

Diversity — Law Firms

Diversity: A Core Value At Lowenstein Sandler PC

The Editor interviews Nicole Bearce Albano, Member of Lowenstein Sandler PC regarding Lowenstein Sandler's Diversity Policies.

Editor: Please tell us about your professional background.

Albano: I am a litigator, with a substantial part of my practice focusing on complex fiduciary duty cases. I handle matters ranging from shareholder derivative and ERISA class actions to fiduciary duty disputes among members of partnerships, closely held corporations, LLCs and LLPs; from fiduciary duty/conflict of interest disputes involving charitable and higher education institutions to will contests, guardianship proceedings, and contested accountings. I also counsel clients who face business divorce and dissolution (and aggressively handle related litigation, when necessary). These matters may involve issues such as corporate governance conflicts, oppressed minority shareholder claims, business tort actions, valuation disputes, nuanced contract interpretation, real estate matters, and emergent/injunctive relief. Understanding that many clients strive to resolve their issues without judicial process, I also utilize my skills honed from handling mediation, arbitration and many out-of-court negotiations. I am a firm believer in the benefits of early conflict assessment and management.

Editor: I understand you chair Lowenstein's Diversity Initiatives Committee. Would you tell us about the firm's impressive long-standing culture of diversity?

Albano: Since our founding in 1961, Lowenstein Sandler has held diversity as a core value. It remains a key component of the firm's current Strategic Plan. This legacy began as the vision of the firm's founding member, Alan V. Lowenstein, a social justice pioneer and community leader who set out to create a "meritocracy" — a firm where professionals were recognized for their contributions and talent without regard for race or creed.

We were the first large law firm headquartered in New Jersey to promote to partner an African-American man and Hispanic-American woman. We have ranked at the top of large firms headquartered in New Jersey, for the greatest number of minority partners. The firm also has moved women into, and supported diverse attorneys in, leadership positions. We currently have women on all major decision-making committees. We rank among *Multicultural Law* magazine's "Top 100 Law Firms for Diversity and Women" and the "Top 25 Law Firms for Hispanics," and were recently recognized as one of the nation's "Best Law Firms for Women" by *Working Mother* magazine and *Flex-Time Lawyers*.

That said, we believe strongly that diversity is not to be viewed as a finite benchmark, but rather should be ingrained as part of the business culture. Lowenstein Sandler has invested the time, energy and financial resources to put substance behind our commitment to diversity. Examples of that investment are demonstrated by initiatives including the **Lowenstein Sandler Scholars Program**, which provides minority students from select law schools with scholarships toward their education

and summer internships with the firm; **STRIDES — Advancing Women in Business**, a firm initiative created in 2006 to promote visibility, leadership opportunities, and quality interaction among women in business; and **DiversityisNatural.com**, a Web site the firm launched in 2009 dedicated to fostering the advancement of women and minority attorneys through articles that tackle critical issues associated with cultivating and maintaining a diverse working environment, such as mentoring, work-life balance, recruiting and retention, and professional development.

We continue to host the **Lowenstein Sandler Annual Mentoring Dinner Program**, which brings prominent in-house counsel to speak to the firm's junior attorneys about mentoring-related issues. We also partner with the **Center for Work-Life Policy's Hidden Brain Drain Task Force**, which focuses on realizing female and minority talent by examining key challenges and developing a second generation of policy and practice, the **Rutgers Minority Student Program**, and the **New Jersey Law Firm Group**, a nonprofit that helps minority students to obtain employment with New Jersey's larger law firms.

Notwithstanding these accomplishments, we recognize that enhancing diversity requires an ongoing commitment to initiatives focused on integrating women and minority partners into key leadership positions, recruiting diverse summer associate classes, and facilitating flexible work arrangements for working mothers and other attorneys. Our firm's decision to amend its by-laws to confirm that part-time attorneys are eligible for promotion to partner was reported at the time as "aggressive and creative" by the *New Jersey Law Journal*. Currently, more than 25 percent of the firm's women attorneys have flexible working arrangements. As we grow our presence in the New York/New Jersey and Northern California markets, providing a superior value proposition to our clients will be enhanced by retaining, developing and deploying the full breadth of talent among all of our attorneys.

Editor: Please describe the mission and focus of the Diversity Initiatives Committee. How has it evolved?

Albano: Our Committee is charged with: 1) ensuring that the firm maintain its historic commitment to promoting diversity in the workplace; 2) evaluating the effectiveness of our existing diversity policies, recommending to senior management improvements in existing programs, and helping to develop new policies to further promote a diverse workplace; and 3) coordinating the firm's participation in organizations and events devoted to advancing issues that are important to attorneys with diverse backgrounds, including racial and ethnic minorities, women, and gays and lesbians.

Our Committee's work has evolved from initially focusing on recruiting efforts to becoming increasingly focused on retention, development and advance-



Nicole Bearce Albano

ment issues. The Committee now includes our LS Women's Initiative under its purview. While our work has been successful in increasing the numbers of women and minority attorneys coming to the firm at the entry level, cultivating a pipeline of top-quality, high-caliber individuals who represent the depth and breadth of talent and diversity that we have at the firm is essential. Tapping into and maximizing that potential is one of the marquee ways that we can differentiate ourselves within the profession.

Editor: I have been told that retention is often a greater challenge than recruitment, and mentoring and career development play a big role in retention. Would you tell us about your involvement in Lowenstein Sandler's Peer-to-Peer mentoring program?

Albano: One of the subcommittees of our Attorney Career Development Committee focuses on the Peer-to-Peer mentoring program, which I chair. I branded the program with its title because it was conceptualized as a peer support network whereby mentor matches would be relatively similar in seniority to the incoming attorney. The thought is that if the mentor is not too far removed from the likely experiences of his/her respective mentee, then that designated "point person" can meaningfully answer the mentee's questions completely independent from the performance evaluation system.

New attorneys (entry level and lateral hires) are provided with matches for a two-year period to help them navigate the firm. Our hope is that within that timeframe, each attorney will have developed his/her own organic mentoring relationships and will no longer need the "safety net" support. We strongly encourage all our attorneys to develop their own informal network with those in and out of their practice areas who can help them develop as lawyers and well-rounded professionals. In fact, if the formal match evolves into an ongoing mentoring relationship, then that is an added bonus of the program.

Editor: Please tell us about the Women's Initiative.

Albano: The mission of the Lowenstein Sandler Women's Initiative (LS WIN) is to facilitate the recruitment, retention, development, deployment, and advancement of female attorneys at the firm, which is a vital component of our commitment to excellence in client service and the practice of law. LS WIN seeks to provide female attorneys with role models, opportunities for professional growth, and the support and flexibility necessary to allow for that growth. We strive to retain our female attorneys, seeking to eliminate obstacles that might lead them to leave the firm or the legal profession entirely and encouraging their ultimate advancement to leadership positions. We recognize that reduced attrition benefits both the firm's clients and our internal community by allowing for the expression of diverse perspectives and the retention of the best legal talent.

LS WIN offers formal sessions on topics including tips for achieving success at the firm, strategies for networking and attracting clients, and techniques for effec-

tively negotiating transactions. We also hold casual breakfast meetings and luncheons on issues such as achieving a healthy work/life balance and other special challenges facing women lawyers. The informal nature of these meetings allows both new and experienced attorneys to share their views and experiences candidly, and fosters mentoring relationships between the firm's more experienced attorneys and newer associates and counsel.

Editor: Have you received client feedback on your initiatives? Have you found a good business case for diversity?

Albano: We have received strong, positive client feedback on our initiatives, specifically our LS Scholars Program, STRIDES, and DiversityisNatural.com. We have also found uniformly that when we invite clients to speak with our junior attorneys and mentor-mentee matches through the Annual Dinner Program, those invitations are well received and appreciated. Not only is encouraging diversity among our attorneys at all levels the right thing to do, but there are compelling business reasons to do so. As we continue to provide excellent services to our clients, we need to be responsive to the increasing requests from many of our key and core clients who are demanding that we demonstrate our commitment to a diverse workforce by showing them measurable metrics. In December, a *National Law Journal* article discussed a new initiative of a dozen major corporations that, as part of a project to boost the number of women and minorities in top law firm positions, are adding part-time and flexible working schedules to the list of things they require outside counsel to report. We need to be responsive to these kinds of requests with the necessary data that demonstrates sustainability of our achievements as well as further progress.

Editor: Where do you see diversity initiatives headed in the future?

Albano: In my opinion, diversity initiatives will increasingly include programs that focus on flexibility. As a growing number of attorneys across all populations are interested in flexibility as a necessary component to balance the many demands on their time, programs aimed at creating feasible, flexible arrangements within the law firm environment that remain responsive to client demands will be essential to attracting and retaining a diverse and inclusive group of attorneys — which, of course, is essential to creating a pipeline of candidates who we hope can advance to higher levels of leadership. There are also generational issues that play into the dialogue about flexibility. I have recommended that our diversity program include not only the Diversity Program and Women's Initiative, but also Flexibility as a third prong. I believe that it is important that flexible work arrangements not become conflated with an initiative geared solely toward women and working mothers. While those populations may no doubt need flexibility to create a sustainable platform that will facilitate their success, the need for flexibility is requested by an increasing number of men as well.

Please email the interviewee at nalbano@lowenstein.com with questions about this interview.