

Wonkblog

The legal profession is diversifying. But not at the top.

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Reporter covering the intersection of race and the economy

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November 27, 2017

Minority lawyers now make up 16 percent of law firms -- a record high -- but remain scarce at the top, where only 9 percent of law partners are people of color, according to new data collected by the Minority Corporate Counsel Association.

Put another way, nearly half of their white counterparts make partner, while the vast majority of minorities remain associates.

The disparity is also reflected in the corporate world, where only 11 percent of general counsels at Fortune 500 companies are black, Hispanic, Asian or Native American even though minorities make up a third of the legal profession as a whole.

Only 57 of the general counsels at the nation's 500 largest companies are minorities. That figure represents a 50 percent increase from a decade ago, but improvement has stalled in recent years.

“All these conversations and efforts are focused on diversity, but it’s just not changing at the top,” said Jean Lee, president and chief executive of the Minority Corporate Counsel Association.

The association, formed 20 years ago to advocate for the hiring, retention and promotion of minority attorneys, plans to release a series of reports in December about diversity in the legal profession.

Affirmative action and other diversity initiatives have helped one group noticeably: white women.

“White women have benefited greatly from all of the diversity initiatives,” Lee said.

General counsels at Fortune 500 firms are now 22 percent white women, 5 percent women of color, and 7 percent men of color. The rest, nearly 70 percent, are white men. Among law firms, white women

represented 19 percent of attorneys serving on executive and management committees as of the end of 2016, compared to less than 3 percent women of color, according to an earlier MCCA survey.

At law firms, more than 90 percent of equity partners are white, even though one in four law firm associates is a person of color, according to the 2017 Vault/MCCA diversity survey.

The experiences of minority attorneys vary greatly based on their demographic group.

Hispanics are the most underrepresented minority among law firm attorneys, relative to their share of the U.S. population, but they have seen the most consistent progress and now make up almost 4 percent of law firm attorneys. Hispanics are also more likely to be partners at their firms than their Asian or African American counterparts.

African American attorneys make up a slightly smaller percentage at law firms now -- 3 percent -- than they did a decade ago. Firms are hiring fewer black attorneys than they did before the recession. And black lawyers are more likely than other minority groups to leave their firms.

[Asian American lawyers](#) are the largest minority group at law firms -- but the most underrepresented in firm leadership. There are now more Asian lawyers than Hispanic and black attorneys combined, but only 20 percent are partners, compared to 27 percent of African Americans, 31 percent of Latinos and 47 percent of whites.

Despite at least two decades of focusing on diversity in the legal profession, progress has stalled at the top ranks.

The American Bar Association in 2016 adopted a resolution urging law firms and corporations to create opportunities for diverse attorneys, including directing a greater percentage of their legal business toward minorities.

There was a similar call to action in 2004 by chief legal officers, Lee said.

“A hundred of them pounded the table, but very little has changed in 10 years,” she said. “People forget about it and then you do it again. The cycle repeats.”

Lee pointed to several reasons for the lack of progress.

“I think it’s the inability of all the diversity groups to work together,” she said. “A lack of collaboration despite there being a common goal.”

She also said many corporate leaders, while well-meaning in their advocacy for diversity, are not truly aware of the hurdles many minority lawyers face. She would like them to do more beyond writing checks and sending their minority lawyers to diversity events.

The Minority Corporate Counsel Association next year hopes to partner with companies and their corporate counsels to identify and promote talent from within companies. The association plans to mentor 30 minority senior corporate counsels who are near-ready to be general counsel.

In addition, the association plans to offer development programs to junior attorneys, including Asians, blacks and Hispanics, as well as LGBT attorneys and those with disabilities.

It also hopes to train people at the top to think more broadly about how to truly be an inclusive leader, such as how to be aware about implicit bias and employ strategies to create a legal department more welcoming to minority groups.



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Tracy Jan covers the intersection of race and the economy for The Washington Post. She previously was a national political reporter at the Boston Globe. [Follow](#)

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Last Updated:12:19 PM 09/19/2018