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Q&A: Attorney Teresa Rider Bult on law firm diversity

Constangy general counsel: 'Look outside your network'



TERESA RIDER BULT serves as administrative partner and general counsel at Constangy, Brooks, Smith & Prophete.

During her career, she has worked on defense-side employment litigation cases and was the founding chair of Constangy's Women's Network.

Bult spoke with the Post about diversity within the legal industry.

What do you tell firms that are trying to figure out how to make sure their recruiting practices encourage diversity?

I would say: First of all, I don't have all the answers to any of this. But after lots of conversations with several attorneys

committed to diversity in our firm, we have found the following advice on recruiting practices to encourage diversity:

- Get involved in diverse organizations — where you can connect with diverse candidates and make your firm's dedication to diverse organizations and causes known.
- Attend and sponsor diverse conferences such as Lambda Legal or Hispanic National Bar Association conferences. It is important to provide support to those organizations and participate in a meaningful way.
- Look outside your network. Attorneys don't realize that they often recruit from within their close circle and network — if you look around, you realize your

close network isn't all that diverse.

- Always ask the question when recruiting — “have you considered diverse candidates?” or “have we cast our net wide enough to encompass diverse candidates?” The conversation in and of itself can help move the needle on ensuring recruiting practices encourage diversity.
- Along those same lines for entry-level positions, perhaps stretch to look and recruit from traditionally underrepresented law schools; be willing to stretch outside your comfort zone.
- Think about remote work or other flexible work arrangements that could draw more diverse candidates to your firm. Are you stuck on the “this is the way we have always done it” without really thinking about whether that rule or “in office” requirement is necessary? You may be able to attract more diverse candidates if you let loose of some of your assumptions about how work “must” be performed.

What have been the traditional barriers to diversity in the legal sector?

I think at the baseline, the cost of legal education and an outdated methodology for ranking law schools impacts economically disadvantaged students, and thus, we see fewer diverse students in the law school pipeline to begin with.

Line of sight — there is often no line of sight upward in law firms. In other words, young attorneys (or would-be attorneys) don't see other attorneys who look like them, and it can seem daunting for young attorneys to work in a firm or profession where no one else (especially above them) looks like them. Of course, that is a chicken-and-egg kind of problem. But law firms need to work to ensure they have partner and manager-level diversity, and

not just expect they can build their diversity from entry-level positions. It is tough for young, diverse attorneys to persist if they don't see a clear path ahead of them.

Retention/Inclusivity — firms often try to integrate diverse attorneys into their firm as if the diverse attorneys are white. They don't stop to think about the various backgrounds or issues diverse attorneys may be facing, or how traditional policies and discussions may make the diverse attorneys feel excluded from the conversation. Firms should try to create a work environment that invites conversations and interaction. There isn't a magic formula for this. But awareness and conversations go a long way to ensure the diverse attorneys do not feel undervalued.

Persistence of the “Old Boys Club” — like it or not, there are “unspoken rules” in the legal profession that can seem hard to figure out for first-generation lawyers — kind of like walking into a golf course or country club and not understanding there are rules for attire or reserving the golf cart. Such rules create barriers for diverse attorneys to the extent that the practice of law may feel so intimidating they choose not to go into the practice of law to begin with, or they may drop out quickly (or move to non-law-firm jobs) because they feel it is clear they don't “fit” in the environment.

How do you keep diversity front of mind for partners and those doing recruiting?

For our firm, we keep diversity front of mind for partners and those doing recruiting by talking about it — a lot. Sometimes just awareness and keeping the conversation going about the importance of diversity and diverse recruiting goes a long way. When someone comes to us with a possible candidate for a position, we will try to ask whether they also considered diverse candidates and cast their net wide

enough to ensure they were reaching diverse candidates and not just their small network of people, which may or may not be diverse. While we do not ever want to exclude non-diverse candidates, we want to make sure we aren't "missing" a quality group of candidates because we aren't thinking about the bigger picture.

In addition, we have the discussions about the importance of diversity in Executive Committee meetings. We are in the Mansfield Rule process, so we will often have meetings and send emails asking for data or assistance to ensure we're meeting our goals. I have a weekly meeting with our attorney recruiter, where we discuss his efforts and creative ways to ensure we are reaching diverse candidates. There are lots of moving parts that result in a "long game" ongoing discussion, but the more we emphasize it, the more it comes up naturally in conversation.

Why is it important for law firms to encourage diversity?

For a variety of reasons ranging from it simply being the right thing to practical impact on running a business well.

It is important for law firms to encourage diversity because it is good for society. The reality is we live in a diverse country (and world). Law firms have a great deal of influence in the U.S. and the world, and it is a shame that we have so little diversity in the profession. Law firms should be a driver of melding the world together and ending divisiveness.

From a business perspective, we can provide better client service and representation if we are diverse. We can see the world in a different way and pull from the perspectives of our diverse group of attorneys to provide the highest quality client representation. Our clients

are diverse, and we should be too. As an employment firm, this is critical for us. We need to be able to see the perspective of the employer and the employees.

Additionally, corporate clients are asking tough questions about diversity when hiring (or retaining) their law firms. As corporations become more focused on diversity as a whole, they are really stepping up to require their law firms to be in step with those initiatives as well. Law firms are going to lose out on business if they don't figure this out.

Finally, if we don't focus on diversity, we miss out on some of the best legal candidates for hiring.

How has the legal industry succeeded/failed in this respect compared to other sectors?

It is pretty clear the law profession has a failing score so far. While a little dated, the Washington Post reported in 2015 that the law profession was "the least diverse of all American professions." Statistics cited from this 2021 Medium article entitled "Diversity in the Legal Profession: A Problem that Persists" are bleak, citing, for example, that 86 percent of all lawyers are white.

My impression is that there are still tons of small communities that don't welcome women and minorities into the legal fold.

However, we should recognize that we are increasingly seeing good-faith efforts and significant investment to make strides in promoting a more diverse and inclusive industry and a more equitable legal system, including initiatives from independent law firms, in-house legal departments, nonprofit organizations and bar associations at the local, state and national level.