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## The Gibbons Diversity “Thought Leadership” Initiative: A Bold Plan To Move Workplace Diversity And Inclusion Forward

*The Gibbons Diversity Initiative (GDI) is a pioneering corporate diversity effort launched by Gibbons P.C. and its Chairman and Managing Director, Patrick C. Dunican Jr., in 2004. GDI is a comprehensive strategy, comprising both internal and external components, which puts into action the firm’s longstanding commitment and involves all aspects of its operation. Gibbons incorporated new administrative resources and accountability measures for GDI with the creation of the Chief Diversity Officer position and the hiring of CDO Luis J. Diaz in 2007.*

*While GDI has both internal and external components, GDI’s external impact is currently in the spotlight in the New Jersey legal community, with Mr. Diaz serving as Chair of the Strategic Planning Committee for the New Jersey State Bar Association’s Diversity Committee, responsible for the strategic plan for diversity that will guide the entire organization. In a recent interview, Mr. Dunican discussed his firm’s significant efforts to move the issues of workplace diversity and inclusion forward throughout the legal and business communities, through bold and creative thought leadership.*

**Editor: What was the initial impetus behind your firm’s commitment to diversity?**

**Dunican:** Gibbons is, and has been since our founding in 1926, headquartered in Newark, a city with a dynamic, diverse population from which we have always drawn a significant portion of our employee base. We have, therefore, always been aware of the distinct value diversity brings to a workplace, having seen it in action as long as we have been in business.

Diversity provides valuable perspectives, cultural competence, and talents that allow us to be more creative, effective, and ultimately successful in the practice of law and service to our clients. Diversity of perspective results in diversity of solutions, and we are in the solution delivery business.



**Patrick C.  
Dunican Jr.**

**Editor: Why is Gibbons so committed to promoting diversity even beyond the firm itself?**

**Dunican:** In late 2011, Mr. Diaz and I co-authored an article for the *Seton Hall Law Review* titled, “Ending the Revolving Door Syndrome in Law.” Through the course of our research, we discovered an alarming trend: major U.S. law firms were actually becoming less diverse. Diverse attorneys were experiencing higher attrition rates relative to their non-diverse peers. These retention disparities are not good for anyone in the legal profession, for clients, or for American business and the public at large, because they help uphold the inequality that should be long since past. This trend depresses real, vital potential to contribute to the greater good and minimizes the importance of some of our economy’s fastest-growing market segments. Mr. Diaz and I decided to utilize the publication of our article to start, in one small way, to address this problem.

After presenting evidence of the “revolving door” problem, we suggested possible reasons for its recent exacerbation, discussed the negative business implications

of decreased diversity, and detailed numerous strategic steps that organizations could take to manage key business processes in a way that could minimize or even eliminate retention disparities. The article also recommended ways the organized bar could serve as a resource for implementing these tools throughout local law firms.

**Editor: The article was published more than two years ago. It was a great blueprint, but how are its ideas being implemented in the legal community?**

**Dunican:** At the time of its publication, the article was widely read, very well received, and, ultimately, highly influential. As a result of the article, our CDO, Mr. Diaz, was asked to serve as Chair of the Strategic Planning Committee for the New Jersey State Bar Association’s Diversity Committee. He authored the strategic plan for diversity that will guide the entire organization; he is also currently overseeing the practical implementation of the plan and serving as a resource for NJSBA members. He undertook extensive research to design this plan, including insight from inclusion initiatives implemented by the American Bar Association and numerous state bar associations, to determine best practices and identify any programs appropriate for adoption or replication by the NJSBA.

Internal efforts to strengthen the NJSBA itself focus on the following: institutionalization of efforts to increase access and inclusion, for example, through the designation of a Chief Diversity Officer; increased participation and leadership on diversity issues by diverse members; and member education and communication on issues and goals. External initiatives, to assist NJSBA member firms and attorneys,

*Please email the interviewee at [pdunican@gibbonslaw.com](mailto:pdunican@gibbonslaw.com) with questions about this interview.*

cover the following: guidelines and tools for critical business processes in law firms, such as work assignments, associate evaluations, and quality review; uniform diversity metrics; uniform standards for corporate legal departments in the use of RFPs, which increasingly impact the business of law; and pipeline and mentoring programs for outreach to future potential attorneys.

In addition to our work with the NJSBA, the Gibbons Diversity Initiative is active in minority bar associations and similar organizations. For example, Gibbons Director Fruqan Mouzon currently serves as President of the Garden State Bar Association, which works to enhance and improve the status of African American and all minority attorneys in New Jersey. Firm members are also active in the National Bar Association, the nation's oldest and largest national association of predominately African American lawyers and judges; the Hispanic Bar Association; and the Minority Corporate Counsel Association.

**Editor:** You mention above that you are extending your efforts beyond the legal profession, to the broader business community. How are you doing that?

**Duncan:** The Gibbons Diversity Initiative holistically addresses the issue of workplace diversity, engaging the range of diversity stakeholders. GDI programs are open to invited guests throughout the legal and business communities. These programs successfully attract some of the area's preeminent experts on corporate diversity initiatives, including purchasers of legal and other professional services and products, who provide first-hand insight into the across-the-board business benefits of workplace diversity.

In addition, every Diversity Committee member at Gibbons is assigned involvement with a more general industry organization or professional association, so that issues of diversity remain evident even in the broadest business network. For example, Gibbons Diversity Committee members heavily participate in the Commerce & Industry Association of New Jersey, the New Jersey Business & Industry Association, the Newark Regional Business Partnership, and numerous practice-specific industry organizations. This visibility promotes our values even outside the particular context of diversity, and certainly outside the law firm environment.

But it is, ironically, an internal Gibbons platform that has the most promise with regard to the broad promotion of diversity and inclusion. Our supplier diversity program, GDI-123, engages clients and provides minority- and women-owned businesses (M/WBEs) and law firms with procurement and other strategic business opportunities. We maximize diverse attorney utilization at the firm and, at the same time, hire product and service providers for both firm operations and client matters in part through proprietary nationwide databases of certified M/WBEs, including client-requested vendors. We also conduct education sessions to assist our suppliers in the M/WBE certification process, teach best practices, and promote visibility for M/WBEs, helping to increase the ranks of such businesses.

The identification of a large pool of qualified, certified M/WBE vendors fosters competition and results in better service, price, and quality. Moreover, M/WBEs are increasing at six times the rate of non-M/WBE companies in the U.S. It simply makes business sense for Gibbons to affiliate with such a fast-growing market segment. By supporting M/WBEs that value inclusion, we help them to succeed and thus support our own corporate values: the more they succeed, the more likely they are to hire and promote a diverse workforce. GDI-123 has so impressed the clients to whom we have presented it that some, in turn, have disseminated the program within their own companies.

**Editor:** It sounds as if you employ a variety of innovative approaches to help solve an entrenched problem. But how are you working to prevent the lack of workplace diversity from being a problem in the first place?

**Duncan:** For that, we try to get involved as much as we can with students, who are, literally, at the "pre-workplace" level. Developing future generations of leaders is integral to GDI's efforts and a key differentiator of our program. Since 2008, the firm has hosted a week-long internship for students from the New Jersey Law and Education Empowerment Project (NJ LEEP), a program founded in 2006 to empower urban youth in grades 8 through 12. At Gibbons, these students learn about the practice of law and the conduct of legal research; at the end of their week,

they compete in a Moot Courtroom debate before one of the retired judges at the firm. In addition, the firm offers three-week administrative internships to these students if they are interested. Gibbons also takes part in the USHAA Fellowship, a partnership with the Hispanic Bar Association of New Jersey and the Center for Hispanic Policy Research and Development, NJ Department of Community Affairs. The fellowship selects some of the nation's brightest and most promising minority scholars and exposes them to all aspects of advocacy – legal, legislative, and community grassroots – through part-time internships with judges, legislators, and major law firms, including Gibbons, as well as through bi-weekly training with national advocates. GDI has graduated four years of classes through the USHAA component, including more than 20 students who are either law school bound or currently in law school.

**Editor:** While focusing on these high-profile external efforts, how are you making sure that diversity remains a priority at Gibbons itself?

**Duncan:** As mentioned above, GDI is in no way static; our CDO and Diversity Committee are dedicated to ongoing learning. We adapt our perspective and approach when new best practices are introduced and constantly assess what works and what does not work in the promotion of workplace and supplier diversity and the effective leveraging of their benefits. To that end, even the internal quarterly meetings of our Diversity Committee – which comprises not only our diverse attorneys but a significant cross-section of firm management – feature some of the most eminent voices on corporate and supplier diversity. We invite these renowned thought leaders to Gibbons because we recognize that it does indeed take a village to make an impact, even just within our own walls. We do not do this to curry favor with clients; in fact, most of our featured external speakers are not clients but rather purchasing executives, diversity officers, and leaders from throughout corporate America and key associations focused on diversity issues. Recognizing the most vital, current thought leadership is critical to the development and effective messaging of our own thought leadership. Our willingness to teach grows from our willingness to learn.