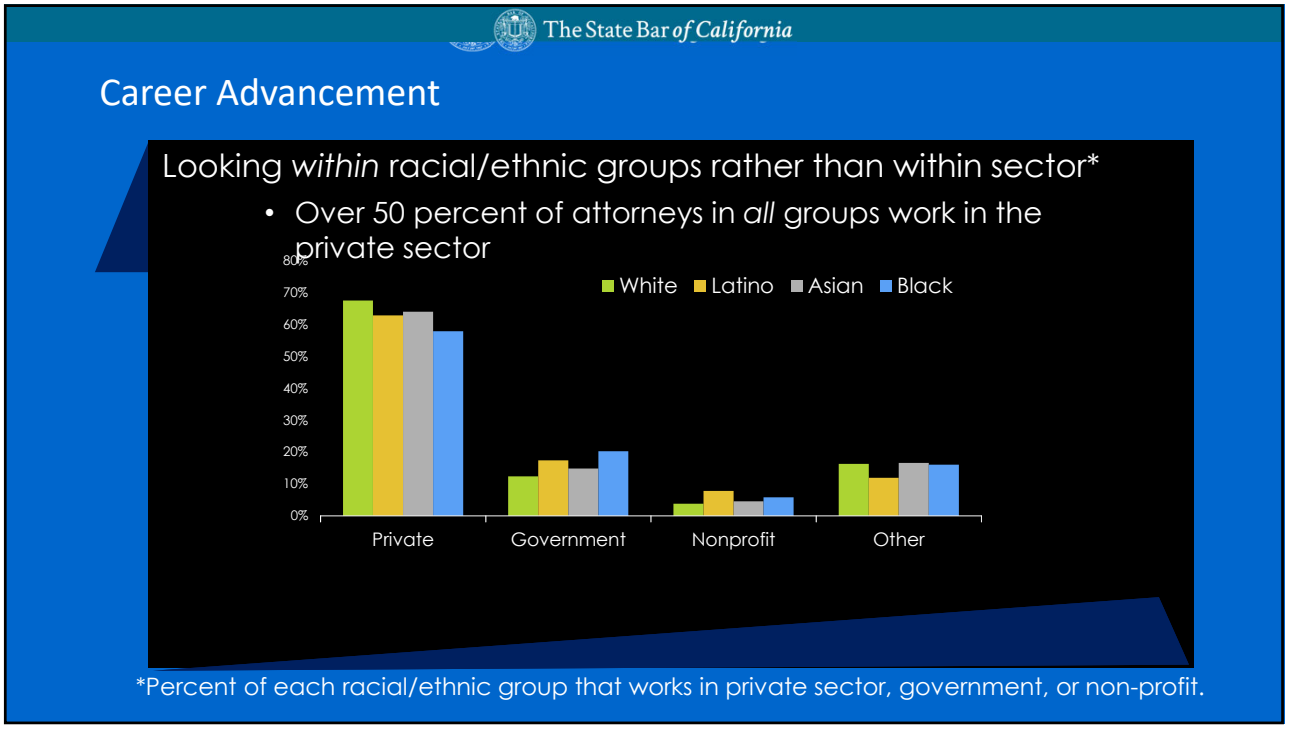

The State Bar of California
Career Advancement
• The private sector is the least diverse
• The nonprofit sector is the most diverse
Private Sector*
67%
6%
11%
3%
13%
White Latino Asian Black Other
Government*
60%
8%
13%
5%
14%
White Latino Asian Black Other
Nonprofit*
57%
12%
12%
5%
15%
White Latino Asian Black Other
*Percent of each racial/ethnic group working in private sector, government, or nonprofit.

5


The State Bar of California
Career Advancement
Looking within racial/ethnic groups rather than within sector*
• Over 50 percent of attorneys in all groups work in the private sector
80%
70%
60%
50%
40%
30%
20%
10%
0%
White Latino Asian Black
Private Government Nonprofit Other
*Percent of each racial/ethnic group that works in private sector, government, or non-profit.

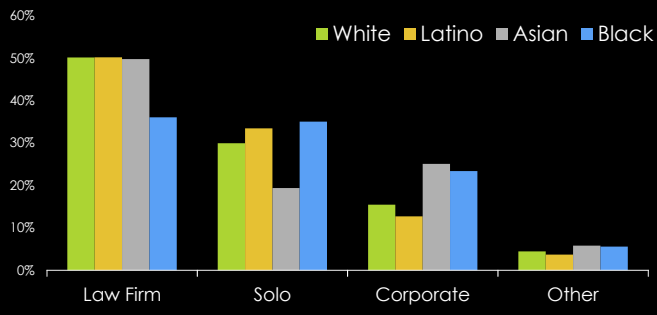
6

The State Bar of California

Career Advancement

Drilling down further, *within the private sector*, about half of attorneys in all racial / ethnic groups work in law firms except for Black attorneys*

- Only about 35% of Black attorneys work in law firms



*Percent of each racial/ethnic group that works in law firms, as solo, in corporate, or other.

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Research on Law Firm Diversity and Associate Retention

- The Portrait Study of Asian Americans in the Law
- NALP
- Legal Sector Literature
- CMCP Survey of Black Associates
- CMCP Survey of Associates of Color
- CA State Bar Survey
- American Bar Association
- Minority Corporate Counsel Association/Vault

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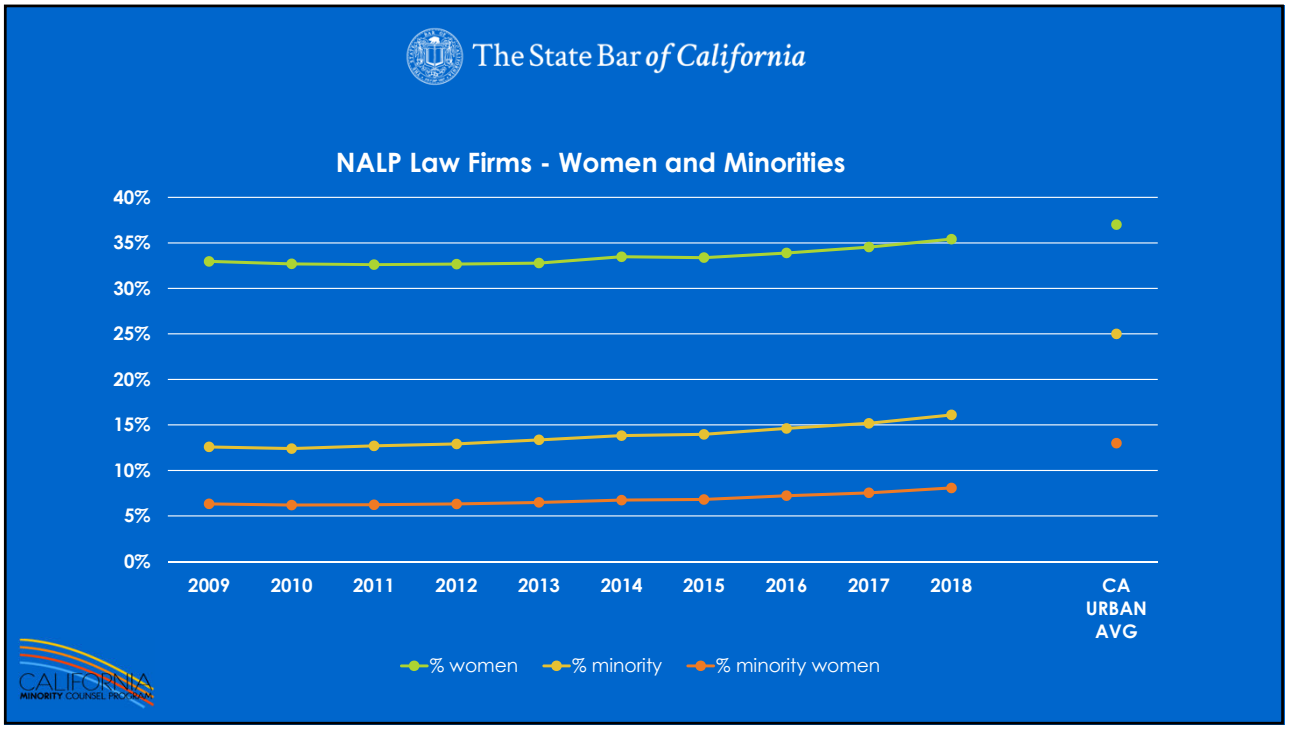
The State Bar of California
NALP Law Firms - Women and Minorities
40%
35%
30%
25%
20%
15%
10%
5%
0%
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
CA URBAN AVG
% women
% minority
% minority women
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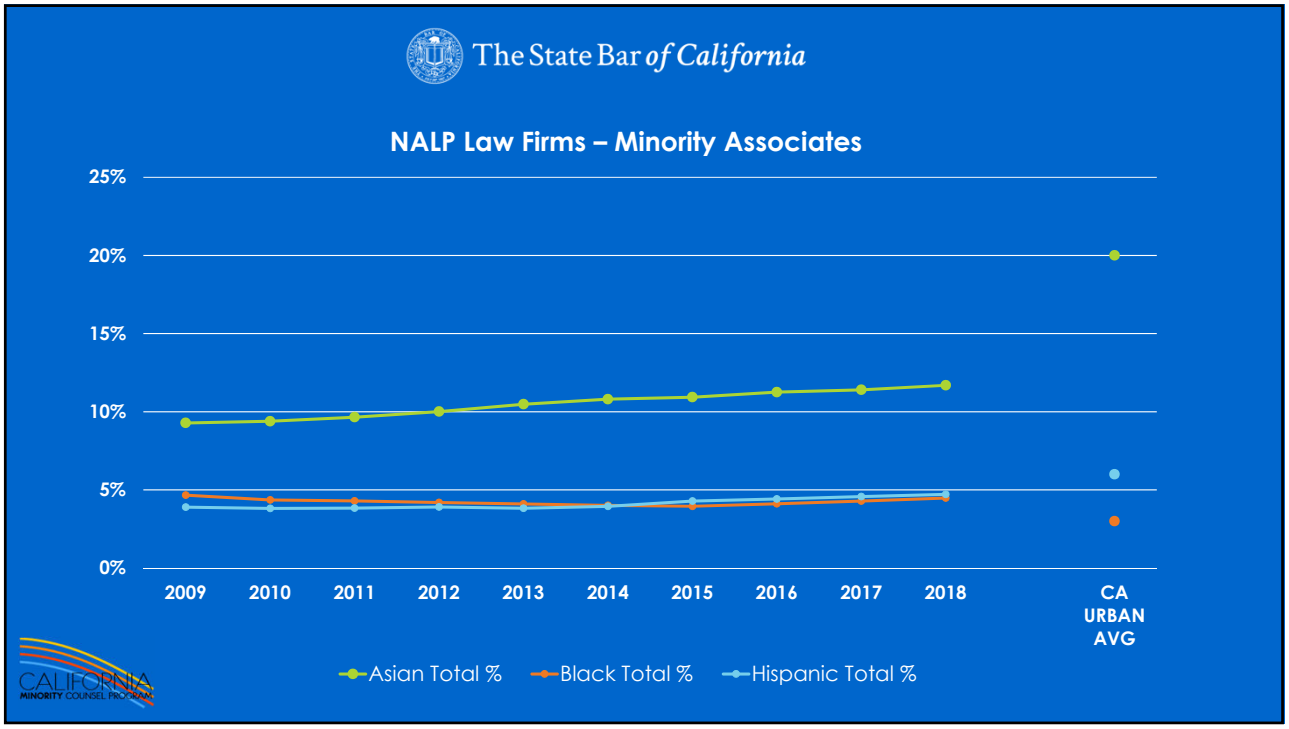
The State Bar of California
NALP Law Firms – Minority Associates
25%
20%
15%
10%
5%
0%
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
CA URBAN AVG
Asian Total %
Black Total %
Hispanic Total %
CALIFORNIA MINORITY COUNSEL PROGRAM

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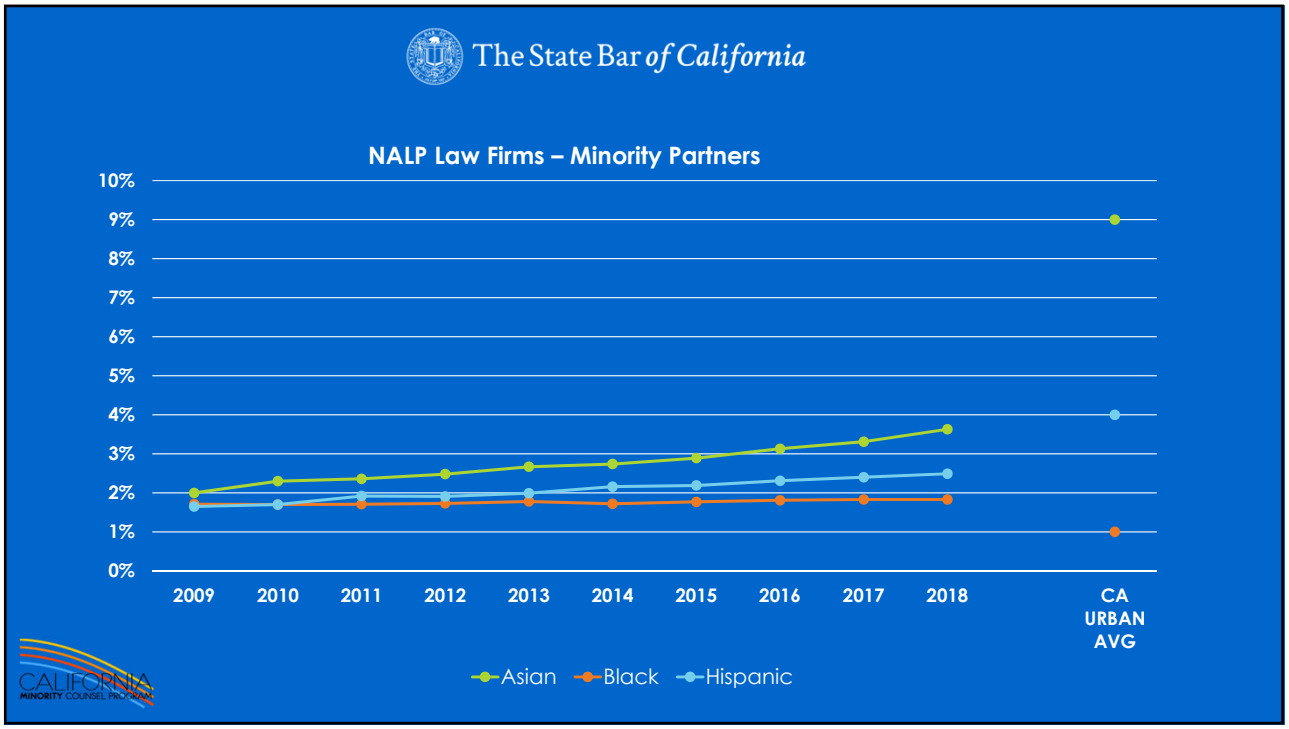
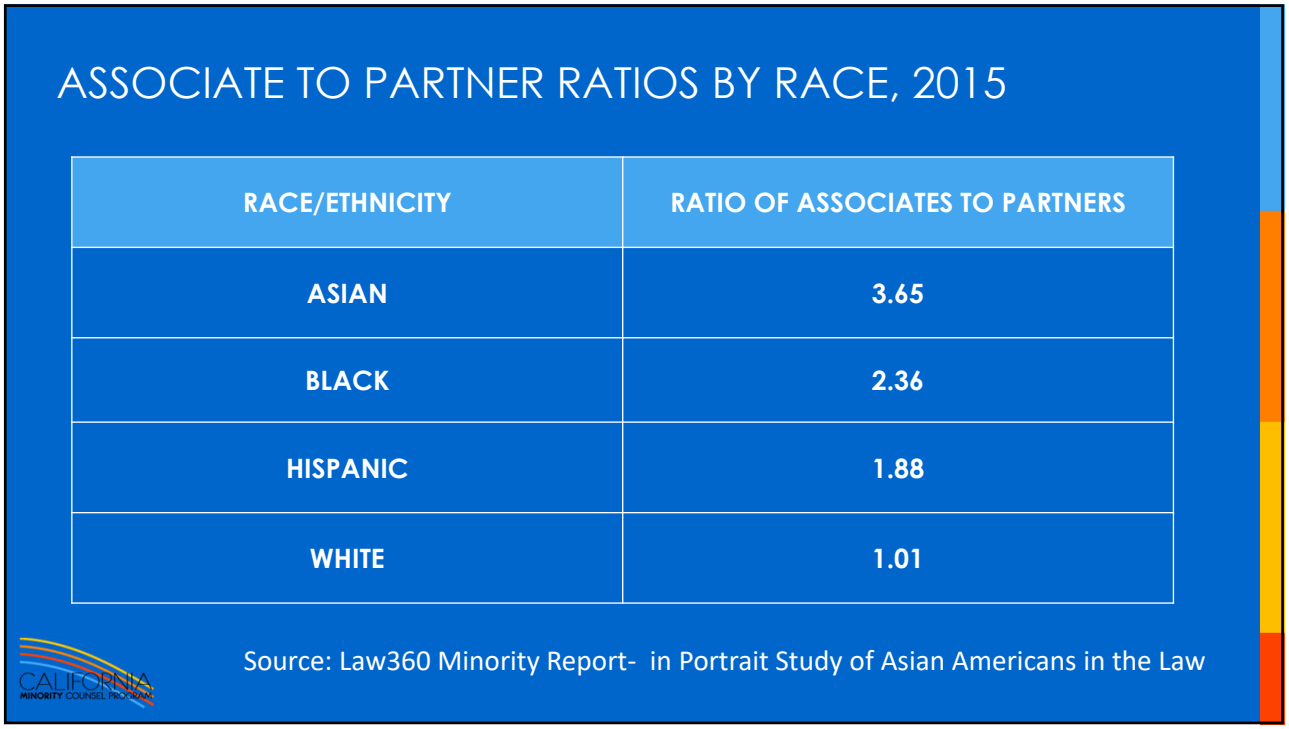

The State Bar of California
NALP Law Firms – Minority Partners
10%
9%
8%
7%
6%
5%
4%
3%
2%
1%
0%
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
CA URBAN AVG
Asian
Black
Hispanic

11


ASSOCIATE TO PARTNER RATIOS BY RACE, 2015
RACE/ETHNICITY
RATIO OF ASSOCIATES TO PARTNERS
ASIAN
3.65
BLACK
2.36
HISPANIC
1.88
WHITE
1.01
Source: Law360 Minority Report- in Portrait Study of Asian Americans in the Law

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DEMOGRAPHICS OF LAW FIRM ATTORNEYS, 2014

RACE/ ETHNICITY	EXECUTIVE MGMT. COMMITTEE	PARTNER REVIEW COMMITTEE	ASSOCIATE REVIEW COMMITTEE	HIRING COMMITTEE	DIVERSITY COMMITTEE	ALL LAWYERS
ASIAN	1.76%	2.22%	4.37%	6.83%	13.15%	6.69%
AFRICAN AMERICAN/ BLACK	2.34%	1.90%	3.05%	4.69%	11.75%	3.05%
HISPANIC/ LATINO	2.30%	2.54%	2.49%	3.69%	8.56%	3.41%

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Source: Minority Corporate Counsel & Vault Law Firm Diversity Database- in Portrait Study of Asian Americans in the Law

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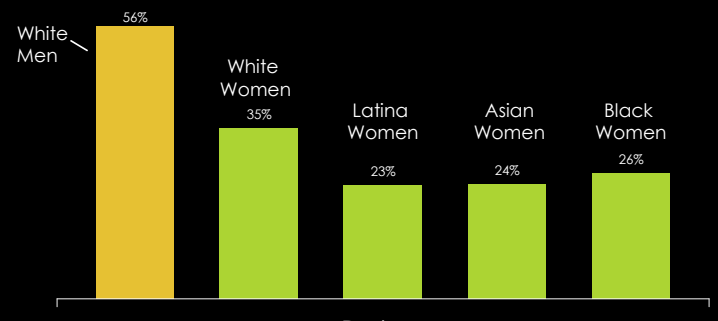
The State Bar of California

Career Advancement

The largest differences appear when both gender and race are taken into account*

- A 30 percentage point difference separates White men from Latina, Asian, and Black Women in the partner ranks



*Percentage of each group that are partners.

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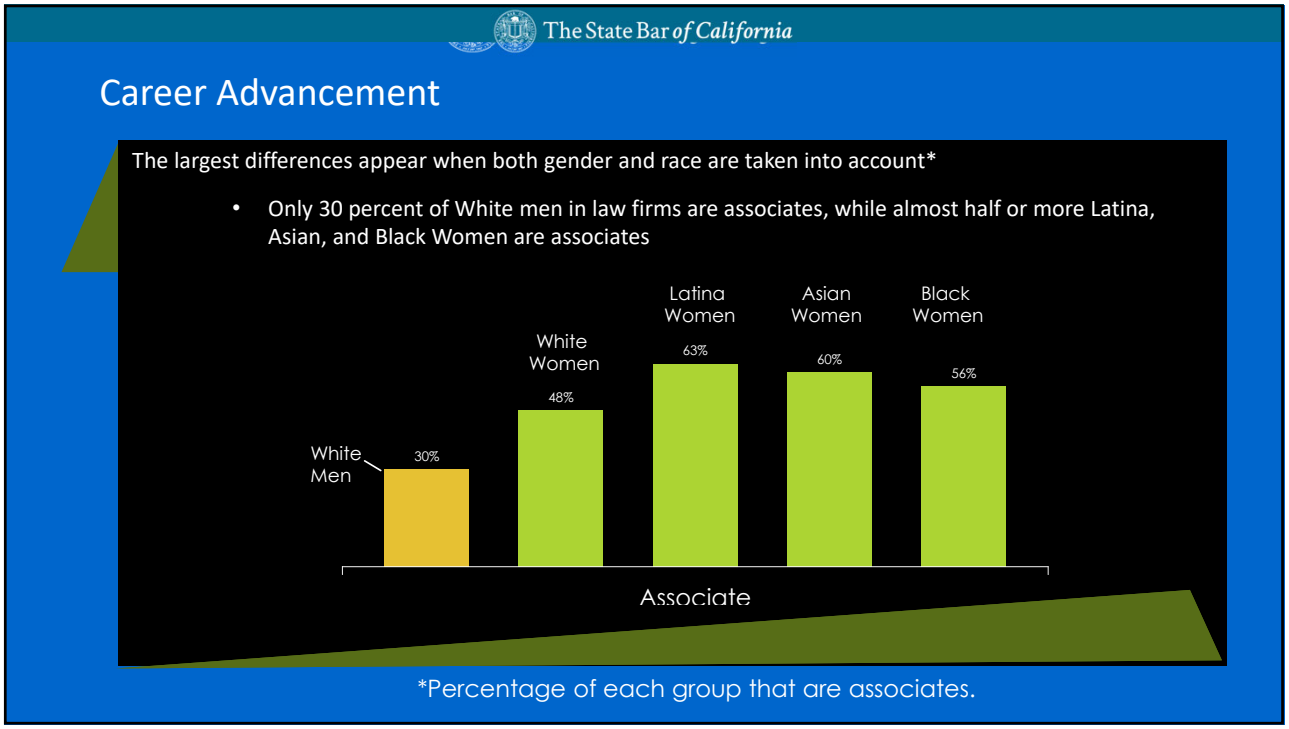
The State Bar of California
Career Advancement
The largest differences appear when both gender and race are taken into account*
• Only 30 percent of White men in law firms are associates, while almost half or more Latina, Asian, and Black Women are associates
White Men
30%
White Women
48%
Latina Women
63%
Asian Women
60%
Black Women
56%
Associate
*Percentage of each group that are associates.

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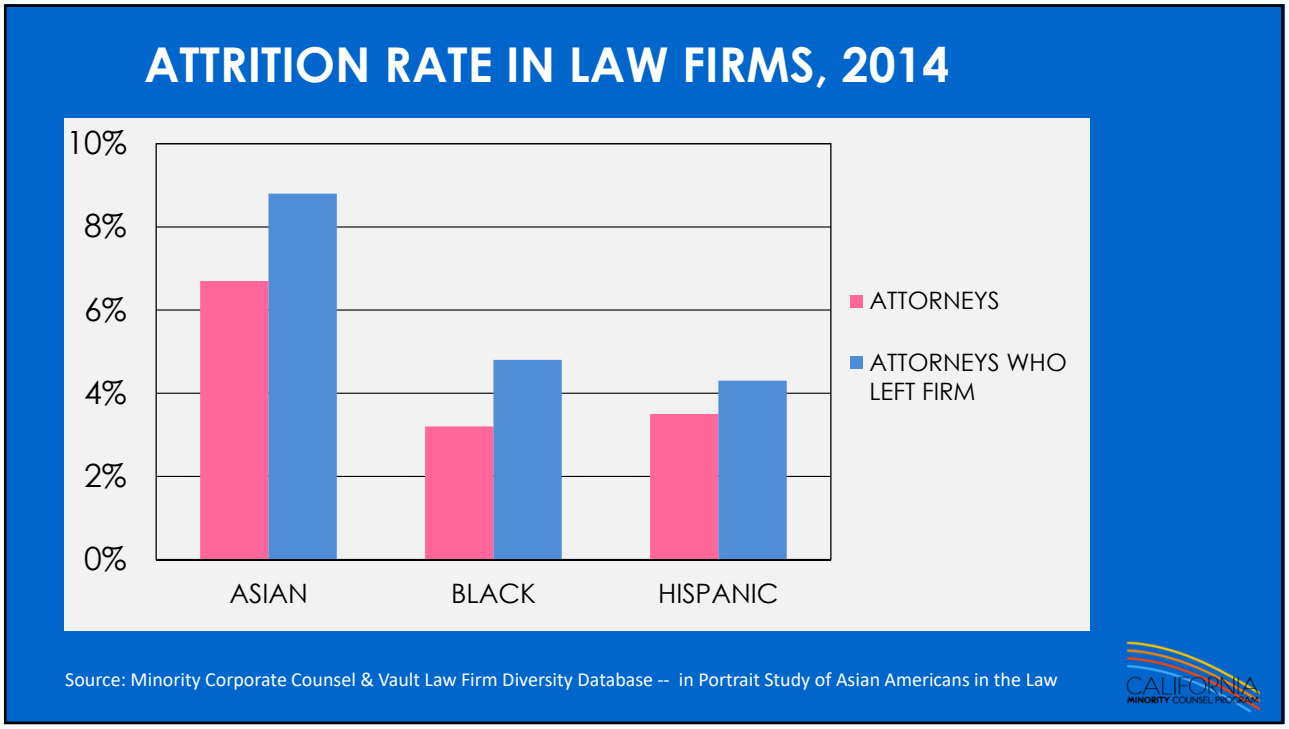
ATTRITION RATE IN LAW FIRMS, 2014
10%
8%
6%
4%
2%
0%
ASIAN
BLACK
HISPANIC
ATTORNEYS
ATTORNEYS WHO LEFT FIRM
Source: Minority Corporate Counsel & Vault Law Firm Diversity Database -- in Portrait Study of Asian Americans in the Law
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CMCP Survey of Black Associates
CMCP Survey of Associates of Color
Extending work of the Portrait Study of Asian Americans in the Law.
How do attorneys of color think and feel about their experience in law firms?
What are identified gaps and barriers to advancement?
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The State Bar of California
Typical Recommendations
Starts with leadership
Data-driven
Training to address gaps and challenges
Objective recruitment standards
Objective advancement standards
Equitable opportunities to develop skills and networks
Work-life balance
Mentoring
Assessment and accountability
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Solution Group Exercise

- How has this group and its approaches contributed to diversity, positively or otherwise?
- Discuss recommendations for changes

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Solution Group Exercise

1. **Solutions Breakout Groups:**
   - **Group 1: Law Firm Partnership Track – Nancy Fong**
   - **Group 2: Firm Diversity Committees, ERGs and Committed Individuals – Rekha Chiruvolu**
   - **Group 3: Internal Challenges for Minority Associates – Kenneth Trujillo-Jamison**
   - **Group 4: Bar Groups and Diversity Organizations – Robert White**
   - **Group 5: Legal Departments Involvement – Preston Hopson**
2. **15-minute discussion, 5-minute wrap-up, then facilitators rotate**
3. **Repeat: 15-minute discussion, 5-minute wrap-up**
4. **Debrief and Discussion**

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Resources and Further Reading on Law Firm Diversity and Associate Retention

- 2018 NALP Report on Diversity in Firms
- A 4-Step Strategy for Retaining Attorneys of Color, Natalie Runyon, Forum Magazine, October 19, 2018
- BigLaw Doesn't Have a Diversity Problem, Marien Whitley, Law360, March 30, 2018
- Delivering Through Diversity, Vivian Hunt, Sara Prince, Sundiata Dixon-Fyle and Lareina Yee, McKinsey & Company, January 2018
- High-quality mentoring and sponsorship can increase diversity and inclusion, Ida Abbott, Globe Law & Business, October 2018
- The Hurdles Facing BigLaw's Minority Women, Natalie Rodriguez, Law360, June 18, 2018

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Resources and Further Reading on Law Firm Diversity and Associate Retention

- IILP (Institute for Inclusion in the Legal Profession) Review 2017: The State of Diversity and Inclusion in the Legal Profession
- In Their Own Words: Minority Partners On Reaching the Top, Natalie Rodriguez, Law360, June 18, 2018
- The Law Firm Caste System: Constructing a Bride between Workplace Equity Theory & the Institutional Analyses of Bias in Corporate Law Firms
- Minority Lawyers On Why They Left BigLaw, Sindhu Sundar, Law360, June 17, 2018
- The Portrait Study of Asian Americans in the Law, 2017
- Survey: What Diversity and Inclusion Policies Do Employees Actually Want?, Matthew Krentz, Harvard Business Review, February 5, 2019

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Acknowledgments
Thanks to the following who contributed to the research and work needed to make this program possible:
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State Bar of California
Thank you!
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