

By Sharon Sheridan, Contributing Writer

While New Jersey features one of the nation's most diverse populations, the state's law firms haven't always reflected that. However, that's changing rapidly, a result of both market forces and a determination to do the right thing.

"This is extremely important to us, as it is extremely important to our clients," says **Patrick Dunican Jr.**, chairman and managing director of **Gibbons P.C.**, with 150 attorneys in Newark and others in Trenton, New York, Philadelphia and Delaware. "This is one of the paramount issues that you're hearing about today among ... the top 200 firms in the nation."

Traditionally, law firms were white-male dominated, says Anjana Patel, Diversity Committee co-chair at Sills

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in the Workplace: A Statement of Principle." This Call to Action outlined their "strong commitment to the goal of diversity in the workplace," calling it valuable to their businesses and "the right thing to do."

"We expect the law firms which represent our com-

Seeking Counsel From a More Diverse Legal Profession

Cummis & Gross, with offices in Newark, Princeton and New York. "I guess that's pretty uniform throughout the country."

Although for some time as many or more women have graduated from law schools as men, the industry still doesn't reflect this, "particularly the upper levels of law firms," says Mary Beth Bosco, Diversity Committee co-chair at Patton Boggs (offices in New Jersey and eight other locales).

"Law firms were not a bastion of diversity for many, many years," Dunican agrees. "It was an 'old boys' club. There was exclusion in the profession.

"That is not a phenomenon that exists today," he says.

Helping spark the change is a push by large corporate clients, who themselves have become more diverse and want their outside counsels to be, as well, attorneys say.

In 1999, chief legal officers of about 500 companies – including New Jersey firms such as Summit Bancorp, Merck, BASF, Cendant, Schering-Plough, Chubb and Becton, Dickinson – signed a document called "Diversity



panies to work actively to promote diversity within their workplace," the document said, noting that companies would "give significant weight to a firm's commitment and progress in this area" when hiring outside counsel.

Corporations have gotten tough about reinforcing this in the last four or five years, Patel says. Project bids for

Fortune 500 companies now include sections examining how diverse firms are and how much progress they're making.

"Wal-Mart is very active in this. They actually fired some of their outside counsel because they wouldn't do anything about it," she says. "It was all lip service for a while." But now, some of the bigger firms are hiring chief diversity officers, and many have diversity committees.

"It's certainly something that's gaining steam," says Scott Murray, Diversity Committee co-chair with Patel.

"First of all," Dunican says, "it's the right thing to do. But your clients are telling you you have to do it."

And with good reason.

"This is an international world we live in now," Murray says. "We're working with people from all across the world, and you really need to be able to understand different cultures, different backgrounds. It really brings an excellence to your work that you just can't get any other way, and I think a lot of people are catching on to that."

At the 165-attorney firm of Sills Cummis & Gross, as of January 1, 19 percent of associates, four percent of counsel and 3.2 percent of partners were attorneys of color, while 46 percent of associates, 36 percent of counsel and 12 percent of partners were women, Murray says. "Diversity is absolutely a core value of the firm."

The National Association for Law Placement lists diversity categories, including various races or ethnicities, people with disabilities and openly Gay, Lesbian, Bisexual and Transgender (GLBT) people. At Gibbons, 72 of 230 attorneys – including 19 directors – are women; six are Hispanic/Latino, including two directors; 10 are Black/African-American, including two directors; seven are Asian, including one director; one director is disabled; and

three are openly GLBT, including one director.

For Tim Duffy, a founding partner of Coughlin Duffy, promoting diversity is more of a moral issue. "It's very important for the community to see that we are diverse and that we are trying to create opportunities for everyone. I think it's important for our clients to see that, not just for the purpose of generating business, but for the purpose of seeing that we are people with the right values and the right personal commitment."

Established 4-1/2 years ago in Morristown, plus a few attorneys practicing in Manhattan, the firm has 17 to 19 women and five or six minority associates, one minority partner and five or six women who are partners or of counsel, Duffy says. "It's a subject that we have been very sensitive to from the day that we opened our doors."

"It's a philosophy," says Barry Szaferman, founding partner of Szaferman, Lakind, Blumstein & Blader in Lawrenceville. "I believe, for example, public schools make sense for young kids as opposed to private schools. Just being exposed to different cultures is in everyone's interest. It makes you understand other cultures better, and you're going to be working with different clients."

"I think from a business standpoint, if I have staff who are isolated, they may not relate as well to the clients. So I think it just makes sense from a business standpoint, and it's obviously the right thing to do."

He aims for diversity in staff as well as attorneys, with six minority employees and one openly gay paralegal among 32 staff members. The firm has 22 male attorneys, five female – including two partners. One partner is African-American. The firm tries to ensure someone on staff speaks Spanish to accommodate Spanish-speaking clients, he says.

At Patton Boggs, Bosco says, diversity "is something we have long been focusing on, but with renewed energy, if you will, beginning about two years ago." That's when the executive committee constituted a new diversity committee reporting directly to it.

Currently, 22 of the 52 attorneys at Patton Boggs' New Jersey office – including one non-equity partner – are women; three associates are minority members; and one attorney is in the GLBT category.

Besides some clients wanting their law firms to be more diverse, Bosco says, there's recognition that an international firm that is "best-known for its public policy work should be a leader in the world."

"And I think it's also a natural outgrowth of the kind of firm that we are," she says, "which is one that values its people and wants to ... have fun practicing law. I think the more diverse you are, the more creative the firm is and I think the better and the happier and the more engaged your workforce is."

"It's not cliché," Dunican notes, "to say that the diversity of thought leads to a better solution for the client. As lawyers, we're in the problem-solving business. So if we can bring different points of view, different perspectives, different opinions to a client's problem, we're going to achieve a better result."

In five years, Gibbons P.C. has added 80 lawyers and \$40 million in revenue and doubled its profitability, and there's "no question" diversity efforts are part of that, Dunican says. "The more that you can take care of your people, the more productive they're going to be" – and the better they'll serve their clients.

Gibbons P.C. founded its Women's Initiative, for example, in 1997 "to bring together the women decision-makers from outside the firm who were rising through corporate America and making the selection of outside counsel," he



Patrick Dunican Jr., chairman and managing director of Gibbons, Newark.

says. "Internally, we realized that we needed to nurture and cultivate women lawyers."

Today, Gibbons P.C.'s benefits include scheduling flexibility for women, including 4/5 and 3/5 programs and some employees working from home, he says. "We're harnessing the technology that we have available to us now."

They're not alone.

"It's just a practical reality that women tend to be the caretakers in a family," including having primary childcare responsibility, Bosco says. "So certainly having flexibility in your schedule is very important. I think we've got one of the best part-time policies around. ... It is not one-size-fits-all. And we also have part-time partners and people who have been part-time associates who have made partner, and I don't think that's the case at many other firms."

Modern technology fosters increased flexibility.

An associate at Szaferman's firm is due to give birth in October, and

the firm is arranging for her to work part-time "so that she can balance everything in a way that works for her and works for the firm," he says.

Such arrangements are tough in the litigation field and hadn't worked for them in the past, he says, but top-notch technology and remote-access capabilities make it more doable now. "I think in the nonlitigation field, it's much more workable, when you don't have the same deadlines," Szaferman says. "But I'm optimistic that it will work."

At Coughlin Duffy, "we're very creative and willing to adapt in many ways to accommodate the schedules of women," Duffy says, noting their Women's Initiative helped the firm focus on that.

Mentoring plays a big part in promoting diversity and retaining diverse workforces, attorneys say. Coughlin Duffy, for example, has the largest number of associates volunteering as mentors to first-year minority law students through the New Jersey Law Firm Group, which also sponsors a jobs fair for diverse students, says attorney Tara Roscioli, director of legal recruiting and client relations. Serving "sort of as a buddy," mentors coach minority students through resume preparation and the interview process.

At Sills Cummis & Gross, Patel says, a mentor is assigned to each "diverse" attorney entering the firm, in addition to the firm's other mentoring programs.

The firm also is active with the state's ethnic bar associations, sponsoring and participating in events that provide opportunities for social-skills building, she says.

At the college level, the firm works with local law schools, including hosting student interns

through the minority student program at Rutgers, Newark, Murray says.

Looking at another area of diversity, Patton Boggs is attending a national job fair in Washington, D.C., for law students with disabilities. In October, the firm's Diversity Committee and healthcare practice group will lead a conference on disability as a diversity category.

Finding enough qualified candidates when recruiting can be a challenge, some attorneys say.

"There's a finite number of diverse law students," Bosco explains.

Notes Murray, "We're all fighting over the same pool of diverse candidates. ... I try to tell many of the diverse attorneys that 'You are very marketable. This is a good time for you.'"

Coughlin Duffy hasn't had difficulty finding qualified diverse candidates, Duffy says. "We interview at about a dozen or so schools. ... We've attracted extremely good lawyers of every ethnicity, male and female. ... We go to a lot of schools that have diverse populations."

That includes out-of-state schools.

For now, becoming more diverse is "an ongoing process, and I don't think anybody has it correct," Bosco says.

In the future, Dunican predicts, "it's going to become less of a subject to talk about because it's going to become just a fact of life in the law firm. You will have 50 percent women. You will have women leading the law firms. You will have a large, diverse talent pool from all walks of life. For the next decade, we'll be talking about it, and then it won't be something to discuss any longer." ❧

