

Best Practices For Creating A Diverse & Inclusive Culture For Lateral Recruitment & Retention

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*The Elephant In The Room:
Making The Lateral Hiring Process
Inclusive For Diverse Candidates*

I. BUY-IN

- › Does your firm have buy-in from stakeholders (firm-wide managing partner, governance committees, practice group leaders)?
- › Is leadership regularly communicating their support of D&I efforts to the rest of the firm?
- › Does leadership regularly participate in D&I initiatives?

II. THE FIRM'S OUTWARD FACE

- › Does your firm's website:
 - Have a dedicated D&I page on your website that is easily accessible from the homepage?
 - Clearly articulate the firm's culture and D&I initiatives?
 - Highlight diverse firm leadership?
 - Highlight diverse associates and partners?
 - List a diversity contact person?
 - Highlight diversity awards that you've won?
 - Mention a firm-wide diversity council/committee?
 - Highlight diversity-related activities (such as a Diversity Speaker Series or Black History Month initiative)?
 - Demonstrate that the firm supports diversity groups (such as participating in sponsorships or activities with affinity organizations or employee resource groups)?
 - Meet the guidelines for accessibility under the Americans with Disabilities Act (font size, color, contrast, alt-tags, etc.)?

III. RECRUITING PROCESS (INCLUDING THE INTERVIEW)

- › In your firm's position descriptions, do you encourage diverse applicants to apply and use gender neutral language?
- › Does the firm recruit at diverse schools and job fairs? (Consider the diversity numbers of those schools and your relationships with the affinity groups at the institutions.)
- › Does your firm post jobs with the various bars and associations in your geographic area?
- › Does your recruiting process clearly identify where attorneys with disabilities should go to complete hiring forms?
- › Does your firm clearly explain how to receive disability accommodations in accordance with the Americans with Disabilities Act?
- › Do your employees have access to resources that will help them clearly articulate your firm's D&I goals and initiatives?

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- › Does your firm proactively include diverse candidates in the interview process (i.e., men, women, racially/ethnically diverse, public and private law school grads, etc.)?
- › Are interviewers prepared with sample interview questions?
- › Are all lateral hires asked the same interview questions?
- › Does the firm use behavioral-based interviewing?
- › Are all employees well-versed in the diversity statistics of the firm as well as the initiatives and other activities?
- › Does the grading rubric for applicants take into account conscious and unconscious bias?
- › Does the firm collect feedback from applicants about the interview process?

IV. RETENTION (INCLUDE PARTNERSHIP)

- › Does your firm have:
 - An informal and/or formal mentorship program?
 - A program for on-ramping after an absence from practicing?
 - A reverse mentorship program to encourage cross-generational communication?
 - A formal program to allow attorneys to work on their soft skills (presentation, networking, organizational skills, etc.)?
- › Is your firm tracking the progress of your most talented and diverse attorneys via key metrics?
- › Does your firm offer opportunities for attorneys to opt out of non-billable work in an effort to focus on key metrics for promotion and partnership?
- › Does the firm offer flexibility for working mothers and fathers and other caregivers?
- › Does your firm actively promote and encourage diverse teams in your RFP process?
- › Does your firm give guidance to partners on how to conduct meetings with clients and teams in an inclusive way?
- › Has the firm clearly defined what's required for associate advancement and have a method for tracking metrics for these requirements?
- › Has the firm clearly defined what's required for partnership and equity partnership and have a method for tracking metrics for these requirements?
- › Does your firm have methods for tracking D&I metrics across practice areas and offices?
- › Is management incentivized (usually monetarily) to meet or exceed firm D&I metrics?
- › Has your firm defined origination credit in such a way as to promote collaboration?
- › Does your firm allow for creative billing methods that don't just rely on the billable hour?
- › Does your firm conduct exit interviews with employees?

V. TAKING IT TO THE NEXT LEVEL

- › Does your firm subscribe to:
 - Mansfield Certification 1.0 + 2.0 Guidelines?
 - WILEF Certification Guidelines?
- › Does your firm have an inclusive vendor policy?