

Small and Mid-Sized Firms Can Effectively Deploy DEI Initiatives

By Adrienne Ward and Katherine Mateo 2024-06-21T04:30:32000-04:00

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Workplace diversity remains a critical area that merits investment and development. But with lawsuits targeting diversity, equity, and inclusion initiatives, some firms quietly watered down their programs' eligibility criteria language or shifted their focus away from DEI programs. Small and midsize law firms should recognize they're well-positioned to effect change and advance DEI efforts.

According to [NALP's 2023](#) statistics for member law firms, 79.5% of all lawyers were non-Hispanic whites; by comparison, 60% of all US residents were non-Hispanic whites. Despite these statistics, there is a robust pipeline of diverse associates and law students, which speaks to the broader value of DEI initiatives. They don't just lead to hiring and promoting more people of color, but also encourage prospective attorneys to accept jobs and stay.

DEI initiatives can also be designed to further diversity of gender, sexual orientation, economic background, ability, religion, national origin, and schools of thought—areas that benefit people of all backgrounds and the firm itself, especially considering a 39% increased likelihood of outperformance for companies in the top quartile of ethnic representation versus the bottom quartile, according to a 2023 McKinsey [diversity report](#).

Addressing DEI Goals

Smaller firms are more agile and can better customize and adapt their DEI initiatives to the precise composition and interest of their attorneys and staff. That configuration will inherently change over time, and a smaller firm can more quickly recognize and pivot to address these changes.

And smaller firms can more readily access key decision-makers since there are far fewer offices, and the partnership class is more engaged in the firm's daily operations. Then given the size of these

firms, it's possible to engage most, if not all, attorneys and staff in DEI initiatives, maximizing the impact of these efforts.

Running a rich and successful program requires buy-in from attorneys at all levels of seniority. When a firm can capture this buy-in, small and midsize firms can effectively deploy DEI initiatives and may even be better-suited than big firms to advance such efforts. To help orient the firm's initiatives, it's recommended to institute a diversity committee—regardless of size—that's open to all.

With attorneys' potentially limited bandwidth or lack of administrative support at some smaller firms, it's helpful to meet periodically and develop structured goals to ensure implementation of the firm's DEI programs. These goals can include recruitment, retention, mentorship, community outreach, professional development, and promotion.

To keep a pulse on issues that are relevant to attorneys and staff, these goals should be periodically reevaluated, ideally less often than annually, and that input be solicited from employees outside of the diversity committee.

These goals should be reflected in a range of events (social and educational) and the distribution of information to generate internal engagement at partner and non-partner levels. Small and midsize firms should also prioritize engaging speakers from outside the firm and community in their conversations about diversity to encourage flow of new, innovative ideas.

It's natural for law students and lateral candidates to ask, how will I fit in? We believe a successful DEI initiative, which is part of a firm's culture, helps answer that question. It has certainly helped our firm attract a broader range of qualified applicants who bring diverse strengths, allowing us to serve clients who reflect that same diversity.

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