

PRACTICAL STEPS FOR ENGAGING WHITE MEN IN DIVERSITY AND INCLUSIVENESS EFFORTS

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Traditional diversity programs and initiatives in the legal profession have failed. According to the Bureau of Labor Statistics, the legal profession is the least diverse of all professions in terms of representation by people of color. Why? The reasons are several but two stand out.

The first is that white men have, for the most part, been absent from these efforts. This is a major oversight because the legal profession is still largely white (89%) and male (67%). White men not only comprise the majority of practitioners, they are almost always the crucial decision makers in legal organizations. Therefore, it is both practical and necessary to engage white men as allies and champions for diversity.

The second failure of traditional diversity efforts has been their limited approach. Most diversity programs focus on getting diverse lawyers in the door but do little, if anything, to retain and promote people of color, LGBT lawyers, and women. The door, therefore, has become a revolving one.

The reason for the exodus of diverse lawyers, as concluded in numerous national research studies conducted since 2006, is exclusionary organizational cultures. (See the NALP Foundation's *After the JD* study, the American Bar Association's *Visible Invisibility* and *Visibly Successful*, the Minority Corporate Counsel Association's *Sustaining Pathways*, and Catalyst's *Women of Color in U.S. Law Firms*.) Where such cultures exist, there are hidden barriers to success.

INCLUSIVENESS IS THE KEY TO THE DIVERSITY DILEMMA

Increasing diversity by recruiting from under-represented groups is only half the battle. New efforts must place equal focus on "inclusiveness," which involves intentional, ongoing engagement of diversity within organizations and removal of hidden barriers. With inclusiveness, organizational culture must change – and can do so more readily with the active involvement of white men.

In Denver, several law firms, corporate legal departments, and government legal offices are collaborating on a new inclusiveness initiative under the guidance of the Colorado Campaign for Inclusive Excellence (CCIE), a nonprofit committed to increasing diversity in the legal profession. A top priority for this initiative – called the Inclusiveness Network – is engaging white men.

Since 2008, participating legal organizations have developed methods for increasing white male engagement in diversity and inclusiveness efforts. All of the organizations either have influential white men as the chair or co-chair of their inclusiveness committees and/or the full backing of the white male managing partner or head of the law department.

CCIE has found that the partnership between these white men with female, LGBT, and racially/ethnically diverse lawyers and staff has pro-

vided tremendous momentum to diversity and inclusiveness efforts within their respective organizations.

CCIE's Inclusiveness Network has identified eight practical steps to engage white men.

STEPS FOR ENGAGING WHITE MEN

1. Change the discussion

When you move toward inclusiveness, it's not just about numbers but about creating an inclusive organizational culture. Since inclusiveness is about everyone in the organization, white men feel like they are part of the process.

2. Cultivate white male allies and champions

Recognize that allies for diversity come from diverse and non-diverse groups. Every organization includes some straight white men who are more open to recognizing unconscious bias and understanding the unearned advantages they enjoy by being in the majority.

Research by Catalyst, Inc., on men and gender bias (*Engaging Men in Gender Initiatives: What Change Agents Need to Know*, May 2009) concludes that potential allies have generally either experienced discrimination themselves or have someone important to them who has. Additionally, the study found that men mentored by women were more aware of gender bias. Thus, close work with people who are different or mentor relationships "across difference" can also make men more open.

An effective way to educate more white male allies and champions is to meet with them one-on-one or in small groups.

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This messaging can sometimes have more impact when it comes from other white men.

3. Leverage white males in influential or leadership positions

If influential white men decide change must happen, it can happen swiftly. This is not to say that powerful diverse lawyers can't be equally as influential. But no matter who champions the issue, it is important that they use their positions to send regular messages about the importance of diversity and inclusiveness.

Be strategic by identifying leaders in the organization and others who are influential with their peers and considered "thought leaders." Once identified, select those individuals who would be willing to discuss the development of an inclusiveness initiative.

Leverage those positions of influence by including the potential change agents in diversity and inclusiveness efforts and ensuring they have important roles.

4. Include white male allies and champions on the inclusiveness committee

Inclusiveness committees must include white men, especially since the perspectives of all groups in an organization are represented in an inclusiveness initiative. If you can persuade powerful white men to play an active role on the inclusiveness committee, that alone will send a strong message to the rest of the organization about the importance of diversity and inclusiveness.

5. Educate white male allies about why inclusiveness is a business imperative

People are more apt to support change if they perceive a personal benefit in doing so. Increased diversity is not only a good thing but a business imperative. By creating a culture of inclusion, the revolving door for *all* lawyers, not just diverse ones, will be reduced. Studies place the cost of

replacing one associate from \$250,000 to \$500,000, affecting the bottom line for everyone. Moreover, corporate clients are increasingly demanding that outside counsel make diversity and inclusiveness a priority.

6. Include white men in the process of uncovering instances of hidden bias in the organization

Organizations play a strong role in whether straight white men remain unaware of the role of bias and preferences in the workplace.

According to Catalyst's *Engaging Men* study, "Many organizations tout the idea that they are wholly meritocratic and that their human resource policies and practices are invulnerable to bias. By perpetuating this myth of meritocracy and failing to institute checks and balances to limit bias, organizations can inadvertently decrease men's sensitivity to ... inequalities."

Once white men acknowledge there are inequities that unfairly inhibit productivity and, especially, the bottom line, they will be more open to needed changes.

7. Give white men a list of tasks and they will help

Many straight white men in legal organizations would be more engaged in diversity and inclusiveness efforts if they just knew what they needed to do. A list of concrete tasks with deadlines and follow-up reporting requirements will get people mobilized.

Examples of discrete tasks include the following (these do not have to be limited just to white men in the organization):

- take a diverse (female, of color, LGBT) associate to an outside event that gives them access to new networks;
- attend one or more of the specialty bar dinners each year;

- mentor a diverse student;
- contact a client and sponsor a luncheon where all associates (not just the usual favorites) can socialize with inside counsel;
- serve on the firm's diversity/inclusiveness committee;
- attend a CLE on diversity and inclusiveness, particularly one that addresses unconscious bias in the workplace;
- add diversity and inclusiveness to the agenda of your team/practice group/department meeting;
- participate in social events where you can develop relationships with people in your organization who are outside of your usual circle or comfort zone;
- ask a diverse lawyer (where there's a trust relationship) how he or she experiences the practice of law differently;
- ask a diverse lawyer how you can help with his or her career development;
- give a diverse lawyer tips on networking, business development, and/or how to make partner in the firm; and
- analyze utilization statistics to evaluate whether you are fairly distributing work assignments.

8. Provide incentives to sustain diversity and inclusiveness efforts

Organizations that are serious about change and sustainability provide credit toward billable hour requirements, offer awards or bonuses, and/or otherwise include individual efforts in job duties and responsibilities that factor into the compensation system.

For more information about inclusiveness initiatives, see CCIE's online resources at www.legalinclusiveness.org. ■