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In-House Diversity & Inclusion Efforts Forged Ahead in 2020

From creating new guidelines for their outside counsel to publicly speaking on social justice issues, general counsel continued to work toward equity in the legal profession.

By Dan Clark | December 28, 2020



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When legal departments began working from home, many feared that diversity and inclusion would take a backseat. In fact, Joel Stern, CEO of the National Association of Minority and Women Owned Law Firms, emphasized (<https://www.law.com/corp counsel/2020/04/15/dont-forget-about-diversity-and-inclusion-during-covid-19-a-qa-with-namwolf-ceo-joel-stern/>) the importance of pushing forward with those efforts during the pandemic.

“You don’t want the hard work of many to be erased by this pandemic. We do not want to see smaller law firms, which are disproportionately minority- and women-owned, go by the wayside. We don’t want to see law firms get rid of the programs that benefited minorities and women,” Stern said in an interview with Corporate Counsel in March.

Meanwhile, amid the national outcry over the killing of George Floyd and other Black Americans at the hands of police, general counsel and major corporations began to speak out on systemic racism in the United States. Henry Fong, LinkedIn’s general counsel, wrote in a post “we cannot stay silent and avert our eyes until and unless we’re personally affected. Systemic injustice must not be denied, ignored, normalized, or tolerated.”

Below are some instances where in-house counsel helped to move the needle forward on diversity in 2020. **Black GC 2025** (<https://www.law.com/corp counsel/2019/12/18/black-gc-2025-initiative-launches-website-posts-core-criteria-to-lead-legal-departments/>) **launched its website in January, creating a resource for Black attorneys who want to lead the legal department of a Fortune 1000 company.** The website lists the core criteria to become a general counsel. Ernest Tuckett, a founder of the group and former general counsel of AkzoNobel, said the criteria is set up for self-assessment. “We want black lawyers who aspire to be a general counsel to understand what they need to be doing or learning,” Tuckett said.

Intel announced its new diversity and inclusion rule for law firms. Beginning in 2021, Intel will require that 21% of a firm’s U.S. equity partners be women and at least 10% of U.S. equity partners be underrepresented minorities. In January, Women Owned Law and The National LGBT Chamber of Commerce announced (<https://www.law.com/corp counsel/2020/01/16/diversity-groups-want-to-help-intel-implement-outside-counsel-rule/>) they wanted to help Intel implement the new requirement. Nicole Galli, the president and founder of Women Owned Law, said she hoped the rule will be a wake-up call for in-house counsel to look at the makeup of their law firms. Su Suh, the chief of staff and diversity and inclusion program manager for Intel’s legal department, discussed the new Intel rule during the Women Influence & Power and in Law Conference in October, and described it as using the corporation’s \$300 million legal budget to say “enough is enough.”

In February, Novartis AG (<https://www.law.com/corp counsel/2020/02/14/novartis-preferred-outside-counsel-prepared-for-diversity-staffing-requirements/>) **released its 2020 preferred panel of global and U.S. law firms with strict staffing requirements.** The firms on the panel committed to having no less than 30% of billable associate time and 20% of partner time be “provided by females, racially/ethnically diverse professionals or members of the LGBTQ+ community.” If a firm does not hold up to that agreement, Novartis will withhold 15% of the total amount billed over the life of the matter.

In June, Universal Music Group’s CEO, Lucian Grainge looked to the company’s general counsel, Jeffrey Harleston, to head its new inclusion and social justice taskforce (<https://www.law.com/corp counsel/2020/06/02/universal-music-group-ceo-turns-to-general-counsel-jeffrey-harleston-to-drive-equality-efforts/>). As head of the task force, Harleston is tasked “with convening a group of qualified executives throughout the company” to review their current diversity and inclusion programs and update initiatives where they need to be updated. **In-house attorneys at several organizations signed onto the Pay It Forward** (<https://www.law.com/corp counsel/2020/06/30/in->

house-counsel-pay-it-forward-to-foster-diversity-during-pandemic/) Initiative over the summer to mentor **Black attorneys of all ages and experience levels**. Michelle Fang, the chief legal officer of Turo Inc., said the program would be a good way to network while also creating a diverse pipeline for in-house roles in the future. **A case study released by the Minority Corporate Counsel Association in October held up Barclay’s Legal Department as a top example (<https://www.law.com/corpcounsel/2020/10/27/barclays-legal-department-spearheaded-effective-diversity-inclusion-efforts/>) of implementing diversity and inclusion efforts**. The study touted the bank’s “Bring Your Whole Self to Work,” “Gender Intelligence” and “Diversity & Inclusion Consortium” initiatives.

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