

Leading Through Crisis

Executive Summary



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Diversity, equity, inclusion, along with the enduring effects of the COVID-19 pandemic, have been headline issues in 2020. What have they meant for law firms and legal organizations? To learn more, this year's research collaboration between the Minority Corporate Counsel Association (MCCA) and Russell Reynolds Associates focused on how leaders are adapting to an evolving workplace environment in which standard ways of managing and mentoring employees has radically changed, as well as measuring the extent to which attorneys currently feel included in their workplace cultures and how those results compare to previous years.

Our interviews with 10 law firm and corporate legal organization executives reveal leadership in learning mode. Our panel of interviewees included:

- Rohan Weerasinghe, General Counsel & Corporate Secretary, Citi
- Deneen Donnelly, General Counsel, Consolidated Edison Company of New York
- Sean Johnston, General Counsel & Chief Compliance Officer, Genentech
- Seth Weissman, Chief Legal Officer, Marqeta
- Dev Stahlkopf, Corporate Vice President & General Counsel, Microsoft
- Nassib Abou-Khalil, Chief Legal Officer, Nokia
- Steve McManus, General Counsel, State Farm
- Jami McKeon, Chair, Morgan Lewis
- Eric Friedman, Executive Partner, Skadden
- John Iino, Diversity & Inclusion Global Chair, Reed Smith

Many find themselves drawing on a new and different set of competencies as they strive to ensure employees' mental and physical wellbeing in virtual workplaces.

"We lead in the way that we want to be led; this is forcing me to be much more conscious about what each person needs from me."

- Seth Weissman, Marqeta

Many have also reiterated and reinvigorated their commitment to building diverse and inclusive cultures.

"Advocacy for diversity, inclusion and equity has become even more pronounced, given the current racial dynamic. Anguish already felt by the Black community has been fueled further by COVID and recent racially charged events."

- Eric Friedman, Skadden


From the perspective of attorneys, corporate efforts to mitigate longstanding inequities have shown mixed results. This year's Inclusion Index survey features responses from nearly 300 attorneys, more than 70 percent of whom identify as Asian, Black or African American, Hispanic or Latinx. Overall, they affirm that law firms and corporate legal departments cultivate a number of positive cultural elements. However, the data also shows that these organizations continue to struggle with improving leadership diversity and inclusive cultures.

Key 2020 MCCA/RRA Inclusion Index takeaways include:

Attorneys rated their organization lower on Inclusion Index factors than they did in previous years, and all ratings were lower than professional services benchmarks

MCCA/RRA Inclusion Index average scores are below professional services benchmarks.

On a scale of 1 to 5, MCCA respondents rate their employers lower than those at other professional services firms

<p>Working Across Differences</p> <p>3.56 MCCA 4.10 Professional Services</p>	<p>Leveraging of Different Perspectives</p> <p>3.34 MCCA 3.79 Professional Services</p>	<p>Workplace Respect</p> <p>3.82 MCCA 4.22 Professional Services</p>
<p>Leadership Commitment</p> <p>3.31 MCCA 3.69 Professional Services</p>	<p> Professional Services Benchmark</p>	<p>Voice & Influence</p> <p>3.02 MCCA 3.40 Professional Services</p>
<p>Organizational Fairness</p> <p>3.40 MCCA 4.04 Professional Services</p>	<p>Accommodating Differences</p> <p>3.61 MCCA 3.65 Professional Services</p>	<p>Employee Recruitment, Development & Retention</p> <p>3.45 MCCA 4.04 Professional Services</p>

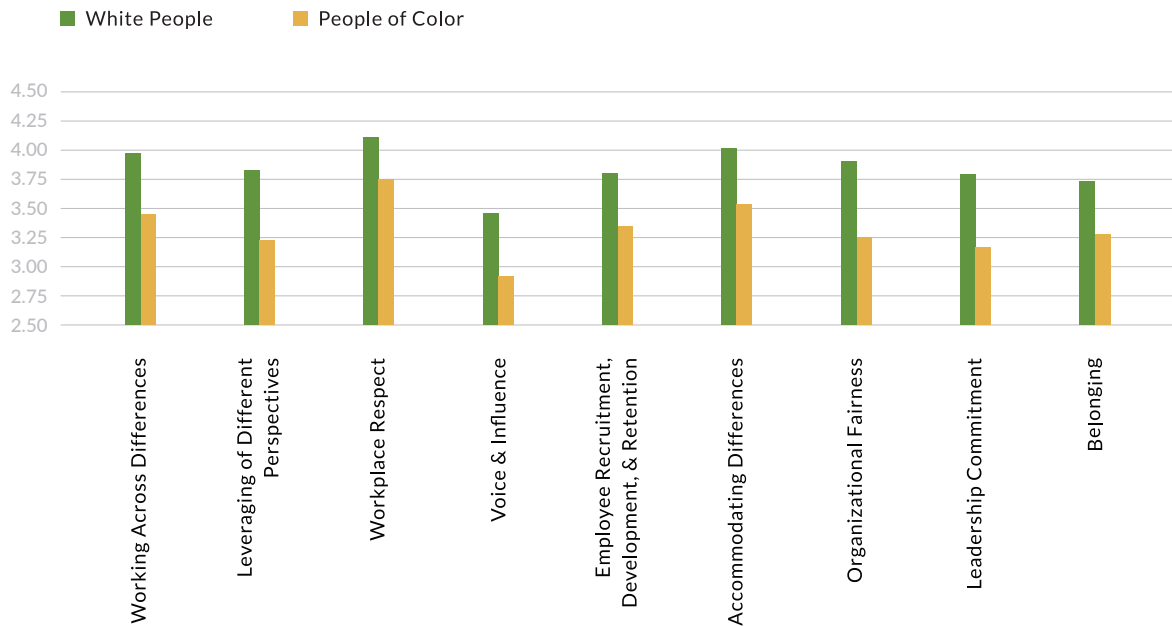
MCCA/RRA Inclusion Index Survey 2020, n=283 attorneys

Survey responses are based on a 1 to 5 scale, with 1 being lowest and 5 highest.

Red = Factor Scores Significantly Lower than Benchmark

People of color are less likely to feel they belong than others

Average ratings from attorneys who are Asian, Black or African American, Hispanic or Latinx were below those of White attorneys on all 8 MCCA/RRA Inclusion Index factors



Senior leadership teams still have low levels of diversity

While hiring practices have improved, promotion practices lagged behind. Many respondents reported seeing insufficient representation of women and people of color in senior leadership positions.

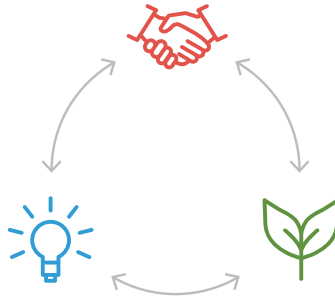
Looking forward, as we face continued upheaval in both work and social environments, new opportunities emerge to lead with inclusion, innovation, and sustainability.

- **Inclusive leadership** starts with awareness and clarity about privilege, motivation, and fostering open dialogue. As inclusive leaders mature, they hold themselves and others accountable to empower and develop others.
- **Innovative leadership** means challenging traditional approaches and taking calculated risks in the face of uncertainty
- **Sustainable leadership** means recognizing that organizations have a responsibility to consider how their actions and operations impact their employees, clients, greater society, and the environment as a whole.

2iS Model

INCLUSIVE LEADERSHIP

- Fosters inter- and intra-group collaboration
- Creates a work environment that appeals to a broad spectrum of talent



INNOVATIVE LEADERSHIP

- Stimulates innovation
- Demonstrates innate curiosity to uncover new ways to apply innovation

SUSTAINABLE LEADERSHIP

- Brings a long-term perspective to business decisions
- Understands business in the context of broad social concerns

Perhaps the most valuable lesson to be drawn from this year is the power of community. To master this new style of leadership, organizations will want to listen more closely than ever to employees and consider partnering with clients, nonprofits and others to fight systemic problems with enduring solutions.

Understanding the MCCA/RRA Inclusion Index

MCCA member survey responses inform 8 factors, which are then grouped into 3 broader categories: climate, leadership and structure.

<p>Working Across Differences</p> <p>A measurement of how an organization facilitates respectful, collaborative, and productive interactions and understanding between employees of all backgrounds</p>	<p>Leveraging of Different Perspectives</p> <p>The extent to which different viewpoints and backgrounds are welcomed and strategically leveraged within the organization to gain a competitive advantage</p>	<p>Workplace Respect</p> <p>The extent to which employees from all backgrounds experience a respectful workplace free of implicit and explicit offenses</p>
<p>Leadership Commitment</p> <p>The extent to which leadership within the organization supports and advances the efforts of diversity and inclusion</p>	 <p>Inclusion Index</p>	<p>Voice & Influence</p> <p>The extent to which employees of all backgrounds are given a voice, as well as influential representation in leadership</p>
<p>Organizational Fairness</p> <p>The extent to which organizational systems such as performance appraisal, promotions, and employee policies are applied fairly across all employees</p>	<p>Accommodating Differences</p> <p>The extent to which accommodations are made for employees when needed, and without retribution</p>	<p>Employee Recruitment, Development & Retention</p> <p>A measure of an organization's efforts to recruit, retain and develop employees from all backgrounds</p>

■ Climate ■ Leadership ■ Structure

Together, the 8 Inclusion Index factors measure key employee outcomes, including:

- **Employee Belonging:** In this organization, I can be successful as my authentic self.
- **Employee engagement:** I am highly engaged in my job
- **Employee Intent to Remain:** I intend on remaining with my organization for the foreseeable future
- **Perceived Firm Reputation:** This organization has a reputation for supporting diversity and inclusion.

Authors



Jean Lee is president and CEO of Minority Corporate Counsel Association. She is based in Washington, DC.

Sophia Piliouras is president of the MCCA Advisory Practice. She is based in Washington, DC.

Cynthia Dow heads Russell Reynolds Associates' global Legal, Regulatory & Compliance Officers Practice and is a senior member of its Consumer, Board & CEO and Diversity, Equity & Inclusion practices. She is based in Boston.

Enrique Cabrera-Caban is a member of Russell Reynolds Associates' Diversity, Equity & Inclusion practice as well as its Leadership & Succession practice. He is based in San Francisco.

Tina Shah Paikeday leads Russell Reynolds Associates' Diversity, Equity & Inclusion advisory services as a member of the firm's global Leadership & Succession practice. She is based in San Francisco.

Alix Stuart is a member of Russell Reynolds Associates' Center for Leadership Insight. She is based in Boston.

The preeminent voice on diversity and inclusion issues in the legal profession, MCCA is committed to advancing the hiring, retention and promotion of diverse lawyers in law departments and law firms by providing research, best practices, professional development and training, and pipeline initiatives. MCCA's groundbreaking research and innovative training and professional development programs highlight best practices and identify the most significant diversity and inclusion challenges facing the legal community. MCCA takes an inclusive approach to the definition of "diversity" including race and ethnicity, gender, sexual orientation, disability status and generational differences. Since MCCA's founding 23 years ago, it has been recognized and honored by the Association of Corporate Counsel, the National LGBT Bar Association, the National Minority Business Council, Inc. and the U.S. Equal Employment Opportunity Commission, among others. MCCA's vision, "To make the next generation of legal leaders as diverse as the world we live in," is what drives the organization and our passionate and committed partners.

For more information, visit www.mcca.com.

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