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## ‘We Want a Movement, Not a Moment’: Despite Skepticism, Law Firms Haven’t Relented on Racial Justice

By Dylan Jackson

It has been three months since George Floyd’s killing ignited nationwide protests and opened a national conversation on race and police brutality, and the country’s biggest law firms have not relented on their efforts to promote racial justice.

Despite reasons for skepticism about the sustainability of the industry’s response, many firms have spent the summer following through on statements they made when protests were at their peak, using a combination of financial contributions, direct action and internal programs to push for progress.

“I’ve never seen anything quite like this in my practice of law before,” Beveridge & Diamond managing partner Ben Wilson said.

In the wake of Floyd’s death at the hands of Minneapolis police, dozens of law firms have poured some of their considerable financial resources into the racial justice cause. Latham & Watkins (\$2 million) and Kirkland & Ellis (\$5 million over five years), for



Photo: Ryland West/ALM

Protesters joined at Foley Square in Manhattan to march over the Brooklyn Bridge in protest of the death of George Floyd on May 29, 2020.

example, are among those that have donated to organizations including the NAACP Legal Defense Fund and the Lawyers’ Committee for Civil Rights Under the Law.

Latham rolled out a program in which the firm matches donations from its employees to one of four organizations, with a twist: Employees can donate to whichever racial justice organizations they want, and Latham will still match that donation to one of the four original nonprofits.

“People don’t have to choose between the organizations close

to their hearts and those we identified,” said Kevin Chambers, global chair of Latham’s diversity committee. “They can donate to where their heart lies while knowing we will match to the other organizations.”

Latham and other firms have also leveraged their legal talent more directly. Wilmer Cutler Pickering Hale and Dorr, which has represented cities whose police departments were under investigation by the U.S. Department of Justice, lent more than 45 attorneys and staff and \$1.6 million worth of pro bono time to

help mayors from cities such as Chicago and Louisville put together a report on policing reforms.

McGuireWoods is using its consulting and lobbying connections to advocate for police and criminal justice reform in Richmond, Virginia, and Raleigh and Charlotte, North Carolina. The consulting arm is led by former South Carolina Gov. Jim Hodges and is currently working with Virginia state legislators as they navigate a special session on police reform.

“There’s a state senator who’s here right now,” said McGuireWoods chairman Jon Harmon. “In each of those cities we have the people and connections to where we can get to the mayor, chief of police and state legislature.”

Deep into summer, law firms are continuing to roll out new programs and commitments.

More than 240 firms have joined the Law Firm Anti-Racism Alliance, or LFAA, an organization that pools together resources and takes a more holistic approach to addressing racial inequality.

Recently, Arent Fox founded the Center for Racial Equality, an organization that will combat racial injustice and bias within the firm, within the legal system and within society at large.

This week, Reed Smith launched its 36-member Racial Equity Task Force. The firm is also looking at its recruiting model, considering a

broader swath of law schools. And it is experimenting with a more centralized, data-driven work allocation system for its U.K. and U.S. attorneys that firm leadership believes will benefit minority attorneys.

“In a firm like ours that has various offices and talent tucked into nooks and crannies throughout the offices, it’s important to have an apparatus like this,” said Reed Smith partner Peter Ellis.

As law firms seek to play a role in pushing the profession and the country forward, their clients are doing the same. Angela Crawford, co-founder of minority- and women-owned investigations law firm Crawford & Acharya has noticed that she and her partner, Lila Acharya, have been getting more calls from potential clients outside of their network.

“There absolutely have been in-house counsel who are not part of our network who have reached out to us to say, ‘We heard about you. We like your background and experience, and we want to be more intentional about diversity, so let’s talk about how we can make this happen,’” Crawford said. “I think that’s powerful.”

But there are still reasons to be skeptical about this latest push for racial equity and diversity. Black attorneys are—and have been—the most underrepresented race in Big Law. Despite accounting for 13% of the general population, Black attorneys make up just 3.6%

of Big Law’s ranks, according to ALM data. Black lawyers account for just 2.1% of Am Law 200 partners.

And there are still firms that have just a handful or zero Black partners. As of June, Cravath, Swaine & Moore; Fried, Frank, Harris, Shriver & Jacobson; Haynes and Boone; Kilpatrick Townsend; and Mintz, Levin, Cohn, Ferris, Glovsky and Popeo have zero Black partners. More than 20 firms, including Wilson Sonsini Goodrich & Rosati, Winston & Strawn and Weil, Gotshal & Manges reported just one or two Black partners in 2019.

While Wilson, of Beveridge & Diamond, is impressed with the outpouring of support and effort over the last few months, he is clear that for this moment to bring lasting change, it must be continuous and unrelenting, lest the energy fade and history repeat itself again.

“We want a movement, not a moment. If we are still aggressively pursuing these issues a year from now, just as we are now, now that’s a good thing,” Wilson said. “What we’re afraid of is that people will forget about George Floyd and others and move on.”

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