Mansfield Rule™ Boosting Diversity In Leadership

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Mansfield Rule 2.0, 2018-2019
Mid-Point Progress Report

The Mansfield Rule launched 18 months ago with the goal of broadening law firms' governance, promotion, and hiring pipelines to diversify law firm leadership. Using prompts grounded in behavioral science, the Mansfield Rule drives inclusive approaches to succession planning and candidate selection by asking firms to consider at least 30% women, minorities, and LGBTQ+ lawyers for key leadership roles, promotions, and lateral hiring. In August 2018, 41 law firms met these requirements and became Mansfield Certified as part of Mansfield 1.0.

In July 2018, more than 60 law firms joined the Mansfield 2.0 Certification Program. The most notable change for the 2.0 iteration was the inclusion of LGBTQ+ lawyers to the candidate pool, in addition to women and minority lawyers.

With accountability and transparency as two core elements of the Rule, we have committed to collecting data and reporting the outcomes at regular intervals. Metrics at the 2.0 six-month point show that participation in the Rule has prompted measurable changes for the participating firms. For example, all Mansfield Rule firms are now formally tracking the diversity of their candidate pools for hiring and promotions. Before adopting the Mansfield Rule, only 12% of firms were tracking the candidate pools for leadership roles, 25% for lateral partner hiring, and 33% for lateral senior associate hiring.

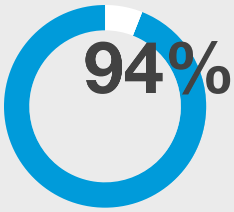
In addition to the Rule's effect on the diversification of talent pools and leadership ranks, the results reveal that the embedded knowledge-sharing structure has supported firms by providing a robust forum to share best practices, problem-solve, and crowdsource effective solutions on tough talent challenges such as retention.

The metrics detailed in the following pages highlight the significant progress made under Mansfield 2.0, as well as some of the challenges that have inevitably arisen with a large-scale cultural change effort such as this one. It is important to bear in mind that over a hundred years of systemic barriers, unconscious biases, and unequal access to opportunities have contributed to making law one of the least diverse professions. Moving the needle significantly — and sustainably — will take continued, long-term focus. We believe, as evidenced by research and the results thus far, that the Mansfield Rule is positioned to do this through institutionalizing increased transparency, broader fields of candidate consideration, and critical tracking and documentation practices.

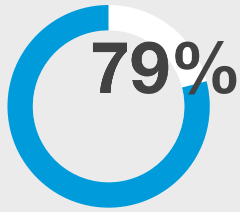
The following report provides the mid-point progress, but stay turned for more details at the end of the certification process in August 2019, when we will report on whether firms have diversified their leadership ranks.

Progress on Goal of Diversifying Leadership

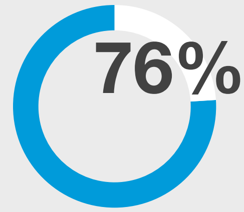
Of the firms that took action in the below categories and tracked this data before the implementation of Mansfield Rule 2.0 in July 2018:



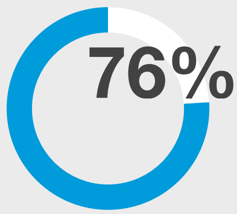
Found that their candidate pool for pitch teams was more diverse.



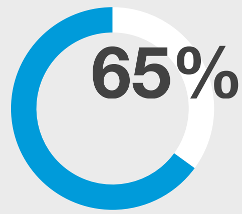
Said their lateral partner candidate pools were more diverse.



Said their leadership/ governance candidate pools were more diverse.



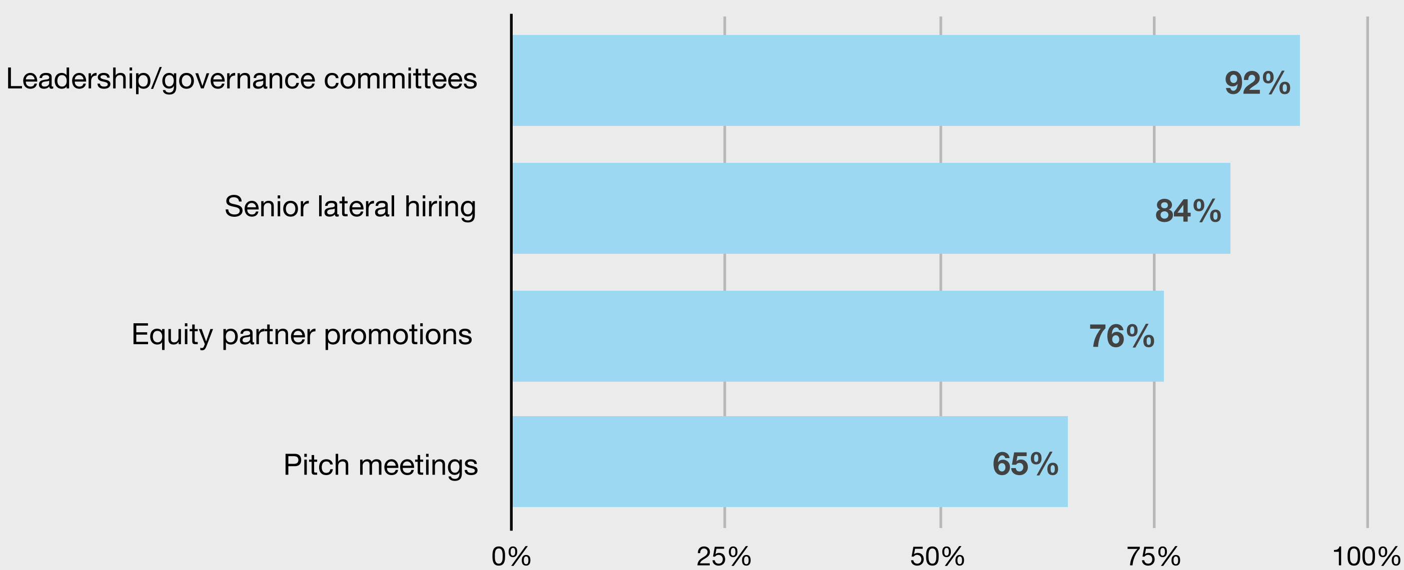
Said their equity partner candidate pools were more diverse.



Said their senior associate candidate pools were more diverse.

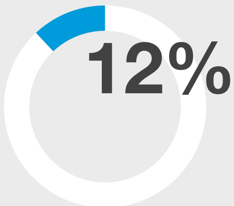
Progress on Expanding Mindsets & Adding Structure to Succession Planning

As a result of participation in 2.0, firms have significantly increased their formal discussions regarding broadening their pools of candidates for:

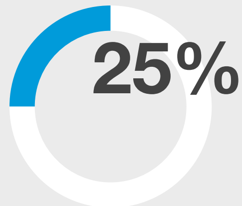


Progress on Tracking and Documentation Goals

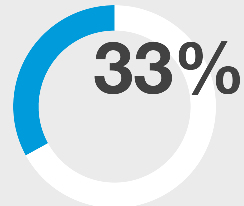
For new firms who joined 2.0 this year, prior to implementation of the Rule only:



Of firms were formally tracking diversity candidate considerations for leadership/ governance roles.



Of firms were formally tracking diversity candidate considerations for lateral partner hiring.



Of firms were formally tracking diversity candidate considerations for senior associate recruiting.

Progress on Community Building & Knowledge Sharing

Thus far, we have hosted 6 of 10 planned knowledge sharing calls for the year with an average of 100 law firm partners and talent experts on each call. Topics have included “Innovative and Nontraditional Ways to Recruit Diverse Talent” and “Governance Elections, Appointments, and Slates: Techniques to Ensure Inclusion & Fairness in Leadership Roles.”

Feedback regarding the knowledge sharing aspect of 2.0 included:

- *“The Knowledge Sharing Calls provide a terrific forum for member firms to share best practices and learn from one another. People's thoughtfulness and willingness to share information on the calls is impressive and very much appreciated.”*
- *“We have benefited greatly from the wisdom and insight of our peer firms taking part in this initiative, and we now have a template and path forward for continued growth in all of these areas.”*

Reasons Firms Joined Mansfield 2.0

Firms were asked to provide their top 3 reasons for joining (or renewing participation in) 2.0. The most popular responses were:

- **86%** - Opportunity to further firm’s diversity & inclusion goals.
- **66%** - Desire to retain/demonstrate support for diverse lawyers at the firm by showing a deeper commitment to diversity & inclusion.
- **55%** - A firm leader (partner/senior lawyer) advocated for it.

A smaller, but still significant, percentage of firms (25%) selected “opportunity to knowledge share and collaborate with other firms to more effectively move the needle on diversity & inclusion.” (See Progress on Community Building and Knowledge Sharing above.)

Selected Quotes Regarding the Positive Impact of 2.0 Participation

Impact on Decision Making

- *"The Mansfield Rule has become part of the dialogue at our firm and is part of all of our decision-making around leadership. The Mansfield principles have become institutionalized."*
- *"Our participation has inserted a 'pause' for those in leadership when considering hiring or promotion decisions."*
- *"Adoption of the Mansfield Rule has changed the dialogue that the firm's leadership is having about promoting people to leadership positions. It has also created a new level of awareness with regard to firm processes and procedures on many levels."*

Impact on Furthering D&I Goals

- *"Mansfield has offered us a formalized process, with parameters, to increase 1) transparency; 2) data gathering, tracking, and sharing opportunities for framing, context, and accountability within our D&I team, firm/practice group leadership, and practice group management; and 3) discussions around maintaining a diverse, inclusive community, both at the leadership and firm-wide levels."*
- *"We believe it's the increased dialogue about every component of Mansfield that has occurred within our firm, at all levels, and in the profession that has been the most positive."*
- *"Participating in the Mansfield 2.0 Pilot has punctuated the Firm's commitment to having a more diverse workforce and inclusive workspace and provided a structure to ensure firm leadership and partners are actively thinking about the composition of the applicant pool, which has meaningfully increased the number of diverse hires."*
- *"Adopting the Mansfield Rule has been an action-forcing mechanism to increase conversations on D&I issues, formalize policies and practices, and formalize the firm's internal D&I commitment."*
- *"Mansfield provides the infrastructure, toolkits, and education to prompt discussions and changes in the firm that allow for more diversity & inclusion in a supportive environment."*
- *"Mansfield has allowed us to develop tangible goals and actions for our firm leadership and partners to support the Mansfield Rule, so that the commitment goes beyond a HR/ administrative function or role."*

Impact on Establishing Tracking/Documentation Norms

- *"Our participation in the Mansfield Rule initiatives has reinforced the importance at all levels of the firm, from management committee to staff, for us to mindfully measure and track our diversity and inclusion efforts. As a result of the tracking requirements, we have developed a more defined set of meaningful metrics against which to measure our advancement of diverse attorneys."*

Impact on Transparency

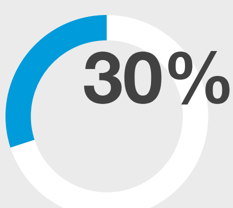
- *"The Mansfield Rule has changed our leadership succession process. Previously, it took place 'behind closed doors' in an informal way. We have now added structure to the process, meaningfully incorporated our written guidelines, and made everyone in the firm aware of how these positions become available and are filled."*

- *"Creating job descriptions for all leadership and governance roles and transparently documenting the nomination and selection processes provides all attorneys with access to the same information and will help us to invite and consider the broadest field of talent possible to serve as the next generation of firm leaders."*

Challenges

Realizing there are always challenges with new initiatives, here are the primary ones identified by Mansfield 2.0 participating firms:

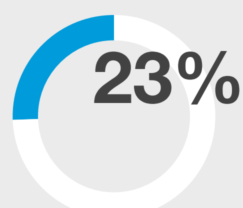
Tracking Formal Pitches



30% of firms identified the new category of tracking formal pitches as the most challenging category to implement.

- Prior to 2.0, pitch tracking in many firms was not centralized so firms have had to develop processes to ensure they are tracked.
- Pitch meetings can take lots of different forms, which complicates the tracking process.

Lateral Partner Hiring



Lateral partner hiring was the second most challenging category to implement, with 23% of firms citing this category.

- Lateral partner hiring often occurs through organic networks of existing partners and candidates tend not to be diverse. Adding a layer of structure to ensure other candidates are considered has been a major cultural change process in many firms.
- The recruitment process for lateral partners often occurs informally and is thus more challenging to track and document.

Client Forums/Client Engagement in the Mansfield Rule

Certified firms are invited to send their newly promoted partners to attend one of three Client Forums with influential in-house counsel to develop and nurture business relationships in hopes of gaining their own book of business. More than 60 legal departments participated in the most recent events with approximately 200 diverse partners from the 41 certified firms. Here are some of the outcomes.

16% Of firms said they were encouraged to participate in the Mansfield Rule by a client.

66% Said they received positive feedback from clients about their participation in the Mansfield Rule.

In the 3 to 4 months following the three Fall 2018 Client Forums, **14%** of firms who attended a Client Forum reported having obtained new business as a result of attendance. Almost all of the other attending firms reported that their partners had established new connections and are in communication with prospective clients or clients already working with their firms.

Feedback on the 2018 Mansfield Client Forums

- *"My attendance at the Client Forum has led to a number of really great discussions with colleagues and clients. Additionally, I learned from one of my firm's clients at the forum that her company has a perception of how different firms compare on an important metric. I took that intel back to firm leadership and we have been digging into our own data to determine whether our client's perception is correct and, if so, whether there is anything we want to do to further educate that client and/or to change any of our own internal practices based on the intel I was able to gather."*

- *"This was an amazing event. The split between the practical (and oh-so-valuable) advice for outside counsel and networking was spot-on. Certainly, the most worthwhile networking event I've ever been to. Well done!"*

- *"The way in which Caren set the stage for networking, and later pitching, the in-house attorneys present was invaluable to the experience. I have heard many panels speak on what they like and do not like about external counsel. I have not had the opportunity to hear that directly from the very people that I would pitch the next day. There was no better prep for the experience."*

- *"The entire forum was well thought out and extremely valuable. The presentation topics were exactly aligned with what all outside counsel lawyers want/need to know, and the structured networking was thoughtful and so much more valuable than other networking events."*

- *"I found the frequent time allotted for networking to be what set this event apart. It can be difficult to meet people at other events as everyone usually 'mobs' the speakers in the 10 minutes between scheduled events, so I appreciated the thoughtfulness is allowing time to mingle."*

- *"Our first pitch was with an in-house counsel in my area of specialty and that does not currently work with my firm. I am not sure how I would have gotten this captive audience and opportunity without this forum."*

My Story: Client Forum Follow-up from a Newly Promoted Woman Partner

My pitch partner and I had the opportunity to pitch an in-house employment lawyer that seemed very interested in some of our offerings. We made the ask at the end of our meeting, got her card, and followed up by email a couple of times... No word on that, but she did one better, sending a billable assignment, a specific follow-up to something discussed in our pitch. It also originated a new client to our firm, for which my pitch partner and I will now share credit.

To follow-up, I sent a note to the in-house counsel to thank her for the assignment and ask if I could treat her to coffee. She agreed and said that she is also interested in a meeting to discuss how we can broaden our relationship. We are continuing to follow up on that. The lesson: appropriate persistence.

There was another in-house employment counsel at the event that we were not scheduled to pitch to the on the second day of the Client Forum. On the first day, I made a point to sit next to her following one of the afternoon breaks during the "TED" talks. I introduced myself, and with the benefit of our common locale, I asked her to coffee. She accepted. I followed up the next week, and we had coffee soon thereafter. We had a great time and made a solid connection. A short time later, I learned a case had just been filed against the company in [my state] and I recalled from our discussion that this attorney was not very happy with her current counsel in my state. So, I sent the case to her and made the ask. We got the case! Another new client for my firm, and for which I receive the origination credit. This new client has also expressed a desire for a broader relationship.

Another company that my partner and I pitched took the time following our pitch to send a note to our firm's Managing Director commenting on how well she thought our pitch went. We were able to follow up to thank this counsel for taking the time to send this amazing note.

My Story: Client Forum Follow-up from a Newly Promoted Partner of Color

Since the Client Forums, John has taken much more of a proactive role when working on fixed fee/budget matters to monitor costs and to give clients a heads up when additional expenses are incurred. He said that clients are extremely grateful for the info — more than he expected! This is based on what he learned from the in-house lawyers about budgets and communication at the Forums.

He has also continued to emphasize expertise and responsiveness; he always did, and the firm told him that too, but hearing it from the clients has made it even more of a priority.

Hearing so many of the in-house lawyers say they place an emphasis on diverse teams has been super helpful to him, somewhat unexpectedly. He is in charge of entry level hiring for his office, so hearing this directly from clients has been great as he works with others in the office to pursue diverse teams and encourage everyone else to do so as well.