Diversity: Make an Individual Commitment

The Executive Committee and the Executive Partner have long been committed to Pepper’s diversity and inclusion efforts. Many of our attorneys have followed suit. In the new year, Pepper will ask each and every attorney to make individual commitments to diversity.

As depicted in this issue, this commitment may come in many forms: attorneys in our Corporate and Securities Group meet monthly to assess the progress of diverse associates; Pepper veterans organized a program for a diverse group of fellow Pepper veterans (and supporters); female partners spent a day counseling female associates; and eight associates joined the Diversity Liaison Committee to facilitate communication between all associates and the Diversity Committee.

Through individual commitment progress is inevitable.

Andrew R. Rogoff and Kassem L. Lucas, co-chairs Diversity Committee

This is a story about losing engagements from an otherwise happy client because of lack of diversity and what can be done to change the situation around.

About two years ago, one of Pepper’s largest clients challenged the firm’s Corporate and Securities Practice Group to improve its performance with respect to diversity – in particular, the hiring, retention and development of African-American corporate lawyers. As the client’s general counsel stated,

“Corporate groups in large firms have historically been the worst at integration of minorities into the practice. This is why minorities in corporate practices often don’t stay beyond the third year.”

Practice Group Re-establishes a Business Relationship by Enhancing Diversity

Solomon Hunter, Jr.
Hunters@Pepperlaw.com

John P. Duke
Dukej@Pepperlaw.com

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Our most valuable resource is our people.
Pepper Hamilton vision statement excerpt

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In the three years before this challenge, the group handled numerous M&A transactions and other corporate matters on behalf of this large corporate client. During this period, the client monitored the amount of time spent on these matters by diverse lawyers. At the time of the client’s challenge, the group consisted of four partners of color, one of whom was African-American, and two associates of color, neither of whom was African-American. The client thought we could do better staffing its matters with diverse teams of lawyers and we agreed. The client stopped sending work to the group, but it continued to work with us to improve the group’s performance in its diversity efforts. Pepper, already demonstrating a strong commitment to diversity, was eager to meet the challenge not just for this particular client, but in order to further strengthen its existing commitment to diversity. The client, also already demonstrating a strong commitment to diversity, was eager to work with us to meet the challenge and remained keenly interested in continuing its business partnership with Pepper if the group could show improved and sustained performance in its diversity efforts.

Relationship partners John Duke and Solomon Hunter set out to effect change by identifying the core issues and developing what they hoped would be a sustainable plan for improving diversity in the group. The two first met with the client to solicit a direct critique of the group’s performance with respect to diversity and discuss what needed to be done to improve performance. The client’s concerns went well beyond the numbers. Much of its emphasis was placed on the retention and development of minority lawyers, in particular African-American corporate lawyers. Although the plan to be developed could be directly tied to the client’s challenge, it is not the client’s actions that are determinative of whether any plan succeeds or fails but rather the level of the group’s commitment to the plan.

After a series of discussions with the client, John and Solomon formulated a long-term plan directed at hiring, retaining and developing minority lawyers in the group. In formulating the plan, the two consulted with firm leaders, the leaders of the group, and also talked with representatives from outside organizations, such as the Minority Corporate Counsel Association and professionals involved in the recruiting of diverse attorneys. The group was of the view that, consistent with the desires of most lawyers generally, the exposure of minority lawyers to the appropriate quantities of quality work increased the probability of their retention and development.

Among other things, the plan consists of:

- an increasing focus on hiring lateral and entry-level minority corporate lawyers
- establishing a Corporate and Securities Diversity Committee within the group to focus on diversity
- connecting diverse associates with premier work opportunities – for example, large, complex transactions and high-profile clients, and
- ensuring that minority associates have opportunities for significant client relationship responsibility (tailored to the associate’s level of experience).

Firm leadership enthusiastically endorsed the plan.

To focus on recruiting minority corporate lawyers, the group interviewed various recruiters specializing in placing minority lawyers in law firms and established an ongoing working relationship with two of the recruiters. In addition, the group communicated with Pepper’s other recruiters about the desire to identify, interview and recruit minority lawyer candidates. With respect to entry-level candidates, the group worked closely with the firm’s Hiring Committee to support a renewed effort to recruit minority law students into Pepper’s summer program and to ensure that minority summer associates, as part of the larger summer associate pool, took advantage of opportunities in the group. For example, law schools with a high percentage of minority law students were targeted for recruitment of entry-level candidates. Also, in 2011, the firm’s summer associate program included, with the help of Summer Associate Committee members Lara Thane, Shirley Kuhlman and Kate Daly, a revamped transaction law program focused on increasing the interest of summer associates in the group.

The Corporate and Securities Diversity Committee is a critical aspect of the long-term success of the plan. The committee meets each month and its six partners include Group Chair Brian Katz, Commercial Department Co-Chairs Julie Corelli and John Duke, and Corporate and Securities partners Solomon Hunter, Steve Abrams and Jim Epstein. The firm’s Partner in Charge of Diversity Kassem Lucas, and Director of Associate Development Maggie Suender, attend all Corporate and Securities Diversity Committee meetings. The committee’s responsibilities include evaluating on a monthly basis the growth and development of the group’s diverse associates, ensuring that the associates are receiving direct exposure to senior members of the group and,
to the extent necessary, developing action plans for individual diverse associates to ensure each is receiving level-appropriate experiences that will enable the lawyers to develop core competencies. Open and honest dialogue is the rule at all committee meetings. In addition, committee members hold periodic meetings on an ongoing basis with individuals and small groups of diverse lawyers to solicit input for areas of possible improvement and focus.

In the two years since implementation of the plan began, the group has grown to include seven associates of color, five of whom are African-American. In addition, several diverse associate candidates from recent summer classes have expressed an interest in the group.

Throughout the two-year period, John and Solomon have provided the client with status reports on the group’s progress. At one of their most recent meetings, the client committed to re-establishing its business relationship with the group. The client reminded us that, with our present level of relative “critical mass” with respect to the number of minority associates in the group, the hard work has just begun.

The committee meets monthly to address the challenges of diversity in the group. According to Kassem Lucas, “Working with clients to enhance diversity and taking individual action are key ingredients to successful diversity and inclusion programs. In tandem, real change is possible.”

Pepper’s Associate Competency Model Supports Retention and Advancement of Diverse Associates

Pepper, like many other firms, strives to ensure that its professionals are both diverse and well-equipped to handle the vast array of legal issues confronting our clients. Pepper’s new competency-based associate development program is one way in which the firm tackles these interrelated goals and puts its commitment to diversity into action. Pepper believes this model, based on defined performance expectations aligned with compensation, promotes our associates’ development and helps the firm provide the highest levels of client service.

At first blush, the move to a competency-based development model may not be viewed as impacting, negatively or positively, the retention and advancement of diverse associates. Studies on retention of diverse associates, including those done by the American Bar Association, Catalyst, and the Minority Corporate Counsel Association, however, consistently find that diverse associates leave law firms because they feel marginalized and that their development is hampered by a lack of understanding of what it takes to succeed and a lack of opportunity to do so. Pepper’s associate competency framework directly confronts these issues by (1) outlining expectations and offering transparency, (2) promoting shared accountability between partners and associates, and (3) providing a business justification for ensuring that all associates realize their full potential.

**Developed and Implemented with Transparency**

A competency-based development program necessarily requires a definition of what skills associates need to develop. Accordingly, Pepper developed competencies and benchmarks to clearly identify the skills and expertise associates need to develop in order to advance along the career and compensation continuum. Under Pepper’s program, competencies are the skills the firm expects all associates in all practice groups to develop over time. Pepper describes what competent performance looks like at each step along the way and evaluates associates against those objective performance criteria. Benchmarks are specific to practice groups; they are the skills and expertise associates must develop to do the work unique to their respective practices. All associates are
given the benchmarks for their practice groups and asked to set goals for and keep track of their development. Partners are also provided with copies of the benchmarks so they can mentor and help associates develop their skills.

The competencies and benchmarks were not developed under a cloud of secrecy. Rather, Pepper used an open and collaborative process that involved its Associates Committee, practice group leaders, associates, and others within the firm to ensure that the competencies and benchmarks are appropriate standards by which to judge an associate’s performance. Likewise, the competencies and benchmarks are not a secret tool for firm management to judge associate performance, left to associates to attempt to decipher on their own. Instead, Pepper engaged all partners and associates in a constructive dialogue about the competencies and benchmarks and how they would be used in the evaluation process. As a result, the competencies and benchmarks now provide associates with a clearer roadmap on what it takes to succeed at Pepper.

**Shared Accountability**

If Pepper only required associates to develop the competencies set forth in its competency framework but did nothing to increase the likelihood that all associates enjoy the opportunity to develop those skills, then the new competency model would be ineffective in combating the marginalization (real or perceived) and attrition of diverse associates. Pepper, however, recognizes that shared accountability is an integral component of ensuring that its new competency model is an intrinsic part of its diversity initiatives.

Associates are generally accountable to seek out assignments that will help them develop competency and achieve benchmarks. Less obvious is how partners are made accountable in this process. By involving all partners in the benchmarking process, Pepper made sure that those in the position to give opportunities to associates know exactly what opportunities associates will and should be seeking. Firm management also made clear that these benchmarks are to be used by partners as an associate development tool and that partners are expected to be responsive to all associates as they try to attain their benchmarks.

**The Business Case for Competency-Based Compensation**

Organizational inefficiencies are created when not all associates are put to their best and highest use. In some firms having a lockstep form of compensation, in which economic incentives are tied to seniority, only a subset of associates at a law firm may be developing at a pace commensurate with their years of experience. The result is a development gap among associates that has long plagued lockstep compensation systems. This gap is not caused solely by some associates working harder or being smarter than others, but is a consequence of a compensation system in which economic incentives are tied more to seniority than to competency. In contrast, a competency-based system is a clear statement by firm management that it wants all associates to develop the skills necessary to become valued professionals and gives all associates the incentive to do so, which benefits both the firm and the clients we serve.

Admittedly, there is no single panacea for the issue of retention and advancement of diverse associates. With both partners and associates working from the same roadmap, however, Pepper’s new competency-based development model decreases the likelihood that diverse associates will get “lost” as they navigate their path to success at Pepper.
Michael H. Reed’s Perspective on Diversity in the Legal Field

Nefertiri Smarr, an associate in Pepper Hamilton’s Commercial Litigation Practice Group, sat down with long-time Pepper partner Michael Reed, the first African-American president of the Pennsylvania Bar Association, to get his thoughts on diversity issues. Michael concentrates his practice on corporate restructuring and bankruptcy matters. One of the things that drew Nefertiri to Pepper was the possibility of working with attorneys who have a long-standing commitment to diversity at the firm and in the community. Michael fits the bill in both respects.

Q. You worked at Pepper as a summer associate in 1971. Then, after graduating from Yale Law School, you joined the firm in 1972 and became a partner in 1980. It’s unusual today for someone to have practiced at a single firm for so long. To what do you ascribe your longevity?

A. Pepper has always seemed like the best fit for me professionally and personally. Acceptance of diversity has always seemed a part of the “institutional DNA” of Pepper, even before it became a business imperative. Recognizing my potential as a lawyer, Pepper allowed me to work with and learn from some of the greatest lawyers in the country. Additionally, appreciating my passion for working in the community and making a difference, Pepper always supported my involvement in the organized bar. Thus, Pepper has been my professional home for nearly forty years.

Q. What do you consider to be your most prominent career accomplishment to date?

A. In 2004, I became President of the Pennsylvania Bar Association, which was established in 1895 to advance the administration of justice and promote legal reform. Regrettably, to date, I am the only person of color to have served in that office.

Q. In your role as President, was there any particular achievement that has significant and enduring value to you?

A. One significant achievement was formation of the Commission for Justice Initiatives in Pennsylvania, which is a multi-disciplinary body organized in 2004, at the request of the Supreme Court of Pennsylvania, to develop and recommend programs and practices to improve the administration of justice in Pennsylvania. One meaningful result of that effort is the formal recognition of more than 72 specialized courts focused on improving how the justice system responds to offenders who are mentally ill or suffer from drug and alcohol addictions.

Q. Did the fact that you were the first African-American lawyer in the history of the association to assume the presidency have an impact on your platform?

A. I made diversity one of the two themes of my presidency. I emphasized diversity in my presidential appointments and all other aspects of my presidency.

Q. In your view, what are the merits of highly valuing diversity in the legal profession?

A. Law and the American system of justice are the “glue” that holds our society together. Our legal system should reflect our fundamental principles and values. Law is also an essential element of our economic system. In order for our legal system to command the respect of the public it serves, it needs to reflect our diversity.

Q. Have you always made diversity a central priority in your career?

A. I have been fortunate to be able to promote diversity at various points throughout my career. For example, I have been credited with being the principal founder of the Minor-
ity Bar Committee of the Pennsylvania Bar Association, a group formed in 1988 to ensure “full and equal” participation of minorities in the association, the legal profession and the justice system overall. I served as its first chair and helped to organize the association’s first Minority Attorney Conference in 1989. The annual conference, which brings together minority attorneys from throughout Pennsylvania, has been held each year since then.

Q. What can Pepper Hamilton do to increase diversity?
A. Pepper must continue to invest in and pursue diversity as an important part of its business plan. Diversity must continue to enjoy the support of senior firm leadership. We should also continue our efforts to create an environment that values diversity and is responsive to the needs of all professionals and staff. Finally, our commitment to diversity will be judged by our success in retaining and advancing diverse attorneys.

Q. Does mentoring play a crucial role in promoting diversity?
A. Absolutely. Having someone demonstrate a personal interest in your career by guiding or sponsoring you can have a significant impact on your professional development. A mentor can help you avoid mistakes, expose you to social networking opportunities, support your skill development and provide you with confidential and candid career advice. Mentoring also can benefit the mentor and the firm.

Q. Who were your mentors?
A. I have been the fortunate recipient of many meaningful mentoring relationships. Both before and after joining the firm, I was fortunate to have the late A. Leon Higginbotham, Jr. as a mentor. During my second year of study at Yale Law School, James T. Giles, a retired judge of the Eastern District of Pennsylvania and now of counsel at Pepper, interviewed and recruited me for a summer associate position with Pepper. Pepper partner Ned Madeira, who later would help me develop the Commission for Justice Initiatives, extended an offer to me to join the firm as an associate. In 1980, I was admitted to the partnership, which was due in large part to the support of I. Grant Irey, the former head of the Business Department of Pepper, who passed away at an early age in 1982. Gregg Miller, Gary Dutton and several other attorneys within and outside of the firm also helped me develop my career.

Q. What advice do you have for associates regarding mentoring and diversity?
A. You should seek to establish relationships with mentors who are knowledgeable about your practice area, the firm and your career interests. As a mentee you should also be open to developing relationships with mentors from different backgrounds and lines of experience, which will expose you to varied networks and professional experiences. Life is bigger than a law firm – you will also need mentors outside the firm.

Q. Are there any particular attributes that you consider important for success?
A. Ultimately, it is important to be true to yourself and to be persistent. Preparation and commitment are key elements to achieving success in the practice of law. As a diverse attorney, I could not have developed a successful career in a field like bankruptcy law without persistence.

Q. I note from your resume that you are involved in many organizations outside the firm, including your service as the state delegate for Pennsylvania in the American Bar Association (ABA) House of Delegates, membership in the ABA’s Standing Committee on Federal Judicial Improvements, as well as your service as vice-chair of the Philadelphia Board of Ethics. What is your role in these positions?
A. As the state delegate for Pennsylvania, I lead the Pennsylvania Delegation in the ABA House of Delegates and serve on the Nominating Committee that selects the president and other officers of the ABA. The Committee on Federal Judicial Improvements works to improve the functioning of the federal courts. The Philadelphia Ethics Board enforces Philadelphia’s ethics laws and regulations, including those governing campaign financing and lobbying.

Q. Have these positions contributed to your professional growth as an attorney?
A. Yes. I believe that there are many ways of achieving “growth” as a professional. Among the paths I have chosen are being active and serving in leadership positions in bar associations and serving in public-service positions in which I can use my legal training.
Q. Are there any other experiences that have affected you personally or professionally?

A. On a more personal level, early in my career (from 1974-84), I served as an advisor for the Law Explorers, a youth development program of The Boy Scouts of America that was also sponsored by the Philadelphia Bar Association. The Law Explorers provided career mentoring experiences for Philadelphia high school students interested in legal careers. I still hear from former students whom I mentored more than 30 years ago who have achieved great success, including one former mentee who is now a judge of the Philadelphia Court of Common Pleas.

Q. What has been your greatest personal accomplishment?

A. The birth of my two children, Alexandra and Michael Jr., as well as my partnership with my wife, Mrs. Yalta Gilmore-Reed.

Pepper Continues to Offer a Welcoming Environment for Its LGBT Employees

For several years now, the Human Rights Campaign (HRC) – the nation’s largest lesbian, gay, bisexual and transgender (LGBT) advocacy organization – surveyed, ranked and reported on policies, practices and activities of businesses throughout the country pertinent to LGBT employees. For the past three years, Pepper participated in the HRC’s “Best Places to Work” survey and earned perfect scores of 100 in 2009, 2010 and 2011.

The HRC’s survey criteria include:

- an equal employment opportunity policy that includes sexual orientation, gender identity or expression
- employment benefits with equivalent spousal and partner medical benefits
- organizational LGBT competency, including competency training, resources or accountability measures, and an employee group diversity council
- a company’s public engagement in LGBT issues
- a deduction of 25 points in ranking if a company engages in action that would undermine the goal of LGBT equality.

In completing HRC’s 2012 survey, Pepper highlighted a number of our policies, practices and activities that focus on the LGBT community, including offering equal health benefits to spouses and partners; using LGBT metrics as part of our diversity and inclusion practices; and sponsoring the Elton John AIDS Foundation Academy Awards Viewing Party in West Hollywood, CA in February 2011, the Enduring Vision Gala in New York, NY in October 2010, and the American Civil Liberties Union’s Voices of Freedom event in Philadelphia, PA in June 2011. Our sponsorships highlighted Pepper’s longtime support of equal rights of LGBT individuals nationally. As a firm, we are proud to be at the forefront of providing the full spectrum of opportunities, policies and benefits for our LGBT employees and their families.

Although the criteria against which HRC measures a business has become more stringent over time, and Pepper has met the challenge in each of the last few years, 2012 marks the first year in which offering health coverage for procedures to enable transgender employees or their family members to transition from one gender to another became part of the criteria. The firm’s current benefits carrier does not yet offer this particular benefit and, therefore, Pepper does not currently offer that benefit. As a result, we earned a 90 ranking in the HRC’s 2012 survey. Although a high score no doubt, it is not one that is satisfactory from the firm’s perspective, particularly if it can be remedied in a reasonable manner. Therefore, Pepper is investigating offering such a benefit to our employees and their families in the future, and we are in discussions with our carrier about doing so.
Harvard Law School Professor David Wilkins: Diversity Is a Critical Business Strategy, Not Just the ‘Right Thing to Do’

Harvard Law School Professor David Wilkins challenged Pepper and other law firms to embrace diversity as a critical business strategy for competing in an increasingly multicultural and global marketplace and not simply as the “right thing to do.”

Addressing Pepper’s partners and of counsel at the firm’s Annual Partners’ Meeting in November 2010, Wilkins pointed out that the demographics of the legal profession have changed dramatically over the last century, including more minorities, women, and people from diverse religious and socioeconomic backgrounds that had historically been excluded from the profession. But even though law schools are graduating more diverse classes and “virtually all” law firms have adopted diversity initiatives, Wilkins stressed that continued progress on diversity is not assured and requires firms like Pepper to remain committed to promoting diversity within the firm.

Wilkins discussed the business case for diversity, pointing out that increasing globalization has prompted many clients to demand increased diversity from their law firms. At the same time, Wilkins noted, the greatest challenges facing all law firms are recruiting, developing, motivating and retaining human capital during prolonged economic downturns, making the job of promoting diversity that much harder.

Recognizing that great lawyers are made, not born, and that training is an increasingly scarce resource, Wilkins emphasized that all senior attorneys must invest and participate in the development of junior lawyers, including diverse attorneys. Diversity is not just about policies. It is about people. Professor Wilkins gave an “each one teach one” challenge to Pepper, asking the partners and senior counsel to make that extra effort to train and develop junior attorneys. As Wilkins highlighted, increased global competitiveness is driving a new model that will place a premium on human capital development and retention. As a result, diversity efforts can and will be an important part of the future of law firms, including Pepper.

In the year since Mr. Wilkins addressed the partners and of counsel, Pepper, among other initiatives, has appointed a Partner in Charge of Diversity to lead its diversity and inclusion efforts, adopted an alternative schedules policy, created a Diversity Liaison Committee and Diversity Outreach Program to promote associate development and promotion, and adopted a partner’s compensation model that includes each partner’s commitment to the firm’s diversity efforts. At the November 2011 Annual Partners’ Meeting, Pepper’s Partner in Charge of Diversity, Kassem L. Lucas, challenged each partner and of counsel to make yearly individual commitments to the firm’s diversity efforts. In addressing his partners and of counsel, Lucas stated, “In order for Pepper to be successful in its long-term diversity and inclusion efforts, I will need the help of each of you.” Mr. Lucas is a proponent of the “each one teach one” philosophy discussed by Professor Wilkins and believes this starts with Pepper’s partners and of counsel being “all in.”
Affinity Groups Take Diversity and Inclusion to the Next Level

Desa L. Burton
BURTOND@PEPPERLAW.COM

Law firms greatly benefit from the presence of affinity groups. An affinity group is a common-interest group developed formally or informally within an organization that provides support to its members while also advancing the goals of the organization. The most commonly recognized affinity groups are those based on ethnicity, gender, sexual orientation, or professional association. For example, Pepper Hamilton’s Women’s Initiative Network, called Pepper WIN!, focuses on recruiting, retaining, promoting and supporting the firm’s female attorneys. In recent years, law firms have also welcomed affinity groups based upon other factors such as work-life balance, single parenting, and athletic interests such as running clubs. Whatever the basis, the common aspect of affinity groups is a cooperative and harmonious association of individuals.

Affinity groups make dollars and sense. Law firms with active affinity groups enjoy improved retention, reduced turnover costs, and the discovery of new recruiting channels or talent pipeline sources. Improved retention is a natural by-product of developing camaraderie with peers in the law firm environment. Turnover costs, often ranging in the hundreds of thousands of dollars, are greatly reduced by replacing the isolation many diverse employees feel with a familial environment. New pipelines for recruiting talent are readily identified and efficiently accessed from the knowledge and contacts of affinity group members who are excited to have others join their organization. Hence, affinity groups affect the bottom line in a positive way.

Affinity groups work. On one side of the spectrum, affinity groups act as a social and networking outlet. Social events create a safe environment in which to develop relationships, voice opinions, and receive feedback. On the other side of the spectrum, affinity groups directly interact with law firm management and influence law firm policies and procedures. For example, a diverse affinity group can work with human resources on issues that impact the members of the affinity group, or an affinity group for single parents could be asked to provide input on a policy regarding part-time work policies. By providing a forum for an employee to offer candid, thoughtful feedback and discuss ways to improve firm policies as a member of a group, not as an individual, affinity groups generally dispel any fear of reprisal or criticism. The range of possibilities of how affinity group interactions may work for, and within, the firm vary, but the outcome yields positive effects within the working environment.

Consider joining or organizing an affinity group within your law firm or legal community. Based upon your interests, there are many to choose from and the experiences gained through participation will be rewarding for you, other members of the affinity group, and the organization as a whole.

Pepper Hamilton’s Diversity Committee

Kassem L. Lucas, Co-Chair | lucask@pepperlaw.com
Andrew R. Rogoff, Co-Chair | rogoffa@pepperlaw.com
Robert Y. Chow | chowr@pepperlaw.com
Thomas J. Cole, Jr. | colet@pepperlaw.com
Hope A. Comisky | comiskyh@pepperlaw.com
Meg L. Cranford | cranfordm@pepperlaw.com
Mark DeLuca | delucam@pepperlaw.com
Valérie Demont | demontv@pepperlaw.com
James D. Epstein | epsteinj@pepperlaw.com
Maria A. Feeley | feeleym@pepperlaw.com
Nina M. Gussack | gussackn@pepperlaw.com
Solomon Hunter, Jr. | hunters@pepperlaw.com
Isla L. Long | longi@pepperlaw.com
Amy G. McAndrew | mcanrewa@pepperlaw.com
A. Michael Pratt | prattam@pepperlaw.com
Gay Parks Rainville | rainvilleg@pepperlaw.com
Michael H. Reed | reedm@pepperlaw.com
David Richman | richmand@pepperlaw.com
Michael A. Rule | rulem@pepperlaw.com
Margaret A. Suender | suenderm@pepperlaw.com
Don M. Tellock | tellockd@pepperlaw.com
Giles Essay Contest Winner’s Letter a Testament to the Future of Diversity

Scholarship winner Morgan Marant’s gracious and heartfelt thank-you letter to The Honorable James T. Giles Scholarship Committee is a testament to Pepper Hamilton’s ongoing efforts to create a pipeline of future legal leaders and to encourage exploration and discourse of current issues among students in Philadelphia’s public schools. At Pepper’s Celebrate Diversity Reception, Ms. Marant, a tenth-grader from Philadelphia’s Science Leadership Academy, received a scholarship of $500 for her submission in The Honorable James T. Giles Essay Competition. The contest honors former U.S. District Court Chief Judge Giles, the first African-American partner at Pepper, who rejoined Pepper as of counsel following his retirement from the bench in 2008. The 2011 essay topic required students to interpret the meaning of the right to bear arms as set forth in the Second Amendment of the U.S. Constitution. Contestants were asked to choose a position, support it, and address contrary positions. Judging each essay on quality, content, persuasiveness, style, and organization, a subcommittee of the Diversity Committee selected Marant’s essay from several submissions from high school students throughout Philadelphia as one of the scholarship recipients.

Marant’s essay explored the historical and cultural environment surrounding the ratification of the Bill of Rights and the originalist perspective of the Second Amendment. Marant then combined these two schools of interpretation to argue that “[i]f we see the people as the militia, then all we have guaranteed with that is that we will have a well-regulated and well-armed militia. We have that; our military is by far the most well-equipped and well-funded in the world. On the other hand, if the phrase ‘the people’ can be interpreted as anyone outside of the militia who wants to bear arms, then as I have already indicated, the historical context for the necessity of personal firearms is no longer valid as well as the fact that those homes that contain personal firearms are almost three times more susceptible to gun violence and fatalities.”

In her letter thanking the Pepper Scholarship Committee, which is presented below, Marant noted that her participation in this year’s competition allowed her to gain “confidence and experience in [her] critical humanities writing” and develop “the skills needed to thrive in a competitive college environment.” As The Honorable James T. Giles Essay Competition now approaches its second year, Pepper Hamilton looks forward to engaging with many more students on the critical legal issues facing society today and opening the pipeline to increasing diversity in the legal profession.

August 2011

To the Judge T. Giles Scholarship Selection Committee,

As a rising junior at Science Leadership Academy in Center City Philadelphia, I never expected to be a writing scholarship recipient. Although I had received local and state-wide awards for science fair projects that involved creative and hypothetical thinking, until recently I lacked confidence and experience in my critical humanities writing. Nonetheless, I decided to enter the Judge T. Giles Essay Contest and read the prompt about the interpretation of the second amendment. I realized that the prompt was asking high school students to think about the relevance of the right to bear arms in today’s world. I chose to examine this question from both the historical context as well as the present-day social problems with urban violence. In doing research, analyzing data, and thinking historically and interpretively, I enhanced my writing practice. Also, working on my Second Amendment essay assisted me in developing the skills needed to thrive in a competitive college environment.
In fact, also in preparation for college, I was away at Penn State for an academic study program for high school students. The program, SCOPE, focused on preparing high school students for careers in higher education. While I was there I received information that I was a finalist in your essay competition. I was surprised that my critical thinking and writing efforts were recognized. However, I was now faced with the dilemma of staying in the month-long residency program or leaving and coming to Philadelphia to accept the scholarship. My contact in negotiating this process was the ever reliable, available and accommodating Isla Long; with her help, I made it to the banquet! Although it was thrilling to get the scholarship money, the benefits of the evening went beyond that. Meeting the personable Judge Giles and talking to him sincerely about future careers as well as interacting with a variety of local attorneys challenged me to engage on a higher level than I am accustomed to with my peers.

Of course I am saving my scholarship money for college. However, the benefits of the scholarship experience reached well beyond the financial reward; it pushed my critical thinking and writing abilities and afforded me with a rich social encounter. In addition, the Judge T. Giles Essay Contest provided possibilities for future mentoring, as many of the professionals I met that evening offered assistance to continue to help revise my writing. I will appreciate that opportunity as I will continue to work on my thesis-driven writing throughout my junior and senior years. In addition, I will stay in touch to discover what other scholarship possibilities may be appropriate for me to pursue.

Thank you so much,
Morgan Marant

Pepper Joins MCCA’s FAN Network

Pepper Hamilton recently joined the Minority Corporate Counsel Association, Inc. (MCCA)’s Firm Affiliate Network, which requires its members to commit to the network’s 10 basic principles, which MCCA research has determined to be hallmarks to advancing diversity:

• regular communications from senior law firm management to all employees about the importance of diversity

• maintaining a fully-inclusive non-discrimination policy

• maintaining a formal diversity plan and a standing diversity committee or team

• possessing a goal to increase the number of diverse attorneys at all levels and across all practice areas

• the inclusion of diverse attorneys on key client pitches and business development opportunities and when new business results, inclusion of these attorneys on the actual assignments

• management and monitoring of work allocation and/or hours billed to ensure that diverse attorneys have equal access/inclusion on top client matters and quality work assignments

• maintaining a mentoring program that considers the needs of diverse attorneys

• the adoption of viable work/life balance and flextime programs

• demonstrated support of minority bar associations

• participation in the Annual Vault/MCCA Guide to Law Firm Diversity survey where applicable.

At the conclusion of a firm’s first year of membership, the membership renewal process requires law firms to share their efforts to further the basic principles.

In announcing Pepper’s joining of FAN, the firm’s Partner in Charge of Diversity Kassem L. Lucas noted, “Pepper has been working on our own for many years toward remaining a leader
Pepper WIN! Seminar Event Focused on Control of Career and Work-Life Balance

On October 15, attorneys from across Pepper Hamilton came together for a day of seminars sponsored by PepperWIN!, the firm’s initiative that focuses on recruiting, retaining, promoting and supporting Pepper’s female attorneys. The event, which was inspired by a proposal from associates in Pepper’s Pittsburgh office, gathered a wide range of women attorneys within the firm. In all, 65 attorneys attended, including 15 partners and three of counsel, representing 10 of Pepper’s 11 offices.

The day began with an opportunity for attendees to meet in small groups comprised of attorneys at all levels and from various practice groups and offices.

The highlights of the day were the two seminars in which panels of Pepper attorneys discussed topics including taking control of one’s career and work/life balance. During the first session, “Taking Control of Your Career: Personal Branding and Using Benchmarks,” partners Joan C. Arnold, Maria A. Feeley, Gay Parks Rainville and Audrey D. Wisotsky each shared their own paths to successful careers at Pepper and advice for associates coming up in the ranks.

To kick-off the work/life balance session, Hope A. Comisky gave an overview of the firm’s formal Alternative Schedules Policy, which was introduced in 2010. Joy Barrist, Isla Long and Audrey Wisotsky then described how they have managed to balance success at Pepper with commitments at home. In sharing their experiences, the panelists demonstrated that there is no formula and that every individual needs to find the solution that works best for them. Attendees also shared tips and discussed the various challenges they face in balancing work and life. Attendees were also reminded that work/life balance is important to the success of every attorney, whether male or female and whether or not they have dependents at home.

Joan C. Arnold, Hope A. Comisky, Maria A. Feeley and Pepper’s Director of Associate Development Margaret A. Suender planned the event, with valuable assistance from Pepper’s Diversity Coordinator Carole Ward.
Reflections from Lilly Preferred Outside Counsel Summit for Diverse Associates

In October, Pepper client Eli Lilly and Company hosted its 2nd Annual Lilly Preferred Outside Counsel (LPOC) Summit for Diverse Associates. As it is for many of our other clients and prospective clients, diversity is a core value to Lilly. Speaking on the subject, Lilly’s General Counsel Robert A. Armitage stated that “diversity is at the core of our long-held value of respect for people.” In line with his conviction, Lilly’s legal department began sponsoring the summit to support the continued professional development of the diverse associates working at LPOC firms. Lilly’s Assistant General Counsel for Litigation Teri Cotton Santos organized the summit, which is attended by associates and partners from each LPOC firm. Pepper was represented at this year’s summit by Commercial Litigation partner Kassem L. Lucas, and associates Desa L. Burton from the Intellectual Property Group and Keely James Stewart from the Corporate and Securities Practice Group.

During the Summit, Desa and Keely (i) received career coaching from LPOC firm partners and Lilly in-house lawyers, (ii) increased their professional network, and (iii) gained insights on effective diversity efforts from associate counterparts at other LPOC firms.

One of the many highlights of the summit was the presentation by Werten Bellamy of Stakeholders, Inc. Mr. Bellamy's address provided keen insights on how associates should “own” their careers. He called law firm hour requirements “billable hour buffets,” and he warned the associates not to fill up at the first table on bread and salad while ignoring the prime rib at the end of the buffet. In Mr. Bellamy’s allegory, bread and salad are the typical junior-associate, entry-level projects. His point was that, while it is important to become proficient at basic tasks, associates must also be assertive in seeking out increasingly advanced legal work and supervisory roles. He also reminded the attendees that, in order to become a top performer at a law firm, associates need to start by demonstrating a personal commitment to their own professional development. Personal investment sets in motion a chain reaction of increased partner investment in our careers, better positioning to see further opportunities for growth and advancement, and premium outputs (e.g., excellent work product). His thesis was that associates cannot simply rely on the firm structure to produce professional success. Instead, associates must initiate and continually revitalize the process. Success that begins with self-investment is achievable.

The summit provided a valuable opportunity to strengthen our ties with Lilly, receive sound career development advice and gain insight about successful diversity efforts from our peer firms in order to supplement our best practices in diversity at Pepper. Please contact Kassem (lucask@pepperlaw.com), Keely (stewartk@pepperlaw.com) or Desa (burtond@pepperlaw.com) if you would like more information about the presentations or events that took place at the summit.
This past Veterans Day, Pepper sponsored a breakfast to honor current and former members of the military at the firm, as well as those attorneys and staff who have immediate family in the military. Also in attendance was a former Navy SEAL, who was a 2011 summer associate at the firm. The event was organized by the Diversity Committee and the entire firm was invited to attend. Desa Burton, a U.S. Navy veteran and an associate in Pepper's Intellectual Property Practice Group, noted in her opening remarks that, “Pepper has a remarkable number of veterans from all branches of the service, including at least 18 veteran attorneys and numerous veteran staff members.” She added, “I am thrilled that we are able to hold this event in recognition of service to our great nation, and to mark this exceptional holiday.”

Jon Kane, a partner and chairman of the firm’s Labor and Employment Group, spoke about how returning veterans bring value to their workplaces based on their combat-tested values of duty, honor, teamwork, and leadership. Mr. Kane served as a special operations officer in the U.S. Army and served a tour of duty in Vietnam. He was awarded the Bronze Star. Mr. Kane now represents disabled veterans pro bono before the U.S. Court of Appeals for Veterans Claims through the Veterans Law Clinic at Widener University Law School.

John and Jennifer Raffetto were special guests at the breakfast. Their son, Navy Corpsman Jay Raffetto, a Chester County native and special amphibious reconnaissance corpsman, was seriously injured in an improvised explosive device (IED) explosion in Afghanistan in 2010.

It was a privilege to be among Ms. Burton, Mr. Kane, the Raffettos, and all of the service members and families in attendance. At the age of 17 and straight from my family’s dairy farm in western Massachusetts, I was off to Fort Sill, Oklahoma for boot camp. As a 38A civil affairs specialist in the Army Reserves, I was expertly trained in civil-military operations, tactical maneuvers and learned how to do a proper push-up. Aside from my formal training, I found immeasurable value in what I learned from my fellow service members. The diversity in the life experiences of those around me was tremendous. Each soldier’s background and personal motivation for joining the military is different. Some join to honor a parent or another family member who served, others to support their families or for access to training and educational opportunities. However, despite their many differences, all members of the armed forces join with the common goal of service to country.

Many thanks to Ms. Burton, who was joined by Pepper’s Director of Professional Recruiting Meg Cranford, the firm’s Diversity Coordinator Carole Ward, and the firm’s Diversity Committee as organizers of this event. It was a wonderful opportunity to pause on such an important day to show our appreciation for military service and recognize the diversity of the experiences and accomplishments of our colleagues here at Pepper.
Pepper Forms Diversity Liaison Committee

Pepper has created a Diversity Liaison Committee (DLC) to provide the Diversity Committee with better and more transparent communication with associates throughout the firm with respect to diversity and inclusion. Members of the DLC solicit issues, concerns and ideas from all associates and share those issues, concerns and ideas with Pepper’s Partner in Charge of Diversity. The DLC also notifies associates of events and groups dealing with diversity in the legal profession.

In just a few months, the DLC has already helped to raise awareness among associates about the firm’s existing diversity initiatives, including, among other things, the diverse associates mentoring program, regional events sponsored by bar organizations focused on diversity matters and multiculturalism and opportunities for contributing to the firm’s Diversity Matters newsletter. The DLC has also allowed associates to voice their opinions about the associate advancement process and to generate ideas about working with clients and prospects seeking law firms that have made diversity a core business principle.

The DLC is composed of eight associates from throughout the firm. Other associates are encouraged to reach out to any member of the DLC with questions, concerns or ideas. Current members of the DLC are:

- Hedya Aryani
  Commercial Litigation
  Philadelphia
  2009

- Wendy Klein Keane
  Construction
  Philadelphia
  2004

- KaSandra Rogiers
  Health Effects
  Philadelphia
  2009

- Carline Durocher
  Corporate and Securities
  Boston
  2007

- Bipul Mainali
  Corporate and Securities
  New York
  2005

- Hyung Steele
  Health Effects
  Philadelphia
  2003

- Matthew Jansen
  Commercial Litigation
  Philadelphia
  2003

- Rebecca Oliver-Remshifski
  Corporate and Securities
  Princeton
  2003

www.pepperlaw.com/diversity.aspx
If knowledge informs luck, Pepper associates are in for a great year. Legal career coach and author Sheila Nielsen visited Pepper Hamilton's Philadelphia office on November 15, 2011, to lay out her “Map of the Quest,” an animated guide to achieving career satisfaction – or “luck” – published by the American Bar Association (ABA).

Nielsen likened the quest to an epic adventure and professed that if the quest is career satisfaction, then associates must “get out of the cottage and into the woods.” According to Nielsen, we do not trip over luck – we create it. In other words, career satisfaction will not knock on your door; you must boldly pursue it. Nielsen’s message was well-received among a room of diverse Pepper associates, Bryn Mawr College alumnae, and ABA members.

**Cottage Fever**

Diverse associates who feel isolated may believe that the cottage, a comfort zone, is more attractive than the intimidating woods. Nielsen, however, wisely encouraged all associates to get out and create their own luck by networking with attorneys both within and outside of their firms. In fact, the woods, whatever they represent for you, are more rewarding than the cottage. The quest for professional fulfillment begins with having the right attitude, and Nielsen explained that associates who have succeeded on this quest are interactive, engaging, open, aware, tenacious and optimistic.

** Allies in the Woods**

What’s the importance of the woods? Only in the woods can associates find the “knights and wizards,” or mentors and allies, to provide guidance and protection. The knights and wizards know the trails and are, or have been, where you want to go. Furthermore, Nielsen reminds us, every quest has challenges that can make it epic. The goal of the quest is to establish trusted contacts that make it easier to overcome those challenges, or “dragons.”

**Add Value from the Woods**

By getting out of the cottage, associates can discover their true value. Nielsen called this the “career sweet spot”—that point where associates understand their aptitude, interests and skills and learn how to use them for the firm and its clients. Through the quest, associates can more accurately assess their own talents and what they enjoy doing.

**Dreams and Dilemmas**

Almost as important as getting out of the cottage is what you do when you’re out. The knights and wizards are wise, but not psychic. Nielsen stressed the importance of sharing your “dreams and dilemmas” with the mentors and allies you encounter on your quest. Tell people where you’d like to go, as well as what you believe are your greatest challenges or weaknesses. Sharing your self-evaluation with your key supporters will enable them to help you prepare for and select the appropriate trail.

In the end, associates will not only have achieved some career satisfaction, but they will have cultivated a community of mentors and allies that will support them on future quests.