

We are excited to have you as an “Investment” in the Investment for Success (IFS) Program. Through IFS, you will work with your “Investor” to become better acclimated within the firm, identify and meet your career goals, progress through the ranks and find success at Littler. To jump-start this process, we provide this “primer,” which consists of two sections: (1) Top 10 Tips for Being a Successful Littler Associate; and (2) Getting to Know Littler.

Top 10 Tips for Being a Successful Littler Associate

- 1 Take Ownership.**

Take a proactive approach to litigation. Push your cases forward without having to be asked. Don't just flag issues for the shareholder's consideration. Propose solutions. In fact, pretend the case does not have a shareholder. Anticipate what's next and plan accordingly. Be creative!
- 2 Communication Is Key.**

Don't make assumptions about the shareholder's expectations. Understand your role from the beginning. Don't allow long periods of inactivity or no communication with the shareholder and client. Be clear, at all times, about who is responsible for each task.
- 3 Be the Master Strategist.**

Don't just “do what you're told.” Find ways to constructively add your input, even if it diverges from what the shareholder or client has stated. You're a talented attorney, and Littler didn't hire you to be a “yes” person. Remember that shareholders and clients don't have all the answers; if you have additional arguments and/or interpretations, look for opportunities to voice them.
- 4 Positivity and Enthusiasm.**

Display energy and enthusiasm, and your team members – along with clients – will react favorably. Clients who spend hundreds of dollars per hour for your work expect confidence and positivity at all times. Others are more likely to want to work with you again. The reality is that the projection of confidence plays a major role in the perception of whether one is a good attorney.

5

Know Thy Client(s).

Always be mindful of your two clients: the shareholder and the actual client. Embrace the shareholder “mentality” early: do your best work to get “repeat business.” Further, make the shareholder’s life easier by reminding him/her of deadlines, providing drafts in advance, letting him/her know when you will be unavailable, and building trust in you. Become the “go-to” associate for shareholders and clients by maintaining consistency in producing high level work. Shareholders and clients should have full confidence in their ability to rely on you. Don’t blame others – such as support staff – for your mistakes.

6

Internalize the Golden Rule: We Need Your Best.

Don’t send anything to a shareholder that you wouldn’t feel comfortable sending to a client. Assume that your draft will be your “final,” representing your best work. Shareholders dislike seeing “this is a first draft, as I suspect there will be substantial revision necessary.” Have conviction and make sure you have done your due diligence in presenting your best to the shareholder.

7

Refine Your Craft.

Strong writing and analytical capability are two of the most highly prized associate skills. Shareholders rely on your analysis more than you think. No typos, inconsistencies in fonts, alignments or spacing. Sharp, concise writing is valued even in basic client communications. Further, this applies to your time entries in DTE.

8

Time is a Virtue?

Meet your deadlines. If you can’t make a deadline, tell the shareholder as soon as possible. Do what you can to maximize the time available to you (e.g., don’t sit on discovery requests for two weeks before asking the client for information). Ask the shareholder and client when they need work product for review. Always look ahead on your schedule so you are fully aware of your availability.

9

Be Responsive.

Respond as soon as practicable, even if you don’t have the answer. Make sure you’ve addressed all of the questions and/or issues raised when responding. Provide shareholders and clients with concrete recommendations. If you are in the middle of the busy period (e.g., preparing a decertification brief for a nationwide collective action), be mindful of your unavailability.

10

Self-Promote... Tactfully.

Let people (especially the leadership in your office) know in a tactful way your accomplishments (for example, have a trusted friend, mentor and/or sponsor publicize your successes). Be proud of what you have done and do not undercut your accomplishments or be self-effacing. Keep track of and include all of your achievements for your midyear and/or year-end self-evaluations.

Getting to Know Littler

We understand that the “getting to know” process can sometimes be difficult, particularly in a global law firm of our size. Through the IFS program, we want to assist in your transition to Littler and help you hit the ground running. As a part of these efforts, we provide the following quick guide to resources that will help you thrive at Littler.

1 Getting to Know... Littler’s Associate Advancement and Compensation Plan.

Littler’s Associate Advancement and Compensation Plan rewards outstanding performance and achievement. The plan outlines the firm’s expectations and procedures with respect to advancing associates and setting compensation based on merit and contribution.

2 Getting to Know... Littler’s Associate Core Competencies.

The Advancement and Compensation Plan comprises four levels. An associate advances by acquiring and consistently exhibiting outstanding performance in the core competencies defined for each level. The core competencies for each level are defined in the link above.

3 Getting to Know... Littler’s Career Path and Custom Track Policies.

Littler recognizes that its associates come from diverse backgrounds and all walks of life and upbringing. As such, the goals and aspirations of one associate may greatly differ from another. At Littler, there is no one path or track to success. The policies in the above link outline the various career paths and custom tracks available to the firm’s associates.

4 Getting to Know... Littler’s #KnowledgeDesk.

Has a client and/or shareholder asked you to put together a multistate survey of laws on cell phone and texting while driving? Do you need to run a background report on the plaintiff in your case? Have you been asked to prepare state supplements to an employee handbook for a national client? A dedicated team of Knowledge Management attorneys is ready to assist you. For answers to your questions, think #KnowledgeDesk.

5 Getting to Know... Littler’s Innovative Service Solutions.

With a steadfast commitment to distinguishing our brand in the market through excellent legal representation and unique client service, Littler anticipates shifts in the market and develops innovative solutions that meet our clients’ evolving needs. The firm invests a vast amount of resources in pioneering and delivering inventive products and services, such as Littler CaseSmart, ComplianceHR, Littler GPS and Littler X-celerator, among others.



Littler's Investment for Success Program

Supporting new diverse attorneys from the start

The Program

Research has shown that the first few months at a law firm can be crucial in determining a new attorney's success. To ensure that Littler is effectively mentoring and grooming these attorneys, the firm started the Investment for Success (IFS) Program designed specifically to help newly hired diverse associates find their footing and excel professionally. Littler launched the initiative as a follow-up to its award-winning Career Advocacy Program (CAP), which pairs diverse associates with the firm's influential leaders and rainmakers – along with general counsel of major corporations – for support in attaining shareholder rank. Similarly, IFS connects a senior attorney, the “Investor,” with a new diverse attorney, the “Investment.”

How It Works

Investors tap their insider knowledge when interacting with the Investments, “paying forward” what they learned as seasoned attorneys for Littler. The goal is to provide a positive experience from the get-go for new, diverse attorneys. Specifically, Investors share career advice, suggest ways to boost opportunities at the firm, identify core competencies and review billable hours, as well as provide guidance on developing subject matter expertise and involvement in practice groups, committees and affinity groups. They also help associates navigate the wealth of firm resources, which can be particularly advantageous within a global law firm that is spread across more than 75 offices worldwide.

Additionally, a dedicated listener can be extremely beneficial to new attorneys, who often just need to communicate with someone who understands the firm but is not located in her or his office. Associates are encouraged to reach out to their Investors at any time for any reason. Although the Investor and associate can talk freely at a moment's notice, more formal annual discussions are scheduled around the review process to assist associates during the midyear and end-of-year evaluations.

The Future

The Investment for Success Program, which currently comprises more than 50 diverse attorneys and more than 25 Investors, serves as a down payment on Littler's future. We are also fortunate to have “Endorsers,” in-house counsel who support our effort by meeting with Investments to share their perspectives on achieving success as a firm lawyer. When these associates receive support and work opportunities that allow them to thrive, they prosper along with the firm.

Littler's Career Advocacy Program:

Helping ensure professionals have access to the experiences and opportunities to reach their full potential

The Program

In 2012, Littler launched a Career Advocacy Pilot largely inspired by The MCCA's "Mentoring Across Differences: A Guide to Cross-Race Mentoring." Littler was exploring ways to expand its mentoring efforts and was struck by the study's finding that, when asked whether they had a mentor who was an influential sponsor and could advance their career, only 58% of minorities responded positively, compared to 74% of whites. Littler's Diversity and Inclusion Counsel (D&I) was particularly inspired by one study participant's statement:

"Positive mentoring by and opportunities for access to work from more senior attorneys with books of business and influence regardless of race and gender is critical to the advancement of women and minorities in law firms. Women and minorities need to be trained to seek this out early in their careers and firms need to find mechanisms for making sure that women and minorities are given equal access to these kinds of opportunities through formalized processes instead of relying on it to happen naturally."

As part of its multiyear pilot program, Littler identified mid-level, high-performing associates in traditionally under-represented groups. The original 22 associates (Protégés) came from offices across Littler's national footprint and were then paired with one of eight shareholders (Advocates). The Advocates include some of Littler's most influential leaders (Board Members, Practice Group Chairs, a former Managing Director, and top rainmakers).

After a successful year and a half piloting the program, Littler officially launched the **Career Advocacy Program** in 2014. The primary purpose of the program is to (1) help retain and advance more of our talented women and minority associates; (2) ensure that these professionals have access to the experiences and opportunities that will fully develop their potential and result in maximum value for the firm; and (3) provide a mechanism for a broad group

of leaders to help the firm develop diverse talent. Protégés and Advocates meet twice annually, while also maintaining regular contact by phone, and Advocates meet once yearly to compare notes regarding Protégés' progress and ideas for enhancing the program. The Program currently has 41 Protégés and 14 Advocates.

Champions

The Program has 12 Champions who are General Counsel of major corporations in each of the six geographically divided regions where Protégés are located.

The role of the Champions is to meet with a group of five to seven Protégés for 90 minutes for private conversations with the Champion. In these intimate settings, Champions share how they were able to achieve their level of success, how to take ownership of one's career, talk about their legal department's initiatives, and provide some examples of what General Counsel generally and their legal department specifically look for and expect from their outside counsel.

Career Advocacy Program Success

Over the past three years, Protégés represented 20 to 40 percent of each new shareholder class. Those newly-promoted Protégés will remain in the Career Advocacy Program, with programming and mentoring geared more specifically to success as a Shareholder.

Moving Forward

Littler launched the **Investment for Success** program as a spinoff to the Career Advocacy Program. The new program matches recently hired diverse associates with a Shareholder and a Protégé "Investor." The Investors welcome and mentor new associates, share career advice, and discuss challenges and opportunities. The associate and the Investors speak on a regular basis to discuss any challenges and issues while ensuring that associates are receiving good work opportunities.

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.

In 2016, 40% of Littler’s newly elected shareholders were diverse lawyers, and all of them had participated in CAP. In 2017, 26% of all new shareholders came from 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.

Where junior lawyers are mentors and leaders are mentees, interactions can be awkward and intimidating even with ample preparation.

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.

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.”

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

American Bar Foundation and the College of Law Practice Management. A popular speaker and prolific author, a new edition of her seminal book, *The Lawyer’s Guide to Mentoring*, was just released by NALP in January 2018.

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.

- **State clear program objectives but allow for individual approaches.** It is critical to explain what the reverse mentoring program hopes to achieve for participants and why this unusual format was chosen. Both parties must clearly understand what the program's desired outcomes are, what they are expected to do, and what they want to get out of the experience. Participants will have an easier time if they have specific objectives and a framework to guide them as they proceed. But since each pair is unique, they should be given some leeway and permitted to proceed in the way that seems best for them.
- **Provide a lot of support.** Support is essential and reverse mentoring tools and resources are also very helpful. Program leaders should be actively engaged in the program and available for ongoing assistance if any pairs flounder or need more oversight.
- **Evaluate.** As with any program, it is critical to measure the results. Program pilots are especially valuable because of the program's novelty. The outcomes of the pilot can reveal details about people's experiences that enable you to make adjustments that will make the full program more likely to succeed as intended. When the program is fully operational, you will be better able to track experiences and measure outcomes. Data to collect might include the impact of the experience on senior-lawyer-mentees, and the retention and advancement rates of the junior-lawyer mentors compared to counterparts who did not participate in the program.

Planning Sponsorship Programs

Firms contemplating sponsorship programs should take into account the challenges, controversies, and traps these programs can pose. As discussed in Chapter 2, most firms start sponsorship programs in order to retain and advance women and minority lawyers. Some people may argue that because such sponsorship programs are intended to benefit members of underrepresented minority groups, they give participants an unfair advantage or even constitute reverse discrimination. However, participants are selected on their performance and other merits and because, according to historical patterns, they are likely to be overlooked for career-enhancing opportunities and sponsorship that might lead to partnership. By pairing up a high-performing woman or minority lawyer with an influential sponsor, these programs try to correct the inequity and level the playing field for the protégés who are in the program. Some sponsorship programs are open to white men, but even when they are not, sponsorship programs do not disadvantage white men because they remain more likely to find sponsors without benefit of a program.

Another consideration in sponsorship programs is that associates for whom the program is designed may feel that it is demeaning because it singles them out for “special treatment.” But these programs simply acknowledge that the status quo is ineffective and, without active intervention, these lawyers’ talents, potential, and ambitions may remain unrealized.

Here are some additional issues to consider if your firm is contemplating a sponsorship program.

1. What is your objective in starting a sponsorship program?

You must be very clear about what the program proposes to accomplish, why the firm is determined to achieve that objective, and why sponsorship is the best way to achieve it. You must be able to show how the program fits into the firm’s strategic plan and will advance specific business objectives. In order to get lawyers to buy in, there must be no doubt about the importance of the program as a means to achieve one or more of the firm’s critical goals.

It is important to have evidence of the need and hoped-for benefits of sponsorship when drafting program objectives. If, for example, your intention is to use sponsorship to stem attrition of senior women associates, background evidence might include:

- data that explains why and when (i.e., seniority levels or career points) women leave the firm.
- identifying factors that place women lawyers at risk for leaving the firm before partnership consideration.
- comparing women who leave and those who stay in terms of work experience, practice areas, and partners or supervisors with whom they work.
- comparing women who leave with those who stay and become partners in terms of the kind of personal investment made in them by mentors and sponsors.
- identifying the kind of personal investment by mentors and sponsors desired by women considered at risk for leaving.

2. Do you have a thriving mentorship program?

Sponsorship can be viewed as executive-level mentorship. If mentoring programs have been successful in your firm, you have a good institutional foundation for a sponsorship program. But if the efforts to promote mentoring in your firm have been unsuccessful, you can expect an even more difficult time trying to institute a sponsorship program.

Sponsorship places greater expectations on both parties than mentorship and involves more action, trust, and risk; sponsorship focuses primarily on advancement, not on advice, guidance, and information; and sponsorship requires a track record of high performance and proven potential that make the sponsor see the protégée as worthy of sponsorship.

3. How will the program be distinguished from a mentoring program?

To make a sponsorship program mean something special, it must be seen as more than a “glorified mentoring program.” It cannot be available to everyone; it must be selective and based on criteria that meet the program objectives. Activities should concentrate on creating and pursuing career-enhancing opportunities; gaining visibility and building reputation; and making connections and building relationships with external and internal leaders. Firm leaders must take an active part as sponsors, and the program must include access to other top leaders. Access to clients is also desirable; they may participate as advisors, resources, or even sponsors.

4. What will sponsorship program participants do?

Sponsorship program participants must fully understand and commit to program objectives and what will be expected of them in the program. Sponsorship requires much more active engagement by sponsors than most mentorship programs ask of mentors. It is therefore important to be sure mentor and protégé understand how sponsorship differs from mentorship and to be as precise as possible about the sponsor’s expected actions and responsibilities both in the program and in regard to their protégé. At the same time, some flexibility is required in order to allow each sponsor-protégé pair to tailor the experience to their situation.

5. How will you determine and select the lawyers to be sponsored?

Whether the program is for women and minorities or for all lawyers, sponsorship targets a more narrowly defined group than does mentoring: high-performing lawyers who have demonstrated their ability, drive, and commitment to their own and the firm’s success. Some firms provide sponsors for all associates who are seen as likely to become partners as part of their leadership development. Other firms limit participation by including only lawyers who have reached a certain seniority or competency level, e.g., senior associates, counsel, non-equity partners, and/or junior equity partners.

In order to identify the lawyers to be sponsored in your program, you must have specific objective criteria for qualification and for selection. You can review performance appraisals, work experience, involvement in specific firm or community activities, client

relationships, and other designated factors over a period of years. You can invite potential participants to submit applications explaining why they want to participate, and/or ask partners to nominate lawyers for sponsorship.

6. Who will be the sponsors?

The pool of potential sponsors will be limited because of the need to have sponsors who have high status and influence. Most will be partners, probably equity partners. They need to be willing (and reliably able) to act as advocates and promoters and to expend political capital on behalf of a protégée. In addition, sponsors must have enough clout to provide real benefits to the protégée. The more influential the sponsor, the greater the career benefits that may accrue to the protégée.

Most influential partners already act as sponsors for a few associates and/or partners they perceive as making vital and valuable contributions to their practice or as having great potential to do so. They are very circumspect about the lawyers they sponsor because they have limited political capital and time, so they invest where they anticipate a significant payoff: the associate who will become a partner or the junior partner who will help manage the sponsor's clients, bring new clients to the practice, or become a firm leader and powerful ally. You will need to persuade some potential sponsors that a protégé is worthy of their effort and that sponsoring that protégé will not interfere with their sponsorship of other lawyers they would otherwise select.

It will be easier to enlist sponsors if they view being selected for the program as an honor. Sponsors' participation must be entirely agreeable and voluntary. By inviting them to be one of an elite group of sponsors for a small, select group of future firm leaders, you can appeal to their vanity as well as their commitment as leaders, champions of diversity, or other motivating reasons. This elicits partners' buy-in to the validity and importance of this approach to improving talent retention, advancement, and diversity. Having the firm chair or other top leader extend the invitation to potential sponsors adds credibility (and a little extra inducement) to the effort.

Clear objectives are essential for you to be able to make a persuasive case for the program and to recruit sponsors. While some sponsors are motivated by their commitment to diversity or the desire to develop nascent firm leaders, all sponsors receive benefits from their efforts on behalf of protégés. Some of those benefits to sponsors include:

- the loyalty of the emerging leaders they help.
- expansion of the sponsor's network to include rising leaders.
- insights and support from top performers.
- access to outstanding protégés with top-notch skills.

- allies who can support the sponsor's business and professional goals.
- new perspectives that enrich the sponsor's knowledge and expand the sponsor's thinking.
- information about organizational issues, personnel, and operations of which the sponsor may be unaware.
- a reputation as someone who "creates" leaders.

7. How will you make your matches?

Because the nature of the sponsor-protégé relationship is intense, risky, and requires trust and active engagement, it works better when it starts naturally. It is preferable whenever possible to start with lawyers who already have an existing relationship of trust, admiration, and respect. You can build on that foundation, educating sponsors about how they can best serve in that role, and educating the junior lawyers about how to be effective and worthy protégés.

A straight match between people who do not know each other well, or have not worked together before, is more challenging but it can be done successfully. You can pair up individuals without a pre-existing relationship by matching a protégée's career advancement needs and a sponsor's ability and willingness to address them. Another challenge is the unavailability of suitable sponsors for particular protégés, especially in smaller offices. You may need to seek and persuade sponsors from other offices.

In both of these situations, it might take more time to discuss the possible match with potential sponsors and persuade them that participating in the program is worth their while. Sometimes, this isn't hard because the sponsor believes strongly in the objectives of the program, especially one that is focused on diversity. In any case, when sponsor and protégé do not know each other, program coordinators should be prepared to provide greater involvement, support, and oversight.

8. How will you help men overcome any reluctance to sponsor women?

There are unique gender-based reasons why men, who in most firms are the great majority of potential sponsors, choose to sponsor men far more frequently than they sponsor women. They may overlook women because they automatically select men, whom they know better or prefer to hang out with; they may hold unconscious biases that make them visualize leaders as men or doubt women's long-term commitment; they may feel less comfortable with women than men or worry that having a close relationship with a woman lawyer may be misperceived; they may have past experience with a woman lawyer who disappointed them by leaving. Helping men recognize, talk about, and address these

kinds of issues can increase their readiness to sponsor women. And as they become less wary and more intentional about including women, they will likely begin to see and choose more women candidates to sponsor outside the program.¹

9. How will the sponsorship program interrelate with other firm initiatives?

Sponsorship can easily tie into diversity and inclusion efforts, women's initiatives, leadership development, succession planning, and other firm activities and programs. Include representatives of those programs in the sponsorship program planning process and try to find ways to make the various initiatives support and reinforce each other.

10. What support and oversight will sponsorship program coordinators provide?

If you are the program coordinator, here are questions to consider:

- What kind of training, group activities, and program events will you offer?
- What will be done to further the lessons learned during training programs or group events?
- Will you involve outside clients in the program?
- Will you need additional consultants or coaches to achieve the program objectives?
- Once the matches are made, how involved will you be in monitoring and supporting the sponsor and protégé?
- How will you recognize if any sponsor-protégé pairs are not working well? What will you do about them?
- How large is your budget?
- What staff will you need to help you run the program?

11. How will you support sponsorship beyond the program?

Sponsorship is an important factor, but by itself is not enough to propel lawyers forward. If the firm's decision-making processes as to partner elevation, compensation, business development opportunities, leadership selection, or client handovers are not

¹ For suggestions on how men and women can engage in more comfortable and effective sponsor-protégé relationships, see Ida O. Abbott, *Sponsoring Women: What Men Need to Know*, AttorneyatWork, 2014.

transparent and objective, and if they continue to favor straight white men, then the benefits of sponsorship programs will be muted at best. For a sponsorship program to have a meaningful impact, the firm's institutional processes and cultural norms must support sponsorship beyond the program. Many women and minority lawyers pull away from firms and from leadership because they believe those processes are unfair and unfriendly. If the firm is really committed to their advancement, it must examine and reshape the way lawyers are expected to work, the behaviors and activities it rewards, and the way it decides who will succeed and how.

12. How will you deal with objections and challenges to the sponsorship program?

Unlike mentoring programs, sponsorship programs can be very controversial. Objections that may be raised include:

- **Favoritism.** Because the program is selective, certain lawyers are chosen and others are not. It is critical to use criteria that are as objective as possible to ensure that the selection process is fair and does not create or perpetuate a belief that the system is “political” or “rigged” to benefit the favorite lawyers of powerful partners. Participants must be lawyers with proven qualifications who have earned a place in the program.
- **Helping “rising stars” will neglect equally talented lawyers.** The point of a sponsorship program is to support and encourage lawyers perceived on the basis of past performance to have “high potential” for partnership and leadership. These are the lawyers a firm wants to keep as long as possible, ideally until they become partners and then leaders. Yet some lawyers who may be equally talented have not acquired the aura of a rising star; they have ability and promise and are precisely the lawyers who need more individualized attention and encouragement. This is a valid argument, and it is incumbent on the firm to provide appropriate developmental support for those lawyers. The firm can do this through alternative forms of assistance, such as mentoring, coaching, specialized work assignments, personal guidance, and other career support.
- **Discouragement among associates who are left out.** Sponsorship programs typically select a small cohort of high-potential lawyers each year. The firm should make it clear that qualified lawyers who are not chosen to participate in one year may be considered in following years. Their mentors and supervisors should explain that not being selected does not mean they aren't valued or their partner-

ship prospects are any less (assuming that is the case), and they should encourage disappointed lawyers to apply again in the future.

- **Protégés' feelings of intimidation.** It is not unusual for lawyers who are selected for sponsorship to be intimidated and reluctant to take advantage of the opportunity the program affords them. They might feel intimidated even by the most empathetic sponsors. ("What do I say/do/ask?" "My sponsor is so busy and important, I don't want to bother him.") The way to prevent this situation is to provide sufficient preparation — through training, orientation, a kick-off event, periodic communications, or other methods — so that protégés understand what they can and should do with their sponsors, and feel comfortable interacting with their sponsors and complying with program expectations. It is also wise to prepare the sponsors for possible shyness or hesitation by the protégé, and to create opportunities for sponsor-protégé pairs to meet informally and get to know each other at the outset of their relationship.

associates, a mentoring program goal might be to develop associates' practice skills through shadowing, training, and careful supervision. The mentors' and mentees' responsibilities are then defined in a way that reflects that goal.

Firms can help lawyers understand their roles by describing some of the things that make people valued and desirable mentors and mentees. They can provide guidance through training programs, mentoring resources, lists of specific mentee responsibilities, and mentoring plans that call for mentors and mentees to designate their respective areas of responsibility within their relationship.

The nature and context of the program affects how and in what level of detail mentoring roles need to be explained. Some structured state bar mentoring programs explain participants' responsibilities with regard to the program curriculum or CLE requirements. They might also recommend relevant activities for mentor and mentee to do together, such as visiting a courthouse or utilizing a list of designated questions to guide discussions. Diversity-focused mentoring programs often make suggestions for interactions outside the organization where mentor and mentee can get a sense of each other's background and perspectives — for example, visiting a museum of cultural history, a conference for women lawyers, or a predominantly African-American church together and discussing their reactions, impressions, and questions. Reverse mentoring programs require careful role preparation and detailed explanation of responsibilities because the role reversal may be hard for mentors and mentees to get used to. In any sort of program, providing examples, demonstrations, and suggestions is especially useful to help participants understand their roles and how to fulfill them.

Seyfarth Shaw's Triad Mentoring Program

Seyfarth Shaw's Triad Mentoring 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 results have been noteworthy: since the inception of the program in 2013 (following three years of piloting it), 75 percent of program participants have become partners.

The program groups lawyers into triads composed of

1. A senior associate who is recognized as a strong performer, on track for partner consideration in the next two to three years, in the "Senior Associate" band of the firm's competency framework, and perceived as resilient and able to work with firm leaders and top management;
2. A Mentor who is an equity partner who is knowledgeable about the firm beyond their own office and department, and who can engage in 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.

(continued)

Associates who qualify may apply to participate or may be invited to apply by practice group leaders, office managing partners, or other firm leaders, but all senior associates are considered. Mentors are all volunteers. Program coordinators decide on the best match, although mentees may state a preference for a mentor and may also decline a suggested assignment. Sponsors are assigned to every triad. The coordinators try to make sure that either the Mentor or Sponsor, if not both, are in the same practice group or office as the associate.

Triads decide how often they will meet and what they will work on. Each mentee is encouraged to develop a professional development plan for the year, to guide work by the Triad. The firm's objective is to retain top talent as long as possible, including those who do not aspire to partnership. Some mentees say their goal is to go in-house — a goal that is fine with the firm, which approaches the issue realistically, given the options and career choices of today's lawyers. This attitude reinforces the message that the firm values talented lawyers, even those who seek alternative career paths.

All triads come together three times a year for a program kick-off, a mid-year get-together, and a "graduation." Participants from the prior year attend the kick-off, 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 network. As a result, many program graduates continue to meet after their program year ends and an alumni group is forming.

By carefully monitoring and evaluating the experience of participants, the firm has been able to adjust the program to optimize its value. For instance, mentors reported they had learned a lot from their mentees, so the program added a "360 mentoring" feature. A form of reverse mentoring, it empowers and encourages mentees to give feedback and input to mentors and sponsors.

The program has a waiting list so that associates who meet the criteria but are not selected can try again the following year. In the meantime, the firm offers all associates several other forms of personal career development, such as coaching with the firm's in-house coaches and partner-advisors.

Program Guidelines

Mentoring programs need written guidelines to explain what is expected of participants and to minimize the chances for confusion or failure. Program objectives outline the purpose and scope of the mentoring program. Guidelines go into greater detail. They need not be exhaustive, but they should be sufficiently detailed to provide direction to program participants. Items to be included in mentoring program guidelines are listed in Table 3. In drafting guidelines, keep in mind that lawyers are more likely to read bullet points than lengthy explanations and that they respond better to suggestions and recommendations than to mandates. However, any bottom-line expectations or bright-line rules should be stated clearly and fully.

The essential guide for lawyers, their employers, and the legal profession

The Lawyer's Guide to Mentoring

2nd Edition

by Ida O. Abbott, Esq.



monthly basis for a coach-facilitated videoconference. The coach facilitates discussions regarding business plans, career goals, and other work-related issues. Group members draft business/career plans, get feedback on their self-evaluations and firm profiles, and participate in group discussions about topics such as business and client development. Senior associates in the initiative also work one-on-one with the firm's career development advisor, who is a certified coach, on a monthly or more frequent basis to develop and execute an individual coaching or business plan or to address issues such as leadership, time management, and career planning.

Senior associates who have participated in the program stress its multifaceted value. The benefits they ascribe to the initiative include helping them better understand and position themselves in the partner promotion process; development of a business plan; candor and support from the group; learning about new firm practice areas; connecting with lawyers in other offices; and finding the courage to have frank conversations with partners about their promotion prospects. One senior associate commented: “[T]he most valuable thing about the program is that it makes you wake up and take charge of your career.”³

Sponsorship

Sponsors are high-level advocates who identify high performers and actively champion their advancement. Sponsorship as a separate function is a relatively recent concept. It derives from the growing awareness that lawyers' career advancement requires more from mentors than advice and emotional support.⁴ Sponsors can do everything mentors can do but they have the stature and power to produce positive career results for the person they sponsor — the protégé. Sponsors invest heavily in their protégés' success by finding and creating opportunities for them, helping them cultivate relationships with other influential lawyers and clients, advocating for them, and grooming them for leadership. Sponsorship is predicated on power and focuses more narrowly and strategically on advancement.

In some ways, sponsorship is a throwback to the past, when a mentor was someone who took you under his wing, shared his wisdom with you, protected you, sent good work your way, introduced you to influential contacts, and generally paved the way for your career success. You were known as the mentor's protégé, which derives from the French word for “protected.” The term acknowledged the fact that the mentor had made a personal commitment to you and that your future success was linked to his ongoing support.⁵ Today, sponsors in law firms and organizations similarly make a significant personal investment in their protégées.

³ Comment appeared in annual program survey evaluation, provided in personal communication from Jennifer Rakstad, Mayer Brown's Career Development Advisor.

⁴ Sylvia Ann Hewlett, “The Right Way to Find a Career Sponsor,” *Harvard Business Review*, September 2013.

⁵ Ida O. Abbott, *Sponsoring Women: What Men Need to Know*, Attorney at Work, 2014.

The benefits of sponsorship are undisputable. Having a highly placed sponsor is a distinct career advantage and, when competing for top positions, it can be a critical differentiator. Protégés gain career-enhancing opportunities that others do not get. They receive more chances to excel, are accepted into influential networks, gain visibility as rising stars, and enjoy heightened prestige through the intervention of a powerful backer. They are recognized by others both for their own skillful performance and for having the personal support of a highly regarded sponsor. As word spreads that they are leadership material, their reputation grows and the shared and widespread view of their leadership becomes the “social proof” that makes them *de facto* leaders.⁶ This opens still more doors, affords them greater opportunities, and increases the likelihood of further advancement.

Every sponsor can be a mentor, but not every mentor can be a sponsor. Sponsors must have sufficient gravitas and influence to persuade decision-makers. They must be a champion for the protégée and be positioned to make their advocacy produce concrete benefits. Consequently, the pool of possible sponsors is much smaller than the pool of mentors. Mentorship remains vitally important for professional development throughout a lawyer's career. But it is insufficient as that lawyer moves closer to the top where the competition for partnership and leadership is greater and the stakes become higher. At those junctures, what is needed is someone who will be a strong and effective champion — a sponsor, not just a mentor.

While a mentor may encourage a lawyer to take on a challenging, high-visibility role, a sponsor might publicly endorse the protégé for the role, use his influence to get the protégé appointed to a key post, or even create a role that will give the protégé the career enhancing experience and exposure. A sponsor might argue that a protégée should get a bigger pay raise or urge others that a protégée is ready for equity partnership or a significant leadership role. He has the protégée's back when she takes on new responsibilities, making it safer for her to take risks. He defends and speaks up for her behind closed doors when she is not there, and also opens doors and invites her in. Sometimes he calls in favors, puts pressure on colleagues, or puts his reputation and credibility on the line for the protégée.

This level of activity and commitment makes sponsors very selective about their protégés. Mentors help lawyers learn to become reliable performers and confident professionals, and the mentees they choose might have little or no experience. But sponsors focus on proven performers, those seen as “rising stars” or “high potentials.” In large part, this is because sponsorship carries more risk than mentorship. Mentors who offer advice, make introductions, or suggest a junior lawyer for an assignment take relatively little risk. But when they recommend a lawyer for a challenging stretch assignment, a high-profile opportunity, or a promotion to partnership, sponsors put their reputations and political capital on the line. To do that, they must feel confident that the protégé will perform as expected.

⁶ Ibid.

This makes it urgent that young lawyers be encouraged to start building relationships with mentors early in their careers, before any specific need for sponsorship exists. Mentoring can be viewed as a bridge to sponsorship. In many cases, mentors who have, or over time develop, sufficient clout evolve seamlessly into sponsors. By building a developmental network early in their careers, protégées lay the groundwork for having multiple mentors as they progress professionally, and for earning sponsorship when the time comes for more targeted, proactive, and vigorous career support.

The Role of Sponsorship in Promoting Diversity and Inclusion

The principal reason sponsorship now receives widespread attention is because of its vital importance for the retention and advancement of women and minority lawyers. The need to create a more diverse and inclusive workplace is a top priority and a stubborn problem in the legal profession. Firms have begun to focus on sponsorship as a means to increase the diversity of their leadership because women and minorities do not attract powerful champions naturally to the extent that their white male peers do — and without those champions, they are less likely to move up in the organization.

In the business world and the legal profession, most potential sponsors are white men. In law firms, the foremost sponsors are equity partners since they own, lead, and control the firm. They make the decisions on who gets promoted, how much they are compensated, and how far they advance. But 81 percent of equity partners are men⁷ and 92 percent are white.⁸ These men tend to sponsor men like themselves, so most recipients of sponsorship are also white men.⁹ Women and minority equity partners can (and do) also serve as sponsors, but there are too few of them to sponsor the large number of women and minority lawyers who aspire to leadership.

Considerable research shows that lack of sponsorship is a primary reason why women lag behind men in the top levels of leadership and power.¹⁰ Studies of workplace mentoring have found that women with mentors do not enjoy the mentoring-related career benefits that men do. The reason is that men's mentors more often serve as sponsors who take an active part in promoting and grooming men for higher levels, while women's mentors are supportive but do not proactively champion them. In short, women get advice, while men get promotions. The studies concluded that without a strong sponsor, women often miss out on promotions, leadership positions, and higher compensation. But when women's

⁷ 2017 National Association of Women Lawyers Survey on Promotion and Retention of Women in Law Firms, NAWL, 2017.

⁸ 2016 Vault/MCCA Law Firm Diversity Survey Report, December 2016.

⁹ Abbott, *Sponsoring Women: What Men Need to Know*, supra.

¹⁰ Herminia Ibarra, Nancy M. Carter, and Christine Silva, "Why Men Still Get More Promotions Than Women," *Harvard Business Review*, September 2010; Nancy M. Carter and Christine Silva, *Mentoring: Necessary But Insufficient for Advancement*, Catalyst, 2010; Sylvia Ann Hewlett, *The Sponsor Effect: Breaking Through the Last Glass Ceiling*, Harvard Business Review Research Report, December 2010.

mentors are highly placed and take a more active sponsorship role, women advance as quickly and as high in their organizations as men do. Unfortunately, however, women rarely have such sponsors.

Similar research points to the lack of sponsorship as a reason for the dearth of minority lawyers in partnership and leadership.¹¹ Even when they are high performers, minority lawyers remain comparatively invisible and are overlooked for promotion.¹² In part this is because decision-makers — who in most firms and organizations are predominantly white men — tend to view members of minority groups as less “promotable,” form fewer personal bonds with them, and often give them lower performance ratings than their white counterparts. This disadvantages minority lawyers because other partners and leaders may be less inclined to give them high-quality, high-profile work or mentor them. Consequently, these lawyers are not as likely to develop strong mentoring relationships and even less likely to attract sponsors.

Having executive-level sponsors, however, significantly boosts a minority lawyer's career. Sponsors make sure their protégés become “visible,” valued, and connected. They anticipate the business case for promotion to partnership early, well before the lawyer is eligible for partnership consideration, and proactively look for ways to give the protégé access and exposure to the firm's institutional clients and other influential partners.

Well-respected sponsors build wide support for women and minority protégés by publicly and vocally demonstrating their own support. Because of their stature in the firm, the sponsor's support is an endorsement of the protégé as a lawyer with promise, creating a positive reputation for the protégé. Most significantly, perhaps, the sponsor's personal investment in the protégé builds the protégé's self-esteem, confidence, and sense of inclusion. Sponsors explain what it takes to succeed, reassure protégés that the firm wants them to succeed, and eliminate any unfair institutional impediments to their success. In this way, they let protégées see that a successful and desirable future in the firm is possible.

The need to increase diversity and inclusion, especially at the top, is now more urgent because corporate clients are holding law firms accountable for their lack of diversity. For several years, some companies offered financial and other incentives to firms that could show a commitment to increasing diversity. However, the failure of firms to improve the situation with incentives led many companies to start penalizing or even firing firms for

¹¹ Eric Ching, Samuel Dong, Xiaonan April Hu, Christine Kwon, and Goodwin Liu, Yale Law School and National Asian Pacific American Bar Association, *A Portrait of Asian Americans in the Law*, 2017; Kenneth O.C. Imo, “Mentors Are Good Sponsors Are Better: Diversity Lessons From Corporate America,” *ABA Law Practice Magazine*, January-February 2013; D.A. Thomas and J.J. Gabarro, *Breaking Through: The Making of Minority Executives in Corporate America*, Harvard Business School Press, 1999; David B. Wilkins and G. Mitu Gulati, “Why Are There So Few Black Lawyers in Corporate Law Firms? An Institutional Analysis,” 84 *California Law Review* 493-625 (1996).

¹² David Wilkins and G. Mitu Gulati, *supra*.

their poor diversity showing.¹³ For example, the inability to comply with Hewlett Packard's diversity requirement results in a 10 percent "diversity holdback" of fees after a one-year grace period. When companies explain what they expect to see in the law firms they hire (whether for incentives or to avoid penalties), sponsorship is prominently and increasingly mentioned. MetLife expects its firms to "make sure that the junior diverse talent has sponsorship among the senior lawyers and that they get the best coaching and nurturing they can provide." Morgan Stanley is interested in not just the number of diverse and female lawyers who work on their matters or work in the firm, but also in "the depth of the sponsorship programs they have to promote overall diversity."¹⁴

Sponsorship Programs

In order to cultivate and retain diverse talent, many law firms and other legal employers have established formal sponsorship programs in which they pair promising women or minority lawyers with firm partners and leaders, including senior leaders. Sponsorship programs show great promise, but it is hard to predict how widespread they will become.

Sponsorship programs are far more challenging than mentoring programs. The greater investment of time, effort, and political capital by sponsors makes sponsorship programs more difficult to create and sustain than 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. Partners have limited political capital to expend on behalf of junior lawyers, and most will choose to sponsor those lawyers whom they know and trust to support their practices and clients. This is even more challenging in firms whose compensation systems reward only personal performance and origination. Partners are also often unwilling to share access to clients, networks, and opportunities.

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." 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 or organization and just need an extra boost.

¹³ Ellen Rosen, "Facebook Pushes Outside Law Firms to Become More Diverse," *The New York Times*, April 2, 2017.

¹⁴ *Ibid.*

In the past, firms have been loath to differentiate among associates on the basis of performance or promise. Consequently, they have been reluctant to single out any associates for extra support such as sponsorship. But the widespread use of competencies and progress levels, the application of rigorous talent management systems, and the need to leverage limited sponsor resources has led to a discernible change in law firms' attitudes and is making firms more willing to designate some associates as "high potentials" or "high performers." This is especially important to recruit sponsors for the program, because most sponsors are more likely to accept assigned protégés who have demonstrated consistently solid performance and a strong desire to succeed.

The recognition that sponsorship is crucial for women and diverse lawyers has also broken down the resistance to choose certain associates for special programs, and many sponsorship programs are specifically for women and/or minority lawyers. Law firms that make retaining and promoting women and minority lawyers a top strategic priority can justify targeting those lawyers for sponsorship programs. Many sponsorship programs are open to all associates, including white males, although they may weigh the selection process to favor members of underrepresented groups.

Special considerations when starting a sponsorship program are discussed in Chapter 12.

Examples of Sponsorship Programs

The objectives of sponsorship programs may vary, but most law firms seek to support leadership development and/or increase diversity and inclusion. These programs are new to law firms; a survey in 2014 found very few firms had sponsorship programs but many were contemplating them.¹⁵ Below are three examples of current law firm sponsorship programs.

Focus on gender diversity. When the Women's Initiative Network of Reed Smith (WINRS) determined that the lack of powerful sponsors limited women's ability to move up in the firm, they collectively began to sponsor women. WINRS systematically identified senior women associates who were or should have been up for partnership, and, as a group, WINRS championed those women and advocated for their promotion. All the women they sponsored in the first year of the program were elected to partnership, and in each subsequent year between 27 percent and 57 percent of the women they sponsored were elevated.

¹⁵ Unpublished survey of members of the Professional Development Consortium and the Association of Law Firm Diversity Professionals by Ida Abbott and Kenneth Imo, Summer 2014.

Focus on partnership preparation. Hogan Lovells LLP has a world-wide program called “Momentum” for associates on partner track. Practice groups identify senior associates who have a high potential to become partner and assign each one an external coach and a partner in the practice group who serves as their “supporting partner.” The associates participate in a series of exercises and discussions that are related to being a successful partner, and they are observed and given feedback by other partners in the group. Using that feedback and the discussions that take place during the program, the associate and coach create a development plan for the associate that outlines strengths, development areas, and experience targets. The supporting partner provides guidance around the development plan until the associate is eligible for partnership, which is, on average, about one and a half to two years later. Supporting partners embrace this role because the designated associates are high-potential performers who may become future leaders in the firm. Not all associates selected for the program become partners, but all enjoy significant career advancing benefits from the experience.

Focus on retaining talent and increasing partnership diversity. Littler Mendelson P.C. launched its award-winning Career Advocacy Program (CAP) in 2012 to help develop, retain, and advance more women and minority associates. The CAP matches women, minority associates, associates with disabilities, and self-identified lesbian, gay, bisexual, and transgender (LGBT) associates (“Protégés”) with shareholders (“Advocates”) who help them develop books of business and build relationships, and advocate for them among firm leadership. Protégés are associates at experience Level 3 out of 4 (generally in their fourth to fifth year of practice) and are among the highest performing associates (rated at least a 7 out of 10 on performance evaluations). Advocates include some of the firm’s most prominent and influential leaders, including board members, the firm chair, practice group chairs, a former managing director, and top rainmakers. Protégés and Advocates meet twice annually, while also maintaining regular contact by phone and email. The Advocates meet separately as a group once a year to compare notes regarding the Protégés’ progress and share ideas for enhancing the program. In addition, ten general counsel of Fortune 200 companies that are firm clients (“Champions”) meet in person once a year with small groups of Protégés to offer their career perspectives, advice, and support. Often the Champions get more actively involved in helping the Protégés.

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

In 2016, 40 percent of the firm's newly elected shareholders were diverse lawyers, and all of them had participated in CAP. In 2017, 26 percent of all new shareholders came from CAP.

Promoting Sponsorship without a Sponsorship Program

An alternative, less programmatic approach is to have partners become more intentional about sponsoring women and minority lawyers. This is done by raising their self-awareness and explaining to these lawyers how to become a sponsor and why sponsorship is important. Find out whom they have sponsored in the last three to five years. If they do not champion women and minority lawyers as readily as they do white men, point this out to them and show them how to change that pattern. Here are a few ways to do it:

- Encourage them to speak with and listen attentively to members of marginalized or underrepresented groups (especially those in their own practice groups), learn about their ambitions, and take their concerns to heart.
- Suggest how they can help those associates through work assignments, professional opportunities, and client introductions.
- Ask them to identify specific women or minority lawyers they will sponsor and designate certain actions they will undertake. Hold them to their commitment, and monitor and support their efforts.

Pillsbury Winthrop Shaw Pittman LLP took a non-directive approach to raising awareness and inspiring men to sponsor women by hosting a series of "Breakfasts for Champions" in several offices around the country. These events were designed to bring men into a comfortable conversation about sponsoring women and to get men more engaged in doing it and in urging their male colleagues to do it. Targeted outreach to men let them know they were invited and encouraged to attend. At each event, the emphasis was positive. Following a brief presentation about gender bias and other reasons male-female sponsor-protégée relationships are rare, women in the firm told the audience how particular men (and sometimes women) had sponsored them and how that sponsorship affected their careers. Their stories were specific and personal, which produced greater resonance and impact than a general presentation.

One of the most impressive aspects of the events at Pillsbury was the number of cross-gender relationships spanning three generations of sponsorship, with the lawyers who presented their stories honoring male or female sponsors, who in turn honored their male or female sponsors. They exemplified not just the value and importance of sponsorship for career success, but also the way sponsors become role models and sponsorship practices get passed down to subsequent generations.

Events like Breakfasts for Champions produce many benefits. Without being didactic, they:

- Honor men and women who have successfully sponsored women.
- Highlight the importance of sponsorship for women.
- Make men comfortable discussing concerns they may have about sponsoring women.
- Educate men about how to manage and overcome those concerns.
- Present examples and role models of successful sponsors.
- Offer specific, concrete steps and strategies for sponsoring women.

The Pillsbury Breakfasts for Champions were focused on cross-gender sponsorship, but programs like this are easily adapted to fostering sponsorship across race, religion, or other interpersonal differences.