



Thelen Reid Brown Raysman & Steiner LLP

STUDY OF MINORITY STUDENT ATTITUDES SUMMARY RESULTS

Public Opinion
Survey 2005

The Survey

Thelen Reid Brown Raysman & Steiner LLP ("Thelen")¹ commissioned this Study of Minority Student Attitudes in 2000 and again in 2005. During this second study, LGBT students were included among the participants. Responses given in 2000 are noted when these responses differed significantly from responses given in 2005.

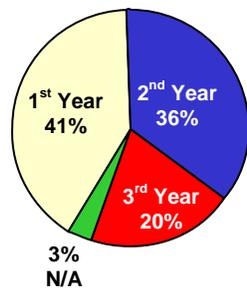
Who participated in the study . . .

In 2005, **178 students** responded to the survey. The respondents can be broken down into the following groups:

Law Schools Represented . . .

Law schools represented in the study include Boalt Hall at the University of California (UC) at Berkeley, Columbia Law School, Fordham University, UC Hastings, Harvard University, University of Michigan, New York University, UC Santa Barbara, Santa Clara University, Stanford University, UCLA, University of Southern California, University of Georgia, University of Virginia.

Year In School:



Gender:

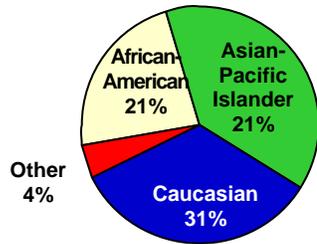
- 56% female
- 44% male

Sexual Orientation:

- 41% identified themselves as Lesbian Gay Bisexual or Transgender (LGBT).

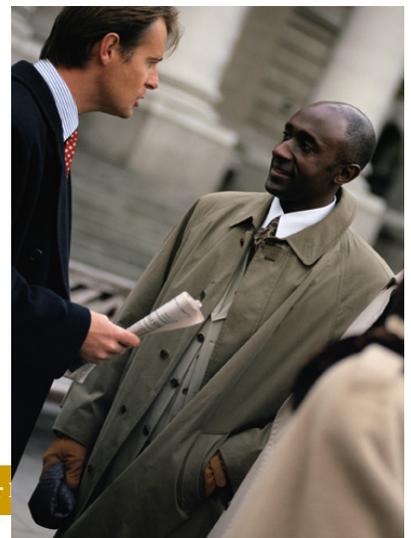
¹ Thelen was formed through a 2006 merger between Thelen Reid & Priest LLP and Brown Raysman Millstein Felder & Steiner LLP.

Ethnic Groups:



Categories of Questions Asked

- Students' Career Prospects
- Law Firms' Pursuit of Diversity
- Law Firm Culture
- Hiring Issues
- LGBT Specific Questions



Career Prospects

I certainly feel responsible to give back to the community. Not just because I am a future attorney, but because I will have the capacity to do so, and because it is the right thing to do.

(West Coast Black Male)

It is my belief that there is still a bias in favor of white males in the legal practice.

(West Coast Asian Male)

- 84% agreed that as future attorneys, they are **“role models”** and felt they had a responsibility to give back to their community.
- 63% believe that they are **less likely to become partners** in the law firm where they begin their practice compared to their non-minority colleagues.
- In 2005, 35% believed that if they go to a large law firm, they will be **more likely to leave to pursue alternate opportunities** sooner rather than their non-minority counterparts. By contrast, in 2000, 48% held this view.
- In 2005, 63% believe that they are more likely to seek careers in the public sector or in public interest law compared to their non-minority counterparts. However, in 2000, only 27% held this view.
- Once at the law firm, the participants were divided on the issue as to whether they wanted to be paired with another minority attorney as a part of the firm’s formal mentoring program. 40% wanted to be paired with another minority and 38% were undecided. Only 21% indicated that they did *not* prefer being paired with a minority mentor.
- While 38% believe that law firms did not place too much emphasis on concerns unique to ethnic minority and/or LGBT associates, 52% were undecided about this issue.
- 77% believe that the **challenges faced by ethnic minority and/or LGBT associates are different** than those faced by hard-working, driven non-minority associates.

Career Prospects

I believe the stark difference in the number of minority partners at major law firms could give someone the reasonable impression that it is either difficult for minorities to make partner or that minorities leave voluntarily to pursue alternative careers.

(East Coast, Black Female)



With regard to large law firms,

- **100% of the participants** are concerned that while they may not face blatant hostility or discrimination, they will be subject to subtle biases of which they may not even be aware.
- 97% are concerned that attorneys will treat them differently or make too big of a deal of their ethnic minority and/or LGBT status.
- 79% have some level of concern that the perception will be that they were primarily hired because they are an ethnic minority and/or LGBT candidate.
- **99% are concerned** in some fashion that they will not have access to the informal networking mechanisms that are critical to advancement and 85% are concerned that they will be held to a higher standard in order to advance.
- Moreover, 89% are concerned that if they express strong opinions on diversity issues they will be perceived as a troublemaker or zealot.
- 78% are concerned that other attorneys may doubt their abilities or intelligence because they are an ethnic minority and/or LGBT candidate.
- 91% are concerned that they will become the **“ethnic minority and/or LGBT poster child”** of the firm.

Law Firm Hiring

There is a need to fit the 'firm culture' which is inherently based on a white male standard. This may shift over time, but the standard is rooted in bias.

(West Coast, Asian Male)

With regard to law firm hiring, the following percentages of participants thought these factors were criteria considered by law firms:

| | |
|----------------------------|-----|
| Fitting In | 25% |
| Grades | 25% |
| Extracurricular Activities | 5% |
| Experience | 5% |
| Personality | 8% |
| School Prestige | 6% |
| Law Review | 4% |
| Contacts/Connections | 1% |
| Other | 13% |
| No answer | 38% |

- 61% do not view themselves as having an advantage over similarly qualified non-minority students in the initial on-campus interview and callback stages of the hiring process.
- 59% believe that ethnic minority and/or LGBT law students who meet the criteria are more heavily recruited.
- 61% believe that law firms will have to **reevaluate their hiring criteria** if they truly want to hire more ethnic minority and/or LGBT associates. In addition, 56% think these current hiring criteria fail to take into account or accurately reflect what ethnic minority and/or LGBT students have achieved.
- 54% agree that **law firms seem to need more assurances about the academic ability** of an ethnic minority and/or LGBT law student that they do for non-minority students. However, only 45% think that law firms are willing to take a chance on hiring non-minority law students with non-traditional backgrounds more than they are inclined to do so for an ethnic minority and/or LGBT law student.
- When interviewing, 74% agree that they should be **given an opportunity to meet with ethnic minority and/or LGBT attorneys** to discuss any concerns they may have.

Law Firm Hiring Methods

It is vitally important to meet with a fellow minority during the recruiting process to ask how minorities are viewed and treated.

(East Coast, Asian Male)

The largest problem from my perspective is the grade cut-off. This keeps many minorities from even interviewing at traditional firms. At the same time, people who do not have grades, but do have connections can still get their foot in the door.

(East Coast, Asian Female)

The most effective ways to hire minority associates:

- 32% Implement **strategic recruitment** of ethnic minority and/or LGBT attorneys at the senior and partnership levels
- 14% Have an **active diversity committee** working closely with the firm's hiring committee
- 14% Endorse a local bar association goal statement that dictates long-term numerical "targets" for ethnic minority and/or LGBT representation.
- 10% Participate in a local bar association ethnic minority clerkship program which reserves a place in the firm's summer program for a minority selected by the bar association.

Effective Non-Traditional Recruiting:

- 28% Retain and follow the advice of a noted professional ethnic minority and/or LGBT recruitment and retention consultant
- 24% Increase participation at **minority job fairs**
- 23% Participate in a program offering talented ethnic minority and/or LGBT high school and college students the opportunity to work at the law firm
- 15% Ask summer associates, current associates, alumni and professors to encourage interviewing with the firm
- 9% **Recruit at those schools not traditionally visited** by major firms during the interview season.

Impressions of Law Firm Culture

Certainly, I have to section off. We call this code-switching when it deals with language. I have to speak standard English. I have to wear my hair a certain way, I have to not listen to certain music at lunch. It's just the way it is.

(West Coast, Black Male)

- Over 90% of the participants believe that there are **standardized norms of professionalism** to which all attorneys – whether minority or non-minority – must adhere.
- More than 60% feel that they have to give up more of their identity in order to conform with these norms.
- Moreover, more than 60% believe it is their responsibility to make non-minority attorneys feel at ease and confident in their abilities. This includes downplaying their ethnicity and/or sexual orientation in order to highlight their ability to “fit in.”
- More than 70% believe that, as a minority, they have a **responsibility to dispel unfavorable assumptions and preconceptions** about their minority group.
- Over 60% believe they will **have to “section off”** parts of their cultural, ethnic or sexual identity in order to thrive at a law firm.
- Over 60% believe that when they fail, they are viewed as representatives of their entire group. However, when they succeed, they are viewed as an exception.
- Approximately 50% believe that law firms are ill-equipped to truly understand or accommodate an individual’s needs.
- 68% agree that **law firms are unlikely to maintain their initial enthusiasm** they display towards ethnic minority and/or LGBT candidates during recruitment.

Why Law Firms Pursue Diversity

Corporate clients are demanding it.

(East Coast, Black Female)

Being interested in the unique perspectives is critically important, because that is one of the advantages of having diversity.

(West Coast, Black Female)

- 60% believe that law firms pursue diversity because they want to achieve equity and **“level the playing field”** in the non-minority dominated legal profession.
- In 2005, 53% believe that law firms pursue diversity because they **fear looking unfriendly** towards minorities and/or LGBT students that will result in an inability to attract other attorneys to the firm. However, in 2000, 71% held this view.
- In 2005, 50% believe that law firms pursue diversity in order to tap into niche client bases and attract clients. In 2000, 66% believed that this was why law firms pursued diversity.
- 45% believe that law firms pursue diversity because they **appreciate the competitive advantages** ethnic minority and/or LGBT students offer, such as unique perspectives, methods for achieving goals and problem solving approaches.



Law Firms' Diversity Efforts

I think that the proof is in the pudding: it's one thing to recruit minority students, and another thing to grow them. Partnership stats are the only hard measure to gauge whether a firm follows up on its commitments. Also, a firm can't overestimate the importance of my sexuality, because it's of the utmost importance: it's a big part of who I am, and I want firms to validate it. I want them to assure me it's a non-issue to them, so that it can be a non-issue to me.

(East Coast, Caucasian, LGBT Female)

- 68% agree that the most accurate measure of a firm's commitment to diversity is **the number of ethnic and/or LGBT attorneys in its senior and partnership ranks.**
- 49% are suspect of the information firms provide on diversity issues.
- The most **effective ways to demonstrate a commitment** to minority recruitment:
 - 44% Individually addressed letter or phone call inviting them to interview
 - 31% Active, ongoing firm involvement within the ethnic minority and/or LGBT community
 - 18% Sending attorneys to speak specifically to ethnic minority and/or LGBT student organizations
 - 18% Sizeable monetary contributions to ethnic minority and/or LGBT related charities, community events or scholarships
 - 10% Active in on-campus programs

LGBT Specific Issues

I don't plan to bring it up in the course of an interview, but I'm willing to discuss it if the issue were somehow raised by someone other than me.

(East Coast, Caucasian Male)

- 70% **Self-identify as LGBT** on their resumes and 67% intend to self-identify during the course of their interviews.
- 29% Said that it would be "very" or "critically" important to have a LGBT interviewer on their schedule.
- 86% Intend to self-identify as LGBT at their jobs.
- 43% Said that it would be "**very**" or "**critically**" important to have a **LGBT mentor** on the job.
- 59% Think that being "out" will have a **negative impact on their ability to make partner** at a law firm.
- 65% Would have significant concerns bringing their partner/ spouse/ significant other to law firm event. However, 67% would not have concerns bringing their partner/spouse/significant other to a client event.

