



CHICAGO COMMITTEE  
on Minorities in Large Law Firms

# PROGRESS<sup>IN</sup><sub>THE</sub> CHICAGO CORPORATE BAR?

*A 10-Year Progress Report,  
2002 to 2012*

WILLIAM D. HENDERSON



When it comes to issues of diversity, the U.S. legal profession is a difficult and vexing puzzle. As a group, lawyers are more socially liberal than the general population and are much more likely to support affirmative action and other initiatives designed to further race and gender equality (Heinz et al., 2006). Consistent with this progressive bent, virtually every large U.S. law firm devotes considerable time and resources into recruiting diverse classes of entry-level associates. Indeed, levels of diversity are one of the five inputs that comprise the methodology for the coveted American Lawyer A-List, an industry honor limited to 20 firms per year.

Notwithstanding these promising developments, progress toward diversity at the law firm partnership-level has moved at a glacial pace—much too slow for female and minority lawyers to believe they have achieved true parity within the profession. The puzzle that confronts so many lawyers is how so much good will, time, and effort can be invested in the cause of diversity without producing an adequate return.

Arguably, it is time for the profession to take a fresh look at what has become an old problem. Toward that goal, the Chicago Committee on Minorities in Large Law Firms commemorated its 25th anniversary by commissioning this Report. The purpose of this Report is to use data to begin to unravel the legal profession's diversity puzzle. Our methodology is not unique or novel; indeed, it is familiar to every practicing lawyer. First, we assemble an extensive factual record. Second, we objectively examine that record in search of relevant patterns and inconsistencies. And third, we draw upon the expertise of others to help interpret our findings—in this case, the findings of social science that bear on issues of diversity among college-educated knowledge workers.

## 1. The Factual Record

When it comes to the issue of diversity in corporate law firms, a fruitful dialogue among stakeholders requires a common set of facts that are perceived by all to be comprehensive, relevant, and reliable. With the right data set, the act of measuring progress, or lack thereof, can be reduced to the simple act of counting attorneys by various categories (e.g., gender, race, title, geography) and observing changes in those categories over time.

Within the legal industry, the National Association for Law Placement (NALP) is the only data source that fits our needs. Since the late 1970s, NALP has served an important coordination role between law schools and legal employers, particularly related to entry-level hiring and the on-campus interview process. Part of this effort is the annual publication of the NALP Directory of Legal Employers, which uses a one-page standardized format to describe and summarize each law firm (available at [www.nalpdirectory.com](http://www.nalpdirectory.com)). The NALP Directory has three key features that make it ideal for generating a diversity progress report:

(1) Attorney counts are summarized in table format by race, gender, sexual orientation, and title using a single, common classification sys-

tem. These “diversity grids” enable apples-to-apples comparisons *across organizations*.

(2) The classification system used to generate the diversity grids has been in place for over a decade. This feature enables apples-to-apples comparisons *over time*.

(3) Data are reported at the branch office level, which enables us to make diversity comparisons based *on geography*.

### 1.1. Prior Research using NALP Data

Prior research using NALP data has yielded important findings that provide both optimism and realism for those committed to improving diversity within law firms (Henderson, 2012). Although industry-level data consistently shows modest levels of diversity at the partnership level, a study based on the 2006 NALP Directory of Legal Employers found wide variations based on geography.

For example, in offices of large law firms located in the Washington DC, Atlanta, and various southeastern medium-sized markets, the proportion of African-American partners was 70% to 270% higher than the national average. Similarly, in offices located on the west coast and Rocky Mountain regions, the proportion of Asian partners was 200% to 300% higher than the national

average. Likewise, Hispanic partners appear to flourish in the Los Angeles, Dallas, Houston, and various southwestern and southeastern medium-sized markets, with partnership levels 40% to 270% above the national average.

The existence of these diversity “micro-climates” is strong evidence that the bleak national averages for minority partnership are not the legal profession’s inevitable destiny. Within specific geographic pockets, minority partners appear to be obtaining critical mass. Further, these patterns appear to exist within law firms themselves—firms with relatively homogeneous partnerships at the national level are often the same places that are giving rise to the diversity micro-climates. These results reveal that diverse lawyers are already thriving within some of the nation’s largest and most sophisticated legal markets. The challenge, of course, is understanding the underlying dynamics of these bright spots so they can be spread to other geographic markets.

Perhaps the most important ingredient to a diverse partnership is a large pipeline of diverse entry-level talent. The analysis of the 2006 NALP data showed three key patterns that influence a law firm’s success in recruiting and retaining minority lawyers (Henderson, 2012). First, entry-level minority associates tend to be attracted to specific geographic markets—often the same markets where there is a relatively large proportion of partners in their same racial group. Second, national law firms and large branch offices enjoy a significant advantage, presumably because they have resources available for recruiting and are often viewed by junior lawyers as more

PERHAPS THE MOST  
IMPORTANT INGREDIENT TO  
A DIVERSE PARTNERSHIP IS A  
LARGE PIPELINE OF DIVERSE  
ENTRY-LEVEL TALENT.

prestigious. Third, after statistically controlling for office geography, size of firm, and size of branch office, a key determinant of percentage of African-American, Hispanic, Asian, LGBT, and female associates was the percentage of African-American, Hispanic, Asian, LGBT, and female partners. Yet, remarkably, there was no general diversity cross-

over effect—more specifically, the positive statistical relationship between diverse partners and diverse associates only existed within each sub-group.

The implication of this analysis is both simple and frustrating. We would have more African American (or Hispanic or Asian or LGBT or female) associates if we had more

African American (or Hispanic or Asian or LGBT or female) partners. Yet, the attainment of a critical mass of minority partners is, at best, geographically uneven. Thus, waiting for the second (or first) generation of diverse partners to arrive is not a formula for rapidly diversifying the corporate bar. A more activist approach based on data is likely to bear more fruit—a topic taken up later in this Report. The next section provides data on the current pace of change.

### 1.2. 2002 to 2012 Progress Report

In an effort to establish ambitious but realistic goals for advancement of minority lawyers within large law firms, and to have the ability to discern whether those goals are being reached, the Chicago Committee collaborated with NALP to generate a Progress Report for the 2002 to 2012 time period. The sample was constructed using the diversity grids of several hundred law firms with branch or headquarter offices in seven major U.S. markets: Atlanta, Boston, Chicago, Los Angeles, New York City, San Francisco, and Washington, DC. The diversity grid classified attorneys by four potential job titles (Partner, Associate, Counsel, or Staff Attorney) and demographics (race, gender, sexual orientation, and disability). Our primary focus was analyzing the Chicago market and benchmarking it against a composite of the broader corporate market.

At the partnership level, the overall pattern for Chicago and other large markets is one of modest improvement. As shown in Figure 1, over the last decade, the proportion of partners in each diverse cate-

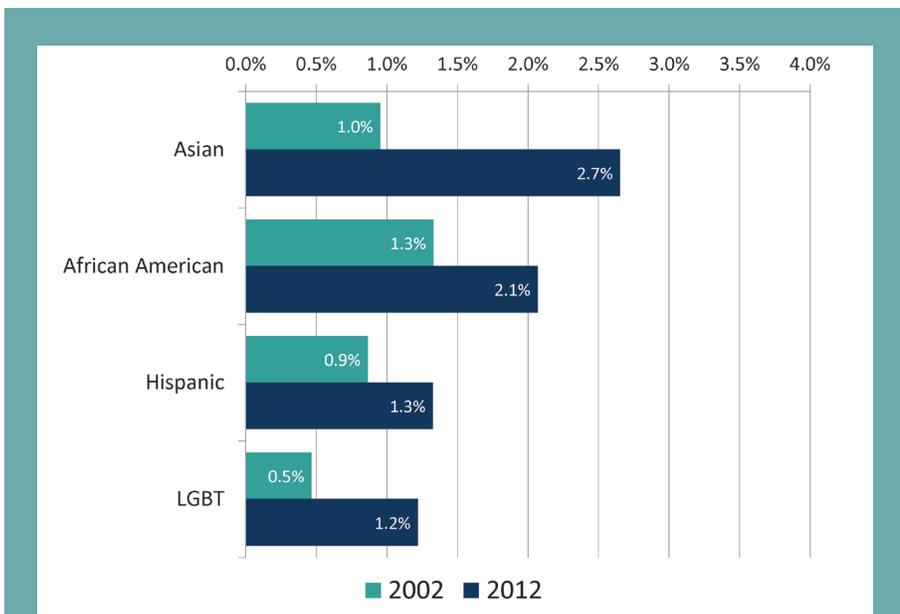


Figure 1. Percentage of Diverse Partners in Large Chicago Law Firms, 2002 vs. 2012

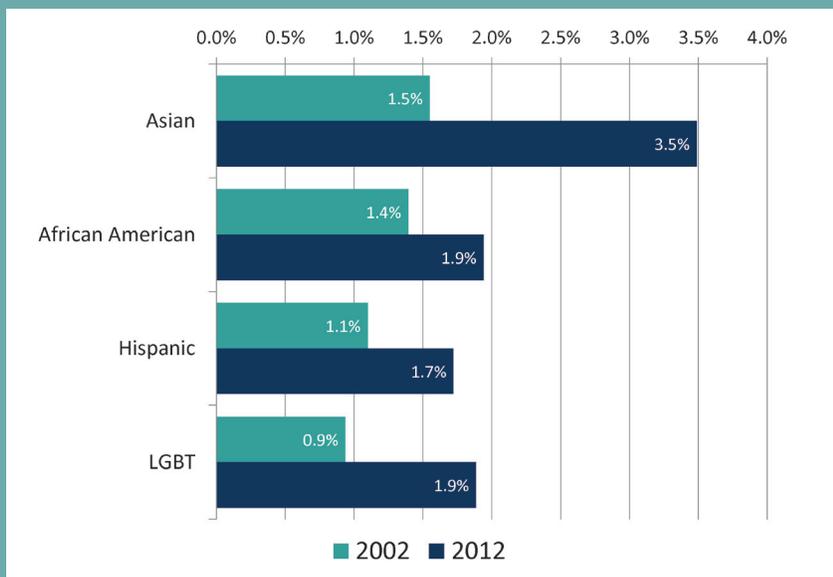


Figure 2. Percentage of Diverse Partners in Large Law Firms in Major Markets, 2002 vs. 2012

gory has increased, albeit the pace of change is likely to be disappointing to many. Figure 2 summarizes the proportion of diverse partners for all seven major markets. Chicago slightly leads on the national composite for African American partners, and slightly trails the national benchmarks for Asian, Hispanic, and LGBT partners, albeit the over-

all differences are relatively small and not statistically significant.

A similar pattern can be observed among female partners. Between 2002 and 2012, the percentage of female partners at large Chicago law firms increased from 17.2% to 20.7%. For the seven major markets, this percentage increased from 16.4% to 19.8%—a gain to be sure,

but hardly one signifying substantial progress, as the percentage of female law graduates has been running between 40% and 50% since the mid-1980s (ABA Section on Legal Education and Admission to the Bar, 2013).

An examination of the associate pipeline also reveals relatively modest progress. As shown in Figure 3, over the last decade, the proportion of associates in each diverse category increased. The comparable data for the seven major markets is summarized in Figure 4. It shows gains in all diverse associate categories except African American, which declined from 4.4% in 2002 to 4.0% in 2012.

## 2. Systemic Patterns

For the last several decades, large law firms have enjoyed steady growth in both size and financial prosperity (Galanter & Henderson, 2008). Indeed, for many mid-level and senior partners, growth is perceived as the normal state of the legal market—a pattern that was interrupted by the financial turmoil that erupted in the fall of the 2008 and subsequently produced a deep economic recession. Yet, a comparison of the 2002 and 2012 NALP Directories reveal a decade of overall contraction.

### 2.1. Fewer Entry-Level Associates

Historically, inclusion in the NALP Directory has been a reasonable proxy for a law office’s participation in the on-campus interview process. Between 2002 and 2012, the number of listed law offices in the seven selected large markets declined from 701 to 528. Some of this decline could be explained by industry mergers and consolida-

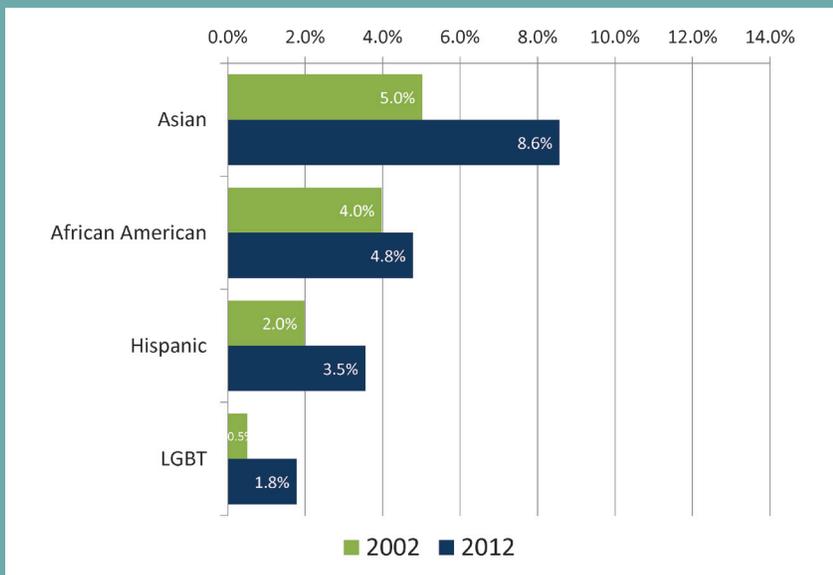


Figure 3. Percentage of Diverse Associates in Large Chicago Law Firms, 2002 vs. 2012

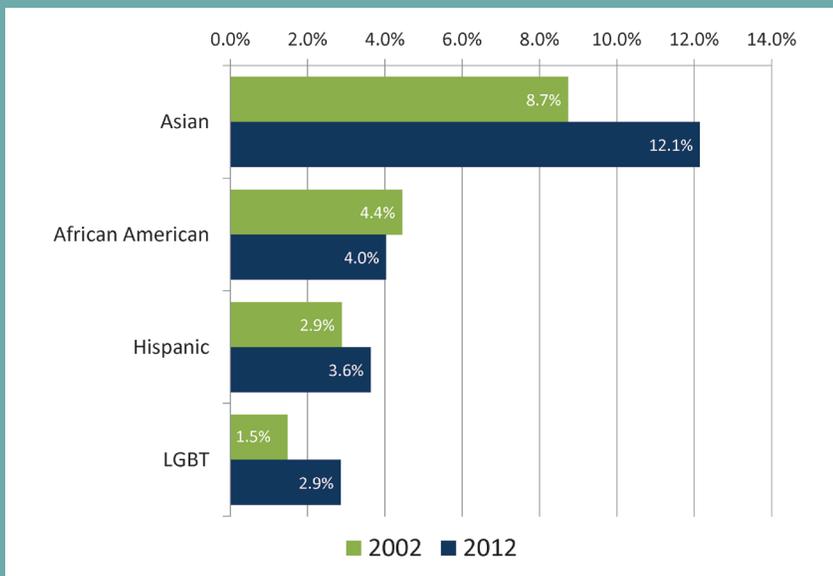


Figure 4. Percentage of Diverse Associates in Large Law Firms in Major Markets, 2002 vs. 2012

tions, which has reduced the number of mid-sized and regional firms (Baker & Parkin, 2006). Indeed, the firms remaining in the NALP Directory tend to be larger. In 2002, 69% of the participating law offices were listed in the Am Law 200 (an annual ranking based on gross revenues); by 2012, this figure increased to 89%.

A second explanation for the decline in the number of listed law firms is that entry-level hiring has, over time, become significantly less important to the business model of large corporate law firms. One clear indication of this trend is shown in Figure 5, which compares the total number of summer associates in the national composite for years 2002 and 2012. Over this ten-year period, the total size of the summer associate class declined by nearly 4,000 law students, representing a drop of over 51%. This figure is surprising because the 2002 to 2007 time frame was a period of meteoric growth (Hildebrandt Institute, 2012).

## 2.2. Restructuring of the Traditional Law Firm Model

A fundamental shift in the large law firm model can also be observed in how the relative mix of attorneys changed between 2002 and 2012. As shown in Figure 6, between 2002 and 2012, the percentage of firm lawyers working as associates fell from 56.8% to 49.0%. At the same time, the proportion of lawyers classified as either counsel or staff attorneys increased from 7% to 11%. The proportion of partners also increased from 36% to 40%, albeit we know from other sources that virtually all of that increase is likely attributable to growth in the

number non-equity partners (Hildebrandt Institute, 2012).

The growth in the ranks of staff attorneys, counsel, and non-equity partners is effectively producing a stealth restructuring of the large law firm model. The expansion of these new timekeeper categories is due primarily to the relative ease with

which they can be billed to clients as compared to high-priced junior associates. Although the movement away from entry-level associate hiring may make economic sense in the short to medium term, large law firms are setting themselves up for long term problems—not hiring and training junior lawyers is

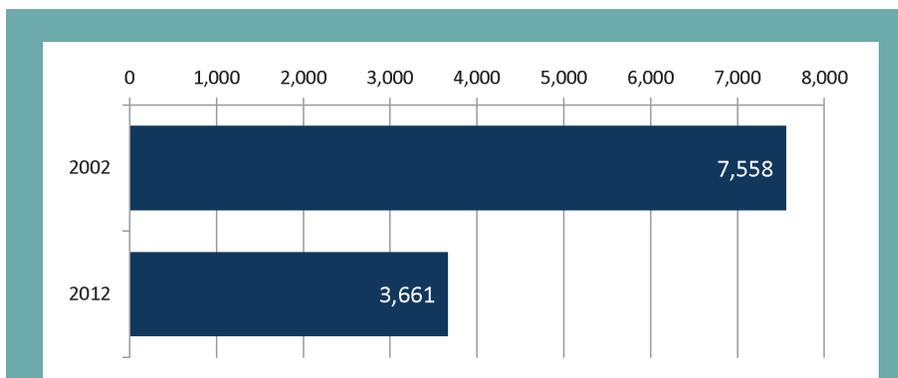


Figure 5. Summer Associates in Seven Major Markets, 2002 vs. 2012

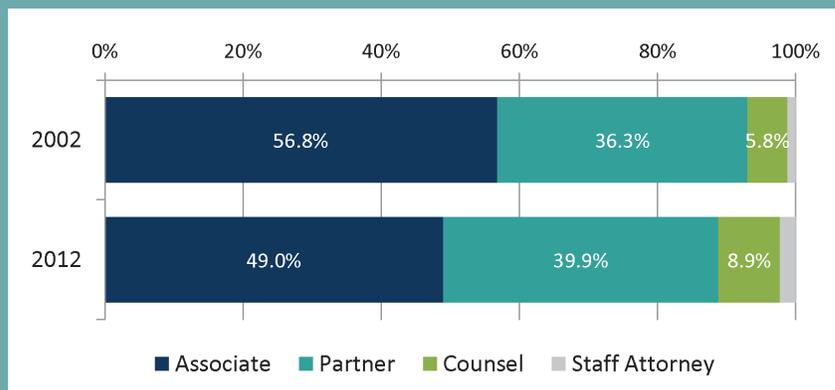


Figure 6. Composition of Large Law Firms by Attorney Title, 2002 to 2012

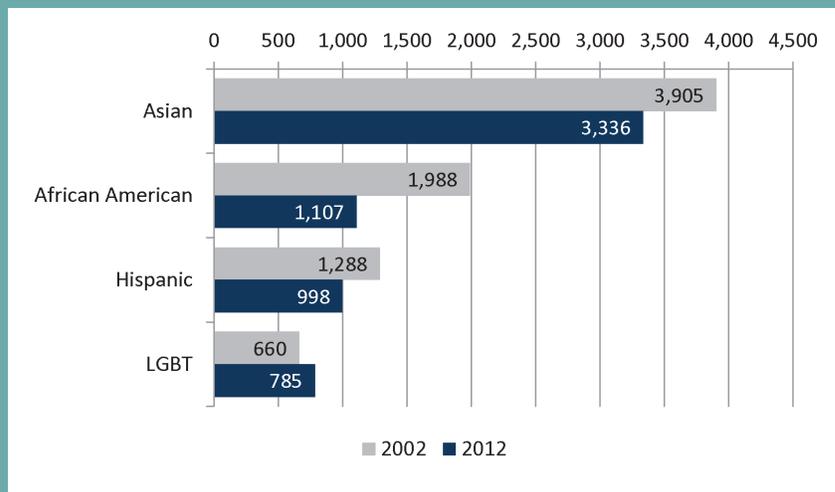


Figure 7. Number of Associates by Diverse Category, 2002 vs. 2012

the functional equivalent of farmers eating their seed corn.

### 2.3. Impact on the Minority Pipeline

Unfortunately, these structural shifts also are destined to have a serious impact on law firm diversity. Although the data show a slight up-tick in the proportion of diverse associates between 2002 and 2012 (see Figures 3 and 4), the absolute number of diverse associates has declined significantly in all categories except LGBT (see figure 7). The positive trend in this latter category is likely due to changes in cultural and societal norms making it easier to be out in the workplace.

If historical patterns of above average attrition of minority lawyers continue into the future, the current trend lines suggest that large law firms are likely to become older and whiter in the coming years. This is a fate desired by very few lawyers, as it conflicts with our professed values and presages a future in which large law firms become less competitive and are out of sync with broader social norms.

### 3. Future Directions

In the years to come, as the world becomes more globalized and interconnected, successful large law firms will need to solve the diversity puzzle. As noted by Professor David Wilkins, women and minorities are the “canaries in the coal mine.” If a law firm cannot resolve its diversity challenges on the domestic front, opines Wilkins, firms have poor prospects for dealing with the cultural challenges of a truly global economy (Wilkins, 2010). Fortunately, if lawyers are willing to look

beyond the four corners of their own industry, they will find ample reasons for optimism on the diversity front.

#### 3.1. The Bell Labs Study

One of the most compelling examples of diversity gains among knowledge workers is the famous Bell Labs study, which was written up nearly twenty years ago in the Harvard Business Review (Kelley & Caplan, 1992) and expanded upon in a best-selling business book (Kelley, 1998).

The basis for the study was an an-

---

IN THE YEARS TO  
COME, AS THE WORLD  
BECOMES MORE  
GLOBALIZED AND  
INTERCONNECTED,  
SUCCESSFUL LARGE  
LAW FIRMS WILL NEED  
TO SOLVE THE  
DIVERSITY PUZZLE.

---

titrust consent decree between the Department of Justice and AT&T. In addition to a forced divestiture, which created the seven “Baby Bells,” the financial fallout from the settlement meant that AT&T would no longer have the monopoly profits to subsidize the famed Bell Laboratories, which since its inception in 1925 had funded the research of several Nobel Prize winners. Despite decades of success, there was no guarantee that a pure science think tank could survive within the private marketplace.

To increase the odds of a successful transition, company executives

committed the organization to an internal research project designed to reverse-engineer the Laboratory’s top-performing engineers. If the organization could hire and develop more “ten- or twenty-for-ones,” productivity would skyrocket and the path toward financial independence would be secure. To assist with this project, Bell Labs hired Robert Kelley, whose prior work specialized in productivity assessments in the emerging “gold collar” sector.

To be designated as a top performer, engineers had to be identified as stars by peers, managers, and (eventually) the organization’s clients. Kelley and others then polled managers and workers to generate theories of success based on various cognitive, psychological, and social factors. In turn, these theories were tested using a large sample of engineers and a two-day battery of tests designed to measure forty-five alleged attributes of success.

To everyone’s surprise, however, there was no appreciable relationship between status as a star performer and any of the cognitive, psychological, social, or environmental factors. Attempts to reanalyze the data were equally fruitless. Although Kelley’s team was unable to validate any of their proposed theories of success, one finding was unmistakable: no one at Bell Labs, including the star workers, their managers, or their average peers, could explain what attributes were responsible for high productivity. Indeed, the only recurring theme that emerged from the study was overconfidence in one’s own powers of assessment.

Puzzled by these findings, Bell Lab executives extended the study so that Kelley’s research team could

generate new theories of star productivity based on observation rather than self-reporting. Thus, for the next two years, Kelley and his researchers examined the work habits and strategies of Bell Lab engineers—as Kelley recalled, this excruciating task often amounted to little more than watching knowledge workers think. At the end of this process, Kelley’s research team identified nine work strategies that distinguished star performers from the middle-of-the-road engineers. In relative order of importance, they included:

(1) *Taking Initiative.* Top performers took responsibility above and beyond their stated jobs, volunteering for new activities and promoting new ideas;

(2) *Networking.* Top performers were deft at tapping into coworkers’ expertise and shared their own knowledge with those that needed it;

(3) *Self-Management.* Top performers were very good at regulating their own work commitments, time, performance level, and career growth;

(4) *Perspective.* Top performers understood their jobs within the larger context of the organization and could analyze problems from the viewpoint of customers, managers, and team members;

(5) *Followership.* Although perceived by others as leaders, top performers excelled at setting aside their

own agendas and using their talents to help other leaders accomplish the organization’s goals;

(6) *Teamwork.* Top performers were more willing to assume joint “ownership” of goal setting, group commitments, work activities, schedules, and defusing conflict among group members;

(7) *Leadership.* Top performers had the ability to formulate, state, and build consensus on common goals and then work to accomplish them;

(8) *Organizational Savvy.* Top performers recognized and thus could navigate competing interests within the organization;

(9) *Show-and-Tell.* Top performers typically had the ability to present their ideas persuasively in written or oral form.

One of the most striking features of Kelley’s research was the propensity of average workers to draw the wrong lessons from the success of top performers. Average performers tended to invert the order of priority and thus focus on organizational savvy and show-and-tell, which they surmised was the key—based on the success of the stars—to impressing management.

Similarly, middle performers tended to view initiative (the most important work strategy) as doing

tasks that will get noticed by superiors, whereas top performers viewed it as action and follow-through that helped coworkers or the organization succeed.

Likewise, middle performers viewed networking as staying “in the loop” on office gossip and getting to know people who could help their careers. Top performers, in contrast, viewed networking as a bartering system in which the cost of admission was technical expertise, and staying in required a sincere commitment to be reciprocal over the long term. As Kelley noted, the star performers got their phone calls returned faster than their middle-performing peers, who were typically receiving bad answers slowly—hardly a recipe for career success.

Yet, arguably the most remarkable findings of the Bell Labs study was the fact that the star performer work strategies were found to be teachable. Further, using a controlled experiment methodology, which is the gold standard for empirical research, Kelley and his research team documented that female and minority engineers receiving the star performer training (one day per week for several weeks) tended to post dramatically larger gains than their majority counterparts. In contrast, within the untreated (or

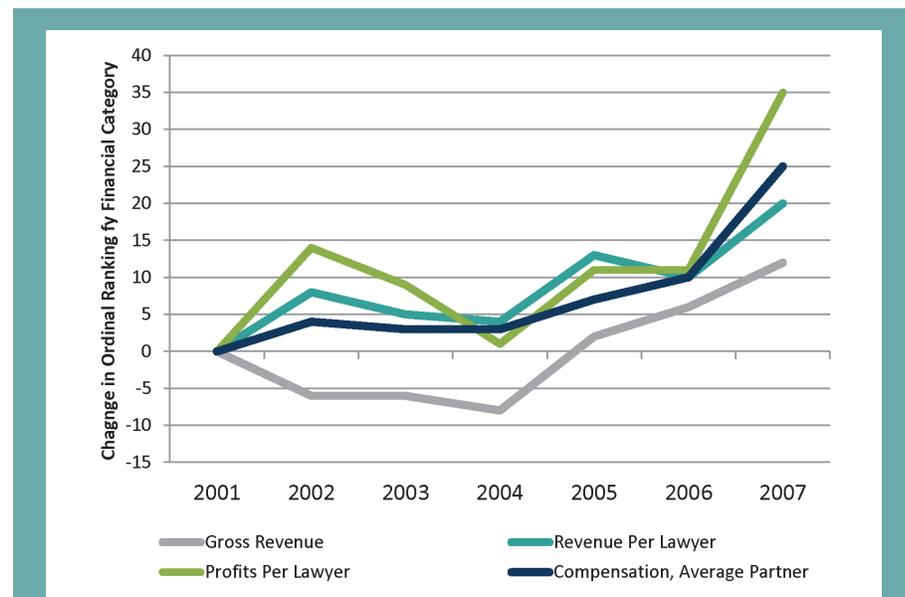
control) group, female and minority engineers' performance tended to deteriorate on several dimensions over the next several months.

According to Kelley, there are two main reasons why the productivity levels of female and minority engineers disproportionately soared after receiving the star performer training. First, these engineers undertook proactive measures to break into knowledge networks that were based on expertise rather than gender or race (success factor #2). Second, armed with greater awareness, these engineers engaged in better self-management to deal with incoming requests from co-workers (success factor #3). Albeit, the purpose of many of the requests was to showcase the company's diversity rather than tapping into the engineer's developed skill set.

### 3.2. Application to Law Firms

Certainly, many legal employers would envy the diversity results of the Bell Labs study. Moreover, pedigree-conscious lawyers would be hard-pressed to dismiss Kelley's research as involving less-able knowledge workers. The typical Bell Lab engineer had very strong academic credentials and an IQ that rivaled that of a top law school graduate. Yet, as noted by Kelley, differences in relative IQ were found to have no correlation with star performance as assessed by managers, peers, and clients.

So, having cleared the high hurdle of lawyer skepticism, it is worth asking: is it possible to replicate the diversity success of the Bell Labs research within the large law firm environment? Two threads of analogous research based on law firms suggest the answer to this question



**Figure 8. Financial Performance of First AmLaw 200 Law Firm to Adopt a Competency Model**

is yes. Obtaining the full organizational benefits, however, would require law firm lawyers to invest time and energy into a coordinated system of lawyer development. This investment would come at the expense of the comfortable, ingrained work habits of many mid-level and senior partners. In short, the cost of obtaining true diversity has to be weighed against its value—and in the years to come, that value is likely to increase.

The two threads of analogous diversity research were discovered in the course of my broader research on law firm financial performance. Stated more succinctly, I discovered these insights by accident.

#### 3.2.1. Law Firm Competency Models

The first thread concerns a large Am Law 200 law firm that was struggling with high associate attrition during the early 2000s. Dissatisfied with attrition rates that were approaching 25% per year, the firm decided to develop its own compe-

tency model in which associate promotions were tied directly to a competency model organized into three levels and customized to fit the specific knowledge and skills of each of the firm's major practice areas. According to the partner who designed the system, its "economic governor" was the requirement that a partner certify that an associate possessed all the requisite knowledge and skills of her current level in order to advance to the next associate level (Sloan, 2002). This arrangement aligned the incentives of the partners, who wanted to bill his associates out at higher levels; and the associates, who wanted the higher pay and responsibility that came with promotion to the next level.

The firm first implemented the system in 2001. And within a few short years, the new model was heralded internally as a success, as the associate attrition rate had been cut in half during a time period when the overall corporate market was experiencing rapid growth. Yet, I was curious about the firm's financial

performance, as I considered a fully integrated competency model as a potential competitive advantage for any law firm with the discipline to follow it.

Figure 8 summarizes the change in relative rank within the Am Law 200 (ranked #1 to #200) on four measures of financial performance: gross revenues, revenues per lawyer, profits per partner, and average compensation per partner. The time period covers fiscal year 2001 (the first year of the competency model) to 2007 (the year before the firm merged with another large regional law firm). Remarkably, on every financial measure, the firm increased its relative financial position, ranging from an increase of 12 spots on gross revenues (185 to 173) to 35 spots in profits per partner (189 to 154).

But perhaps even more remarkable was the firm's performance on diversity—which was, incidentally, never a stated goal of the competency model. Between 2002 and 2007, the firm increased its percentage of minority lawyers from 3.3% to 6.9%, with roughly equal gains in both the associate and partnership levels. Further, the firm improved its diversity numbers despite a geographic footprint that included no Top 5 market or a favored destination of any minority subgroup.

Although this case study of the first large law firm competency model could be characterized as little more than an anecdote, the financial and diversity numbers comport with commonsense. If partners are fully incentivized to invest in the skills and knowledge of junior lawyers, and the requisite skills and knowledge are made fully transparent to all stakeholders, pro-

fessional development is likely to accelerate. It therefore follows that the resulting superior performance will redound to the benefit of the firm's clients, creating opportunities for more and better work. Further, minority lawyers are more likely to be attracted to such a system as it addresses their own heightened sense of uncertainty surrounding the path to partnership.

### 3.2.2. Getting Playing Time

A second thread of law firm research that connects to the diversity results of the Bell Labs Study is the concept of what I call “playing time.” Specifically, the development of any junior lawyer depends upon the quality, quantity, and timing of relevant work experience. Lawyers that receive the best playing time are spared redundant work in favor of work experiences that build upon one another. For example, in the litigation context, such as progression might be document review, followed by brief writing, followed by client interviews, followed by deposition of witnesses, followed by motion practice involving oral arguments, cumulating in second- and first-chair trial work.

Obtaining the ideal breadth and depth of practice experience often depends upon junior lawyers' proximity and relationship to powerful

partners who control significant client matters. Herein lies a significant potential problem for minority lawyers. As noted earlier, minority lawyers are drawn to law firms where there are larger proportions of associates and partners from their same racial subgroup. Further, organic mentoring relationships tend to closely track race and gender (ABA Commission on Women in the Profession, 2006). Unfortunately, in the year 2013, minority partners will tend to be younger and less established in their client relationships than their senior, white male counterparts. Similar to the Bell Labs study, if a junior minority lawyer relies upon his or her affinity networks for work assignments, they are likely placing themselves in a significant disadvantage vis-à-vis their majority counterparts.

In private consulting work performed for large law firms, I have observed firsthand how working on matters with significant rainmakers (who tend to be older, white, and male) increases a junior attorney's odds of receiving higher performance evaluations, getting a larger share of billable hours, and getting a higher annual bonus. Not surprising, these same performance metrics are also strong predictors of associate attrition. Although at first blush the racial skew in these

... THE DEVELOPMENT OF  
ANY JUNIOR LAWYER  
DEPENDS UPON THE  
QUALITY, QUANTITY, AND  
TIMING OF RELEVANT WORK  
EXPERIENCE.

relationships may appear to be race-based favoritism, it is important not to lose sight of the dynamic nature of lawyer development. Independent of race, if a lawyer receives earlier and better quality playing time vis-à-vis one's peers, a bona fide skills gap is likely to develop. Often this manifests itself by minority lawyers who receive a narrow tranche of work experience, and subsequently, receive lower than average performance evaluations from both white and minority partners.

Although many large law firms aggressively recruit minority associates, a laissez-faire approach to work assignments tends to squander the asset of playing time. With proper forethought, the flow of work assignments can be optimized to accelerate professional development of all junior lawyers, regardless of race. This evening out of playing time in turn is likely to stem the tide

to change dramatically. As clients demand greater value in terms of price, quality, and timeliness, the billable hour will eventually fall by the wayside. In its place, legal service organizations will work together in teams—often with professionals from a wide array of disciplines—to design better work flows, more effectively price and allocate risk, and ultimately standardize and productize a wide array of traditional legal services (Susskind, 2008; Susskind, 2012). In this new environment, the keys to survival for a legal service organization will be the ability to continuously improve and innovate.

If continuous improvement and innovation are going to be the basis for survival, the research of economist Scott Page suggests that diversity will be a source of significant competitive advantage (Page, 2007). Professor Page, who directs

cases, diverse teams will produce more creative and innovative solutions than very high IQ individuals working alone. It is noteworthy that Page's use of the word "diverse" includes, but also goes well beyond, inclusion based on race and gender.

#### 4. Conclusion

If you are reading this Report on diversity in large law firms, what vision do you have of the future five, ten, or twenty-years from now? To date, despite the best intentions of many, the legal profession has made grudging progress on the issue of diversity. Yet, an honest appraisal of our circumstances may be the best way to find a clear path forward.

The findings in this Report make clear that diverse attorneys possess the ability to succeed in the most sophisticated and prestigious portions of the corporate bar. In many legal markets, the proportions of diverse partners and associates is reaching a critical mass, thereby making it easier to achieve the goal of complete integration at the partnership level. Yet, in the absence of such critical mass, we have ample evidence that we can erase race-based performance gaps and reduce the rate of minority attrition—all we need is the will and leadership to deploy our full set of tools, such as transparent competency models and work allocation systems that better optimize the growth and development of all junior attorneys. Finally, if we have any doubts about the future of diversity and the legal profession, we should take note that it will eventually become the source of competitive advantage for many legal service organizations. And that day may not be too far off. ♦

THE FINDINGS IN THIS REPORT MAKE CLEAR THAT DIVERSE ATTORNEYS POSSESS THE ABILITY TO SUCCEED IN THE MOST SOPHISTICATED AND PRESTIGIOUS PORTIONS OF THE CORPORATE BAR.

of minority associates leaving large law firms at significantly faster rates than their white counterparts.

#### 3.3. Diverse Teams are more Creative

In the coming years, the business model of large law firms is destined

the Center for the Study of Complex Systems at the University of Michigan, has conducted numerous empirical studies which show that collections of people with diverse perspectives will typically outperform groups of experts with homogeneous views. Further, in many

## REFERENCES

ABA Commission on Women in the Profession (2006). *Visible Invisibility: Women of Color in Law Firms*. Chicago: American Bar Association.

ABA Section on Legal Education and Admission to the Bar (2013). *JD and LLB Degrees Awarded*. Online at [http://www.americanbar.org/content/dam/aba/administrative/legal\\_education\\_and\\_admissions\\_to\\_the\\_bar/statistics/jd\\_llb\\_degrees\\_awarded.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/jd_llb_degrees_awarded.authcheckdam.pdf)

Baker, George P. & Parkin, Rachel (2006). *The Changing Structure of the Legal Services Industry and the Careers of Lawyers*. 84 NORTH CAROLINA LAW REVIEW 1636.

Galanter, Marc & Henderson, William D. (2008). *The Elastic Tournament: the Second Transformation of the Big Law Firm*. 60 STANFORD LAW REVIEW 102.

Heinz, John P., Nelson, Robert L., Sandefur, Rebecca L., and Laumann, Edward O. (2005). *Urban Lawyers: The New Social Structure of the Bar*. Chicago and London: University of Chicago Press.

Henderson, William D. (2012). *Diversity by the Numbers*. NALP BULLETIN (July 2012).

Hildebrandt Institute (2012). *2012 Client Advisory*. Thomson-Reuters. Online at [https://peermonitor.thomsonreuters.com/Thomson-Peer/docs/2012\\_Client\\_Advisory.pdf](https://peermonitor.thomsonreuters.com/Thomson-Peer/docs/2012_Client_Advisory.pdf).

Kelley, Robert & Caplan, Janet (1993). *How Bell Labs Creates Star Performers*. HARVARD BUSINESS REVIEW (July-August 1993).

Kelley, Robert E. (1998). *How to be a Star at Work*. New York: Random House.

Page, Scott E. (2007). *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies*. Princeton, NJ: Princeton Univ. Press.

Sloan, Peter B. (2002). *From Classes to Competencies, Lockstep to Levels*. Kansas City, Blackwell Sanders Peper Martin LLP.

Susskind, Richard (2012). *Tomorrow's Lawyers: An Introduction to Your Future*. London: Oxford.

Susskind, Richard (2008). *The End of Lawyers? Rethinking the Nature of Legal Services*. London: Oxford.

Wilkins, David (2010). "The Action After the Call: What Companies and Law Firms Need to Know to Structure a Successful Partnership on Diversity." Keynote Address to the Leadership Council on Legal Diversity (Washington, DC), October 2010.



## PROFESSOR WILLIAM HENDERSON

William Henderson (“Bill”) is a Professor of Law at the Indiana University Maurer School of Law, where he teaches courses on the legal profession, project management, business law, and law firm economics. His research, which focuses on the empirical analysis of the legal profession and legal education, has been published in leading law journals and leading publications for practicing lawyers, including *The American Lawyer*, *The ABA Journal*, and *The National Law Journal*. Bill’s observations on the legal market and legal education are also frequently quoted

in the mainstream press, including the *New York Times*, *Wall Street Journal*, *Los Angeles Times*, *Atlantic Monthly*, *The Economist*, and National Public Radio.

Based on his incisive analysis of the structural changes occurring in the legal profession, Professor Henderson was recently included on the *National Law Journal*’s list of The 100 Most Influential Lawyers in America. In 2012, he was named among the Top 5 Most Influential People in Legal Education by *The National Jurist* magazine. In 2009, Henderson was named a “Legal Rebel” by the *ABA Journal* in recognition of his influence on legal education and the changing economics and structure of the legal profession. Bill speaks to law firms, law schools, and legal organizations all over the country, sharing insights on the future of legal services and the results of his empirical research.

Henderson has been a member of Indiana University Maurer School of Law faculty since 2003, where he serves as the director of the school’s Center on the Global Legal Profession.

### Education and Affiliations

- B.S., Case Western Reserve University
- J.D., University of Chicago
- Director, Center on the Global Legal Profession
- Director, Law Firms Working Group, a joint initiative of the Indiana Law and the American Bar Foundation
- Research Associate, Law School Survey of Student Engagement

