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BAR ASSOCIATION



Austin Minority Bar Associations Issue 2013 Law Firm Diversity Report Card – June 25, 2014

The annual Austin Law Firm Diversity Report Card has been issued this year by 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.

This year, the Austin Law Firm Diversity Report Card evaluated and provided a grade for the 26 largest law firms in Austin based on the percentage of minority attorneys in each firm¹ 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.

In addition, for the second consecutive year the Diversity Report Card Joint Committee requested and collected data from firms on attorneys who are openly lesbian, gay, bisexual or transgender (LGBT). Of the 21 firms that responded, only five firms indicated that they have openly LGBT attorneys. The Committee believes that this level of response is inconsistent with the actual number of LGBT attorneys in the Austin legal community, and reflects either a lack of understanding of the request to identify the number of “openly” LGBT persons within a firm or, perhaps, a law firm environment that is unwelcome to openly LGBT attorneys. The Committee does want to recognize and extend appreciation to the firms that did provide a response that included LGBT figures--Andrews Kurth LLP, Baker Botts LLP, Gardere Wynne Sewell LLP, Graves Dougherty Hearon & Moody PC, and Norton Rose Fulbright. In each case, the firm either is a recipient of an “A” grade on this year’s report card, or if LGBT data had been included, the firm’s grade would have improved.

Although the Committee did not include reported LGBT figures into this year’s report card grade, the Committee fully intends to continue its efforts to request and report LGBT data. To aid its continuing efforts, the Committee plans to address the potential issue of undercollection and underreporting of LGBT data by presenting an upcoming CLE to educate our law firms on the best ways to facilitate collection of this data in a way that is both respectful and effective. The Committee anticipates that following the presentation of this CLE, it will include LGBT data in the report card grade calculation next year.

Daniel Ramon, Austin LGBT Bar Association President, commented, “The Austin LGBT Bar Association appreciates the efforts of the Diversity Report Card Committee in including questions about LGBT data and policies affecting LGBT persons again in this year’s questionnaire. It is important that Austin’s law firms seek to address the needs and concerns of their own LGBT attorneys and staff, and are capable of providing the unique legal representation required of their LGBT clients. The lack of reporting reflected in the survey indicates that much work remains to be done to ensure that LGBT persons within a firm are accepted and welcomed. The Austin LGBT Bar Association remains committed to achieving progress on this fundamental issue.”

For the 2013 report, the Law Firm Diversity Report Card Committee increased the percentage to more closely match the percentage of minority attorneys that comprise all attorneys licensed to practice law in Travis County as the foundation for calculating the grades. This year, the percentage was raised one point to fifteen percent. Therefore, in order to receive an “A” grade on this year’s report card, a law firm’s Austin office must meet or exceed the fifteen percent threshold. Those falling below seven and a half percent receive a failing grade.

¹ The top twenty-six Austin law firms were identified using firms with at least 20 attorneys along with the rankings published by the Austin Business Journal’s 2014 Book of Lists (which determine ranking by number of Austin-area licensed attorneys as of January 2013).

Consistent with prior report cards, the 2013 Austin Law Firm Diversity Report Card is again weighted in favor of law firms that have larger numbers of minority partners.

Chi Reese, 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.”

Now that the Diversity Report Card has been active for the third year in a row, it is promising to see that since 2011, the total number of minority attorneys employed by the city’s largest firms has increased from 121 minority attorneys to 147 minority attorneys in 2013. The number of minority partners improved as well. In 2011, our Report Card showed 43 minority partners; in 2013 that number has increased to 53. While the 2013 results show positive changes, there are notable continued concerns as well. For 2013, the number of large firms receiving a failing grade decreased only by one firm, and we continue to have issues with some large law firms failing to respond to our survey requests.

This year’s report card elicited the following thoughts from, Sujata Ajmera, President of South Asian Bar Association of Austin (SABAA): “We, along with the other minority bar associations in Austin, strongly believe in the merit of measuring the successes and failures of our local law firms when it comes to the issue of diversity. It is exciting and encouraging to see that some top firms have made great strides over the years, and we hope that other firms that did not fare so well will look to them and see that increasing diversity within their ranks is not an unachievable goal. The annual diversity report creates awareness in the legal community on this very important issue, and we are proud to support its release and be a part of the solution.”

Up by one firm, this year’s report card had eight law firms that earned an “A” grade for their exceptional minority recruitment, hiring, and retention efforts. Those firms are:

- Andrews Kurth LLP
- Baker Botts L.L.P.
- Gardere Wynne Sewell LLP
- Husch Blackwell, LLP
- Jackson Walker LLP
- Thompson, Coe, Cousins & Irons, LLP
- Vinson & Elkins LLP
- Wilson Sonsini Goodrich & Rosati PC

Eight law firms, as opposed to last year’s nine and the seven from 2011, received failing grades, including five who did not respond.

(For a full list of firms with grades, see the attached 2013 Austin Law Firm Diversity Report Card.)

“Although the number of low grades on our report card shows that we still have significant work to do before our firms are more reflective of the diversity of our legal community, much less our community as a whole, we are very pleased at the progress that has been made over the past several years by many of Austin’s top firms. Just comparing this year’s results to last year’s shows measurable improvement overall, and even in cases where grades have decreased we believe that it is not an issue of lack of effort. We hope to continue this progress in the years to come, and with our planned CLE that we hope will include training on best practices in collecting a variety of diversity-related data, we hope to not only report on our progress, but take an active part

in moving that progress forward,” noted Manuel Escobar, Former President of the Hispanic Bar Association of Austin.

As with last year’s report, this year the Committee 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. 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 Hearon & Moody PC
Locke Lord Bissell & Liddell LLP
Armbrust & Brown LLP
Lloyd Gosselink Rochelle & Townsend PC
Thompson, Coe, Cousins & Irons LLP
Dubois, Bryant & Campbell

The Austin Black Lawyers Association President, Rudolph Metayer, commented, “I want to thank the Minority Bar Associations in the Austin area for not only endorsing this annual important endeavor, but making it a vital aspect of their respective organization’s work and effort in the Greater Austin community. Although I am proud 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, I am flummoxed that there appears to be no extensive additional growth. Instead, things seem to be the same. I would encourage those firms to please continue to reach out to us and we can brainstorm as to how to make those numbers bigger. Regarding the firms that have received failing grades this year, I would ask that you not only reach out to us, but also your fellow firms who are receiving high marks and help 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.”

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. This growing group of minority bar associations has pledged to continue issuing the annual report card and to work with law firms on increasing the number of minority attorneys in their ranks.

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