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Partnering with Clients on Diversity & Inclusion Initiatives

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As workforces and in-house legal departments are diversifying, general counsel across the country are paying closer attention to diversity when making hiring decisions for outside counsel. In-house legal teams increasingly have the technological resources to track and measure the diversity of their outside counsel, along with other performance metrics – such as results, efficiency and cost effectiveness. Clients not only track outside counsel diversity, but they also hold outside counsel accountable by rewarding and penalizing both law firms and individual lawyers based on their Diversity and Inclusion (D&I) "scorecard." Baker Donelson has developed its own internal scorecard to ensure diverse client teams and reach the goals set in its D&I Compact. The Firm recently partnered with the legal department of Regions Bank, one of the country's largest full-service providers of consumer and commercial banking, wealth management and mortgage products and services. Regions is headquartered in Birmingham, Alabama, and externally promotes community dialogue on D&I through its significant financial support of various events and volunteer support to cultural organizations, including the National Museum of African American Music in Nashville and the Birmingham Civil Rights Institute. Internally, Regions is committed to fostering an inclusive environment and building diverse teams.

Since its formation in mid-2020, the Regions legal department's Culture and Equity Committee has organized numerous departmental diversity and inclusion programs, sponsored a charitable giving campaign and helped direct the diversity component of a revised law firm Preferred Provider Program. The Committee's goals for 2021 include pursuing Mansfield Rule certification for the legal department, developing a financial wellness and literacy program in partnership with Aid to Inmate Mothers, and hosting a forum on diversity and inclusion for leaders of Birmingham companies and law firms.

To allow Regions' legal department to meet more diverse attorneys within Baker Donelson, Baker Donelson presented a 75-minute CLE program to Regions' in-house counsel on a broad range of legal topics that the ongoing COVID-19 pandemic has brought to the fore. The program offered the opportunity for Baker Donelson to help Regions drive its legal department's D&I initiatives forward while highlighting the Firm's own D&I initiatives and showcasing the practice areas of five diverse attorneys. Each diverse attorney presented for 10 minutes on hot topics ranging from navigating key employment policies and procedures in the wake of COVID-19 to California Consumer Privacy Act (CCPA) compliance considerations. According to Regions' Assistant General Counsel, Craig Williams, "The CLE program that Baker Donelson provided hit the mark in numerous areas. Our legal department was introduced to diverse attorneys at Baker Donelson who practice in areas that are important to Regions, and it was all done virtually. As a result, this gives our attorneys the opportunity to utilize these diverse attorneys for matters that arise in the future. For matters that we send to outside counsel, increasing our use of diverse attorneys is an important goal for Regions. The bonus of the program was that our attorneys received CLE credit, which everyone was very thankful for given the way 2020 went."

By partnering with outside counsel, general counsel are able to leverage the diversity within firms to ensure that in-house departments are aware of, use and have access to a larger pipeline of outside diverse attorneys. Regions and Baker Donelson hope more general counsel consider ways to foster diverse teams internally and with outside counsel. Below is a list of meaningful client partnership or other opportunities:

1. Sponsoring CLE programs for in-house legal departments;
2. Assisting clients with establishing their own D&I initiatives;
3. Developing a pilot program to allow diverse summer law clerks to split their summer between the Firm's offices and various client offices;
4. Creating an initiative that focuses on guiding, supporting and advocating for minority-owned businesses;
5. Collaborating on pro bono efforts, including assistance in establishing pro bono programs and co-hosting legal clinics;
6. Sponsoring diverse law school and professional organizations to not only work with them on programming, but also staff cases with diverse attorneys and track their participation on the files; and
7. Supporting diverse suppliers.

Baker Donelson is actively engaged in these opportunities and partners with clients in these areas. General counsel can make their own departments aware of the outside talent available through these and other forms of partnership. As we begin a new year, Baker Donelson hopes to continue this important dialogue with Regions, partner with additional clients to promote D&I, and create more pathways to leadership and client exposure for minority attorneys. If you are interested in more information on Baker Donelson's commitment or ways to be a D&I client partner, please contact the author, [Daisy C. F. Karlson](#), or [Nakimuli O. Davis-Primer](#).