

ALM Properties, Inc.

Page printed from: [The Legal Intelligencer](#)

[Back to Article](#)

More Than a Pretty Face, Diversity Is Needed for Global Growth

Last year the BRIC countries — Brazil, Russia, India and China — outpaced the United States in sales for DuPont, the chemical giant's general counsel told a room full of other GCs and law firm leaders grappling with how to increase diversity in their ranks.

Saranac Hale Spencer

2013-09-12 12:00:02 PM

Last year the BRIC countries — Brazil, Russia, India and China — outpaced the United States in sales for DuPont, the chemical giant's general counsel told a room full of other GCs and law firm leaders grappling with how to increase diversity in their ranks.

That shift foretells the transformation that will be forced on the profession, he said, a profession that is grounded in relationships.

Thomas L. Sager was speaking at the National Roundtable on Diversity in the Legal Profession, a daylong event hosted by Schnader Harrison Segal & Lewis and the Philadelphia Bar Association.

The ability for U.S. companies to grow depends on their ability to understand those countries in emerging markets — their laws and their culture, he explained later in an interview.

"All roads lead to the United States because of our intellectual property system and rich pool of talent and capital. We'll be a player for a long time," Sager said, but firms have to adapt to the demands of the changing global landscape.

He estimated that there's a three-to-five-year window for firms to diversify their ranks and add more lawyers with technological and scientific expertise.

Companies like DuPont need law firms that are familiar with the governments and agencies of the countries they're working in, firms that are positioned for cross-border deals, and, if those deals sour, are prepared to handle litigation in various venues. They need lawyers who understand the intellectual property system in China and how it relates to the U.S. system.

The lawyers have to know the culture and the language, he said.

"That's how these deals are struck, how these relationships are formed," Sager said.

At the program, Robert Grey, a partner at Hunton & Williams in Richmond, Va., suggested, "Because this entire profession is based on relationships," a method for fostering diverse leadership down the road would be to start taking young minority associates and pairing them with midlevel in-house counsel for a year to cement ties between them and the companies that will hand out business.

"Power is business," Rudolph Garcia of Buchanan Ingersoll & Rooney said, summing up the bottom line of making it to partner.

That kind of program makes sense, Sager said, because it institutionalizes the relationships between the developing lawyers and the companies that will be major clients and it takes "old guys like me" out of the role of gatekeeper.

Perhaps an even more aggressive move that's on the horizon is a proposed initiative from DuPont Canada that would require firms to have a certain percentage of their teams working on the company's account be from diverse backgrounds as a condition for getting work, Sager said.

Basically, he said, the legal profession works best when it mirrors the population that it serves, and the face of business has changed.

"The reality for people like me, being at a law firm, is that because it's a reality for the people I'm sitting next to here ... in-house lawyers have changed, businesspeople have changed, and in many occasions clients don't want to see, necessarily, people like me walk in the room. They certainly don't want to see five people like me walk in a room," said Mark Stewart, chair of Ballard Spahr, a middle-aged, white man, who, on this rare occasion, was a minority in the room.

When a firm answers a client's request for proposal the way it wants to have it answered, the firm has a better chance of getting work, Stewart said of companies seeking diverse legal teams for representation.

However, Grace Speights, a partner at Morgan, Lewis & Bockius in Washington, D.C., challenged the force behind those requests for diversity.

"Most clients have used the carrot approach," she said. "There are only a handful that use a stick, meaning, 'I tell you, law firm, I want you to do this ...' and at the end of the year, we all send in the reports and a lot of times those reports look the same as they did two, three, four years ago and nothing happens, the business continues to come."

If companies would use the stick and move their business elsewhere if firms don't comply with diversity requests, the profession would make bigger strides, she said.

The diversity programs undertaken by DuPont have helped the company's reputation, but also saved it millions of dollars, Sager said. "Diversity, to us, is a business imperative," he said.

Naomi McLaurin, the director of diversity for the Philadelphia Bar Association, and Albert Dandridge, partner and chief diversity officer at Schnader, ran the roundtable Tuesday.

Saranac Hale Spencer can be contacted at 215-557-2449 or sspencer@alm.com. Follow her on Twitter [@SSpencerTLI](https://twitter.com/SSpencerTLI).

Copyright 2013. ALM Media Properties, LLC. All rights reserved.