

# LAW WEEK

## COLORADO

# Alone at the Top

*Diversity initiatives are slow to reach firms' highest positions*

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While many law firms are taking action on promoting diversity, firms in Denver are lagging when it comes to electing minority attorneys to managing partner positions or leadership positions.

In March, Gordon Rees Scully & Mansukhani elected Franz Hardy co-managing partner of the firm's Denver office. And as John Palmeri, his counterpart in the position, suspected, Hardy is the only minority managing partner of a mid-size or larger firm in Denver — counting those with more than 20 attorneys or roughly the top 50 firms on Law Week's Colorado 200 list. According to Hardy, that distinction is more a sign of entrenched ideologies rather than a personal accolade.

"My take is there's a sense of tradition that continues and an attitude that firms have been relatively successful without having to make forward-thinking changes," Hardy said. "The other side of that coin is that law firms have not had a catalyst for change, whether internally or externally through client or industry pressure, to require firms to think about changes within their leadership."

In Denver, many of the minority attorneys who are making decisions at their firms have also started those firms. The Center for Legal Inclusiveness hasn't tracked data on minority attorney leaders since 2011 — executive director Karen Hester said she reckons many of the attorneys included in that 2011 data are no longer in private practice or practicing at all. The National Law Journal in November spotlighted eight African American attorneys who are managing partners or chairs in BigLaw. And in April, the ABA Journal profiled Riley Safer Holmes & Cancila managing partner Patricia Brown Holmes — the first black female managing partner of a national law firm with 50 or more attorneys.

Hardy is not just lonely at the top in being managing partner of a local firm, few large firms have racial or ethnic diversity in equity partner roles. Hardy said you could count on two hands the attorneys who fit that description. According to data from the National Association for Law Placement, the Denver metro area is below the already low national average. In Denver, 6.2 percent of partners are minority attorneys, compared to a national average of 8.42 percent.

At Gordon Rees, which had 28 attorneys as of Law Week's most recent Colorado 200 survey, Hardy said the difference is its entrepreneurial attitude.

"It has a forward-thinking mentality rather than a historical set of ideals," he said. "The entrepreneurial aspect of the firm tries to find a way to make things work rather than fixate on why it will not work. ... [The firm] has gotten away from the mindset that tradition doesn't allow something to happen or the viewpoint that how things happened in the past means how they should happen in the future. If you let that go, it lets underrepresented groups have leadership opportunities."

Hardy said the firm's entrepreneurial attitude also means not letting talent walk out the door — for instance, an attorney leaving to work in a geographic area outside the firm's footprint might be given a chance to expand their practice in a new area rather than look for a new employer.

Although there's a dearth of minority attorneys reaching top roles in the profession in Denver, the picture is slightly better for women. At local firms, 27.9 percent of partners are women, according to the NALP report, in comparison to the national average of 22.7 percent. About 15 percent of the top 50 local firms have women in managing partner or similar roles as well. And Law360's 2018 Glass Ceiling Report shows slow but steady increases in representation for women in leadership positions. That report also indicated that firms where women are

in leadership positions fare better with overall representation of women.

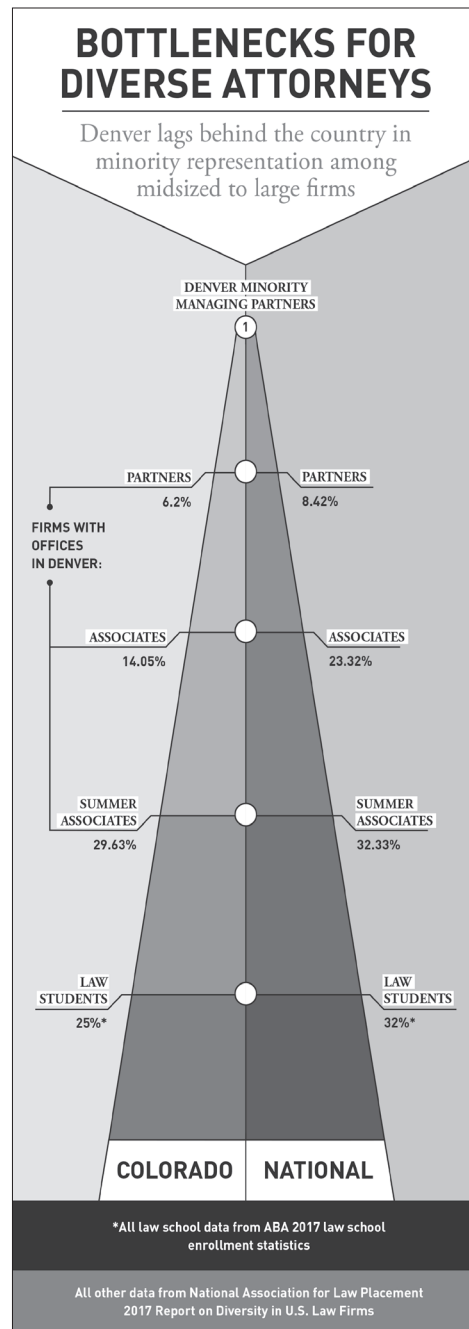
Law360 managing editor Jocelyn Allison referred to that as the "see it, believe it" effect. "Young female attorneys who see women in leadership positions at a firm are more inclined to be attracted to that firm because they believe they'll have a better chance to climb the ladder there if they don't have to be a trailblazer," she told Law Week. "Many [female leaders] also make a point of personally reaching out to younger female attorneys to serve as mentors."

That point marks the importance of Hardy's recent promotion. He said improving diversity in the profession requires firms to provide opportunities to minority attorneys and also for a change in how leaders think about diversity. For instance, he makes a distinction between young attorneys having a mentor versus a coach.

"The term mentor — and even sponsor — is ambiguous. It has different meanings dependent on the person and the relationship," Hardy said. "Coach has a more concrete definition for most people. A coach isn't passive, a coach is someone whose job it is to find strengths and help you with your weaknesses and come up with a plan to maximize your skillset and help find a path to success." That distinction is essential in identifying ways to improve diversity in the profession.

Those ideas of working with young attorneys to create opportunities are especially important when there aren't others at a firm in that group. Law360's report found minority women make up just 3 percent of partners. "Since many don't see themselves represented in leadership ranks, they have a harder time seeing a path up in BigLaw," Allison said. "Also, many said they felt uncomfortable at times where they were one of the few — or possibly only — women of color."

Hardy said addressing diversity issues involve an individual approach. "Improving diversity is about helping



individual lawyers to succeed. Hard work on an actual case or project together," he said. "If we really want to see progress, we cannot view diversity as a large-scale endeavor, but we have to see it as cultivating meaningful and substantive individual relationships."•

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