

Spring 2011

Spotlight on Charles Grant

Shameak Belvitt, Nashville, 615.726.7338, sbelvitt@bakerdonelson.com

When most people think of Charles Grant, they think of an incredibly busy lawyer and someone dedicated to the community. To those people who wonder where he finds the time to accomplish everything he has accomplished, Charles would say it is the only way he knows. One of 15 children born to Roscoe C. Grant Sr. and Verleon H. Grant, Charles was raised in Nashville and learned from his parents the value of hard work, participation in politics and community service, and commitment to justice and equality.

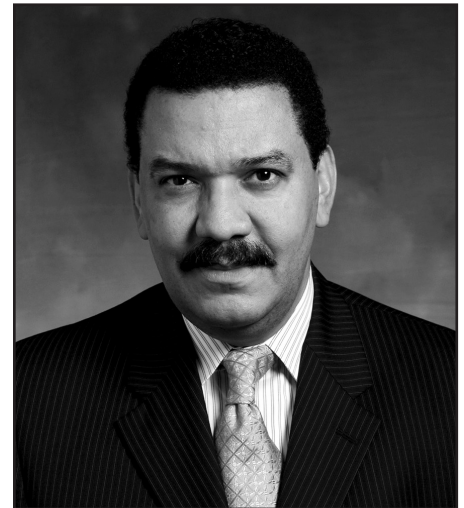
Charles' father, a local businessman, was for many decades a state board member of the Tennessee Republican Party and served as a delegate to the 1948 Republican national convention (along with Howard Baker Sr., the former Senator's father, among others). His mother, an ardent Democrat, volunteered what little spare time she had to many local races, which included the Nashville Sheriff's office and the city council campaigns of Z. Alexander Looby. While Mrs. Grant never preached of the need to serve others, she led by example and it was expected in her household.

Mr. Grant's untimely death when Charles was eight left Mrs. Grant a single parent to their 15 children. To support them, she worked as a state teacher of juvenile delinquents during the day and as a waitress in the evening. It is little

wonder that Charles acquired his tireless work ethic with such a role model.

After graduating from high school, Charles enlisted in the United States Air Force, serving our country for three years. While serving in the Air Force, Charles was trained as a linguist at the Defense Language Institute Foreign Language Center in Presidio of Monterey, California. For 53 weeks, Charles' days were filled with eight hours of instruction and three hours of study. At the end of the course of study, Charles was fluent in the Vietnamese language. Upon completion of his service with the U.S. Air Force, Charles enrolled and graduated from the Citadel. Charles then made the decision to pursue a career in law and enrolled at Washington and Lee University School of Law.

If you know Charles at all, you know that the hard work and community service values instilled by his mother remain very much a part of his life today. In addition to his thriving practice, which includes defending clients in complex employment litigation, class actions and collective actions, litigation concerning claims under Employee Retirement Income Security Act (ERISA), and discrimination and harassment under state and federal laws, Charles has received a number of awards for his pro bono efforts, including Baker Donelson's pro bono attorney of the year award, the Tennessee Bar Association's



Charles Grant

Harris Gilbert Pro Bono Award, and the Nashville Pro Bono Program Volunteer of the Year Award. His considerable community involvement is reflected in his service on a number of nonprofit Boards, including Project Reflect (which founded Smithson-Craighead, Nashville's first charter school), the Nashville Business Incubation Center, and the Ladies' Hermitage Association Board.

Since joining Baker Donelson in 2004, Charles has become very active in the Firm, particularly in the area of recruiting. Charles is the Chair of the Recruiting Committee for the Nashville office and has recruited nationally for the Firm. He thinks involvement in recruiting is crucial, especially with regard to minorities, women and other under-represented groups. Charles' strong commitment to diversity was recognized when he received the Tennessee Bar Association President's Award in 2006 for his work on the Diversity Summit,

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Spotlight on Charles Grant, *continued*

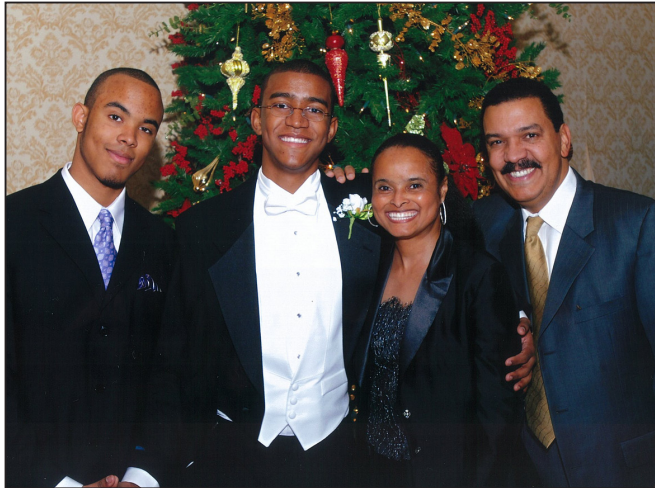
at which leaders of the bar from around Tennessee came together to strategize how to increase racial diversity in the legal profession. The event culminated with a keynote address by Fred Gray, the distinguished attorney who represented Dr. Martin Luther King Jr., Rosa Parks and other civil rights luminaries.

Charles also devotes substantial time and effort in training and mentoring young lawyers. One of his most prized pupils is a Baker Donelson alum, Nikki Smith-Bartley. When asked how Charles helped her to develop and grow as a young lawyer, Nikki said, “[Charles] was an excellent mentor. He always provided constructive criticism and praise. He helped my development because he

provided me with ample opportunities to get hands-on experience, while providing the appropriate guidance along the way. I appreciated that he trusted me and was an advocate for me. For that reason, he was also considered a friend. Furthermore, he was an

outstanding attorney with an abundance of experience and knowledge. As such, I found him to be an invaluable resource.”

Although Charles maintains a busy schedule with work and community service, he always finds time for family. When not in the office, Charles enjoys spending time with his wife Terry and their two sons, Donovan (21) and Denmark (20), as well as his siblings. Charles also enjoys reading, long walks and occasional runs through his neighborhood to decompress. Like so many of the committed and involved attorneys at Baker Donelson, Charles does what he does because operating in excellence is the only way he knows.



Charles and his family

Baker Donelson Attorneys In the News, Involved

Erica Mason, Masae Okura and **Damany Ransom** were listed as *Georgia Rising Stars*.

Nicole James was elected president of the Napier-Looby Bar Association and **Shameak Belvitt** was elected recording secretary.

Frank James was the recipient of the 2011 Sam W. Pipes Distinguished Alumnus Award from the University of Alabama School of Law Farrah Law Alumni Society.

Nancy Vincent was listed as one of Nashville’s *101 Top Lawyers* for 2011 by the *Nashville Post*.

Mark Baugh is now a Fellow with the Tennessee Bar Foundation.

Denise Killebrew, Patricia Clotfelter and **Anne Mitchell** were listed among *Birmingham Magazine’s* Top Attorneys of 2011.

The special lawyers section in *Chatter Chattanooga* listed all

of the Firm’s Chattanooga attorneys who were named as the 2011 *Best Lawyers in America*, including **Virginia C. Love, Susan Elliott Rich** and **Louann P. Smith**.

Jodi Taylor joined the Firm’s Atlanta office.

Erica Mason was recently named a member of the board of directors for Grow Kids, Inc.

Congratulations to **Linda Finley** and **Linda Klein**, among the seven Baker Donelson attorneys named to the 2011 *Georgia Super Lawyers*. They were also named among the top 50 female attorneys in Georgia, and Linda Klein was named among the top 100 attorneys in Georgia.

Meade Hartfield joined the Firm’s Jackson office.

Linda Klein was elected chair of the American Bar Association House of Delegates.

Baker Donelson was included in FORTUNE’S “100 Best Companies To Work For” list for the second year in a row.

Is the *Call to Action* Working?

Imad Abdullah, Memphis, 901.577.8169, iabdullah@bakerdonelson.com

In the wake of this great recession, we have discovered that many things are not recession proof, including the *Call to Action*. In 1999, the Chief Legal Officers of roughly 500 major corporations signed a document titled *Diversity In The Workplace – A State of Principle*. The Statement embodied the commitment of these corporations to increasing and sustaining diversity in the legal profession. *The Diversity “Call to Action,”* authored by Rick Palmore, the CLO of Sara Lee and member of the Board of Directors of the Association of Corporate Counsel (ACC), was endorsed by the ACC’s board in October 2004. The aim was to improve opportunities for diverse attorneys within the signatory corporations themselves and the law firms with which they do business.

Loss of Modest Gains

When times were “good,” relatively speaking, both corporations and law firms were well aware that the number of minority attorneys making it to the partner ranks was poor and in need of drastic improvement. What the *Call to Action* achieved was opening a broader conversation about diversity. Companies discussed diversity in their internal hiring; large firms began creating diversity committees; and firms made efforts to actively recruit diverse talent, implement diversity initiatives and advertise their efforts in minority recruitment and retention. However, much of the progress made during the past decade is in jeopardy of being wiped out.

In the spring of 2010, the Minority Corporate Counsel Association (MCCA) and Vault.com collected survey data from more than 260 law firms nationwide on their diversity initiatives, programs and demographics. The results of this survey demonstrate that minority lawyers have been disproportionately affected by the current recession. For the first time in the survey’s seven-year history, the results

showed practically no increase in the percentage of minority equity partners, which remained stagnant at 6.06% from the 6.05% reported in 2008. The data also showed that minority recruitment was down at all levels. Of all attorneys hired in 2009, less than 20% were minorities (19.09%), a sizable drop from 2008 (21.77%) and 2007 (21.46%). The percentage of minority students in the 2009 2L summer class dropped to 25.19%, the lowest percentage of minority students in the last three years of the survey (compared to 25.66% in 2008 and 25.91% in 2007).

All the while, the percentage of minority associates who have left their firms, in particular at junior and midlevel, has continued to increase since 2007. This is especially the case with respect to minority women. In 2009, 16.64% of the associates who parted ways with private practice during their third year were minority women compared to 13.98% in 2008 and 14.36% in 2007. In total, minority men and women represented 20.79% of attorneys who left their firms in 2009, despite the fact that minority lawyers represent only 13.44% of the overall attorney population.

Reversing Current Trends

The MCCA and Vault statistics demonstrate that diversity has taken a measurable step backwards. Economists and pundits can only speculate as to when the economy will “come back.” Regardless, steps must be taken to stem the tide and adjust to the new normal in which the legal community finds itself today. So far, firms have responded with cost-cutting measures, such as layoffs, reduced staff and scaled-back summer internships for 2L’s. In some cases, firms have eliminated diversity initiatives and budgets altogether. Long-range efforts to boost minority hiring and retention now have fallen further down the list of priorities as law firms

attend to rehabilitating their bottom lines. The



fact that diversity has taken such a step backward shows that there was actually little buy-in regarding the business case for diversity, and diversity is considered a mere expense rather than an investment. This means that a critical component to the *Call to Action* has failed. That component (i.e., the “teeth” to the commitment) has been that those firms failing to increase diversity would lose business with participating corporations. If diversity was profitable and increased business, times like these would lead to greater emphasis on diversity, not less. Firms that did not take their commitment seriously would be working against their best fiscal interest by jeopardizing retention of valuable clients as a result of cutting or eliminating diverse recruitment and retention programs.

Therefore, the teeth must be put back into the *Call to Action*. To do that, companies have to be willing to bite. Firms that have tossed diversity aside should be penalized, while firms that have stayed the course, rather than abandoning diversity initiatives and mentoring in the name of cost-cutting and belt-tightening, should be rewarded. The increased work flowing to these firms would set an example that successfully growing diversity leads to tangible financial success. It would also help to provide valuable experience and opportunity needed to develop the next generation of diverse partners. Through all of this, there is a great opportunity for the business community and committed law firms to continue to lead the way as they must. The moral arguments in favor of diversity have always been present, but they have not been strong enough to turn this problem around. This recession demonstrates that, until diversity is profitable for law firms, no real or sustained progress can be made.

A Fraiche Perspective

Donna D. Fraiche, New Orleans, 504.566.5201, dfraiche@bakerdonelson.com

March was Women's History Month and, although the course of the history of women's achievements is intertwined with heroic men and times, it is especially important to the culture and values of Baker Donelson to commemorate this month which honors the contributions and achievements of women. Learning about the tenacity, courage, creativity and success of women collectively and individually is inspirational to all.

The women of Baker Donelson have strong female role models in history and in the history of the Firm. Past and future Diversity Matters newsletters have highlighted a number of women lawyers who were first in their fields and held the longevity record at the Firm. Many have remained at Baker Donelson their whole careers. Thus, the Women's Initiative joins companies, communities, schools, libraries and organizations to focus their observations on the women leaders in history who have paved the way for us all. Highlighting the contributions of women in history and in the history of your own institution is an exercise in celebration and delight.

The Women's Initiative is dedicated to advancing and celebrating our female professionals, our clients, potential clients and community organizations that focus on the special needs and deeds of women. A few weeks ago, I had the great privilege of sitting next to Eileen McDonnell, Penn Mutual's President and CEO, the presenting sponsor and national advisor of Vision 2020. Ms. McDonnell had asked me, as one of two national delegates from Louisiana to Vision 2020 (<http://www.drexel.edu/vision2020/>), to enjoy a presentation of Kate Campbell Stevenson's performance of "Women: Back to the Future." Kate is a professional theatrical actress and singer with a one-woman show that brings to life some of the most memorable female characters in American history: Abigail Adams, Sacajawea, Lucy Stone, Eleanor Roosevelt and Bessie Coleman. Her Broadway-quality inspirational performance included touting Vision 2020 as she was also the delegate for her home state of Maryland. I was deeply moved by her talented "can do" singing, monologue and poetic depiction of these amazing women. As she changed costume and did her make-up on stage to portray each character, Kate captivated me and made me think about other women trailblazers.

Bessie Coleman

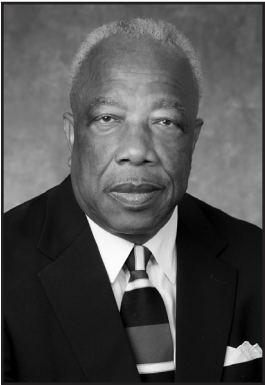


Kate's website provides more details about these women, including the especially fascinating Bessie Coleman.

Bessie Coleman, who was born in Texas in 1892, was the child of sharecroppers, and she picked cotton with her 12 siblings. Dreaming of adventure, she saved her money to travel to France where she attended aviator school and became the first black woman to receive a license from the Federation Aeronautique Internationale. She appeared in her first air show in the U.S. in 1922 and opened her own aviation school for African Americans. Bessie Coleman met her demise in April 1926 after falling from her plane. She was brave beyond imagination.

We don't all fly planes, but we can truly soar in our commitment to clients and community. Our initiative is all about building opportunity for women to achieve their goals as leaders and successful lawyers.

Baker Donelson Announces Two New Firm Awards



Barry W. Ford

Baker Donelson continues to recognize the rich diversity of its employees. To that end, we are pleased to announce two new annual awards: the Barry W. Ford Diversity Award and the Susan E. Rich Award.

The **BARRY W. FORD DIVERSITY AWARD** recognizes an employee who displays an ongoing commitment to strengthening the atmosphere of inclusion at Baker Donelson through his or her efforts toward the advancement of diverse employees at the Firm. This award will be given to one attorney and one staff member annually.

The award is named after shareholder Barry W. Ford because of his exemplary commitment to diversity, both at Baker Donelson and outside the Firm. After spending six years as a teacher and coach, Judge Ford headed for Texas Southern University and joined what now is known as the Thurgood Marshall School of Law. During Judge Ford's impressive legal career, he has worked in civil rights, private practice and as City Judge of Pontotoc, Mississippi. He served as City Judge until January 1991, at which time he made history by being elected the first African American Circuit Court Judge for the First Circuit Court District of Mississippi. Baker Donelson has been proud to have Barry Ford as a shareholder in its Jackson office since 2000. Judge Ford serves on Baker Donelson's board of directors.



Susan E. Rich

The **SUSAN E. RICH AWARD** recognizes an employee's ongoing commitment and efforts to strengthen the role of women attorneys at the Firm. This award will be awarded annually to either an attorney or staff member.

Susan Rich graduated from Emory University School of Law in 1976. At that time, Baker Donelson did not employ any female attorneys. When Ms. Rich joined in 1986, there were eight female attorneys with the Firm. Since joining Baker Donelson, Ms. Rich became our first woman shareholder, the first woman to be an Office Managing Shareholder, the first woman appointed to the Firm's Board of Directors, and the first woman to be re-elected to the Board of Directors. In addition to serving as a leader and a role model, Ms. Rich has worked throughout her career to promote the interests and professional development of women attorneys. In addition to being an Office Managing Shareholder, Ms. Rich has served on the Firm's Management Board and has chaired the Firm's nominating committee.

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