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CASE STUDY: SHOOK, HARDY & BACON LLP

Shook, Hardy & Bacon LLP has earned a gold standard certification from WILEF for six straight years, and Vault named Shook Hardy the fifth best law firm for minority diversity in 2017, based on a national survey of law firm associates.

Shook Hardy is based in Kansas City, Mo., and has about 497 lawyers in 12 offices in the U.S. and London.

Creating diversity and inclusion is “a process,” Kori Carew, Shook Hardy’s director of strategic diversity initiatives, told Bloomberg BNA in interviews Aug. 24 and Sept. 12. “It’s not a one-time thing. Every day there’s going to be a new challenge.”

The firm’s commitment to inclusion is, “for many people, whether they’re clients or new hires, part of our brand,” said Carew, who used to practice employment and product liability law. “The inclusion part” is “the critical component,” Carew said. “Unless people feel this is a place they can connect, belong, and feel valued, they won’t stay.”

“Where we shine is with women,” Carew said, noting that the firm is focusing many of its recent programs on racial minorities.

To reach potential minority job candidates early, the firm holds a diversity writing program for law students at its offices in Kansas City, Mo., and Miami. Through this program, each fall it hires a few racial minority or LGBTQ law students to work 10 hours per week for 12 weeks. The firm guarantees these students a callback interview, although not necessarily a job offer, for its summer associate program.

Holistic Support for Law Student Employees

The students in the diversity writing program receive holistic support, Carew said. They are assigned a supervising attorney who ensures they receive appro-

ropriate assignments, a writing mentor, and a partner mentor who helps them meet important people at the firm.

Shook Hardy also holds on-campus interviews and works with bar associations and affinity groups. In addition, it trains its lawyers to be “on the lookout for great talent” whenever they attend a conference or event. “Everyone is an inclusion change agent,” Carew said.

The firm realizes that hiring is just the beginning of the inclusion process. To avoid having the work of its diverse associates go unnoticed, “like a plant that is stuck in the dark,” Carew pays attention to their career development. She said she tries to ensure that diverse associates get assignments “that will give them the appropriate skill sets.”

“We have to intentionally cultivate and develop people” because if development is left to happen organically, the people who look like the firm leaders tend to get the best opportunities, Carew said.

Shook Hardy has a traditional mentoring program, with pairs of partners and associates, and also circles of two or three partners matched with a group of associates. “Women and minorities end up being over-mentored and under-sponsored,” Carew said. A mentor gives advice, she said, but a sponsor uses his or her influence to help the sponsored person get access to choice assignments and an influential network.

A program called Shook Champions encourages firm movers and shakers to sponsor diverse attorneys who are within two years of partnership consideration.

The Shook Champions program consists of six months of formal group sessions related to business development, client exposure and firm leadership followed by regular one-on-one meetings for six months during which the partner/senior associate duos may collaborate on projects such as writing an article or doing pro bono work.

Miserable Lawyers Will Leave

The firm also is concerned with retaining its diverse lawyers. “People stay based on the experience on their team,” not because of a firm’s special programs, Carew said. “As long as people don’t feel included, they’re not going to stay.”

Carew has detected an attitudinal shift between minority members of the baby boomer generation and today’s young adults.

Minority “boomers felt very invested” in persevering and blazing a path through the system so other minorities could follow them, she said, but young lawyers today “are not as willing to stay in a high-intensity, high-pressure profession if they are not satisfied or happy.”

The attitude of millennial lawyers seems to be, “if this is not working out for me, I’m not going to do it,” she said.

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In keeping with its view that diversity and inclusion requires constant vigilance, Shook Hardy periodically gives all its lawyers implicit bias training, which demonstrates that the firm probably views the “white male heterosexual able-bodied” person as the norm, Carew said.

She said the firm also is planning to begin cultural competency training, which will help lawyers realize the effects of cultural differences on lawyers’ work styles.

“People don’t often recognize the things they do that create exclusion,” Carew said, so Shook Hardy gives all its lawyers a diversity and inclusion checklist. (See the box below for a sample of the items on the checklist and go to <http://src.bna.com/iOa> to view Shook Hardy’s Diversity Commitment Plan.)

Selected Items from Shook Hardy’s Diversity Commitment Plan

- Learn about a diversity organization and write a report on how it could affect your legal practice.
- Attend a continuing legal education seminar that focuses on diversity and inclusion.
- Attend at least three events sponsored by the diversity and inclusion committee.
- Help plan, or volunteer for, a firm-sponsored diversity and inclusion activity.
- Read and discuss the firm’s policies on alternative work schedules or parental leave.
- Introduce a diverse attorney to a client and meaningfully involve a diverse attorney in client matters.
- Take an implicit bias test and commit to improving in three areas.
- Recommend a diverse attorney for a community or professional organization.
- Attend a function of a specialty bar organization.
- Mentor a diverse high school, college or law student interested in becoming a lawyer.
- Volunteer to recruit at a diversity job fair.
- Read a report about conducting bias-free attorney evaluations and apply the principles when performing evaluations.
- Select a diverse attorney to sponsor and provide a progress report to leadership.
- Take on a pro bono case that serves a diverse population.

One item on the list asks them to “look at your circle of who you’re investing in and see if you can expand it,” Carew said.

She said the firm evaluates all lawyers’ commitment to diversity as part of the compensation process. Further, she said, Shook Hardy celebrated partners who had sponsored diverse lawyers successfully during the firm’s all-attorney retreat in 2015.

The firm has many other initiatives. Pathways to Inclusion is a series for professional staff and attorneys that features national speakers on topics such as deaf

culture, Islam, and immigration. The speeches are held in one of Shook Hardy's offices and broadcast to the firm's other locations.

The Catalyst program launched last year with quarterly meetings for minority and LGBTQ lawyers. In addition, the firm holds a diversity retreat every other year for minority and LGBTQ lawyers attended by firm leaders and some clients.

Programs for Women

For women, the firm has the Women's Management Council, a group of women partners. It offers programs for women and informal mentoring to female lawyers.

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The initiatives seem to be working. Firmwide, women comprise 22 percent of equity partners and 30 percent of the executive committee. About 20 percent of the 12 offices have female office managing partners, and a woman will head Shook Hardy beginning in 2017.

Racial minorities comprise 7.5 percent of the equity partners and 10 percent of the firm's executive committee. The summer associate class in 2015 was 17 percent minority, and in 2016 it was 30 percent minority.

"The feedback that we get internally is very positive toward inclusion because it's something that everyone can relate to," Carew said. "Diversity resonates a lot with our younger people coming in," including white males, because that's the kind of world they want to live in.

Furthermore, "our clients are very receptive," according to Carew. She said one client pays bonuses to law firms that accomplish specified diversity and inclusion benchmarks. Other clients require the involvement of diverse lawyers on their legal matters. "We make sure that what we're doing in diversity is well-represented" when we make business pitches to clients, she said.

Diversity improves the firm's performance, Carew said. "Being innovative and creative requires diversity," and "if you don't have diversity at the table, there are perspectives that you are missing."