

# TEXAS LAWYER

## Won't You Be My Mentor?

*Commitment to Firm Diversity Goes Beyond Recruitment*

by ALEX CHAE

**C**orporations learned a long time ago that they are better served if they more closely represent the diversity of their customer base. They market their products to specific minority communities as they grow in demographics and economic buying power. So naturally, these same corporations are beginning to demand that their outside firms show the same commitment to diversity and minority representation.

Firms, large and small, show their commitment to diversity through various means. Local bar associations in Austin, Dallas, Houston and San Antonio have announced nonbinding "pledges" by the large firms to increase their minority hiring of first-year associates. Marketing and recruiting brochures of firms have been carefully crafted to ensure that the photos and materials included minority lawyers to portray these respective firms as a friendly and inviting environment for minority lawyers. Minority job fairs have become commonplace on the legal job hiring landscape.

Unfortunately, all of these efforts have apparently resulted in a zero-sum gain. The 2000 American Bar Association Commission on Racial and Ethnic Diversity in the Profession reports that African-American and Hispanic representation in the profession was 7 percent in 1998, yet those same lawyers represented only 3 percent of firm partners in most cities, despite the fact that some 30 percent of the country's general population comprises people of color. The Texas legal landscape is no different.

Many minority lawyers say they left their respective firms because they did not feel comfortable or they didn't fit in. So what's the problem? Why aren't minority lawyers staying at the firms and in-house offices that so heavily recruit them?

Do they actually lack the commitment to diversity they claim to have? Is minority recruitment merely an ill-conceived utopian idea that does not have a place in the economic realities of the legal market?

The answer to both of these questions is no. But as to the first question, making a commitment to minority recruitment is only part of the solution. The commitment to diversity has to be followed with a commitment to retention and advancement.

To be sure, firms are having problems retaining any and all associates, not just minority associates. There is, however, a higher attrition rate among minority lawyers, which should not come as a surprise. If a first-year associate class of 10 has only hiring one or two minority members, then their departure from a firm is going to have a greater statistical impact. The ABA has confirmed this analysis in their 2000 report wherein they found that within eight years of joining a firm, 79.8 percent of minority male associates and 86.2 percent of minority female associates have left as compared to 77.2 percent of all associates.

So what is the answer? For sure, it is not the cookie-cutter solution that most firms are so fond of. Each firm must honestly assess its firm culture and the commitment from the top to diversify.

No firm in this day and age is going to say it is not committed to diversity. True commitment has a more subtle message: What is the involvement of minority lawyers in firm "power," such as at the head of a practice group and firm management, not just on committees related to recruiting and associate life?

### The Mentoring Solution

Mentoring is one solution that does seem to transcend any discussion of majority or minority retention. Without hashing out the sociological reasons why minority lawyers have a more difficult time identifying a mentor in their work environment, the simple fact is they do. The difficulties seem to lie in the delicate balance of trying to identify a partner or supervising lawyer to confide in and use as a sounding board without appearing weak or incompetent.

Mentoring is not "coddling" or "special treatment." To the contrary, effective mentoring is grounded in forthrightness. It involves an honest assessment of a lawyer's ability to analyze, write and present his legal skills. It also involves sharing advice surrounding client development, and getting along in the intensely competitive and political environment of a firm.

Institutional mentorship programs for minorities at firms sometimes are not highly regarded. They often are met with resistant statements such as, "You cannot force these relationships" or "You cannot just assign me to some

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associate, it has to come naturally” or “Why don’t we do this for the white associates?” These sound more like polite ways of saying, “I don’t want to be bothered.”

It is highly doubtful that successful lawyers reading this article did not have some kind of a mentor or role model in their young formative years as a lawyer. So, it should not be surprising to hear young lawyers saying that they wish they had that kind of a relationship.

The common misconception is that minority lawyers must be matched with other minority lawyers to be their mentors. There simply aren’t enough experienced lawyers in most firms to go around. Even if there is a perfect one-to-one match, it’s not essential. What is needed are excellent lawyers with whom to establish a relationship of trust

and friendship.

Any failure to establish a successful mentoring relationship does not lie solely at the feet of firms and in-house departments. Too often I hear young minority associates complain about the lack mentorship or guidance at their offices only to find out that they have not taken the initiative to seek it out on their own.

The economic reality (a popular theme among all partners) is that a lack of a mentor program is probably costing your firm a lot of money in wasted recruiting and marketing dollars and potential new business. 

*Miriam Rozen's e-mail address is [mrozen@texaslawyer.com](mailto:mrozen@texaslawyer.com).*