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## The Impact of Pro Bono on Legal Recruitment

In an interesting footnote to [the article in the last issue of the Pro Bono Wire](#) regarding the impact of a law firm's pro bono efforts on recruitment, a recent article in the New York Law Journal details a report issued by a group of Stanford Law School students – grading firms on pro bono among other "quality of life" issues.

The student group – Law Students Building a Better Legal Profession – has also added members from Harvard Law School and Yale Law School. In addition to issuing a report card on firms' pro bono efforts, the students assessed diversity and billable hours.

Interestingly, the article notes that pro bono is "more important than ever to law school graduates." This is reinforced by the student group's purpose in grading firms – to provide law students with data beyond salary with which to evaluate potential employers.

### Student Group Grades Firms on Diversity, Pro Bono Work

*By Thomas Adcock and Zusha Elinson*

*Reprinted with Permission from October 19, 2007 New York Law Journal*

Can a handful of Stanford Law School students change America's biggest law firms?

The group, calling itself Law Students Building a Better Legal Profession, is certainly trying. Six months ago, it called on large law firms to drop soul-extinguishing billable-hour requirements in favor of more balanced working conditions.

Last week, with increased membership from the campuses of Harvard Law School and Yale Law School, the 150-strong group took aim at big firms again - this time grading them on diversity, pro bono and billable hours. The purpose, members say, is to give law students an easy way to compare top firms based on more than just salary information.

The result is likely to empower students now in the midst of the big-firm hiring season, according to Kandance S. Weems Norris, a black practitioner in New York who graduated from Harvard Law in 1996. In particular, she said, students will have yet another statistical report on the racial and ethnic diversity of firms.

"I can remember interviewing with firms when you weren't too comfortable asking the diversity question," said Ms. Weems Norris, an associate at Sullivan & Cromwell until two years ago when she incorporated her own

commercial real estate boutique, Cumby & Weems. "When you did ask, some firms were candid and said, 'Well, we'd like to do better.'"

She added, "On the other hand, sometimes when you asked, they'd say, 'What do you mean by diversity?' Then they'd say so-and-so is Italian, and so-and-so is Greek, and so-and-so is Jewish. Which just doesn't get to the heart of it. They're not even trying to answer. Do they not care? Are they embarrassed?"

"It's time that we turn the tables a little bit," said Andrew Bruck, a Stanford Law student who, along with fellow student Andrew Canter, leads the national campus organization. "If I had an 'F' on my transcript why should they interview me? So if a firm gets an 'F,' why should I interview with them?"

Although some lawyers at large firms commended the idea, few were thunderstruck by the report cards.

"I applaud them for looking at multiple factors," said Keith Wetmore, chairman of Morrison & Foerster, which got good grades from the group. "I think most law students do that already."

Law firm diversity rankings can be found from a number of sources, but Mr. Bruck's group says theirs are different because they break down the number of minorities and women in each of the major markets. Law firms are graded in New York, Los Angeles, the San Francisco Bay Area and Washington, D.C., with data taken from Web site NALP.org, which provides employment data on law firms.

According to the group's survey of 74 New York law firm offices:

- Nixon Peabody is first in terms of black partners and associates, with the ratio of black partners at 6.4 percent and equivalent ratio of black associates at 15.2 percent, a greater figure than the black percentile of America's population, which was 12.9 percent in the 2000 Census.
- Curtis, Mallet-Prevost, Colt & Mosle is first in terms of Hispanic partners (14.3 percent) and associates (11.1 percent). No other New York firm recorded equivalent double digits.
- Ratios of openly lesbian, gay, bisexual or transgender (LGBT) partners and associates were closer at all firms than was true of the intra-firm divides among black, Hispanic and female attorneys. Typical of this was Alston & Bird's 6.8 percent ratio of LGBT partners and a parallel 6.4 percent among associates. Sullivan & Cromwell measured highest for LGBT partners (8.8 percent), and Sonnenschein Nath & Rosenthal highest for associates (7.1 percent).
- More than one-third of the 74 New York firms surveyed had no Hispanic partners, 25 had no black partners and 21 had no Asian-American partners.
- Overall, the most diverse firms in New York are Cleary Gottlieb Steen & Hamilton, followed closely by Paul, Weiss, Rifkind, Wharton & Garrison; Debevoise & Plimpton; and Orrick, Herrington & Sutcliffe.

Nixon Peabody partner Elizabeth Moore, among last year's recipients of the

New York City Bar Association Diversity Champion Awards, said a firm's diversity profile is a significant factor for all law students, not just minorities, for business reasons.

"Our clients ask for our demographics," said Ms. Moore, co-chair of her firm's Diversity Action Committee, "so we know it affects the bottom line."

### **Pro Bono Participation**

First among New York firms for pro bono participation, according to the survey, was Patterson Belknap Webb & Tyler, with 100 percent of both its partners and associates participating in volunteer lawyering. Next was Hughes Hubbard & Reed, with 92.4 percent of its partners involved in pro bono and 100 percent of its associates.

Four other firms had at least 90 percent of associates active in pro bono: Milbank, Tweed, Hadley & McCloy; Alston & Bird; Troutman Sanders; and DLA Piper.

A firm's commitment to pro bono is more important than ever to law school graduates, according to Saralyn M. Cohen, pro bono counsel and director of pro bono at New York's Shearman & Sterling.

In the mid-1990s, when she was a junior associate in reinsurance law at a mid-size firm, she said of herself and young colleagues similarly situated in esoteric practice, "We wished there was pro bono available to us. We spent a lot of our time helping clients make money, and it was intellectually stimulating. But there's nothing like having a person sitting in front of you. What we really missed was using our legal skills to help a person with problems in their lives."

### **Focus on Women**

Law Students Building a Better Legal Profession began looking at diversity while researching billable-hour requirements at leading law firms in connection with their advocacy for more work-life balance, Mr. Bruck said.

"What we find in our reports is that women and minorities are leaving firms much more than men are," he said. "For women in particular, part of this has to do with the onerous billable-hour expectations that big firms put on their lawyers."

The recent law student survey also ranked firms by their percentage of female associates in comparison to female partners - the higher and closer the percentages, the higher the ranking.

In New York, women attorneys did best as partners at Morrison & Foerster (23.3 percent) and as associates at Carter Ledyard (64.6 percent). The New York office of Fulbright & Jaworski recorded the lowest percentage of female partners (7.1 percent). The lowest percentage of female associates was found at Wachtell, Lipton, Rosen & Katz (27.3 percent).

Perhaps surprisingly, 20 of the 74 New York offices surveyed recorded more than half its associate ranks as female.

Mr. Bruck spent the summer putting the numbers together from the NALP directory with other members of the extracurricular group. The students received independent study credit for the project.

Some of the numbers were not quite right. Discrepancies between the student survey numbers gathered and those acquired elsewhere - the National Association for Law Placement, for instance - were found by a handful of firms.

Ms. Cohen was surprised to read that her firm, Sherman & Sterling, had been marked as "not responding" to a question in the student survey's "transparency" category when, in fact, Shearman had indeed answered the query.

"It's the first time out," said Ms. Cohen of the student survey. "I'm not going to complain."

Mr. Bruck said his group is willing to update its data upon request.

Numerical disputes aside, Anna L. Brown of Shearman & Sterling said there is added value in the new survey.

"It's an opportunity to have a dialogue," said Ms. Brown, director of diversity at Shearman. "That's always helpful in raising an issue, looking at best practices and continuing to promote awareness and education - how to gather new ideas and move on."

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