

# LAW WEEK

## COLORADO

## Considering Diversity In Recruiting Efforts

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MORE OFTEN THAN NOT, law firms and legal departments have good intentions when seeking to add diverse talent to their organizations. However, the best of intentions without a thoughtful and meaningful process can have negative consequences.

For example, merely hiring a diverse candidate without first understanding the organization's objectives on diversity or the current work environment, and without providing development opportunities, may simply lead to attrition, indirection and foster negative attitudes about efforts to build a diverse work force. In contrast, intentional hiring of diverse candidates can lead to a long-term, mutually beneficial relationship.

### Appreciate why diversity is important

Many organizations hire for diversity without knowing why they are doing so. Some believe it is trendy or that others will notice how diverse or non-diverse their work force is. Hiring diversity for the sake of diversity is a concern.

Decision makers need to appreciate why diversity is important. Most subject matter experts agree that diversity is critical as different perspectives lead to better critical thinking and, therefore, better solutions. Also, as gatekeepers to the legal system, we as a profession should reflect the diverse society we represent.

The Center for Legal Inclusiveness identifies several benefits to a diverse work force including that it identifies organizational effectiveness, economic competitiveness, prevention of liability and ethical grounds as important considerations supporting diversity and inclusion in the workplace.

Whether it is these factors or others, an organization needs to appreciate why a diverse work force is important. If decision makers realize why building a diverse workplace is necessary, they can more thoughtfully consider the impact of their hiring decisions.

### Accept we all have biases

We work in a professional setting that looks down upon those who admit they are biased.



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However, we all have biases, often implicit. For example, we tend to like people that have similar interests and views as our own. It is generally easier to work with someone we have a lot in common with.

If this bias controls our hiring decisions, then we will have a work force just consisting of those with similar perspectives. If we recognize we have this bias (or other biases), it better allows us to truly seek those who are different.

A way to reduce bias is to interview as a group rather than as an individual. Ensure that the group is made up of various backgrounds and experiences within the organization.

This brings different perspectives to the interview and recruitment process. Oftentimes, one interviewer has a different vantage than another. This collaborative effort can reduce the role of our biases and allow different perspectives that one may not individually appreciate.

To learn more about implicit bias, Project Implicit, a Harvard-based non-profit organization, provides tests to evaluate biases at: <https://implicit.harvard.edu>. These tests provide insight as to what sort of biases we may carry without knowing it.

### Be honest about diversity efforts

People often oversell their organization's work environment. The belief that everything is perfect tends to set up an



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organization for failure. It can lead to a candidate's misimpression that is never lived up to if he or she actually joins the organization.

Diversity and inclusiveness efforts have challenges. If the organization can honestly assess its strengths and weaknesses in these areas, it will lead to more candid discussions internally and with candidates and, ultimately, create an environment where change is possible.

The Pledge to Racial and Ethnic Diversity in Colorado Law Firms, sponsored by the Colorado Bar Association, identifies specific actions organizations can take to evaluate and pursue diversity and inclusion efforts.

Enter "The Pledge to Racial and Ethnic Diversity in Colorado Law Firms" into a web search engine to review the list.

Additionally, the Minority Corporate Counsel Association maintains research reports, white papers and other resources for sustainable actions to improve diversity in legal organizations: <https://www.mcca.com>.

### Think beyond traditional diversity efforts

An organization's prototypical recruitment effort may be to hire a new lawyer recently out of law school and hope they develop.

While admirable, this should only be one aspect of successful recruitment

efforts. Lateral recruitment is also critically important. Senior-level attorneys can have an immediate and profound effect on the workplace.

Also, recruiting efforts need not be limited to attorneys. Many legal organizations have accounting, marketing, administrative staff or other important aspects beyond traditional legal services. Hiring in these areas can also have an impact in the workplace.

Finally, an organization should think about diversity in broad concepts beyond traditional racial, ethnic or gender diversity.

Diversity includes a wide range of characteristics and attributes such as LGBT status, veteran status, disability, religion or socioeconomic background. While employers often cannot inquire into every topic, the point is to view diversity beyond mere traditional categories.

CLI provides a how-to manual for building sustainable diversity. For a summary of the program, visit: <http://www.centerforlegalinclusiveness.org/initiatives/inclusiveness-program/>.

### Successful recruiting is just the start

Successfully hiring a candidate is the start of the process, not the end. Often, new hires are not given the support to succeed in an organization, which leads to dissatisfaction and eventual attrition. An organization should provide various opportunities and resources in order to best ensure a new hire's long tenure and success.

A sink or swim mentality leads to a revolving door — losing one employee and replacing them with another.

An organization should provide mentoring, networking opportunities, meaningful work and systematic feedback and development. Its successful recruitment efforts are all for naught if not matched with equally important retention initiatives.

These five keys will help with your organization's consideration of diversity in its recruiting efforts. •

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