



This is the **2009-2010 Law Firm Diversity Report**, compiled by a coalition of eleven of the Washington State Minority Bar Associations identified below:

- Asian Bar Association of Washington
- Filipino Lawyers of Washington
- Korean American Bar Association of Washington
- Latina/o Bar Association of Washington
- Loren Miller Bar Association
- Middle Eastern Legal Association of Washington
- Northwest Indian Bar Association
- QLaw (the GLBT Bar Association of Washington)
- South Asian Bar Association of Washington
- Vietnamese American Bar Association of Washington
- Washington Women Lawyers

## OVERVIEW

In 2007, the Minority Bar Associations convened a committee to create a Law Firm Diversity Report to objectively assess the diversity efforts of the 50 largest firms in Washington State (as identified by *Washington Law and Politics*). The first Law Firm Diversity Report was issued in March 2009. Intended as an annual survey, the Minority Bar Associations sent the 2009-2010 Law Firm Diversity Questionnaire to the fifty largest Washington law firms (as identified by *Washington Law and Politics*) in December 2009.

The Minority Bar Associations gathered this vital information in the **2009-2010 Law Firm Diversity Report**. Picking up on last year's Law Firm Diversity Report, the Minority Bar Associations conduct this survey annually to continue commending firms that do well and identify those that could improve. The goals of the Law Firm Diversity Report include: (1) highlighting the critical issue of diversity, (2) encouraging law firms to learn from each other about which diversity efforts and programs deliver results, (3) providing law students and lateral hires with vital information to power their job searches, and (4) providing in-house counsel with a resource to assist them in factoring a firm's diversity efforts into their outside counsel hiring practices.

The 2009-2010 Law Firm Diversity Report is being shared with the Washington State legal profession, law firms, in-house counsel, law students and the media to make law firms aware of "where they stand" in terms of diversity efforts and results and how substandard performance regarding diversity issues can have a serious impact on a firm's business development and community profile. The 2009-2010 Law Firm Diversity Report also provides "best practices" of how the most successful firms have leveraged diversity to retain and develop diverse attorneys, as well as offer solutions for firms that seek to improve in these critical areas. For more background on the Law Firm Diversity Report, please see Appendix A.

## METHODOLOGY

Similar to last year's Questionnaire, this year's Questionnaire sought detailed demographic information regarding the racial/ethnic, gender, sexual orientation, and disability status of attorneys in the 50 largest law firms that were surveyed. **The 2009-2010 Questionnaire asked law firms to report demographics and efforts/programs based upon the July 1, 2008, to June 30, 2009, timeframe.**

The Minority Bar Associations issued the 2008-2009 Law Firm Diversity Report in March 2009. After releasing that report, the Minority Bar Associations received feedback from firms, including some concerns about the methodology employed and conclusions drawn in the 2008-2009 Report. As a result of this feedback, the Minority Bar Associations implemented changes to the 2009-2010 Law Firm Diversity Questionnaire as well as the scoring and grading methodology. These changes were set forth in a letter to the law firms sent on April 2, 2010, and attached hereto as Appendix B.

## KEY FINDINGS AND WHERE THE 50 LARGEST LAW FIRMS STAND

Of the 50 largest law firms in Washington State, 28 law firms responded to the survey. *The Minority Bar Associations are very appreciative and commends the 28 law firms that participated in the survey, particularly those who understood that their diversity data and/or efforts could be eclipsed by other firms' data and/or efforts. Conversely, 22 firms did not participate in this year's survey. The Minority Bar Associations strongly encourage firms to reconsider participation in future reports, which will allow the legal profession to gain and promote a more full understanding of the law firms' diversity efforts and positive results. As indicated below in the grading system, all of the 22 firms who did not participate in this year's survey are being issued an "F" grade.*<sup>1</sup>

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<sup>1</sup> The Minority Bar Associations contacted the non-participating law firms several times to encourage participation by completing the Questionnaire, including explaining to the law firms how the scores and grades would be calculated and explaining that the failure to submit a completed Questionnaire would result in the issuance of an "F" grade.

**OVERALL/AVERAGE GRADES FOR DEMOGRAPHICS AND EFFORTS RELATED TO DIVERSE ATTORNEYS**

As explained in more detail in Appendix B, firms are issued an overall average score and grade on their diversity efforts by (a) averaging the scores for ethnic minority, females, and GLBT and then (b) adding incremental points to the overall average score for various “soft factors” that were not specific to any category. Below are the overall grades for the 50 largest law firms in Washington state. The 22 law firms who did not participate in this year's survey and failed to complete the Questionnaire have been issued an “F” grade.

<b>Firm</b>	<b>Score</b>	<b>Grade</b>
Garvey Schubert Barer	<b>88.31</b>	<b>B+</b>
Christensen O'Connor Johnson Kindness	<b>86.96</b>	<b>B+</b>
Helsell Fetterman	<b>86.36</b>	<b>B+</b>
Bennett Bigelow & Leedom	<b>85.78</b>	<b>B+</b>
Perkins Coie	<b>85.66</b>	<b>B+</b>
Stoel Rives	<b>85.65</b>	<b>B+</b>
Keller Rohrback	<b>84.82</b>	<b>B</b>
Stokes Lawrence	<b>84.70</b>	<b>B</b>
Williams Kastner	<b>84.66</b>	<b>B</b>
Hillis Clark	<b>84.14</b>	<b>B</b>
Foster Pepper	<b>83.31</b>	<b>B</b>
Karr Tuttle Campbell	<b>83.30</b>	<b>B</b>
Ogden Murphy Wallace	<b>82.99</b>	<b>B</b>
Davis Wright Tremaine	<b>82.65</b>	<b>B</b>
Bullivant Houser Bailey	<b>82.32</b>	<b>B</b>
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim	<b>82.02</b>	<b>B</b>
K&L Gates	<b>81.01</b>	<b>B</b>
Cairncross & Hempelmann	<b>80.80</b>	<b>B-</b>
Lane Powell	<b>79.20</b>	<b>B-</b>
Dorsey and Whitney	<b>78.69</b>	<b>B-</b>
Miller Nash	<b>77.19</b>	<b>B-</b>
Graham & Dunn	<b>77.02</b>	<b>B-</b>
GordonDerr	<b>75.72</b>	<b>C+</b>
Stafford Frey Cooper	<b>75.51</b>	<b>C+</b>
Lee & Hayes	<b>75.11</b>	<b>C+</b>
Schwabe Williamson and Wyatt	<b>74.00</b>	<b>C+</b>
Vandeberg Johnson & Gandara	<b>69.17</b>	<b>C</b>
Betts Patterson & Mines	<b>66.52</b>	<b>C-</b>
Carney Badley Spellman	<b>0.00</b>	<b>F</b>
Cozen O'Connor	<b>0.00</b>	<b>F</b>
Davies Pearson	<b>0.00</b>	<b>F</b>
DLA Piper	<b>0.00</b>	<b>F</b>
Eisenhower & Carlson	<b>0.00</b>	<b>F</b>
Forsberg & Umlauf	<b>0.00</b>	<b>F</b>
Hagens Berman Sobol Shapiro	<b>0.00</b>	<b>F</b>
Inslee Best Doezie & Ryder	<b>0.00</b>	<b>F</b>
Lasher Holzapfel Sperry and Ebberson	<b>0.00</b>	<b>F</b>
Lee Smart	<b>0.00</b>	<b>F</b>
Lukins & Annis	<b>0.00</b>	<b>F</b>

Montgomery Purdue Blankinship & Austin	<b>0.00</b>	<b>F</b>
Oles Morrison Rinker and Baker	<b>0.00</b>	<b>F</b>
Paine Hamblen	<b>0.00</b>	<b>F</b>
Riddell Williams <sup>2</sup>	<b>0.00</b>	<b>F</b>
Ryan Swanson and Cleveland	<b>0.00</b>	<b>F</b>
Seed Intellectual Property Law Group	<b>0.00</b>	<b>F</b>
Summit Law Group <sup>3</sup>	<b>0.00</b>	<b>F</b>
Wilson Smith Cochran Dickerson	<b>0.00</b>	<b>F</b>
Wilson Sonsini Goodrich Rosati	<b>0.00</b>	<b>F</b>
Winston & Cashatt	<b>0.00</b>	<b>F</b>
Witherspoon, Kelley, Davenport & Toole	<b>0.00</b>	<b>F</b>

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<sup>2</sup> Riddell Williams submitted a letter, but did not complete the Questionnaire. The Minority Bar Associations decided that any firm who did not complete the Questionnaire (and regardless of whether they submitted a letter response explaining their reasons for not completing the Questionnaire) would still be deemed as not participating in this year's survey and, therefore, issued an "F" grade.

<sup>3</sup> Summit Law Group also submitted a letter response, but did not complete the Questionnaire; therefore, they were deemed as not participating in this year's survey and issued an "F" grade.

**GRADES FOR DEMOGRAPHICS AND EFFORTS RELATED TO ETHNIC MINORITY ATTORNEYS**

Two firms earned an "A+" grade for demographics and efforts related to ethnic minority attorneys:

<b>Firm</b>	<b>Score</b>	<b>Grade</b>
Christensen O'Connor Johnson Kindness	101.18% <sup>4</sup>	A+
Lee & Hayes	98.82%	A+
Bullivant Houser Bailey	88.24%	B+
Foster Pepper	88.24%	B+
Garvey Schubert Barer	88.24%	B+
Schwabe, Williamson & Wyatt	88.24%	B+
Cairncross & Hempelmann	87.06%	B+
Davis Wright Tremaine	87.06%	B+
K&L Gates	87.06%	B+
Ogden Murphy Wallace	87.06%	B+
Perkins Coie	87.06%	B+
Williams Kastner	87.06%	B+
Dorsey and Whitney	85.88%	B+
Hillis Clark Martin & Peterson	85.88%	B+
Keller Rohrback	85.88%	B+
Karr Tuttle Campbell	84.71%	B
Miller Nash	84.71%	B
Stoel Rives	84.71%	B
Vandenberg Johnson & Gandara	84.71%	B
GordonDerr	83.53%	B
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim	82.35%	B
Stafford Frey Cooper	80.00%	B-
Betts Patterson & Mines	78.82%	B-
Graham & Dunn	77.65%	B-
Helsell Fetterman	77.65%	B-
Lane Powell	77.65%	B-
Stokes Lawrence	77.65%	B-
Bennett Bigelow & Leedom	64.71%	D+
Carney Badley Spellman	0.00%	F
Cozen O'Connor	0.00%	F
Davies Pearson	0.00%	F
DLA Piper	0.00%	F
Eisenhower & Carlson	0.00%	F
Forsberg & Umlauf	0.00%	F
Hagens Berman Sobol Shapiro	0.00%	F
Inslee Best Doezie & Ryder	0.00%	F
Lasher Holzapfel Sperry and Ebberson	0.00%	F
Lee Smart	0.00%	F
Lukins & Annis	0.00%	F
Montgomery Purdue Blankinship & Austin	0.00%	F
Oles Morrison Rinker and Baker	0.00%	F

<sup>4</sup> For an explanation as to why and how some firms earned over 100 points for certain scores, please refer to Appendix B.

Paine Hamblen	0.00%	F
Riddell Williams	0.00%	F
Ryan Swanson and Cleveland	0.00%	F
Seed Intellectual Property Law Group	0.00%	F
Summit Law Group	0.00%	F
Wilson Smith Cochran Dickerson	0.00%	F
Wilson Sonsini Goodrich Rosati	0.00%	F
Winston & Cashatt	0.00%	F
Witherspoon, Kelley, Davenport & Toole	0.00%	F

Nineteen firms met the **Washington State Bar Association (WSBA)**'s attorney benchmark for minority attorneys (**9.91%**) (highest percentages are listed below)<sup>5</sup>:

- Christensen O'Connor Johnson Kindness (30.77%)
- Lee & Hayes (25.64%)
- Cairncross & Hempelmann (17.5%)
- Schwabe, Williamson & Wyatt (16.67%)
- Williams Kastner (15.94%)
- Hillis Clark Martin & Peterson (15.79%)
- Garvey Schubert Barer (15.69%)
- Bullivant Houser Bailey (15.63%)
- Ogden Murphy Wallace (15.56%)
- Perkins Coie
- Keller Rohrback
- K&L Gates
- Foster Pepper
- Miller Nash
- Dorsey and Whitney
- Vandeberg Johnson & Gandara
- Davis Wright Tremaine
- Karr Tuttle Campbell
- Stoel Rives

Only two firms met **Washington State's** general population benchmark for minorities (**24.5%**):

- Christensen O'Connor Johnson Kindness
- Lee & Hayes

Twenty-one firms met the National Association of Law Placement (NALP) benchmark for **minority partners** (**6.05%**) (highest percentages are listed below):

- Christensen O'Connor Johnson Kindness (44.44%)
- Dorsey and Whitney (17.24%)
- Garvey Schubert Barer (16.13%)
- Schwabe, Williamson & Wyatt (13.04%)
- Keller Rohrback (12.00%)
- Ogden Murphy Wallace
- Graham & Dunn
- Lee & Hayes
- Cairncross & Hempelmann
- K&L Gates
- Williams Kastner

<sup>5</sup> In those sections of this Report where we identify a list of firms who have achieved various accomplishments, the firms are listed in order of highest percentages, numbers or scores, where possible.

- Vandeberg Johnson & Gandara
- Lane Powell
- Foster Pepper
- Stafford Frey Cooper
- Betts Patterson & Mines
- Perkins Coie
- Bullivant Houser Bailey
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- GordonDerr
- Davis Wright Tremaine

Nineteen firms met the NALP benchmark for **minority associates (19.67%)** (highest percentages are listed below):

- Hillis Clark Martin & Peterson (41.67%)
- Bullivant Houser Bailey (40%)
- Cairncross & Hempelmann (36.36%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim (33.33%)
- Miller Nash (33.33%)
- Lee & Hayes (31.03%)
- Stoel Rives (30.77%)
- Karr Tuttle Campbell
- Stokes Lawrence
- Ogden Murphy Wallace
- Schwabe, Williamson & Wyatt
- Helsell Fetterman
- Davis Wright Tremaine
- Perkins Coie
- Williams Kastner
- K&L Gates
- Christensen O'Connor Johnson Kindness
- Foster Pepper
- Garvey Schubert Barer

The Minority Bar Associations also applaud the following firms who met the WSBA's benchmark for each of the following separate categories. There are currently no objective benchmarks for the other ethnic categories that appear in the Questionnaire (see Appendix B for further explanation).

**Black attorneys (2.05%)** (highest percentages are listed below):

- Garvey Schubert Barer (7.84%)
- Cairncross & Hempelmann (5%)
- Keller Rohrback (4.55%)
- Vandeberg Johnson & Gandara
- Bullivant Houser Bailey
- Williams Kastner
- Lane Powell
- Foster Pepper
- Perkins Coie
- Schwabe, Williamson & Wyatt
- K&L Gates

**Asian attorneys (2.55%)** (highest percentages are listed below):

- Christensen O'Connor Johnson Kindness (23.08%)
- Lee & Hayes (20.51%)
- Ogden Murphy Wallace (15.56%)
- Schwabe, Williamson & Wyatt (9.52%)
- GordonDerr (7.14%)
- Davis Wright Tremaine (7.05%)
- Stafford Frey Cooper
- Dorsey and Whitney
- Bullivant Houser Bailey
- Helsell Fetterman
- K&L Gates
- Garvey Schubert Barer
- Graham & Dunn
- Williams Kastner
- Perkins Coie
- Hillis Clark Martin & Peterson
- Cairncross & Hempelmann
- Stoel Rives
- Keller Rohrback
- Karr Tuttle Campbell
- Foster Pepper
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Vandeberg Johnson & Gandara
- Betts Patterson & Mines
- Lane Powell
- Stokes Lawrence

**Latina/Latino attorneys (1.76%)** (highest percentages are listed below):

- Stoel Rives (4.6%)
- Keller Rohrback (4.55%)
- Perkins Coie (3.83%)
- Vandeberg Johnson & Gandara (3.7%)
- Karr Tuttle Campbell (2.73%)
- Stokes Lawrence (2.63%)
- Christensen O'Connor Johnson Kindness (2.56%)
- Schwabe, Williamson & Wyatt (2.38%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Foster Pepper

**American Indian/Alaskan Native attorneys (0.81%)** (highest percentages are listed below):

- Williams Kastner (4.35%)
- Christensen O'Connor Johnson Kindness
- Lee & Hayes
- Cairncross & Hempelmann
- Miller Nash
- Dorsey and Whitney
- Foster Pepper

The Minority Bar Associations specifically applaud Foster Pepper as being the only firm in the 50 largest law firms that **met each of the WSBA's benchmarks for the Blacks, Asian, Latina/Latino, and American Indian/Alaskan Native subgroups.**

For those law firms with summer associates for 2009, the Minority Bar Associations applaud the following firms who had above 9.91% (WSBA's attorney benchmark for minority attorneys) of **minority summer associates** for summer 2009 (with the exception of those firms with 100% minority summer associates, the remaining firms are listed alphabetically):

- Cairncross & Hempelmann (100%)
- Lee & Hayes (100%)
- Stafford Frey Cooper (100%)
- Christensen O'Connor Johnson Kindness
- Davis Wright Tremaine
- Dorsey and Whitney
- Foster Pepper
- Garvey Schubert Barer
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim Graham & Dunn
- Helsell Fetterman
- K&L Gates
- Karr Tuttle Campbell
- Lane Powell
- Perkins Coie
- Stoel Rives

**GRADES FOR DEMOGRAPHICS AND EFFORTS RELATED TO FEMALE ATTORNEYS**

One firm earned an “A+” and four firms earned an "A-" grade for demographics and efforts related to female attorneys:

<b>Firm</b>	<b>Score</b>	<b>Grade</b>
Bennett Bigelow & Leedom	102.87% <sup>6</sup>	A+
Christensen O'Connor Johnson Kindness	89.66%	A-
Helsell Fetterman	89.66%	A-
Stokes Lawrence	89.66%	A-
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim	89.08%	A-
GordonDerr	88.51%	B+
K&L Gates	86.78%	B+
Keller Rohrback	86.78%	B+
Perkins Coie	85.06%	B+
Garvey Schubert Barer	84.48%	B
Miller Nash	84.48%	B
Bullivant Houser Bailey	83.91%	B
Graham & Dunn	83.91%	B
Lane Powell	83.91%	B
Williams Kastner	83.91%	B
Dorsey and Whitney	83.33%	B
Stoel Rives	83.33%	B
Ogden Murphy Wallace	82.18%	B
Stafford Frey Cooper	82.18%	B
Davis Wright Tremaine	81.61%	B
Foster Pepper	81.61%	B
Hillis Clark Martin & Peterson	81.03%	B
Schwabe, Williamson & Wyatt	80.46%	B-
Karr Tuttle Campbell	79.31%	B-
Vandenberg Johnson & Gandara	78.74%	B-
Betts Patterson & Mines	77.59%	B-
Cairncross & Hempelmann	77.59%	B-
Lee & Hayes	72.41%	C
Carney Badley Spellman	0.00%	F
Cozen O'Connor	0.00%	F
Davies Pearson	0.00%	F
DLA Piper	0.00%	F
Eisenhower & Carlson	0.00%	F
Forsberg & Umlauf	0.00%	F
Hagens Berman Sobol Shapiro	0.00%	F
Inslee Best Doezie & Ryder	0.00%	F
Lasher Holzapfel Sperry and Ebberson	0.00%	F
Lee Smart	0.00%	F
Lukins & Annis	0.00%	F
Montgomery Purdue Blankinship & Austin	0.00%	F
Oles Morrison Rinker and Baker	0.00%	F
Paine Hamblen	0.00%	F

<sup>6</sup> For an explanation as to why and how some firms earned over 100 points for certain scores, please refer to Appendix B.

Riddell Williams	0.00%	F
Ryan Swanson and Cleveland	0.00%	F
Seed Intellectual Property Law Group	0.00%	F
Summit Law Group	0.00%	F
Wilson Smith Cochran Dickerson	0.00%	F
Wilson Sonsini Goodrich Rosati	0.00%	F
Winston & Cashatt	0.00%	F
Witherspoon, Kelley, Davenport & Toole	0.00%	F

Eight firms met the **WSBA's attorney benchmark for female attorneys (37.19%)**:

- Bennett Bigelow & Leedom (73.91%)
- Stokes Lawrence (47.37%)
- Helsell Fetterman (45.45%)
- Keller Rohrback (45.45%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim (43.14%)
- GordonDerr (42.86%)
- K&L Gates (38.89%)
- Christensen O'Connor Johnson Kindness (38.46%)

Only one firm—Bennett Bigelow & Leedom—met the **Washington State's general population benchmark for females (50.1%)**.

Nineteen firms met the NALP benchmark for **female partners (19.21%)** (highest percentages are listed below):

- Stokes Lawrence (47.62%)
- Bennett Bigelow & Leedom (44.44%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim (43.33%)
- GordonDerr (40%)
- Helsell Fetterman (40%)
- Christensen O'Connor Johnson Kindness (38.89%)
- K&L Gates
- Stafford Frey Cooper
- Graham & Dunn
- Miller Nash
- Williams Kastner
- Stoel Rives
- Keller Rohrback
- Garvey Schubert Barer
- Lane Powell
- Perkins Coie
- Dorsey and Whitney
- Bullivant Houser Bailey
- Karr Tuttle Campbell

Nineteen firms met the NALP benchmark for **female associates (45.66%)** (highest percentages are listed below):

- Vandeberg Johnson & Gandara (100%)
- Bennett Bigelow & Leedom (92.31%)
- Helsell Fetterman (75%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Keller Rohrback
- Ogden Murphy Wallace

- Foster Pepper
- Garvey Schubert Barer
- K&L Gates
- Miller Nash
- Hillis Clark Martin & Peterson Bullivant Houser Bailey
- Stokes Lawrence
- Davis Wright Tremaine
- GordonDerr
- Christensen O'Connor Johnson Kindness
- Williams Kastner
- Dorsey and Whitney
- Perkins Coie
- Graham & Dunn

The Minority Bar Associations specifically applaud the following eleven firms that offer a **reduced work schedule for its associates below 1400 billable hours** (these firms are listed alphabetically):

- Bennett Bigelow & Leedom
- Betts Patterson & Mines
- Christensen O'Connor Johnson Kindness
- Foster Pepper
- Garvey Schubert Barer
- Karr Tuttle Campbell
- Lane Powell
- Miller Nash
- Perkins Coie
- Stokes Lawrence

For those law firms with summer associates for 2009, the Minority Bar Associations also applaud the following firms who had more than 50% **female summer associates** (WSBA's attorney benchmark for female attorneys) for summer 2009 (with the exception of those firms with 100% female summer associates, the remaining firms are listed alphabetically):

- Bennett Bigelow & Leedom (100%)
- Cairncross & Hempelmann (100%)
- Ogden Murphy Wallace (100%)
- Schwabe, Williamson & Wyatt (100%)
- Christensen O'Connor Johnson Kindness
- Graham & Dunn
- Helsell Fetterman
- K&L Gates
- Karr Tuttle Campbell
- Perkins Coie
- Stoel Rives
- Williams Kastner

**GRADES FOR DEMOGRAPHICS AND EFFORTS RELATED TO GLBT ATTORNEYS**

Nine firms earned an "A+" and one firm earned an "A-" grade for demographics and efforts related to GLBT attorneys:

<b>Firm</b>	<b>Score</b>	<b>Grade</b>
Helsell Fetterman	104.68% <sup>7</sup>	A+
Christensen O'Connor Johnson Kindness	102.92%	A+
Keller Rohrback	102.92%	A+
Stoel Rives	101.75%	A+
Bennett Bigelow & Leedom	100.00%	A+
Garvey Schubert Barer	99.42%	A+
Hillis Clark Martin & Peterson	99.42%	A+
Karr Tuttle Campbell	99.42%	A+
Stokes Lawrence	98.83%	A+
Foster Pepper	90.06%	A-
Perkins Coie	88.89%	B+
Bullivant Houser Bailey	87.72%	B+
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim	87.72%	B+
Ogden Murphy Wallace	87.72%	B+
Stafford Frey Cooper	87.72%	B+
Cairncross & Hempelmann	86.55%	B+
Graham & Dunn	86.55%	B+
Williams Kastner	86.55%	B+
Davis Wright Tremaine	85.38%	B+
K&L Gates	84.80%	B
Lane Powell	78.36%	B-
Betts Patterson & Mines	65.50%	C-
Dorsey and Whitney	65.50%	C-
GordonDerr	65.50%	C-
Lee & Hayes	65.50%	C-
Miller Nash	65.50%	C-
Schwabe, Williamson & Wyatt	65.50%	C-
Vandenberg Johnson & Gandara	64.33%	D+
Carney Badley Spellman	0.00%	F
Cozen O'Connor	0.00%	F
Davies Pearson	0.00%	F
DLA Piper	0.00%	F
Eisenhower & Carlson	0.00%	F
Forsberg & Umlauf	0.00%	F
Hagens Berman Sobol Shapiro	0.00%	F
Inslee Best Doezie & Ryder	0.00%	F
Lasher Holzapfel Sperry and Ebberson	0.00%	F
Lee Smart	0.00%	F
Lukins & Annis	0.00%	F
Montgomery Purdue Blankinship & Austin	0.00%	F
Oles Morrison Rinker and Baker	0.00%	F
Paine Hamblen	0.00%	F
Riddell Williams	0.00%	F

<sup>7</sup> For an explanation as to why and how some firms earned over 100 points for certain scores, please refer to Appendix B.

Ryan Swanson and Cleveland	0.00%	F
Seed Intellectual Property Law Group	0.00%	F
Summit Law Group	0.00%	F
Wilson Smith Cochran Dickerson	0.00%	F
Wilson Sonsini Goodrich Rosati	0.00%	F
Winston & Cashatt	0.00%	F
Witherspoon, Kelley, Davenport & Toole	0.00%	F

Twenty firms met the **WSBA's attorney benchmark for GLBT attorneys (1.2%)** (highest percentages are listed below):

- Helsell Fetterman (15.15%)
- Bennett Bigelow & Leedom (8.7%)
- Stokes Lawrence (7.89%)
- Garvey Schubert Barer (5.88%)
- Stoel Rives (5.75%)
- Karr Tuttle Campbell (5.45%)
- Hillis Clark Martin & Peterson (5.26%)
- Christensen O'Connor Johnson Kindness (5.13%)
- Keller Rohrback (4.55%)
- Stafford Frey Cooper
- Perkins Coie
- Bullivant Houser Bailey
- Foster Pepper
- Cairncross & Hempelmann
- K&L Gates
- Ogden Murphy Wallace
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Graham & Dunn
- Williams Kastner
- Davis Wright Tremaine

Nine firms met the **Washington State's general population benchmark for GLBT individuals (4.1%)**:

- Helsell Fetterman
- Bennett Bigelow & Leedom
- Stokes Lawrence
- Garvey Schubert Barer
- Stoel Rives
- Karr Tuttle Campbell
- Hillis Clark Martin & Peterson
- Christensen O'Connor Johnson Kindness
- Keller Rohrback

Fifteen firms met the NALP benchmark for **GLBT partners (1.36%)** (highest percentages are listed below):

- Helsell Fetterman (15%)
- Hillis Clark Martin & Peterson (8.7%)
- Karr Tuttle Campbell (8.57%)
- Stafford Frey Cooper (7.14%)
- Garvey Schubert Barer (6.45%)
- Stoel Rives (5.66%)
- Christensen O'Connor Johnson Kindness
- Stokes Lawrence
- Keller Rohrback

- Cairncross & Hempelmann
- Graham & Dunn
- Williams Kastner
- Perkins Coie
- Lane Powell
- Foster Pepper

Twelve firms met the NALP benchmark for **GLBT associates (2.29%)** (highest percentages are listed below):

- Helsell Fetterman (25%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim (11.11%)
- Bullivant Houser Bailey (10%)
- Bennett Bigelow & Leedom (7.69%)
- Christensen O'Connor Johnson Kindness (7.14%)
- Foster Pepper (6.9%)
- Keller Rohrback (6.67%)
- Ogden Murphy Wallace (6.67%)
- Perkins Coie
- Stoel Rives
- Davis Wright Tremaine
- K&L Gates

The Minority Bar Associations specifically applaud the following four firms that “**gross up**” wages for those enrolled for same-sex partner benefits to equalize the added tax burden from the imputed value of the income charged to same-sex couples from such benefits (these firms are listed alphabetically):

- Bennett Bigelow & Leedom
- Helsell Fetterman
- Karr Tuttle Campbell
- Stokes Lawrence

For those law firms with summer associates for 2009, the Minority Bar Associations also applaud the following firms who hired **GLBT summer associates** for summer 2009 (these firms are listed alphabetically):

- Davis Wright Tremaine
- Hillis Clark Martin & Peterson
- Stoel Rives
- Williams Kastner

**GRADES FOR DEMOGRAPHICS AND EFFORTS RELATED TO DISABLED ATTORNEYS**

Two firms earned an "A-" grade for demographics and efforts related to disabled attorneys:

<b>Firm</b>	<b>Score</b>	<b>Grade</b>
Garvey Schubert Barer	92.94%	A-
Stoel Rives	92.94%	A-
Graham & Dunn	88.24%	B+
Stokes Lawrence	88.24%	B+
Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim	83.53%	B
Hellsell Fetterman	83.53%	B
Vandeberg Johnson & Gandara	83.53%	B
Foster Pepper	81.18%	B
Perkins Coie	77.65%	B-
K&L Gates	74.12%	C+
Bennett Bigelow & Leedom	65.88%	C-
Betts Patterson & Mines	65.88%	C-
Bullivant Houser Bailey	65.88%	C-
Cairncross & Hempelmann	65.88%	C-
Christensen O'Connor Johnson Kindness	65.88%	C-
Davis Wright Tremaine	65.88%	C-
Dorsey and Whitney	65.88%	C-
GordonDerr	65.88%	C-
Hillis Clark Martin & Peterson	65.88%	C-
Karr Tuttle Campbell	65.88%	C-
Keller Rohrback	65.88%	C-
Lane Powell	65.88%	C-
Lee & Hayes	65.88%	C-
Miller Nash	65.88%	C-
Ogden Murphy Wallace	65.88%	C-
Schwabe, Williamson & Wyatt	65.88%	C-
Stafford Frey Cooper	65.88%	C-
Williams Kastner	65.88%	C-
Carney Badley Spellman	0.00%	F
Cozen O'Connor	0.00%	F
Davies Pearson	0.00%	F
DLA Piper	0.00%	F
Eisenhower & Carlson	0.00%	F
Forsberg & Umlauf	0.00%	F
Hagens Berman Sobol Shapiro	0.00%	F
Inslee Best Doezie & Ryder	0.00%	F
Lasher Holzapfel Sperry and Ebberson	0.00%	F
Lee Smart	0.00%	F
Lukins & Annis	0.00%	F
Montgomery Purdue Blankinship & Austin	0.00%	F
Oles Morrison Rinker and Baker	0.00%	F
Paine Hamblen	0.00%	F
Riddell Williams	0.00%	F
Ryan Swanson and Cleveland	0.00%	F
Seed Intellectual Property Law Group	0.00%	F
Summit Law Group	0.00%	F

Wilson Smith Cochran Dickerson	0.00%	F
Wilson Sonsini Goodrich Rosati	0.00%	F
Winston & Cashatt	0.00%	F
Witherspoon, Kelley, Davenport & Toole	0.00%	F

Seven firms met the **WSBA's attorney benchmark for disabled attorneys (1.45%)** (highest percentages are listed below):

- Garvey Schubert Barer (9.8%)
- Vandeberg Johnson & Gandara (7.41%)
- Helsell Fetterman
- Stokes Lawrence
- Stoel Rives
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Graham & Dunn

None of the firms met the Washington State's general population benchmark for the disabled community (14.98%).

Six firms met the NALP benchmark for **disabled partners (0.25%)**:

- Garvey Schubert Barer
- Stokes Lawrence
- Graham & Dunn
- Stoel Rives
- Foster Pepper
- K&L Gates

Three firms met the NALP benchmark for **disabled associates (0.17%)**:

- Garvey Schubert Barer
- Stoel Rives
- Perkins Coie

### OTHER ACKNOWLEDGEMENTS/SUCCESES

The Minority Bar Associations specifically applaud the firms that participated in last year's Survey and were identified in the bottom tier last year, and yet still completed this year's Questionnaire. Their willingness to complete this year's Questionnaire confirms to the Minority Bar Associations a commitment and openness to continue the discussion on how to improve the firm's diversity demographics and efforts. The Minority Bar Associations applaud those firms and value their participation.

The Minority Bar Associations applaud the following firms who have **offered a diversity clerkship/internship program for law students in 2008 and/or 2009** (such as the Puget Sound Area Minority Clerkship Program or a separate program) **and** have **offered full-time, post-law school graduation employment to the clerk and/or extended an offer to the student to return the following summer** (these firms are listed alphabetically):

- Cairncross & Hempelmann
- Davis Wright Tremaine
- Dorsey and Whitney
- Foster Pepper
- Garvey Schubert Barer
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- GordonDerr
- Graham & Dunn
- Helsell Fetterman
- Hillis Clark Martin & Peterson
- K&L Gates
- Karr Tuttle Campbell
- Lane Powell
- Ogden Murphy Wallace
- Perkins Coie
- Stoel Rives
- Williams Kastner

The Minority Bar Associations applaud the following firms who have **participated in and hired from minority job fairs** (with the exception of those firms that hired from the minority job fair in 2009, the remaining firms are listed alphabetically):

- K&L Gates (summer associates or attorneys in 2009 hired from a minority job fair)
- Williams Kastner (summer associates or attorneys in 2009 hired from a minority job fair)
- Betts Patterson & Mines
- Bullivant Houser Bailey
- Foster Pepper
- Helsell Fetterman
- Karr Tuttle Campbell
- Lane Powell
- Miller Nash
- Ogden Murphy Wallace
- Perkins Coie
- Stafford Frey Cooper

For those firms that had lateral hires in the July 2008 to June 2009 timeframe for their Washington office, the Minority Bar Associations applaud the following firms who had the **highest percentages of lateral minority, female, GLBT, and disabled attorney hires** (with the exception of those firms with 100% female summer associates, the remaining firms are listed alphabetically):

- Bennett Bigelow & Leedom (100%)
- Garvey Schubert Barer (100%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim (100%)
- Karr Tuttle Campbell (100%)
- Stafford Frey Cooper (100%)
- Vandeberg Johnson & Gandara (100%)
- Christensen O'Connor Johnson Kindness
- Foster Pepper
- K&L Gates

For those firms that had promotions in the July 2008 to June 2009 timeframe for their Washington office, the Minority Bar Associations applaud the following firms who had the **highest percentages of promotions of minority, female, GLBT, and disabled attorneys** (with the exception of those firms with 100% female summer associates, the remaining firms are listed alphabetically):

- Bullivant Houser Bailey (100%)
- Christensen O'Connor Johnson Kindness (100%)
- Dorsey and Whitney (100%)
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim (100%)
- GordonDerr (100%)
- Hillis Clark Martin & Peterson (100%)
- Miller Nash (100%)
- Stokes Lawrence (100%)
- Betts Patterson & Mines
- Helsell Fetterman
- Perkins Coie

The Minority Bar Associations applaud the following firms who had the **highest average number of months of employment of ethnic minority attorneys** (acknowledging those with average months above 72 months):

- Vandeberg Johnson & Gandara
- Karr Tuttle Campbell
- Graham & Dunn
- Betts Patterson & Mines
- Davis Wright Tremaine
- Lane Powell
- Christensen O'Connor Johnson Kindness
- Keller Rohrback
- K&L Gates
- Garvey Schubert Barer
- Dorsey and Whitney
- Ogden Murphy Wallace
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Williams Kastner
- Cairncross & Hempelmann

The Minority Bar Associations applaud the following firms who had the **highest average number of months of employment of female attorneys** (acknowledging those with average months above 72 months):

- Hillis Clark Martin & Peterson
- Williams Kastner
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Graham & Dunn
- Karr Tuttle Campbell
- Helsell Fetterman
- Lane Powell
- Davis Wright Tremaine
- Garvey Schubert Barer
- Perkins Coie
- Stoel Rives
- K&L Gates
- Stokes Lawrence
- Vandeberg Johnson & Gandara
- Stafford Frey Cooper
- Keller Rohrback
- GordonDerr
- Christensen O'Connor Johnson Kindness
- Miller Nash

The Minority Bar Associations applaud the following firms who had the **highest average number of months of employment of GLBT attorneys** (acknowledging those with average months above 72 months):

- Hillis Clark Martin & Peterson
- Stafford Frey Cooper
- Karr Tuttle Campbell
- Garvey Schubert Barer
- Keller Rohrback
- Williams Kastner
- K&L Gates
- Cairncross & Hempelmann

The Minority Bar Associations applaud the following firms who had the **highest average number of months of employment of disabled attorneys** (acknowledging those with average months above 72 months):

- Helsell Fetterman
- Garvey Schubert Barer
- Stokes Lawrence
- K&L Gates
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Stoel Rives

The Minority Bar Associations applaud the following firms who had **attorneys serving as executive officers or board members of any of the Minority Bar Associations** (these firms are listed alphabetically):

- Bullivant Houser Bailey
- Cairncross & Hempelmann
- Christensen O'Connor Johnson Kindness
- Davis Wright Tremaine
- Dorsey and Whitney
- Foster Pepper
- Garvey Schubert Barer
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim

- Helsell Fetterman
- Hillis Clark Martin & Peterson
- K&L Gates
- Karr Tuttle Campbell
- Lane Powell
- Lee & Hayes
- Miller Nash
- Ogden Murphy Wallace
- Perkins Coie
- Schwabe, Williamson & Wyatt
- Stafford Frey Cooper
- Stoel Rives
- Stokes Lawrence
- Williams Kastner

The Minority Bar Associations applaud the following firms who had **advanced associates working reduced schedules to partnership in the last 5 years** (these firms are listed alphabetically):

- Bennett Bigelow & Leedom
- Betts Patterson & Mines
- Cairncross & Hempelmann
- Christensen O'Connor Johnson Kindness
- Davis Wright Tremaine
- Garvey Schubert Barer
- GordonDerr
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Helsell Fetterman
- Lane Powell
- Miller Nash
- Ogden Murphy Wallace
- Perkins Coie
- Stoel Rives
- Stokes Lawrence
- Vandeberg Johnson & Gandara

The Minority Bar Associations applaud the following firms with an **executive committee/senior management committee comprised of at least 50% diverse attorneys** (these firms are listed alphabetically):

- Foster Pepper
- Garvey Schubert Barer
- Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim
- Ogden Murphy Wallace
- Perkins Coie
- Stokes Lawrence

For those firms with a structured diversity committee, the Minority Bar Associations applaud the following firms with the **managing partner on the firm's diversity committee** (these firms are listed alphabetically):

- Bennett Bigelow & Leedom
- Bullivant Houser Bailey
- Cairncross & Hempelmann
- GordonDerr
- Keller Rohrback
- Miller Nash
- Perkins Coie

- Schwabe, Williamson & Wyatt
- Stoel Rives
- Stokes Lawrence
- Williams Kastner

The Minority Bar Associations applaud the following firms with the **highest “amount spent per attorney” on the Minority Bar Associations’ dinners/events and/or on national minority bar association conferences:**

- Schwabe, Williamson & Wyatt
- Garvey Schubert Barer
- Bullivant Houser Bailey
- Helsell Fetterman
- Graham & Dunn
- Stafford Frey Cooper
- Cairncross & Hempelmann
- Stokes Lawrence
- Williams Kastner

## LESSONS LEARNED AND BEST PRACTICES

The firms that performed the best in the Law Firm Diversity Report had several things in common: focused, strong initiatives and execution in the areas of recruiting, hiring, mentoring, promoting, and retaining. While some initiatives may require larger budget expenditures, there are various best practices reported by the law firms that are not dependent upon a firm's size or restrained by a firm's financial limitations. For those best practices that may be tied to a firm's size or financial capabilities, the Minority Bar Associations encourage all law firms to consider creative ways to employ the best practices below despite their financial constraints. The Minority Bar Associations list below best practices that the responding law firms identified as efforts, programs, or initiatives related to diversity that have been implemented or that they intend to implement. Also listed below are various best practices that have been identified by NALP.<sup>8</sup>

### ***Recruiting and hiring***

Examples of best practices identified by the responding law firms:

- Advertising open attorney positions to the Minority Bar Associations.
- Adding the firm's commitment to diversity on recruiting materials and website.
- Using executive search firms to identify potential diverse shareholders and associates.
- To the extent diversity fellowships are offered and the law student meets all other requirements for receiving an offer (i.e. work performance, etc.), offering full-time employment to the diverse law students at the completion of the summer fellowship.
- Interviewing and creating relationships with diverse attorneys even though no open attorney position is currently available.
- When considering acquisitions of other firms, giving thought to the target firm's commitment to diversity.

### ***Mentoring, promoting, retaining, and other efforts related to professional development***

Examples of best practices identified by the responding law firms:

- Introducing diverse attorneys to key clients and providing them with opportunities to hold leadership roles on the engagements.
- Supporting attorneys' participation in the Minority Bar Associations and in leadership positions within such associations.
- Offering a mentorship program that will produce measurable results, which may include:
  - Requiring mentors to complete a training program before participating in the program.
  - Requiring mentors to meet with mentees on a regular basis.
  - Asking the mentors to regularly review mentees' draft work products.
  - Including an evaluation process to determine the effectiveness of the mentorship program.
  - Including the number of hours spent on mentoring into the evaluation and compensation of mentors.
- Helping diverse attorneys create an attainable business development plan.
- Actively monitoring hours billed to key client matters and tracking whether disparity exists in the number of hours contributed by non-diverse attorneys versus diverse attorneys.
- Developing a Request for Proposal pitch/response process that includes diverse attorneys in lead engagements.
- Canvassing associates in an anonymous manner to obtain feedback related to work flow, mentorship, and other potential work issues.
- Holding exit interviews through a process that maintains confidentiality of comments (for example, through the use of an outside consultant).

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<sup>8</sup> For a more complete listing of the best practices identified by NALP, please review the *Diversity Best Practices Guide*, NALP, 2009 at <http://www.nalp.org/diversitybestpracticesguide>

Another example of a best practice is promoting and encouraging diverse attorneys to present at CLEs related to substantive law skills, and not just topics related to diversity.

***Creating an environment that acknowledges, strives for, and respects diversity***

Examples of best practices identified by the responding law firms:

- Incorporating a commitment to diversity into the firm's core values, and making this evident to the entire firm.
- Adding the firm's commitment to diversity to client marketing materials, including the firm's website.
- Including achievements related to diversity in firm-wide emails or other communications. In the evaluation/ compensation process, inquiring as to what shareholders/partners/members have accomplished with respect to recruiting, mentoring, retaining and advancing attorneys who will add to the diverse culture of the firm.
- To the extent there are practice groups or departments, requiring annual reports by the leaders on goals and efforts to diversify the practice group or department.
- Crediting hours spent on diversity efforts (for example, time spent serving as executive officers or board members of the Minority Bar Associations) toward the billable hour requirement and/or compensation and evaluation.
- Participating in a pipeline program or other efforts to introduce diverse high school or college students to private practice and the legal profession.
- Promoting or requiring a substantial billable hour goal for public service to diverse communities.
- Building strong relationships with other diversity-focused organizations (for example, NAACP, Minority Corporate Counsel Association, Pride Foundation, etc.).
- Participating in pro bono work for nonprofits or other community organizations that service diverse communities, thereby adding to the cultural competency and sensitivity of the firm.

Examples of other best practices identified by NALP and/or recommended by the Minority Bar Associations:

- Inviting leaders of the Minority Bar Associations to meet the firm's management.
- Building strong relationships with the Minority Bar Associations as resource to understand and continue the discussion about the firm's commitment to diversity.
- Requiring those in positions of power to complete diversity training. Depending on the firm's structure, this may include members of the firm's management committee, executive committee, practice group leadership, nominations committee, compensation committees, etc.
- Encouraging those in positions of power to attend minority bar association dinners and events
- To the extent there is a formal and structured diversity committee, requiring the hiring partner and office managing partner to be members.
- Including diverse lawyers in leadership positions within the firm, such as practice group leaders, directors, managing committee members, executive partners and others, and reviewing to ensure there is at least one diverse attorney who serves on the various management committees. Depending on the firm's structure, this may include the management committee, executive committee, practice group leaders, nominations committee, compensation committees, etc.
- Encouraging all attorneys to be on boards of nonprofits or other community organizations that service diverse communities, thereby adding to the cultural competency and sensitivity of the firm.
- Offering a separate billing number for diversity-related activities that is considered in evaluations of attorneys.
- Reviewing on an annual basis existing systems and policies for unintended or historic bias.

### *Efforts specifically related to female, GLBT, or disabled attorneys*

Examples of best practices identified by the responding law firms:

- Requiring sexual harassment training for all attorneys and staff on a regular basis, and not just for new hires.
- Providing accommodations such as special equipment for disabled attorneys to work from home and/or office.
- Offering reduced work schedules, which will result in a measurable difference for achieving a work/life balance.
- Offering tele-commuting options to facilitate flexible work schedules.
- Offering same sex benefits and “grossing up” wages for those enrolled for same-sex partner benefits to equalize the added tax burden from the imputed value of the income charged to same-sex couples from such benefits.
- Adding gender identity and sexual orientation to the firm’s Equal Employment Opportunity policy.

Another example of a best practice identified by NALP is ensuring that social invitations are inclusive in using wording that invites partners, and not just spouses.

The above items, individually and collectively, show that diversity and inclusion requires leadership to do more than “check” the commitment to diversity box — it requires a commitment to spend time, money and/or other resources aimed at developing diversity and inclusion programs that encourage hiring and retaining diverse attorneys.

### **CALL TO ACTION**

The Minority Bar Associations urge research, discussion, proactive execution and sustenance of initiatives to support diverse attorneys at all levels: from recruitment to hiring, mentorship to promotions, retention to involvement in firm leadership, and supporting policies and programs.

The Minority Bar Associations also acknowledge that diverse attorneys must take ownership of their own paths. With the support of their law firms, diverse attorneys should strive for excellence in their work product and seek out opportunities for professional growth by developing a strategic plan to include<sup>9</sup>:

- Developing a career plan with goals, dates and action steps.
- Becoming an expert in a particular area of law of importance in the firm and informing decision-makers of their expertise.
- Developing a reputation in practice areas through speaking, writing and appearing at client events and/or CLEs.
- Expressing an interest in firm leadership positions.
- Developing relationships with firm leaders and clients.
- Exercising leadership roles outside of the law firm in bar associations, industry groups and/or on boards.
- Advising firm leaders of leadership capabilities and achievements.
- Requesting inclusion on client pitches.
- Actively searching for allies, mentors and coaches within and outside the law firm.
- Developing skills in relationship building, strategic communication and action planning.

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<sup>9</sup> See also the American Bar Association’s April 2010 Law Practice Today article on “Inclusion Strategies to Eliminate Bias in the Legal Profession.” The full text of the article is available at this website link <http://www.abanet.org/lpm/lpt/articles/ft04103.shtml>

Diverse lawyers need to step up to the challenge and excel in their practice. However, diverse lawyers need the support of their law firms and commitment from top management to help create and execute a strategic plan for success.

## **SUMMARY**

The Minority Bar Associations of Washington again express appreciation to the firms that participated in this survey and demonstrated their support of diversity, as well as the intention to create more long-term opportunities for diverse attorneys in their firm ranks.

The Minority Bar Associations created this annual Law Firm Diversity Report to help firms understand the circumstances and power of diversity in an organization, both for business gain and for social progress. The Minority Bar Associations also made it a mission to arm students with information that could help them choose diverse firms to support their needs during professional development. The Minority Bar Associations hope that in-house counsel will consider this information when hiring attorneys from top firms, thereby acknowledging that diversity is an advantage in the most critical aspects of doing business, as well as bolstering social change in all professional environments.

The Minority Bar Associations' annual Law Firm Diversity Reports are intended to track trends and highlight correlations between changes in demographics, scores, and grades and the implementation of specific efforts related to the firm's commitment to diversity. With a clearer focus on where the top Northwest firms succeed and where they fall short, the Minority Bar Associations encourage all firms to draw upon the examples of success within this report, as well as initiate conversations within the legal community to prioritize improvement at every level.

### **Thank you from the Minority Bar Associations of Washington:**

- Asian Bar Association of Washington
- Filipino Lawyers of Washington
- Korean American Bar Association of Washington
- Latina/o Bar Association of Washington
- Loren Miller Bar Association
- Middle Eastern Legal Association of Washington
- Northwest Indian Bar Association
- QLaw (the GLBT Bar Association of Washington)
- South Asian Bar Association of Washington
- Vietnamese American Bar Association of Washington
- Washington Women Lawyers

For more information, please contact the Minority Bar Associations Law Firm Diversity Report Committee at [mba.mrc@gmail.com](mailto:mba.mrc@gmail.com)

*Released June 24, 2010 (revised June 26, 2010)*

## **APPENDIX A**

### **STATEMENT OF BACKGROUND, RELEVANCE, AND GUIDING PRINCIPLES**

In 2007, the Minority Bar Associations convened a committee to create this Report to objectively assess the diversity efforts of the 50 largest firms in Washington State (as identified by *Washington Law and Politics*). The first Law Firm Diversity Report was issued in March 2009. Intended as an annual survey, the Minority Bar Associations sent the 2009-2010 Law Firm Diversity Questionnaire to the 50 largest Washington law firms (as identified by *Washington Law and Politics*) in December 2009.

In an effort to raise the bar for law firms and assist diverse attorneys in the legal profession, the Minority Bar Associations continue to investigate and report on which firms take action and/or drive results supporting diversity in various areas including recruitment, hiring, mentoring, promotions, retention, and policies and programs. While pure demographic information about certain law firms may be accessible to law students, lateral hires, in-house counsel, and even other firms,<sup>1</sup> the Minority Bar Associations' Law Firm Diversity Report differs because the focus is on two separate, yet connected, areas: (a) the demographic information and (b) the efforts and programs each law firm employs.

Law firms need to acknowledge, strive for, and respect diversity because, among other reasons, (a) the corporate world insists on diversity, and (b) diversity is a necessity as our society and culture evolves.

Many companies, and certainly the largest corporations in the world, make it a priority to welcome and inject diversity into their ranks. Most businesses have diversity or inclusion programs, which embrace individual experiences, talents and cultures in the work environment seeking to achieve better customer or client performance. More and more, there is a push to diversify at the executive levels, which includes attorneys hired from outside firms. A more diversified attorney work force can better position law firms to understand and meet client needs, especially as minorities become the majority in the coming years.

Professional change is also a necessity as our society and culture evolve. Diversity is contemporary and inclusive; an advanced society extends equal status to distinct groups comprised of different racial, gender, sexual orientation, and disabled individuals. As attorneys develop and grow client relationships, they will notice that their clients are growing more diverse. Therefore, law firms should acknowledge that it makes good business sense to implement policies similar to those adopted by one's clients, aimed at hiring a representative cross-section of the relevant population.

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<sup>1</sup> For example, the National Association of Law Placement and Building a Better Legal Profession both collect and report demographic information about some, but not all, of the 50 largest law firms.

**APPENDIX B**  
**METHODOLOGY**

The Minority Bar Associations sent the attached letter to the 50 largest law firms on April 2, 2010, letter. The letter explains the background and purpose of the Questionnaire and the grading methodology. Included below is also further explanation on the methodology.

A. Although the Minority Bar Associations relied upon the responses actually received from the law firms, firms were given an opportunity to respond and correct obvious errors that the committee identified (for example, incorrect math in filling out the demographic charts; failure to check “yes” or “no” on questions; etc.).

B. With respect to the separate scores/grades for ethnic minorities, females, GLBT, and disabled attorneys, approximately 85% of a firm’s score this year is based on “hard factors” (*i.e.*, demographics) and how those “hard factors” measure up to the self-reported attorney demographics of the Washington State Bar Association (“WSBA”),<sup>1</sup> Washington State’s general census population demographics,<sup>2</sup> and the demographics on diverse partners and associates of the National Association of Law Placement (NALP).<sup>3</sup> The use of a state bar association’s demographics and a state’s general census population demographics as benchmarks was based, in part, on a similar methodology employed by comparable diversity surveys conducted in Dallas and Houston.

1. For example, if a firm met the WSBA’s attorney demographic for female attorney percentages, the firm received the maximum 70 points. Points between 58 and 67 were awarded based upon the firm’s percentage of coming close to but not meeting the demographics.

2. If a firm met Washington State’s general population demographic for females, then the firm received an additional 10 points. No incremental points were awarded for the firm’s that did not meet the demographics, even if they came close.

3. If a firm met the NALP demographic for female partners, then the firm received an additional 2 points. This national benchmark was employed because no other data collection/compilation exists within Washington State or even the Pacific Northwest to track how firms are doing with respect to hiring and retaining diverse partners. Firms that far exceed the NALP demographic received up to an additional 3 or 4 points, which explains why and how some firms may have achieved over 100 points for certain scores.

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<sup>1</sup> The 2009-2010 Questionnaire asked law firms to report demographics based upon the July 1, 2008, to June 30, 2009, timeframe. Because WSBA members are asked to self-report their demographics with the annual licensing/renewal due January of each year, the Minority Bar Associations have adopted WSBA’s demographics of self-reported WSBA members, as of May 1, 2009.

<sup>2</sup> The most current US Census Bureau data available (at the time of the issuance of this Report) for Washington State’s general population demographics (estimated for 2008) was obtained from this website link: <http://quickfacts.census.gov/qfd/states/53000.html>

<sup>3</sup> The Minority Bar Associations relied upon the NALP statistics (at the time of the issuance of this Report) as compiled in the 2009-2010 *NALP Directory of Legal Employers*, available at and from this website link: <http://nalp.org/diversity2> NALP does not differentiate between equity and non-equity status of partners/members in collecting their statistics; therefore, the Minority Bar Associations do not differentiate between equity and non-equity status of partners/members either in scoring the law firms.

4. If a firm met the NALP demographic for female associates, then the firm received an additional 2 points. This national benchmark was employed because no other data collection/compilation exists within Washington State or even the Pacific Northwest to track how firms are doing with respect to hiring and retaining diverse associates. Firms that far exceed the NALP demographic received up to an additional 3 or 4 points, which explains why and how some firms may have achieved over 100 points for certain scores.

C. The Minority Bar Associations recognize that not all diverse attorneys strive to be employed by the 50 largest law firms. Many attorneys, regardless of their diversity status, seek employment in the public sector, with nonprofits, with companies, in their own practice, etc. On the other hand, some have argued that diverse attorneys do not strive to be employed by the 50 largest law firms because of the firm’s lack of commitment to diversity. This Report is not focused on this discussion topic or the reasons why those choices are made.

D. To commend a firm’s achievement of “diversity within diversity,” an additional point was awarded if a law firm met the WSBA’s attorney demographics for self-reported percentages for each of the following subgroups: Blacks, Asian, Latina/Latino, and American Indian/Alaskan Native subgroups. Although the Questionnaire asked for specific data separately for South Asian, Middle Eastern, and Native Hawaiian, the WSBA does not currently request attorneys to self-report on these subgroups, and there is no other objective benchmark that could be used for these groups. The Minority Bar Associations are not in any way suggesting that these other groups are any less valued in terms of diversity. In the future, the Minority Bar Associations hope to include these other groups as well, and are working with the WSBA to collect such data.

E. A traditional grading scale was adopted and revised slightly to incorporate the issuance of an “F” grade to the non-participating law firms.

<b>Grade</b>	<b>Point Range</b>
A+	97-100
A	93-96
A-	89-92
B+	85-88
B	81-84
B-	77-80
C+	73-76
C	69-72
C-	65-68
D+	61-64
F	For all non-participating law firms

F. The Minority Bar Associations recognize that, depending on size, specialization or geography, firms face different opportunities and challenges in creating a diverse attorney work force. The Minority Bar Associations present these findings without conclusions about the effect, if any, that a firm’s size, specialization or geography might have on diversity results and efforts.



April 2, 2010

Dear Managing Partner:

We write to follow up with you on the 2009-2010 Law Firm Diversity Report, which is being compiled by the Minority Bar Associations of Washington Joint Committee on Law Firm Diversity. We thank you for completing and submitting the 2009-2010 Law Firm Diversity Questionnaire. We are still reviewing the responses from the law firms and compiling the data into our 2009-2010 Law Firm Diversity Survey, which we intend to make public by late spring/early summer 2010.

We include for your information the attached letter, which we are sending to those firms among the fifty largest law firms that have not yet completed the 2009-2010 Law Firm Diversity Questionnaire. The letter contains some background on the purpose of the Questionnaire and the grading methodology, which we would like to share with you as well.

Again, thank you for participating in the 2009-2010 Law Firm Diversity Questionnaire. We appreciate your involvement and cooperation in this diversity initiative.

On behalf of the Minority Bar Associations of Washington.

Asian Bar Association of Washington  
Filipino Lawyers of Washington  
Korean American Bar Association of Washington  
Latina/o Bar Association of Washington  
Loren Miller Bar Association  
Middle Eastern Legal Association of Washington  
Northwest Indian Bar Association  
QLaw (the GLBT Bar Association of Washington)  
South Asian Bar Association of Washington  
Vietnamese American Bar Association of Washington  
Washington Women Lawyers

***Attachments to Appendix B***



April 2, 2010

Dear Managing Partner:

We write to follow-up with you on the 2009-2010 Law Firm Diversity Report, which is being compiled by the Minority Bar Associations of Washington Joint Committee on Law Firm Diversity (“Committee”).<sup>1</sup>

In December 2009, you received a request to respond to the 2009-2010 Law Firm Diversity Questionnaire. Your firm has not yet responded to the 2009-2010 Law Firm Diversity Questionnaire and the Committee would value your participation.

This letter describes the purpose of the Questionnaire, the Committee’s diversity efforts, and the specific changes made to the Questionnaire and grading methodology to address concerns raised by some law firms.

**Background.** In 2007, the Minority Bar Associations of Washington convened the Committee to create a Law Firm Diversity Report (“Report”) to objectively assess the fifty largest Washington law firms’ diversity efforts. The Report scores each firm’s diversity efforts, recognizes initiatives and programs implemented to increase diversity within their attorney ranks, provides “best practices” of firms successful in hiring, retaining, and promoting diverse attorneys, and offers assistance to firms seeking to improve in these critical areas. Furthermore, the Report is intended to (1) provide law students with vital information to aid in their job searches, and (2) assist in-house counsel at companies that factor a firm’s diversity efforts into their engagement practices.

The 2008-2009 Law Firm Diversity Questionnaire sought detailed demographic information regarding the racial/ethnic, gender, sexual orientation, and disability status of attorneys and summer associates. The Questionnaire also asked for descriptions of law firm diversity efforts, policies, and programs. The resulting data was categorized into two areas: (a) hard factors (demographic data), and (b) soft factors (narrative information). Both categories of data were used to determine a firm’s composite diversity effort score. For the overall rankings, the Committee gave more weight to hard factors — to recognize actual results derived from effort; however, the Committee gave consideration to the soft factors, to acknowledge that efforts and programs that strive for diversity also count.

**2008-2009 Law Firm Diversity Report, and changes adopted to this year’s Questionnaire.** The Committee issued the 2008-2009 Law Firm Diversity Report in March 2009. After releasing that report, the Committee

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<sup>1</sup> The Minority Bar Associations of Washington who are participating in this Joint Committee are: Asian Bar Association of Washington; Filipino Lawyers of Washington; Korean American Bar Association of Washington; Latina/o Bar Association of Washington; Loren Miller Bar Association; Middle Eastern Legal Association of Washington; Northwest Indian Bar Association; QLaw (the GLBT Bar Association of Washington); South Asian Bar Association of Washington; Vietnamese American Bar Association of Washington; and Washington Women Lawyers.

***Attachments to Appendix B***

received feedback from firms, including some concerns about the methodology employed and conclusions drawn by the 2008-2009 Report.

As a result of this feedback, the Committee has implemented significant changes to the 2009-2010 Law Firm Diversity Questionnaire. Below is an outline of some key changes we adopted in response to the feedback we received.

1. **The grading methodology and scoring criteria have been changed to alleviate any possible bias in favor of large firms, especially with respect to questions seeking data related to budget expenditures.** The Committee adopted changes regarding how certain data will be taken into account in scoring and grading law firms. Law firm responses to many questions that could be perceived as containing an inherent bias in favor of large firms are not considered in the scoring process. However, there is utility to collecting such information for either highlighting or ascertaining best practices. For example, Question 23 seeks the combined sponsorship amount a firm spent on minority bar association dinners/events. The specific answers to Question 23 will not be incorporated into the scoring methodology. However, the Committee intends to acknowledge those firms in a separate section of the Report that allocate a high “amount spent per attorney” on minority bar association dinners/events.
2. **The Report now tracks and scores attrition and retention data.** The Committee heard concerns that attrition and retention data are not properly tracked. For example, while a firm may report exceptional percentages of diverse attorneys (for example, 12%), that data does not reflect a situation where diverse attorneys leave the firm before partnership, and an equal percentage of diverse attorneys are hired to maintain the same 12%; therefore, the data does not reflect accurately the firm’s retention and promotion efforts (or lack thereof). In response, the Committee added Questions 18-21 to track the average period of employment for diverse attorneys at a firm, and to track the firm’s retention and promotion demographics. However, given the lack of historical data available to it, at this time, the Committee does not plan to incorporate the answers to Question 18-21 into the scoring of law firm diversity efforts.
3. **Firms that fail to respond will automatically be awarded an F and will be highlighted with that grade in the Report.** With only 32 of the 50 firms responding to the Questionnaire last year, the Committee heard that it was “unfair” and/or “misleading” for the Report to highlight one-third of the firms as “top ten” and one-third of the firms as “bottom ten.” Another concern was raised that in comparison to the negative attention given to the firms in the “bottom ten,” the 18 non-participating firms received no negative attention. As stated in the cover email that accompanied the 2009-2010 Law Firm Diversity Questionnaire, “unwillingness to participate will be taken into account in our evaluation of your law firm’s diversity efforts; your participation in the questionnaire and willingness to share your information will be viewed positively by the Minority Bar Associations of Washington.” Specifically, this year, “unwillingness to participate” will translate into an automatic “F” as the firm’s grade and will be included in the list of rankings with responding firms. Firms that take the time and make the effort to participate in the 2009-2010 Law Firm Diversity Questionnaire will rank higher than firms that do not participate.
4. **The “soft factors” subjective scoring methodology has been largely eliminated.** The Committee received feedback that the scoring of the “soft factors” was too subjective last year. In addition, the concern was raised that the Report did not appropriately compare practices between firms as firms described their practices differently and in some cases, failed to include all practices. This year, we designed questions in a more focused, direct manner, seeking a simple affirmative or negative response. Such an approach eliminates subjectivity and avoids higher scores based on creativity or length of a response. Moreover, it creates a more appropriate comparison of practices and efforts across firms. At the same time, the Committee recognizes the difficulties of assessing broad and wide-ranging diversity practices and efforts through simple yes/no questions. While we would like to be able to fully and accurately assess, that is simply not possible, as discussed below.

5. **The Committee discussed and rejected a policy of further inquiry of responses submitted to the “soft factors” for the purpose of ascertaining the frequency, legitimacy, value, and impact of the programs, policies, and efforts that the firms reported.** In the mentorship program inquiry, for example, it was suggested that in addition to the existence of a mentorship program, the Committee should inquire into the frequency, legitimacy, value, and impact of the program. As mentioned above, our new more focused direct approach to these “soft factors” ends such an inquiry. While we acknowledge the benefit of probing beyond the yes/no response and interviewing selected partners and associates at law firms to ascertain the frequency, legitimacy, value, and impact of programs, policies, and efforts, we are a volunteer group of attorneys and have limited resources. We remain committed to accurately tracking and reporting successful diversity efforts and best practices, but there are certain limitations inherent in the Committee’s ability to devote the time required to fully “go behind the answers.” Instead, the Committee will rely upon the responses received from firms.

**Other Methodology Explanations.** The methodology behind the 2009-2010 Report varies from the 2008-2009 Report in several respects.

1. Firms will be issued three separate scores/grades for diversity efforts related to ethnic minority, females, GLBT, and disabled attorneys.
2. With respect to the separate scores/grades for ethnic minority, females, GLBT, and disabled attorneys, approximately 85% of a firm’s scoring this year will be based on “hard factors” (*i.e.*, demographics) and how those “hard factors” measure up to the WSBA’s attorney demographics, Washington state’s general population demographics, and the National Association of Law Placement (NALP)’s demographics on diverse partners and associates. For example, if a firm meets the WSBA’s attorney demographics for female attorney percentages, the firm will receive 70 points. If a firm meets the Washington state’s general population demographics for females, then the firm receives an additional 10 points. If a firm meets the NALP demographics on female partners, then the firm receives an additional 2 points. If a firm meets the NALP demographics on female associates, then the firm receives an additional 2 points.
3. The “soft factors” (*i.e.*, narrative information) will be added to how a firm scores with respect to its “hard factors.” For example, questions specific to diversity efforts related to female attorneys (*i.e.*, whether the firm has a written parental leave policy; whether the firm offers reduced work schedules) will be added to the firm’s separate score/grade on its diversity efforts related to females.
4. The above methodology and analysis is repeated for ethnic minority, GLBT, and disabled attorneys.
5. Firms will then also be issued an overall average/combined score/grade on overall diversity efforts. The Committee has decided that only scores/grades on ethnic minority, females, and GLBT will be used in compiling the overall average/combined score/grade; in other words, the score/grade for disabled attorneys will not be included in the overall average/combined score/grade. Firms will then receive an incremental point to their overall average/combined score/grade for various “soft factors.” For example, each of the following practices will be taken into account in the overall average/combined score/grade:
  - including diversity as one of the firm’s written strategic initiatives or core values;
  - including diversity on the firm’s website;
  - having a webpage solely devoted to diversity;
  - including diversity in the firm’s written marketing materials;
  - offering the same benefits to same-sex partners that are offered to married couples;
  - including gender identity and sexual orientation in the firm’s EEO statement;
  - advertising attorney openings to the Minority Bar Associations; and
  - offering accommodations to attorneys and attorney applicants with disabilities.

In summary, approximately 15% of a firm’s scoring this year will be based on these “soft factors.”

Additionally, as mentioned above, many of the responses to the “soft factor” questions will not be added to the scores, but rather collected and reported as “best practices.” For example, we are collecting information about “best practices” related to whether law firms offered full-time, post-law school graduation employment to the previous year’s summer law student clerk and/or hired frequently from minority job fairs. We wish to commend these firms for such practices and highlight these “best practices,” but we do not intend to mark down scores of firms that do not engage in such practices.

Based on this methodology, firms will be evaluated on their actual achievements with respect to various diversity elements, including ethnic minorities, women, GLBT, and disabled. A law firm’s total and final score will be an average of its scores on the ethnic minority, women, and GLBT ratings (because of the relatively low numbers, disabled-attorney numbers will not be factored into the total score). This methodology, in the judgment of the Committee, is sound and will provide a reasonable assessment of law firms’ diversity efforts and achievements.

This letter is intended to continue our discussions. We hope it has addressed any concerns you may have about participating in the 2009-2010 Law Firm Diversity Questionnaire. **We invite you to participate by providing a completed questionnaire by April 9, 2010, to MBA.MRC@gmail.com.** Please contact the Law Firm Diversity Survey Committee Co-Chairs at [mba.mrc@gmail.com](mailto:mba.mrc@gmail.com) if you have any questions.

On behalf of the Minority Bar Associations of Washington.  
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Filipino Lawyers of Washington  
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