

Diversity – Law Firms

Lowenstein Sandler PC: A Firm With A Multifaceted Approach To Diversity

The Editor interviews David L. Harris and Lynda A. Bennett, Directors, Lowenstein Sandler PC.

Editor: Would each of you summarize your professional background?

Harris: I am a director at Lowenstein Sandler PC, and at the end of this year will become chair of the firm's Litigation Department.

Bennett: I am also a director at Lowenstein Sandler. I have been with the firm for about five years, prior to which I was in private practice in New York.

Editor: Please describe your practice.

Bennett: My practice focuses primarily on insurance coverage litigation and counseling. We represent policyholders in relationships with their insurers. Most of the matters for which we are retained involve environmental coverage, toxic torts, employment litigation and, particularly due to the recent focus on corporate governance, directors and officers liability policy coverage. After years of litigating with insurers, we have developed effective techniques to get claims paid quickly and fairly.

Harris: My practice has evolved over time, but most recently, I have specialized in trying complex cases to juries. Most of the cases that I have handled have been in the areas of shareholder disputes, battles over trade secrets, trademarks and intellectual property and other complex business disputes. I have also handled a number of civil rights cases.

Editor: Would you describe Lowenstein's diversity policy?

Harris: The firm's diversity policy emphasizes the importance of seeking out minority lawyers at all levels, rather than concentrating only on hiring diverse attorneys directly out of law school. We implement that policy in a variety of ways. We participate in minority job fairs and we recruit at a variety of law schools that have significant minority student enrollments. We sponsor the Rutgers Law School Minority Student Program by hiring one first-year student for the summer and by funding a student to work during the summer in the public interest law or government sector.

We have seen concrete results from our efforts. The firm is first among New Jersey's largest law firms with the greatest number of minority partners between 1995 and 2002. The firm is second among those same firms in terms of the number of women and minority associates.

The firm is also committed to the advancement of women. We sponsor the Women Lawyers of Lowenstein Sandler, a proactive group of women partners and associates that provides a forum to discuss women's issues in the law. The firm's family leave policy provides support to parents for their child-



David L. Harris

care responsibilities and allows part-time attorneys to achieve partnership status without penalty. At present, almost five percent of the firm's attorneys have reduced work schedules.

Bennett: Basically, as David indicated, the firm's diversity policy focuses on recruitment and retention efforts, as well as promotion of minorities at the firm. We have several committees that are dedicated to advancing those goals.

The first is the Diversity Initiatives Committee, of which I am the chair. That committee looks at the firm's recruiting policies, including whether we can do more to assist minority lawyers, whether we are able to attract highly qualified minority lateral candidates and what we can do to improve and build upon the policies we already have in place. The Recruiting Committee oversees our attendance at minority job fairs and our participation in the Rutgers program. The Associate Life and Training Committee is responsible for a mentoring program that matches younger minority attorneys with more senior minority attorneys at the firm.

We also sponsor the Women Lawyers of Lowenstein Sandler, as David mentioned. That group provides a forum in which women attorneys discuss the challenges that they face in the workplace. It has sponsored several events to provide networking opportunities and to assist women attorneys to discuss career development and to exchange ideas regarding the balance of work and family. We also contribute time and resources to charities that assist women in the community.

Editor: What benefits does the firm realize from its diversity policy?

Harris: First, it aids our recruiting efforts by allowing us to identify and attract some of the best attorneys available. We have found that even law students who are majority candidates seek a diverse atmosphere in their jobs after law school. Second, as corporations have tried to increase diversity within their own ranks and among the law firms that serve their needs, Lowenstein Sandler benefits from having a diverse staff throughout the firm. I believe the in-house attorneys are impressed by our



Lynda A. Bennett

diversity when they visit our offices or when they meet with us during their selection process.

Bennett: Everybody benefits from having people from a variety of social and cultural backgrounds in the firm. Diversity in the workplace makes for a better-rounded work environment. We also benefit because diversity is important to our clients.

Editor: Have you noticed increased interest in diversity on the part of corporate law departments?

Bennett: Yes, we have. We receive periodic surveys from our clients on diversity. Not only do they request concrete data, they are also interested in learning if we are staffing their cases and matters with minority attorneys. The clients want to ensure that our minority and women attorneys receive attractive, challenging assignments with responsibility. For the law departments of large corporations, the promotion of minority and women attorneys is important.

Harris: Some law departments send out questionnaires to law firms asking those firms to provide data on the diversity of their associate ranks, partnership ranks, the backgrounds of the attorneys who work (or will work) on their matters and other issues. More and more frequently, I find that in-house attorneys are of diverse backgrounds. Very often the impact of the firm's diverse profile is a subtle one. We may not even realize how much it helps, but it does, that law departments want to be associated with us on account, at least in part, of our diversity.

Editor: Do you think that the exhortations of law departments to their law firms that the latter devote efforts to increasing their own diversity have a meaningful impact on the firms?

Bennett: They certainly have an impact, because firms want to please their clients. Their questionnaires keep us focused on our progress and make us evaluate on an annual basis our success in that regard. We want to have positive things to say about that success every year.

Harris: Lowenstein Sandler's motivation to pursue greater diversity predated those exhortations, so I cannot gauge the impact of those efforts. Within the past ten years, however, I have seen other law firms express more interest in diversity. Those firms may have been interested without the prodding of the law departments, so the causality is difficult to measure. I suspect that if a law firm is not already interested in greater diversity, the exhortations will not make it change, but they may accelerate a law firm's concrete steps toward that end if it is already interested.

Editor: What are the most effective means of increasing the diversity of the legal profession?

Harris: The first requirement is that of retaining more attorneys of diverse backgrounds. We have to recognize that lawyers leave law firms for a variety of reasons. Accordingly, some attrition among the diverse lawyers who join a firm is to be expected. In order to be more certain that at least some will become partners and firm leaders, you cannot just hire one or two and lose one every year.

Bennett: I think that there are two important things in that regard. First, the firm must provide financial assistance that enables minority students to graduate law school without an oppressive debt burden. Second, the firm must provide meaningful opportunities for them once they are in the workplace.

Editor: David, would you describe for us your sabbatical?

Harris: I just started my sabbatical, which is the first one ever at the firm. It is still a work in progress, but it promises to be very exciting. I plan to write a book and attend theology courses. I expect that the experience will better prepare me for my future endeavors at the firm and the fact that the firm supports me in that way certainly says a great deal about its commitment to me.

Editor: Lynda, would you describe your role in the firm's diversity efforts?

Bennett: My role is primarily to act as a liaison with the Associate Life and Training and Recruiting Committees to assess the strengths and weaknesses of our recruitment and retention efforts. During the course of the next year, our Committee will focus on implementing a series of initiatives that will increase our financial support of minority lawyers who want to affiliate with the firm and achieve greater success in recruiting high profile, high quality minority lawyers. I am also hoping to develop several initiatives that will provide the Committee with meaningful feedback about the firm's current retention and promotion policies for minority lawyers.