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

M.A.R.P.
Objectives

Gather Quantitative and Qualitative Data
- Conduct Surveys
- Organize Community Forums

Generate Analysis and Ideas for Solutions

Drive Change
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

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

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>67%</td>
<td>41%</td>
</tr>
<tr>
<td>Asian</td>
<td>12%</td>
<td>12%</td>
</tr>
<tr>
<td>Latino</td>
<td>6%</td>
<td>35%</td>
</tr>
<tr>
<td>Black</td>
<td>3%</td>
<td>4%</td>
</tr>
<tr>
<td>Other</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>
Career Advancement

- The private sector is the least diverse
- The nonprofit sector is the most diverse

### Private Sector*

- White: 67%
- Latino: 6%
- Asian: 11%
- Black: 3%
- Other: 13%

### Government*

- White: 60%
- Latino: 8%
- Asian: 13%
- Black: 5%
- Other: 14%

### Nonprofit*

- White: 57%
- Latino: 12%
- Asian: 12%
- Black: 5%
- Other: 15%

*Percent of each racial/ethnic group working in private sector, government, or nonprofit.

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Looking **within** racial/ethnic groups rather than within sector*

- Over 50 percent of attorneys in all groups work in the private sector

*Percent of each racial/ethnic group that works in private sector, government, or non-profit.
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.

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
NALP Law Firms - Women and Minorities

NALP Law Firms – Minority Associates

Asian Total %
Black Total %
Hispanic Total %
### ASSOCIATE TO PARTNER RATIOS BY RACE, 2015

<table>
<thead>
<tr>
<th>RACE/ETHNICITY</th>
<th>RATIO OF ASSOCIATES TO PARTNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASIAN</td>
<td>3.65</td>
</tr>
<tr>
<td>BLACK</td>
<td>2.36</td>
</tr>
<tr>
<td>HISPANIC</td>
<td>1.88</td>
</tr>
<tr>
<td>WHITE</td>
<td>1.01</td>
</tr>
</tbody>
</table>

Source: Law360 Minority Report- in Portrait Study of Asian Americans in the Law
DEMOGRAPHICS OF LAW FIRM ATTORNEYS, 2014

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


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.
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.

**Career Advancement**

<table>
<thead>
<tr>
<th>Gender</th>
<th>Associate Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Men</td>
<td>30%</td>
</tr>
<tr>
<td>White Women</td>
<td>40%</td>
</tr>
<tr>
<td>Latina Women</td>
<td>63%</td>
</tr>
<tr>
<td>Asian Women</td>
<td>60%</td>
</tr>
<tr>
<td>Black Women</td>
<td>54%</td>
</tr>
</tbody>
</table>

*Percentage of each group that are associates.

**ATTRITION RATE IN LAW FIRMS, 2014**

<table>
<thead>
<tr>
<th>Race</th>
<th>Attorneys</th>
<th>Attorneys Who Left Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>6%</td>
<td>4%</td>
</tr>
<tr>
<td>Black</td>
<td>4%</td>
<td>2%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>2%</td>
<td>3%</td>
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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?

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
Solution Group Exercise

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

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
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
- 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

Resources and Further Reading on Law Firm Diversity and Associate Retention

- In Their Own Words: Minority Partners On Reaching the Top, Natalie Rodriguez, Law360, June 18, 2018
- The Law Firm Caste System: Constructing a Bridge 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
Acknowledgments

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State Bar of California

Thank you!