

Marketing

How Diversity Can Play a Role in Your Firm's Business Development

SALLY J. SCHMIDT | One of the mantras people use to promote diversity is that it's good for business. It can, though, go one step further: It's good for business development. The importance of inclusion extends well beyond marketing motives, of course—but it is true that efforts to build a diverse law firm can offer distinct advantages in attracting and retaining clients.

How important is diversity to clients? In April of this year, more than 100 general counsels and law firm management representatives met in Arizona at the *Call to Action Summit*. The purpose was to outline goals for corporations to follow to improve the diversity of their own offices as well as those of the law firms they hire. More than 100 corporations have signed on to the “Call to Action” document, written by General Mills’ executive Roderick Palmore in 2004.

And it's not just the mega-corporations—more and more clients are demanding diverse teams of lawyers to work on their matters. Some go so far

as to require their law firms to report which lawyers have billed how many hours on which matters. Because practice expertise and geographic location make the reality of the assignments difficult, this can be a tricky issue, even for firms fortunate enough to have diverse lawyer populations. But for firms that haven't succeeded in diversifying their ranks (in some cases, despite considerable efforts), the challenge of meeting these expectations is enormous.

Elsewhere in this issue of *Law Practice* (see pages 31-54), you'll find advice and insights on the whys and hows of developing a more inclusive law firm. Here, let's look into points where your firm's diversity and marketing efforts might intersect.

Where Diversity and Marketing Meet

There can be a natural intersection between diversity initiatives and marketing initiatives, both on an individual and an institutional level. In fact, many activities can kill the two birds

with one stone. Following are some examples for your firm to consider.

Client teams and pitches. Whether working with an existing client or making a pitch for new business, law firms need to think carefully about the makeup of the teams they assign. Obviously, the client's contact lawyers need to be chosen based on legal needs and the lawyers' practice skills and geographic location. However, gender, age, race and other factors should also be strong considerations when assembling the team. Sometimes just the process of organizing a client team helps a firm recognize its need for diversity—for example, when the team assembles and everybody realizes that all the contact partners are white males. If you cannot present a diverse lawyer group, consider building relationships with minority firms or lawyers with their own practices. You can potentially pair up on projects and submit joint proposals.

At the same time, the firm needs to be honest about the real client contacts—clients will not tolerate a “bait and switch.” One law firm was chastised by a client for putting the firm's only African-American partner on the team when he had nothing to do with anything related to the client's business or legal needs.

Business development training. As firms incorporate business development training or mentoring in their



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professional development programs, they should consider the need for organizing special programs, or discussions, to address the unique issues encountered by different kinds of lawyers. One young woman lawyer, upon asking a male client to lunch, was floored by his response: "I'm sorry, I'm married." Women and lawyers of color do have different issues—and different opportunities—that arise in their business development efforts. Firms should acknowledge this and factor it into their training programs.

Promotional materials. Many law firms' marketing programs include items like newsletters, ads and brochures. How can these tools be used to promote a firm's diversity efforts? The firm Sonnenschein Nath & Rosenthal created a newsletter called *Diversity Connections* to tout its activities and commitment. Arnold & Porter has used ads to showcase awards that it has won, including its selection as one of the 100 Best Companies by *Working Mother* magazine.

Whether your firm has women's events, an affinity group for gay/lesbian/bisexual/transgender lawyers, or a minority law student scholarship, think of how to promote this to your clients and prospects. In fact, just having a separate page for diversity matters on your Web site is one way to demonstrate your commitment to inclusiveness efforts.

Events and sponsorships. There are multiple ways for a firm to leverage its community activities and marketing events to promote diversity. For example, what better organization to support than the YWCA, whose slogan is "Eliminating racism, empowering women"? Or your firm can sponsor events with a

group such as the Minority Corporate Counsel Association. Also, many firms have developed specific activities for their women lawyers and women clients such as book clubs and spa events.

In addition, these types of initiatives can be very good for client relations and bring a law firm and a client closer. As noted, companies are also trying to diversify their ranks, so you might pair with a client company on an initiative like a minority summer internship or pooling funds to make a larger contribution to an important organization.

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Individual activities. Firms should encourage their lawyers with diverse backgrounds to get involved in related organizations, such as the National Bar Association or the Cuban-American Bar Association, to name just two examples. Establishing these affiliations will support the cause and also highlight diversity to clients and others who look at the lawyers' bios. In addition, lawyers can join the diversity committees of organizations with which they are involved, ranging from the Associated General

Contractors to the Society for Human Resource Management and beyond.

Also, some groups fly under the radar, so it's a good idea to ask clients for suggestions for organizational activities or sponsorships. And remember, too, that a lawyer doesn't have to be a member of a particular race, gender or other affiliation to belong to a given organization.

Recruiting. Finally, how does your firm address inclusiveness in its recruiting program? After all, recruiting is really a form of marketing—it's selling your firm to an audience of lawyers. Firms need to employ their marketing skills in designing a campaign to recruit diverse lawyers. Think about what's important to them, and how to differentiate your firm in their eyes.

In addition, you can build relationships with the diversity committees of target law schools, or with diverse law schools. Sponsor their activities and get involved.

Making Your Efforts Visible

Many law firms have made substantial efforts to recruit and retain diverse lawyers; some have experienced success, while others have not. The current composition of the firm's lawyer population, the firm's size and geographic location, and the practice areas being sought are all factors that new recruits and lateral prospects may use in selecting a firm—these factors can work for you or against you.

However, according to many clients, your efforts can be as important as your results. As long as your firm is making visible strides to support the concept of diversity, you may be rewarded, so use your marketing efforts to demonstrate your commitment to diversity. **LP**