

Innovative Mentoring Increases Diversity and Inclusion

by Ida Abbott

Firms that are trying more innovative, focused, and intense mentoring models are seeing positive benefits for their diversity and inclusion goals.

A new edition of my book, *The Lawyer's Guide to Mentoring*, was just released in January 2018. The original book, published 18 years ago, stressed that mentoring is “a vital element of a legal employer’s diversity efforts.” That continues to be true today and is more important than ever before. Even after many years of trying, law remains the least diverse profession. Firms have done well in recruiting women and minority lawyers at the entry level, but the pipeline leaks at a rapid pace and these lawyers remain shamefully underrepresented in partnership and leadership. When done well, mentoring is a proven way to slow the pipeline’s leaks by providing the personal attention and individualized support that engages these lawyers, makes them feel valued, and helps them see the possibility of a successful and satisfying future in the firm.

Although most law firms have had mentoring programs for a long time, the quality of mentoring has not been sufficient to reduce attrition among women and minority lawyers. A number of law firms are now ensuring that high-quality mentoring is more widely available for talented young lawyers, adopting innovative techniques and approaches specifically designed to promote greater diversity and inclusion. These firms are combining established and new mentoring principles to keep women and minority lawyers at their firms, see them thrive, and achieve the benefits that mentoring promises those lawyers and their firms. The good news is that these efforts are beginning to pay off.

These new initiatives vary in many ways, but these are some of the characteristics that are helping them succeed:

- They build on a foundation of trust that these firms have been constructing for a long time, usually under the leadership of highly regarded partners and diversity directors.
- They address not just associate learning and development, but also career advancement through sponsorship.
- Rather than being a stand-alone program, mentoring is connected to other talent management and leadership development processes.
- In addition to retention and advancement to partnership, program objectives include expansion of associates’ visibility, personal connections, and networks throughout the firm and with clients.
- Rather than applying to all associates, they are more targeted to a group of selected mid-level and senior associates, special counsel, and/or junior partners.
- Rather than relying on one mentor, they sometimes involve multiple mentors in different roles.
- Mentors are carefully selected prominent partners, rainmakers, and leaders.
- The support offered by mentors is intense, focused, and methodical.

- Mentor-mentee relationships are collaborative and less hierarchical. In some cases, the roles of mentor and mentee are reversed, with the junior lawyer-mentor advising the more senior partner-mentee.
- Participants' experience is closely monitored and program outcomes are tracked and measured.

Firms are combining these and other elements to create new types of mentoring programs, some of which are specifically designed to promote diversity and inclusion. Two examples are sponsorship-focused programs and reverse mentoring programs. A third innovative diversity-oriented program is for law firm associates but not run by a law firm. It features clients as mentors for women and minority associates and is run by corporate in-house counsel.

Sponsorship-focused Mentoring Programs

The power of mentoring derives from its grounding in a personal relationship between mentor and mentee. The better the relationship, and the more committed mentor and mentee are to making it work, the more beneficial it can be. But in law firms today, high-quality mentoring, whether informal or through a mentoring program, is hard to find, especially for women and minority lawyers. Much mentoring is perfunctory; many lawyers do try to develop a deep relationship, but time and billing pressures make it hard to devote enough time to mentoring to get to know each other well, much less to build the trust a meaningful relationship requires.

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Moreover, law firm mentoring programs usually focus on professional learning and development for all associates in the early years of practice. They tend to match every associate with one or

two mentors who help with orientation to the firm and practice, skill development, and general career advice. These programs do not provide the kind of active support, opportunities, networks, and advocacy — what we now call sponsorship — that lead to career advancement, especially for ambitious, high-performing individuals who are best positioned to seek out other job options. Consequently, lawyers need to seek such support informally and on their own.

In law firms, the overwhelming majority of potential sponsors are white male partners who have the gravitas, power, and political capital to have a measurable impact on associates' work experience, client exposure, leadership opportunities, and career progression. While sponsors are scarce for all associates, research shows that women and minority lawyers are far less able to find sponsors than their white male counterparts. Without those sponsors, they are less likely to move up in the firm. Substantial research points to the lack of sponsorship as a reason for the dearth of women and minority lawyers in partnership and leadership.

Realizing that cultivating and retaining diverse talent requires better, more targeted mentoring, some firms have started programs that go beyond traditional mentoring and emphasize sponsorship. In most of these programs, prominent partners are paired with high-performing mid-level and senior women and minority associates and are expected to serve a more active, sponsorship role on behalf of the mentee than traditional program mentors. The mentor and mentee develop and work together on a career development plan for the associate and the firm tracks their progress and results. Three law firms with sponsorship-oriented diversity-focused mentoring programs are Littler, Cadwalader, and Seyfarth Shaw.

Littler started a Career Advocacy Program (CAP) in 2012 to help develop, retain, and advance more women and minority associates. The CAP matches high-performing women and minority associates, associates with disabilities, and self-identified lesbian, gay, bisexual, and transgender (LGBT) associates, usually in their fourth or fifth year of practice ("Protegés"), with influential

shareholders (“Advocates”) who help them develop books of business, build relationships, and advocate for them among firm leadership. In addition, General Counsel (“Champions”) from Fortune 200 companies that are firm clients meet in person with small groups of Protegés to offer their career perspectives, advice, and support.

The program has grown from the 22 original CAP associates to 47. Thirteen of those associates have been elevated to shareholder. They continue to work with their Advocates and receive specialized training designed to help them move through the shareholder ranks and develop strong books of business. They also help current Protegés prepare for the shareholder consideration process and serve as mentors for new diverse associates as part of the firm’s “Investment for Success” program, a spinoff of CAP.

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Similarly, in 2013, Cadwalader started a pilot sponsorship program for high-performing women associates and special counsel with six or more years’ experience. In 2015, the program was expanded to racially diverse lawyers and LGBT lawyers in the firm’s domestic offices. The program pairs high-potential senior associates who are nominated by practice group leaders with top firm leaders and rainmakers for a year or longer. The program encourages frequent sponsor-protégée interactions and offers protégées a comprehensive leadership curriculum, individual coaching, and networking opportunities that provide new contacts and increased visibility in the firm. Networks are further expanded when all program participants come together from time to time.

Since the launch of Cadwalader’s sponsorship program, nine protégées in the program have been promoted to partner and nine have been promoted to special counsel.

- 60% of newly promoted partners in 2016 were women.
- 40% of newly promoted partners in 2017 were in the sponsorship program.
- 50% of newly promoted partners in 2017 were women, minorities, and/or LGBT attorneys.

Seyfarth Shaw has a Triad Mentoring program that also emphasizes the sponsorship aspects of mentoring. This program is open to all associates, not just women or minorities, but it places priority on retaining and advancing diverse lawyers into the partnership. The program groups lawyers into triads comprised of

1. A senior associate mentee who is recognized as a strong performer and is on track for partner consideration in the next two to three years;
2. A Mentor who is an equity partner who is knowledgeable about the firm beyond their own office and department, and who can ensure frequent interaction with the associate; and
3. A Sponsor, who is a member of the firm’s Executive Committee, a department chair, or in another senior leadership role.

The results have been noteworthy: since its inception in 2013 (following three years of piloting), 75% of program participants have become partners.

The firm’s objective for this program is to retain top talent as long as possible, including those who do not aspire to partnership. Associates appreciate that the firm values them even if their ultimate goal is not a partnership-directed career path.

Triads work together for a year and the firm brings all program participants together three times during that period for a program kickoff, a mid-year get-together, and a “graduation.”

Participants from the prior year attend the kickoff, and participants for the following year attend the graduation. These overlaps allow more people in the program to get to know each other and expand their internal networks. As a result, many program graduates continue to meet after the program year ends and an alumni group is forming.

Should Your Firm Have a Sponsorship Program?

Because of the promise shown by firms like these, other firms are starting similar programs. According to the 2016 New York City Bar Diversity Benchmarking Report, 48% of the 88 New York City law firms that participated in the survey are creating sponsorship programs. While these intentions are laudable, firms should proceed carefully, because sponsorship programs are particularly challenging. The greater investment of time, effort, and political capital by sponsors makes sponsorship programs more difficult to create and sustain than traditional mentoring programs.

Most mentoring programs routinely and easily match lawyers with mentors. Some mentors are better and more committed than others, but almost every lawyer has some knowledge, insights, or advice that will benefit a mentee, even in a brief or limited way. Sponsors need to do and invest more. A partner who is willing to be a mentor might balk at being asked to be a sponsor if it means grooming, advocating for, and proactively supporting someone for a partnership, bonus, or leadership role.

Moreover, not every junior lawyer may be suitable for sponsorship. Mentees don't need to "prove" anything to qualify for a mentor. Sponsorship must be "earned." Associates in a sponsorship program are selected to participate because they have demonstrated sufficient ability, commitment, and ambition to warrant significant investment of partners' time and effort. Mentoring programs can be designed for any group of lawyers, beginning with the most junior. Because they are focused on promotions and moving into leadership, sponsorship programs target proven performers who are perceived as likely to succeed in the firm.

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Some law firms also face objections when a program is open only to women and/or minority lawyers. The recognition that sponsorship is crucial yet largely unavailable for women and diverse lawyers has broken down this resistance. Law firms that make retaining and promoting women and minority lawyers a top strategic priority can easily justify targeting those lawyers for sponsorship programs. And many sponsorship programs are open to all associates, including white males, although they may weigh the selection process to favor members of underrepresented groups.

These challenges should not deter firms that are seriously motivated to retain and advance diverse lawyers. As shown in the successful firm examples described above, when done well, these programs can increase retention of women and minority lawyers, enable more of them to become partners and leaders, and create a more inclusive culture. The positive outcomes at firms like Littler, Cadwalader, Seyfarth, and others underscore the value and promise of these programs for firms committed to increasing diversity and inclusion.

Reverse Mentoring

Reverse (or "upward") mentoring pairs a junior person as mentor with a partner as mentee. The purpose of switching roles is to facilitate knowledge flow between senior and junior lawyers and to encourage the juniors to share their perspectives and specialized knowledge with seniors. This approach is built on the idea that learning never stops, that everyone has something to learn and to teach, and that all lawyers can make a valuable contribution to the success of the firm whatever their age or seniority.

These programs give junior lawyers direct access and a chance

to interact with firm leaders and decision makers; an inside view of top-level management issues and processes; the ability to contribute insights, knowledge, skills, ideas, and suggestions; the ability to express opinions and concerns and be taken seriously; a chance to showcase leadership skills; a feeling of greater comfort and inclusion in the firm; and in some cases, a sense of purpose. They create the opportunity for younger lawyers, especially women and minorities, to have their voices heard by firm leaders and form significant relationships that can be highly advantageous.

Partners and leaders also benefit from reverse mentoring through increased awareness that younger lawyers have important things to teach and valuable points of view. As mentees, powerful partners become learners; they can stay up to date on areas like the latest legal technologies, workplace trends, or associates' interests; hear fresh perspectives on topics not usually raised or considered by firm leadership; gain insights they can apply to younger clients; show they are not so set in their ways that they can't embrace new ideas; and increase their faith in the future of the firm. When their mentors are both younger and of a different race, gender, or other key characteristic, they have a chance to develop rich relationships they might not otherwise experience. Their new knowledge and understanding give them broader insights about people that can make them better lawyers and leaders.

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Originally developed in corporations for areas where younger employees had greater technological expertise (e.g., use of social media, etiquette in the digital world), reverse mentoring is now used for a variety of purposes, such as developing future leaders and promoting better understanding of cross-generational perspectives and priorities. At Procter & Gamble it is used to help

senior staff understand the daily challenges faced by employees with disabilities. Law firms are using reverse mentoring to support diversity and inclusion by educating partners about the experience, ambitions, and thinking of more junior women and minority lawyers in the firm. In this way, senior lawyers can become better, more informed leaders who think more creatively and act more deliberately to build an inclusive workplace.

Reverse mentoring increases empathy and the ability to appreciate others' points of view. It underscores younger lawyers' value to the firm while providing a true service to firm leaders. Reversing roles helps mentors and mentees cross barriers created by differences, and in many cases, become more adept at having difficult but important conversations.

Shook Hardy & Bacon LLP has a longstanding commitment to promoting diversity and inclusion, as well as a culture that supports several different mentoring programs. In its reverse mentoring program, which has been piloted for two years, minority lawyers are mentors to top leaders in the firm, who are the mentees. This arrangement provides opportunities for firm leaders to learn about challenges faced by minority lawyers, improve their "inclusion competencies," and hone their ability to have difficult conversations on diversity subjects and issues. It also helps junior minority lawyers gain insights into the struggles of leaders trying to build their inclusion competencies and serve as change agents.

The outcomes so far have been positive and the program will be rolled out broadly in 2018. The success of the program is in large part due to the fact that Shook has been laying the groundwork for this program for several years. An emphasis on fostering diversity, inclusion, and cultural competence has been woven throughout firm activities, not just those designated to be about "diversity." By the time the reverse mentoring program was implemented, lawyers were primed to have the conversations that would follow. And this effort is continuing with the launch of a dialogue series focused on talking about difficult subjects. The first program in the series is about race, starting with a workshop on having difficult conversations, followed by four facilitated

discussions on topics related to race, a panel where people voice opposing views, and opportunities for participants to practice engaging in dialogue on race-related subjects.

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Should Your Firm Have a Reverse Mentoring Program?

Without such a solid foundation, reverse mentoring programs are difficult to execute. Lawyers young and old may find the prospect of role reversal threatening. Young lawyers might have reservations about trying to teach or give feedback to someone with far more experience. They may feel it is too risky to voice opinions that appear brash or offensive to a powerful partner, and which could come back to haunt them in the future.

Older lawyers may resist being mentored by a newer, much younger lawyer, and may not appreciate receiving feedback from someone far less experienced. Partners may be defensive, asserting they do not “need” a mentor who is junior to them. Partners’ concerns may be especially acute in programs geared to increasing diversity. They may believe they are being singled out because they are perceived as unfair or in need of “sensitivity training.” Some may worry about saying something “wrong” to the junior mentor.

To overcome these obstacles, reverse mentoring programs need very careful planning and preparation. Where junior lawyers are mentors and leaders are mentees, interactions can be awkward and intimidating even with ample preparation. Participants must be carefully selected and prepared so that they enter the relationship with open minds and a willingness to be uncomfortable as they adjust to their reversed roles. They need to understand clearly how to behave and what to do in their interactions.

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In a diversity-focused reverse mentoring program, they also need training and guidance to help them build trust, take risks, and have candid conversations across racial, gender, and other interpersonal differences. Teaching mentors and mentees how to be open and honest with each other about diversity issues requires expertise and sensitivity. Enabling them to carry out their roles requires a safe and supportive culture. In firms that can provide these conditions, reverse mentoring can be an effective method for fostering closer connections between diverse lawyers and firm leaders.

Mentoring by Clients

Some mentoring programs are designed to help women and minority lawyers build client relationships and books of business as a way to increase their visibility and value to their firms. Not all of these programs are sponsored by law firms. The Lawyers for Empowerment and the Advancement of Diversity (LEAD) Mentoring program is an award-winning initiative that matches in-house counsel with diverse law firm associates with whom they form personal and business relationships. The program was started in 2015 by an in-house lawyer at Credit Suisse in New York because “business relationships tend to start from personal relationships,” and many minority lawyers do not have contacts — or even access to people — who might send them business. Because having business is necessary for partnership, these lawyers are not seen as candidates for partnership. At the same time, corporate law departments desire to build a pipeline of talent for recruitment and are especially interested in hiring minority lawyers.

LEAD matches women, minority, and LGBT law firm associates in their second to fourth years of practice with in-house counsel mentors. Mentors include diverse and non-diverse in-house

counsel in financial institutions and other companies. The pairs are matched on the basis of practice areas and other factors that will help the personal relationship get started quickly and create a better chance of developing into business relationships that add value to their firms and clients.

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Mentoring pairs meet formally once a month for an hour and the participating companies host quarterly networking events for all participants. In-house counsel act as both mentors and sponsors, helping associates build a network of business contacts and sometimes sending work to the firm and noting that the work is being sent specifically to and because of the associate. In this way, mentors increase the visibility, reputation, and value of their minority mentees. Sending work to associates also gives them significant management experience, especially when the client puts the associate in charge. The associate has to learn not just to lead on a matter but also to manage the client and, if also working on the project with a partner in the firm, to “manage up.” Through this mentorship experience, minority associates acquire the skills, experience, relationships, business acumen, and book of business firms look for in partners.

Although still a young program, it is already clear that LEAD is mutually beneficial for participating lawyers, law firms, and client companies. Some LEAD mentees have found new jobs with their mentors’ companies, fulfilling the objective of increasing the companies’ talent pipeline. Conversely, a number of law firms have also increased the amount of business they receive from the participating companies. So even if LEAD mentees leave the firm, the firm can benefit from the goodwill, stronger and deeper client relationships, and prospect of further business as a result of the program.

Conclusion

Traditional mentoring programs provide considerable value but are not sufficient for achieving law firms’ diversity and inclusion goals. Firms that are trying more innovative, focused, and intense mentoring models are seeing some success. Importantly, they are setting more precise objectives and expectations, monitoring the programs closely, and quantifying outcomes. Although most of these programs are only a few years old, their results already show a significant increase in the number of women and diverse lawyers who remain at the firm and move into partnership. They demonstrate both the substantial impact that strong mentoring relationships can have on lawyers’ careers and the long-term value to the firm of investing in these relationships.

About the Author



Ida Abbott, President of Ida Abbott Consulting, promotes and supports career development and advancement from the beginning of a lawyer’s career through retirement. Ida has long been a leader in the field of talent management, particularly mentoring, leadership, and sponsorship, and she is an elected Fellow of both the

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To learn more about Ida, see www.idaabbott.com.

The new second edition of *The Lawyer’s Guide to Mentoring* is available from the NALP bookstore at www.nalp.org/bookstore. The Guide not only addresses numerous types of mentoring, including coaching and sponsorship, but also features a wealth of real-world examples of innovative mentoring programs.