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LAWYERS ASSOCIATION

AUSTIN LGBT
BAR ASSOCIATION



Austin Affinity Bar Associations and Travis County Women Lawyers Association Issue 2016 Law Firm Diversity Report Card – August 9, 2017

The Austin Law Firm Diversity Report Card Committee is comprised of representatives from the Hispanic Bar Association of Austin, the Austin Black Lawyers Association, the Austin Asian American Bar Association, the South Asian Bar Association of Austin, the Austin LGBT Bar Association, and the Travis County Women Lawyers Association. The goal is to provide a single set of data on the hire, retention, and promotion of racial and ethnic minorities, as well as women at major law firms in the Austin, Texas area.

The Diversity Report Card Committee (DRCC) is excited to time the release of the 2016 Report Card with a reception that will be generously hosted by Gardere Wynne Sewell, LLP on Wednesday, August 9, 2017 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.

This year, the DRCC requested information from 29 of the largest law firms in Austin. Of these 29 firms, 25 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.

As the Diversity Report Card reflects, four law firms (Armbrust & Brown, PLLC, DuBois Bryant & Campbell, LLP, Meyertons, Hood, Kivlin, Kowert & Goetzel, PC, and Reed & Scardino, LLP) refused to participate in the survey and therefore received an "F" for failure to provide the requested information. The DRCC is disappointed that these firms have chosen not to communicate their diversity efforts to the Austin legal community, as it believes participation in the Report Card is critical component in evidencing an open and inclusive work environment for all members of the legal profession. A lack of participation 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. In either case, the DRCC will continue to 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.

As with previous years, the DRCC has again factored in data on attorneys who are openly lesbian, gay, bisexual or transgender (LGBT). Of the 25 firms that responded, only eleven firms (Husch Blackwell, LLP, The Fowler Law Firm PC, Gardere Wynne Sewell, LLP, Richards, Rodriguez & Skeith, LLP, Baker Botts, LLP, Jackson Walker, Scott Douglass & McConnico, LLP, Norton Rose Fulbright, McGinnis Lochridge, Locke Lord, and Graves Dougherty Hearon & Moody PC) indicated that they have openly LGBT attorneys. The DRCC is encouraged by this report, as it reflects three more firms than last year's count, but it is the belief of the Committee that the 2016 Report Card does not reflect the true number of LGBT attorneys in the Austin area, and it hopes that through release of this report card and continued efforts from both the LGBT affinity bar and law firms, this will become less of an issue in the years to come.

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 LGBT Bar leaders, the State Bar of Texas has not yet begun to collect these numbers.

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. Nine out of the eleven firms referenced above did not see a letter grade increase with the LGBT data factored into the report card (and six out of those nine with no increase already had an A grade prior to inclusion of LGBT data).

Robert Vela, Austin LGBT Bar Association President commented, “On behalf of the Austin LGBT Bar Association, we are thankful to the Diversity Report Card Committee for continuing to include LGBTQ lawyers in the report card and for the excellent work performed by the committee. We are pleased to see that, once again, the number of firms reporting having openly LGBT attorneys has increased. This trend shows that more firms are collecting data regarding openly LGBT attorneys and, as a result, diverse attorneys at those firms feel more welcome and accepted by their peers. We also appreciate the support that firms have given to the various legal issues facing the LGBTQ community to this day. Unfortunately, however, the overall number of reported LGBT attorneys remains small and has decreased slightly from last year. There is more work ahead, and the Austin LGBT Bar Association stands willing to assist firms in helping their existing attorneys feel welcome, as well as attracting top-notch diverse attorneys in the future.”

Notwithstanding the LGBT percentage reporting limitations, for the 2016 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 16.75%. Those falling below 9.25% percent receive a failing grade. Consistent with prior report cards, the 2016 Austin Law Firm Diversity Report Card is again weighted in favor of law firms that have larger numbers of minority partners.

Kevin Terrazas, President of the Hispanic Bar Association of Austin (HBAA) stated, “Diversity is an important part of our community and I am thankful for the dedication and efforts of the Austin Law Firm Diversity Report Card Committee and those that contributed to this year’s report. Not only does the Diversity Report Card bring to light one of the many issues facing our profession, but it also encourages and highlights the progress made by law firms in the recent years to bring our profession in line with the people we serve. This is not a goal, it is a requirement. As our city and country continue to evolve into the melting pot of immigrants upon which we were founded, diversity will increasingly become a key element of delivering legal services. In Austin, we have made progress through the years but still have a long way to go. The HBAA is proud to help Austin meet that challenge.”

Consistent with last year’s report card, the DRCC has once again included a more specific breakdown of its overall results by publishing the number of reported Partners, Non-Partner Attorneys, and Summer 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.

In addition to this detailed breakdown in ethnic and racial diversity reporting, the DRCC is proud to include, for the second year, detailed data regarding women attorneys and partners within these same law firms in Austin. The Minority Bar Associations felt it was extremely important to include this information to garner a more

complete picture of the status of women in the law, thereby creating a more accurate and informative report card. Because it remains a priority of the DRCC to promote racial and ethnic diversity in the Austin legal field, the inclusion of data on women attorneys and partners was not factored into the overall letter grade awarded to participating law firms. Instead, the Committee is releasing two reports, one that reflects the letter grade achieved through racial and ethnic diversity (and including LGBT numbers) and another that reflects the percentage of women associates and partners (both equity and non-equity) at each major law firm in the city. The DRCC believes that this reporting is extremely critical and looks forward to continuing release of this information in the years to come.

Danielle Ahlrich President of Travis County Women Lawyers Association (TCWLA), commented, “TCWLA greatly appreciates the Diversity Report Card Committee’s inclusion of statistics on women lawyers for the second year. Although the results did not greatly vary from last year, we wish to celebrate one noteworthy improvement. In the past year, Jackson Walker increased its percentage of female equity partners from 5% to over 13%. We applaud this effort and encourage all firms to critically evaluate policies or practices serving as obstacles to diversity within our local bar. TCWLA’s door is always open, and we welcome discussions about ways to improve the status of all underrepresented communities reflected in the Diversity Report Card.”

Now in its sixth year, the DRCC is pleased to report that the total number of minority attorneys employed by the city’s largest firms has increased from 195 in 2015 to 203 in 2016. These numbers are inclusive of LGBT attorneys. 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.

Chun Kuo, President of the Austin Asian American Bar Association (AAABA), commented, “The Austin Asian American Bar Association joins the Austin Legal community in applauding all Law Firms who were recognized for their exceptional recruitment, retention, and career advancement of minority, women and LGBTQ attorneys. As the legal profession in Austin continues to grow, we in the Austin Legal Community have an obligation to continue to promote diversity in the practice of law. Studies have shown time and time again that a more diverse workforce results in better decisions and increased profits for firms and companies. AAABA is proud to be part of this process.”

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

Husch Blackwell, LLP
Wilson Sonsini Goodrich & Rosati PC
The Fowler Law Firm, PC
Gardere Wynne Sewell LLP
Richards, Rodriguez & Skeith, LLP
Duggins Wren Mann & Romero, LLP
Greenberg Traurig
Baker Botts LLP
Andrews Kurth LLP
Lloyd Gosselink Rochelle & Townsend, PC
Thompson, Coe, Cousins & Irons, LLP
Jackson Walker LLP
Scott Douglass & McConnico, LLP

Six law firms received failing grades, including the four mentioned above that did not respond to the survey request. The 2016 Report Card includes a full list of firms that participated, as well as those who failed to respond to the survey request.

Judge George Thomas, Chair of the South Asian Bar Association of Austin (SABAA), offered the following thoughts, “The South Asian Bar Association of Austin is proud to stand with our partner organizations, and all the participants in this year's report card. We want to thank our participants for their continued commitment to ensuring that their firms reflect the growing diversity of their clients and of the Austin 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
Locke Lord, LLP
Burns Anderson Jury & Brenner, LLP
Lloyd Gosselink Rochelle & Townsend, PC
Jackson Walker, LLP
Graves Dougherty Hearon & Moody, PC

President of the Austin Black Lawyers Association (ABLA), April Griffin, commented, “It has been a privilege to participate as a representative of the Austin Black Lawyers Association on this year's diversity report card committee. Kudos to the firms that earned A's and B's, please stay on that path of diversity success. To the firms that may have slipped this year, or those that worked at it but your grades may not have improved or those who got less than perfect grades, please continue to respond and participate in the report card because diversifying an organization is not always immediate but is in fact an ongoing process, so continue to work at it. To each and every firm, including those that may have not responded for whatever reason, we implore you to strive to have an organization of people who do not all look, act or think the same way. As attorneys it is our duty to lead the charge towards a fully diverse and inclusive community in which anyone who is talented, smart, skilled and experienced can be a part of. We have a social responsibility to utilize our influence over and within other professions to promote diversity so that it is spread well beyond the legal profession and limits of Austin and its surrounding communities. Enforce the idea that diversity brings together persons from all walks of life thus allowing us to share our experiences, skills, strengths and weaknesses which are developed from our backgrounds, including our varying cultures, customs and preferences. We should individually and collectively want our legal community to include the best and brightest from various ethnicities, races and genders encompassing all cultures because with that philosophy the outcomes will be limitless.”

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, the Austin LGBT Bar Association, and the Travis County Women Lawyers Association. These prestigious affinity organizations 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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