



AUSTIN BLACK
LAWYERS ASSOCIATION



AUSTIN LGBT
BAR ASSOCIATION



HBAA
Hispanic Bar Association of Austin



SABAA
South Asian Bar Association of Austin

Austin Minority Bar Associations Issue 2014 Law Firm Diversity Report Card – July 28, 2015

In what has become an annual tradition, the Austin Minority Bar Associations comprised of the Hispanic Bar Association of Austin, the Austin Black Lawyers Association, the Austin Asian American Bar Association, the South Asian Bar Association of Austin, and the Austin LGBT Bar Association have issued the Austin Law Firm Diversity Report Card.

This year, the Diversity Report Card Committee requested information from 30 of the largest law firms in Austin. Of these 30 firms, 23 submitted responses, which have now been evaluated and provided a grade. This grade is based on the percentage of minority attorneys in each firm as well as the percentage of minority partners in each firm, recognizing those firms that have done particularly well in retaining and promoting minority attorneys to partnership level.

The Diversity Report Card Committee (DRCC) is excited to time the release of the 2014 Report Card with a reception that will be generously hosted by Gardere Wynne Sewell, LLP on Tuesday, July 28, 2015 at 600 Congress Avenue, Suite 3000 from 5:30pm – 7:30pm. The event will be a great opportunity for our local law firms to engage in the ongoing conversation of Austin's growing diversity and why it matters for the legal community.

In addition, for the first time ever, the DRCC has factored in data from firms on attorneys who are openly lesbian, gay, bisexual or transgender (LGBT). Of the 23 firms that responded, only six firms (Andrews Kurth LLP, Gardere Wynne Sewell LLP, Graves Dougherty Hearon & Moody PC, Husch Blackwell, LLP, The Fowler Law Firm, PC, and Norton Rose Fulbright) indicated that they have openly LGBT attorneys. Though the DRCC greatly appreciates the responses from these firms, it believes that this level of response is inconsistent with not only the actual number of LGBT attorneys in the Austin legal community, but also the wishes of LGBTQ attorneys here in Austin. The DRCC believes that a more open and candid dialogue between Austin law firms and the LGBTQ community will help remedy this disconnect and spark a dramatic increase in reported law firm numbers next year.

Though the DRCC believes in the importance of including LGBT data in its final reporting to further push a discussion that is sorely needed in the Greater Austin area, it also realizes the unfortunate quandary it finds itself in reporting these numbers due to the lack of reporting of similar data by the State Bar of Texas. The grading system utilized by the DRCC is based in part on the percentage of Minority attorneys in Travis County, data that is collected and published by the State Bar of Texas. Despite repeated requests by the LGBTQ Bar leaders, the State Bar of Texas has not yet begun to collect these numbers. To its credit, President-Elect Frank Stevenson has stated that he would like to have the State Bar of Texas collect these numbers in the future. The DRCC hopes that this report, coupled with the good will of the President-Elect, will help to make this a reality.

In the interim, the DRCC has decided that to provide the most accurate assessment of total Minority attorneys for each participating firm, and to further the overall mission and purpose of the Report Card, the final grade for each firm will not increase by more than one letter as a result of the inclusion of LGBT data. This procedure was adopted with direct input from the Austin LGBT Bar Association. Five out of the six firms referenced above did not see a letter grade increase with the LGBT data factored into the report card (and four out of those five with no increase already had an A grade prior to inclusion of LGBT data). One firm, Graves Dougherty Hearon & Moody PC, would have gone from an D to a B with this data factored in, and as a result, received a C grade in this year's report card, which is a commendable improvement from last year's results.

Elizabeth Brenner, Austin LGBT Bar Association President, commented, “The Austin LGBT Bar Association appreciates the Diversity Report Card Committee’s inclusion of questions regarding LGBT data and law-firm policies affecting LGBT persons in this year’s report card. We are particularly pleased that openly LGBT attorneys will be factored into the scoring this year for the first time. This is an important step toward encouraging Austin’s law firms to address the needs of their own LGBT attorneys and staff, as well as the unique legal needs of their LGBT clients. Much work remains to be done to ensure that LGBT persons within a firm are accepted and welcomed. Working together with the Austin legal community and the State Bar, we are confident we can achieve progress on this fundamental issue.”

Notwithstanding the LGBT percentage reporting limitations, for the 2014 report, the Diversity Report Card Committee maintained its computation methodology from the previous year. This means that in order to receive an “A” grade on this year’s report card, a law firm’s Austin office must meet or exceed the percentage of minority attorneys that comprise all attorneys licensed to practice law in Travis County, which is fifteen percent. Those falling below seven and a half percent receive a failing grade. Consistent with prior report cards, the 2014 Austin Law Firm Diversity Report Card is again weighted in favor of law firms that have larger numbers of minority partners.

Chi Reece, Immediate Past President of the Austin Asian American Bar Association (AAABA), commented, “Austin’s rapid growth, both in terms of population and as a leader in the global market, makes it imperative that its legal community reflects the same diversity and culture. The Diversity Report Card is an important tool to keep law firms accountable on their hiring practices. AAABA applauds all of the firms that responded, even if they did not make an “A”. The fact that these firms conducted a review and submitted responses shows that they recognize the importance of the Diversity Report Card.”

This year, the Diversity Report Card Committee has decided to include a more specific breakdown of its overall results by publishing the number of reported Partners, Of Counsel, and Associates from each minority group. By doing so, the Austin legal community can easily review this Report Card and make an even more accurate assessment of the diverse nature and minority culture of each law firm represented. The Diversity Report Card Committee feels that it is important to recognize those firms that boast a variety of minority attorneys among its ranks, and in publishing this breakdown, the goal of promoting total diversity within law firms may be further achieved.

This year’s report card elicited the following thoughts from, Arpana Parikh, Chair of South Asian Bar Association of Austin (SABAA): “There are clear benefits that diversity brings to the legal community. Not only does diversity have a positive impact on firm culture, it is crucial to fostering innovation among law firms and improves a firm’s ability to capture and retain a diverse client base. In other words, a diverse organization will out-think and out-perform an unvaried one every time. While the benefits of diversity in our law firms are significant, there is still significant progress to make to create a truly diverse and inclusive legal community. That’s why the South Asian Bar Association of Austin is committed to supporting initiatives like the annual diversity”

Now in its fourth year, the DRCC is pleased to report that the total number of minority attorneys employed by the city’s largest firms has increased from 147 in 2013 to 173 in 2014. These 2014 numbers are inclusive of LGBT attorneys, which were not counted in last year’s numbers. Regardless of this inclusion, this is a considerable increase from the 121 minority attorneys reported in 2011, the year of the Report Card’s inception. The DRCC is encouraged with the positive growth in law firm diversity, and hopes that next year even more law firms will engage in this process and participate in the Report Card. Unfortunately, there are still a number of large law firms who have declined to respond to the survey request, which reflects either a position that diversity is not a priority for the firm, or that there is a lack of interest to publicize its actual attorney demographics. Nonetheless, the DRCC will continue to set reach out to these firms in hopes of allaying any fears or apprehensions that they may harbor regarding the Report Card. The DRCC recognizes that we are all

attorneys working for the best interests of the public that we serve. Part of this service is having important discussions about challenging issues such as diversity in the Bar.

This year's report card had nine law firms that earned an "A" grade for their exceptional minority recruitment, hiring, retention efforts, and most importantly, results. Those firms are:

Andrews Kurth LLP
Baker Botts LLP
Bracewell & Giuliani LLP
The Fowler Law Firm, PC
Gardere Wynne Sewell LLP
Husch Blackwell, LLP
Jackson Walker LLP
Vinson & Elkins LLP
Wilson Sonsini Goodrich & Rosati PC

Seven law firms received failing grades, including five that did not respond to the survey request. The 2014 Report Card includes a full list of firms that participated, as well as those who failed to respond to the survey request.

Betsy Peticolas, President of the Hispanic Bar Association of Austin noted that "The HBAA appreciates the continued work of the Diversity Report Card Committee to annually highlight the issue of law firm diversity. Any firms have made increasing strides towards not only hiring and retaining minority attorneys but also making diversity part of their firms' core values. However, as the Report Card results make clear, increasing diversity must remain a perpetual goal before meaningful change is reflected in the Austin legal community."

As with last year's report, the DRCC wants to give recognition to law firms that participated in the Austin Bar Association Diversity Fellowship Program by allowing firms to include minority summer clerks in their report to the Committee. This data was included in the overall score of each participating law firm, and therefore is reflected in the law firm's final grade. The Diversity Fellowship Program is a ten-week fellowship to enable first-year law students of the University of Texas to participate in law firm, governmental, and judicial summer internships. The students are competitively selected by the Austin Bar Association Diversity Committee and spend the first five weeks of the program as interns with the state district court judges before joining a law firm for the second five weeks. Students receive a \$5,000 stipend from the Austin Bar Foundation funded by the participating firms. The goal of this program is to achieve diversity and inclusion. The Austin firms that participated in the Fellowship Program this year are:

McGinnis Lochridge
Graves Dougherty Heaton & Moody PC
Locke Lord Bissell & Liddell LLP
Armbrust & Brown LLP
Lloyd Gosselink Rochelle & Townsend PC
Dubois, Bryant & Campbell

The Austin Black Lawyers Association President, Rudolph Metayer, commented, "As always, I want to thank the Minority Bar Associations for not only endorsing this important annual endeavor, but making it a vital aspect of their respective organization's work and effort in service to the Greater Austin community. I am proud and gratified to see that many of the firms that received high marks in this year's report are the same ones we have seen make tremendous strides through the years to make diversity a central aspect of their attorney recruitment. Yet, I am flummoxed that these same firms have very few, if any, black attorneys amongst their

ranks. Given that we live in one of the fastest growing and envied areas of business and commerce in the country, this is a shocking and disappointing finding. In fact, based on the matriculation of numerous black law students here at one of the most prestigious law schools in the world, the University of Texas, it appears to me that Austin area law firms would be a hot bed of black attorneys in not only the State, but the U.S. Make no mistake, ABLA believes it has a responsibility in increasing these numbers and does not put the onus solely on these law firms. It will continue to find innovative ways to help increase these numbers. However, ABLA believes that only through continued dialogue, brainstorming, and partnership with these local law firms will this issue be resolved. Regarding the firms that have received failing grades this year, I ask that you please reach out to not only the DRCC, but also your fellow firms who are receiving high marks and helped to create avenues whereby the quality recruitment of attorneys of color is not seen as a burden or an added task, but instead something that is organically ingrained in your firm's efforts. True equality can only be achieved by organic means and each of us needs to work in tandem with one another to see this become a reality.”

The hiring and retention of minority lawyers is a key objective of the Hispanic Bar Association of Austin, the Austin Black Lawyers Association, the Austin Asian American Bar Association, the South Asian Bar Association of Austin and the Austin LGBT Bar Association. These prestigious groups of Bar Associations have pledged to continue issuing the annual report card and to work with law firms on increasing the number of minority attorneys in their ranks. They are truly here to help make diversity in the legal profession a reflection of the community it serves.

For more information, contact members of the Austin Law Firm Diversity Report Card Committee:

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