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Law firm leaders must be accountable: Fox Rothschild diversity officer on creating an inclusive culture

Earlier this year, [the Human Rights Campaign](#) (HRC) released its annual [Corporate Equality Index](#) in which a large number of law firms were awarded the title of 'Best Place to Work for LGBTQ Equality'. We [reached out to](#) some of the top-ranking firms, many of which have prominent trademark practices and feature in the [WTR 1000](#), to discuss the initiatives that have earned them that accolade.

In this guest piece, Kimberly Bullock Gatling, partner and chief diversity and inclusion officer at Fox Rothschild LLP, discusses accountability challenges and the steps that firms can take to build a more inclusive culture.

Guest analysis

Fox Rothschild has a strong record of being at the forefront of LGBTQ equality in the legal industry, and we have implemented a broad range of policies designed to ensure team members feel welcomed, have full access to opportunity and do not face discrimination on the basis of gender identity or sexual orientation.

In addition to explicit prohibitions against workplace discrimination, these policies include offering full benefits to same-sex and different-sex partners and spouses and providing access to health insurance that covers transition-related care.

The firm also engages in extensive outreach efforts designed to recruit LGBTQ attorneys and forge relationships with LGBTQ suppliers and non-profits advocating for the LGBTQ community.

Members of the firm's very active LGBTQ & Allies Initiative help promote these efforts and continuously push us to ensure that we keep these issues top of mind. I am particularly proud of the internal and external training that our attorneys provide around issues of LGBTQ equality. A team of attorneys who are active members of the LGBTQ & Allies Initiative recently provided effective and well-received training on anti-transgender legislation and the legal challenges to such legislation across the country.

These are some of the things that earned us perfect score on the annual Human Rights Campaign's Corporate Equality Index for the third straight year and designation as a 'Best Place to Work for LGBTQ Equality'.

To hold ourselves accountable for including diverse attorneys of all backgrounds in firm leadership, Fox Rothschild recently applied for Mansfield Rule 5.0 Certification, which requires us to ensure that at least 30% of those considered for leadership and governance roles, equity partner promotions, senior lateral positions and formal client pitches are female lawyers, lawyers of colour, LGBTQ+ lawyers and lawyers with disabilities.

Holding ourselves accountable

Because of the structure of the business, one challenge that law firms face is accountability. Traditionally, attorney compensation in law firms is based on productivity, including billing time to client matters and generating new business. While it may be difficult, law firms have an opportunity to increase the impact of their D&I initiatives by incorporating accountability measures into the compensation model. For example, senior attorneys and department leaders could be held accountable for ensuring that all associates have equitable access to career growth opportunities.

That is why we have created a sponsorship programme, entering its pilot phase, that will team our leading rainmakers and practice area leaders with diverse associates in order to ensure that everyone gets a fair shot at client-facing opportunities and work experience, while providing these less-experienced attorneys with an advocate who will open their networks to them. This one-on-one relationship will introduce structure and personal accountability to our DEI efforts, and by including leading firm attorneys, provides a lead-by-example moment that can have influence across the firm.

Fox Rothschild continuously reviews its HR policies to keep them current and ensure that they are fully implemented across the firm. The firm's executive committee also provides oversight, and members of our Diversity, Women's and LGBTQ & Allies Initiatives are full partners in this effort, actively monitoring issues of equity and inclusion throughout the firm and providing feedback on areas where change is needed.

The firm's appointment of a chief diversity and inclusion officer in 2020 elevated these issues to C-level status and added another layer of oversight and accountability.

The firm also recently engaged nationally recognised diversity, equity and inclusion (DEI) consultants to complete a survey to gauge the firm's current DEI climate and provide comprehensive DEI training to managers across the firm to ensure that they have the tools and understanding to implement these policies.

In addition, we have engaged with Diversity Lab on two fronts to measure our progress. By applying for Mansfield Rule 5.0 Certification, we are committing the firm to meeting a measurable goal of ensuring that at least three in 10 attorneys considered for leadership roles are women, people of colour, lawyers with disabilities and members of the LGBTQ community.

The firm is also participating in the Inclusion Blueprint, a collaboration between Diversity Lab and ChIPs, a group that advocates for women in technology and policy. The blueprint will allow the firm to track, measure and benchmark the results of our efforts in three key areas:

- current diversity representation target thresholds and year-over-year progress;
- ongoing inclusion practices and activities; and
- our commitment to concrete actions to be implemented over the coming year.

“A powerful combination of top-down and bottom-up support”

Fox Rothchild’s diversity and inclusion efforts start at the top with firm leadership. We have 100% support, buy-in and commitment from top leadership and the executive committee. This is critical because it ensures that we have the backing of those in power who can affect change and demand accountability, and it takes the burden of advocacy from those who are members of underrepresented groups.

Our strategy is to ensure that leadership owns our diversity and inclusion principles and understands their role in ensuring that they are valued and put into practice on a day-to-day basis. When you combine enthusiastic, unequivocal support from firm leaders with broad participation from attorneys and staff through vehicles such our Diversity, LGBTQ & Allies and Women’s Initiatives, it provides a powerful combination of top-down and bottom-up support that can truly drive change and facilitate accountability.

The firm also demonstrates this commitment by making strong public statements on current issues, from condemning systemic racism and the recent violence perpetrated against the Asian community to promoting our support, both financial and through *pro bono* work, for causes that advance diversity, such as Lunar Startups, a Minneapolis-based group that supports growth, connection and innovation for entrepreneurs who identify as Black, Indigenous, People of Colour, LGBTQ, women and non-binary.

Engage an experienced DEI consultant to help start difficult conversations

A great way to start developing a DEI strategy is to complete an assessment of inclusiveness and the work environment at the firm to understand how people are feeling. Engage an experienced DEI consultant to design and carry out the survey to ensure its sophistication and impartiality. This is not something that you want to do yourself. Use the findings to guide the creation and administration of foundational training, again with the help of a qualified DEI expert, to build understanding around DEI issues, particularly for firm leadership, and engage them in the process of developing the strategy. Talking about DEI issues can be uncomfortable, but you need to be willing to have courageous conversations tackling sensitive subjects. That is the only way we can make progress, by engaging each other in a strategic manner. That way you can identify opportunities to do better and be transparent in recognising where those opportunities are.

This article is part of an ongoing series on diversity and inclusion initiatives within leading law firms. For more in the series, see:

- [How Armstrong Teasdale is making DEI part of its DNA](#)
- [“There is always more work to be done”: Baker McKenzie’s first-ever D&I chief on global diversity efforts](#)
- [“Good intentions have not been effective”: change comes from bold leadership, says Ballard Spahr chief diversity officer](#)
- [“The bedrock of a good D&I strategy is listening to your team”: how Crowell & Moring is creating positive change in the workplace](#)
- [Three ways to create and maintain an effective D&I strategy, from Kirkland & Ellis](#)
- [Locke Lord diversity chief offers practical tips on creating an effective inclusion strategy](#)
- [Mayer Brown D&I director calls out “myth of meritocracy”](#)
- [“The message from the top is clear”: Nixon Peabody D&I director on importance of open communication](#)
- [An inside look at Reed Smith’s diversity and inclusion strategy](#)
- [“What we believed was equal and fair a year ago may not be good enough now”: interview with White & Case global diversity chair](#)
- [Womble Bond Dickinson US shares best practices for workplace inclusion](#)

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