

Mound City Bar: Law firms should focus on retention

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Retention, not recruitment, is the main issue facing law firms when it comes to diversity in the workplace, according to a report issued Tuesday by the Mound City Bar Association.

The report is the final in a series of reports studying diversity in law schools, bar associations, and health care and childhood obesity.

"If law firms were succeeding at retention, there would be more African-American partners," MCBA President Pamela Meanes said.

Nationally, African-American lawyers make up 3.9 percent of the attorney work force, according to the report, and the average in St. Louis is 3.2 percent.

The commitment must come from the top, Meanes said.

That's what the partners at Sonnenschein Nath & Rosenthal have strived for, said Dee Joyce-Hayes, who chairs the diversity committee for the firm's St. Louis office.

In the St. Louis area, four of the firm's 41 lawyers, or 7.3 percent, are black – twice the national average of 3.9 percent, according to the report.

For the last five years, Sonnenschein has made a concerted effort to diversify its attorney and support staff personnel, Joyce-Hayes said. The key to retaining black attorneys is to ensure the law firm's culture makes minorities feel they're part of the team, she said.

That means "making sure that they are getting the type of experience from year to year that's going to enable them to move up and assume greater responsibility, making sure that people are actively watching out for them in the same way that they do for others," Joyce-Hayes said.

The Mound City Bar Association report recommended a number of programs and initiatives for law firms to implement, including creating diversity committees.

Fox Galvin, a 15-attorney firm, has done none of that but still fared well in the survey. To partner John Galvin, the answer is simple: Just treat everyone equally.

"I don't think it's that complicated of an issue," he said. "You hire someone, you get a qualified person, and if that person happens to be a person of color, you treat them just like you would treat a Caucasian person doing that job."

Although Fox Galvin lacks formal programs, the firm tries to recruit black attorneys through law school administrators and through lateral hires, Galvin said. It also assigns mentors to all associates.

"We don't see diversity as a mysterious problem that can't be solved," he said. "We just go out and hire and attempt to retain people who are reflective of our community."

Whether a law firm is large or small, size is no excuse for failing to strive toward a diverse staff, he said.

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Carrie Hermeling, CEO of Husch & Eppenberger, said the fact that there are minority attorneys in leadership positions at the firm proves its culture of inclusion. More efforts will be made this summer to recruit more minority attorneys and improve their mentoring opportunities, she said.

"If there are opportunities at the firm to promote and we have programs that provide for diverse

leadership in the firm ... then you have a better chance of retaining good talent," she said, "because people see this is a good place to work and there are opportunities there."

The report said that Husch's minority employment was 4.7 percent in St. Louis.

Deirdre C. Gallagher, the diversity chair for Spencer Fane Britt & Browne in St. Louis, also welcomed the news that her firm's diversity average at 6.25 percent is

Previous Mound City Bar reports from 2007

Diversity in Missouri Law Schools

Report found that local law schools have admitted fewer black students in recent years. Only the Washington University School of Law had posted an increase in its admission numbers – four-tenths of a percentage point since the 2002-03 school year. Each school reported that fewer than 6 percent of enrolled students were African-American.

Diversity in Missouri Bar Associations

Report found that many white bar associations considered themselves diverse while their black members maintained the groups had not improved or implemented diversity initiatives. Mound City said the Missouri Bar should consider establishing a minority seat on its board of governors.

Possible Prejudice in the Bar's Judicial Retention Surveys

Report found that Missouri lawyers rated white male judges significantly higher than black female judges in five judicial surveys over the last decade. Male judges were rated higher than female judges; white judges were rated higher than black judges.

higher than the national average. However, she said, the firm doesn't use race or ethnicity as a hiring requirement.

"All attorneys here are expected to handle cases with a lot of responsibility and to interact with clients," Gallagher said in an e-mail. "This is what is on our mind when we interview. We consider the practice of hiring window dressing to be most offensive."

The 517-page report is available at www.moundcitybar.com.