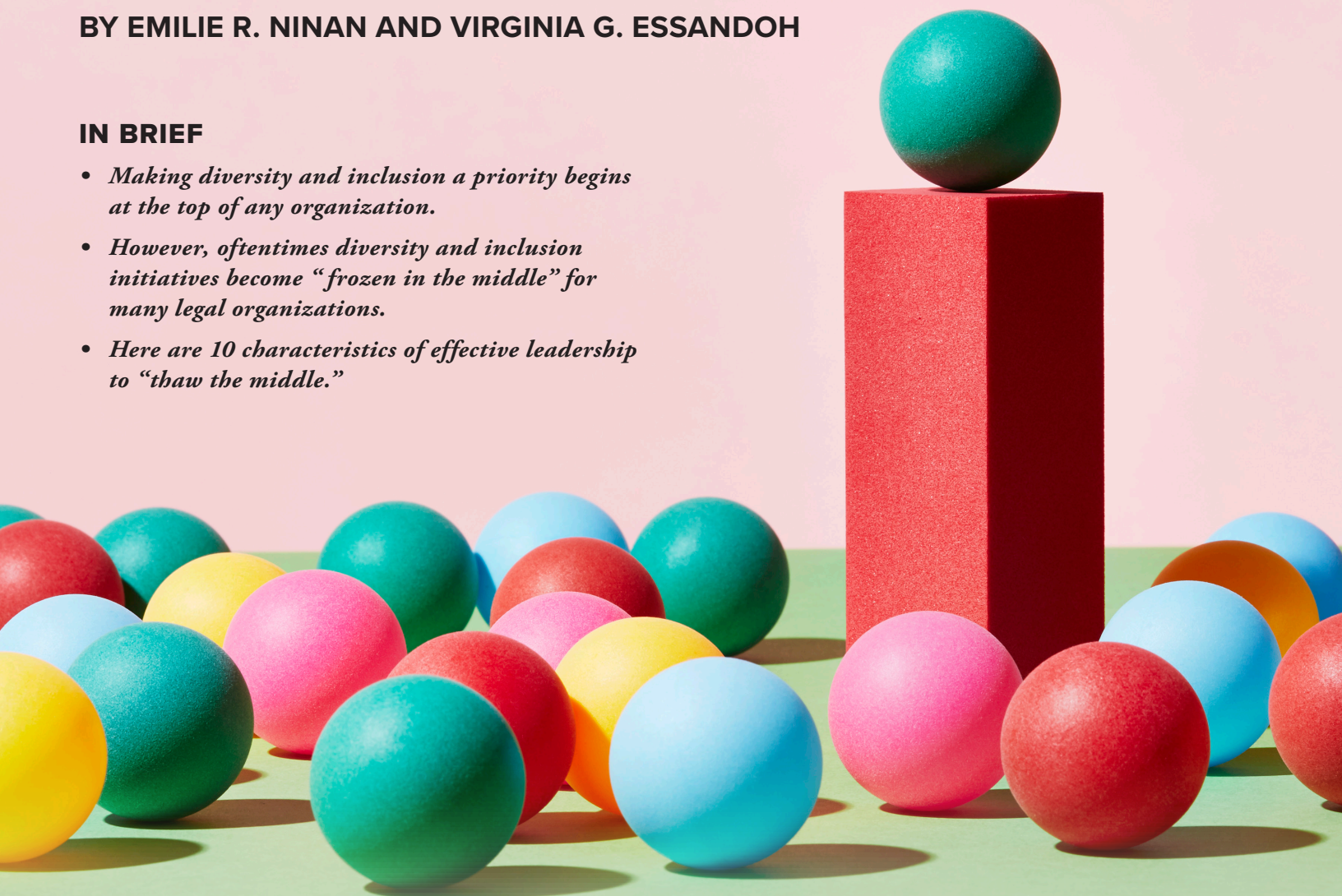


10 Characteristics of Inclusive Leadership

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IN BRIEF

- *Making diversity and inclusion a priority begins at the top of any organization.*
- *However, oftentimes diversity and inclusion initiatives become “frozen in the middle” for many legal organizations.*
- *Here are 10 characteristics of effective leadership to “thaw the middle.”*



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Ensuring that a legal organization both represents and is inclusive of a wide array of backgrounds, viewpoints, and beliefs is a business imperative; yet, legal organizations struggle to translate big-picture concepts like diversity and inclusion into practical steps and actionable plans. Although many will say that the key lies in the actions and behaviors of top leaders modeling

inclusion, what actually opens doors are the mid-level leaders and every day relationships that make or break an individual's experience in a law firm. Being “frozen in the middle” is the stumbling block to inclusion for many legal organizations. This concept of “frozen in the middle” has been used to describe organizations where there is support and buy-in for diversity and

inclusion at the highest levels of an organization, but the response to implementation of diversity and inclusion initiatives from colleagues on a day-to-day basis ranges from complete disregard to passive opposition.

Before jumping into the 10 characteristics of inclusive leaders that translate through an

organization, let us first review the concepts of diversity and inclusion and why they matter to the bottom line. The terms “diversity” and “inclusion” continue to evolve and can be defined as narrowly or as broadly as makes sense for a particular organization’s culture and needs. For purposes of this article:

- **Diversity** in a legal organization means a work environment comprised of lawyers and staff from different backgrounds, experiences, and perspectives who are reflected and valued throughout all levels of the organization.
- **Inclusion** is the means by which individuals from all backgrounds are engaged, integrated, motivated, and valued. Inclusion means that diverse individuals are fully integrated into the process by which individuals have exposure to the work, clients, and relationships that are critical to development and success.

Diversity and inclusion are important for many reasons, but for the moment, let us focus on the economic. Client outside counsel guidelines increasingly include language about the client’s expectation that lawyers with diverse backgrounds be a part of the delivery of legal services. These clients recognize that if their law firms reflect the wider world, the legal advice will be well rounded and provide legal protections that take into account all potential blind spots. A McKinsey report found that those firms that were more ethnically and gender diverse performed significantly better than others. Need more evidence

that this is important to clients? Take a look at the November 2019 announcement by Intel’s Executive Vice President and General Counsel Steven R. Rodgers that beginning in January 2021, Intel will not use outside counsel with an “average” or “below average” on diversity. Intel defines “above average” as 21 percent equity partners being women and 10 percent equity partners being underrepresented minorities to include people of color, LGBTQ, the disabled, or veterans. At our firm, we have seen our market share increase in instances where we produced a more diverse team over our competitors. We have also added to our bottom line because clients sought out our firm for its inclusiveness.

Creating a legal organization that has leadership with the skills and competencies to be inclusive will benefit any organization. Below are 10 characteristics of inclusive leaders:

- **Exercise Self-Awareness.** It is critically important for leaders to be self-aware and identify, understand, recognize, and correct their own biases. One tool is the Implicit Association Test, which allows you to test your biases in dozens of areas. This tool helps identify where your vulnerabilities lie and how they impact decision making.
- **Mindful of Gatekeepers.** Gatekeepers are the individuals who open or close the door to opportunities in legal organizations. This includes those on hiring committees, those who screen resumes, those who assign work, and those who control advancement. These gatekeepers

must have skills related to cultural competencies that encourage diversity and inclusion.

- **Weave Diversity and Inclusion into Larger Messages.** In addition to merely discussing diversity and inclusion, they also must be infused in larger, wider messages. By speaking about their importance consistently, law firms can emphasize their importance. For example, diversity and inclusion should be infused in a practice area’s strategic plan—not a section of the plan, but infused throughout. Thus, if a broad goal is to recruit top talent, refine it to say: recruit top talent with diversity and inclusion in mind.
- **Thaw the Middle.** One of the issues identified by diverse lawyers is that there is often little to no commitment to diversity and inclusion in the rank and file of legal organizations. Commitment at the top does not mean much if it does not trickle all the way down. The commitment and talk is most often hot at the top, but it is frozen in the middle layer where day-to-day interactions take place. One way to correct this is to ask all partners to personally

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- commit to the core values or tenants of the organization. At our firm that includes excellence in legal service, commitment to pro bono, commitment to developing the next generation through regular feedback, mentoring, etc., and *commitment to fostering and cultivating an environment in diversity and inclusion.*
- **Acknowledge Inclusion Happens in the Everyday.** Diversity and inclusion must be pervasive and infuse the actions both big and small that happen throughout the work day. What might be a trite invitation to lunch to one person could be a difference maker to someone who never receives an invitation to lunch. It could be as simple as a partner offering a last-minute invitation to join him or her at an external board meeting, bar-related activity, or client meeting.
- **Seek Missing Perspectives.** Inclusive leaders seek to integrate many voices into discussions and decisions. They pay attention to whose perspectives are missing from discussions and make sincere and consistent effort to include those viewpoints.

- **Comfortable Communicating about Diversity and Inclusion.** Having frank and earnest discussions about diversity and inclusion can take some people outside of their comfort zones. However, inclusive leaders continue to exercise that muscle despite discomfort. As with most things, this is something most individuals become more comfortable with the more they do it.
- **Encourage People to Speak Up.** It is uncomfortable when a person says something uninformed or offensive, but letting it slide perpetuates the problem. Inclusive leaders realize when they must speak up because they cannot let such comments go unaddressed, and they encourage others to do the same.
- **Support Employee Resource Groups.** Employee resource groups address unique needs of underrepresented individuals. They also promote interaction with leaders and provide ways to engage and connect people. A thoughtfully designed and successfully implemented affinity

group can help previously marginalized people feel connected to one another and the legal organization. Inclusive leaders support such groups.

- **Demonstrate and Reward Courageous Leadership.** At legal organizations where diversity and inclusion are prioritized, leaders seek out opportunities to be a role model and elevate others into leadership positions. Inclusive leaders are aware of the tremendous responsibility they have to contribute to the empowerment and inclusiveness of the organization.

Leaders of today and tomorrow are expected to have an expanded set of competencies, including those related to diversity and inclusion, beyond what was required of leaders of yesterday. Whether it is a law firm, governmental legal agency, or law department, our organizations continue to evolve, and a smart and successful leader has his or her eye not only on the bottom line, but on the horizon ahead.

