

CENTER FOR LEGAL INCLUSIVENESS (CLI)

“WHEN YOU GET A GOOD IDEA, YOU PUT IT INTO ACTION,” says Kathleen Nalty, executive director of the Center for Legal Inclusiveness (CLI), a Denver-based organization that educates, recruits, and supports private- and public-sector legal organizations in their own missions to create cultures of inclusion.

“You don’t sit around and talk about things endlessly,” Nalty continues. “You don’t wait until every person is on board or every single concern is addressed. You implement it.” This action-oriented approach is at the heart of CLI, an organization that was founded in 2007 with the purpose of carrying out the vision of a different Colorado-based diversity organization, the Deans’ Diversity Council (DDC). The DDC was comprised of a group of law school deans and top leaders from every sector of the legal community and had formulated a vision to address the lack of diversity in the legal profession. CLI, initially called Colorado Campaign for Inclusive Excellence, was founded with the specific purpose of taking this vision and finding real solutions.

Nalty, who played a pivotal role in the formation of CLI and has served as executive director of CLI since its inception, is an attorney with extensive experience and expertise in diversity issues. She worked for the University of Denver Sturm College of Law, where she specialized in assisting employers and students with diversity programs and initiatives, served as co-chair of the Diversity in the Legal Profession Committee of the Colorado and Denver Bar Associations, and has received numerous awards for her diversity work.

BEYOND DIVERSITY

During the formation of CLI, Nalty knew that the best way to create results was to take direct and immediate action, so she and her colleagues took a “campaign” approach that emphasized action over discussion. The first step was to address the fact that although diversity efforts were being implemented within the legal profession and efforts to recruit diverse attorneys were evident, retention was an issue. “The open door had turned into a revolving door, with diverse attorneys leaving at higher rates than non-diverse attorneys,” Nalty explains.

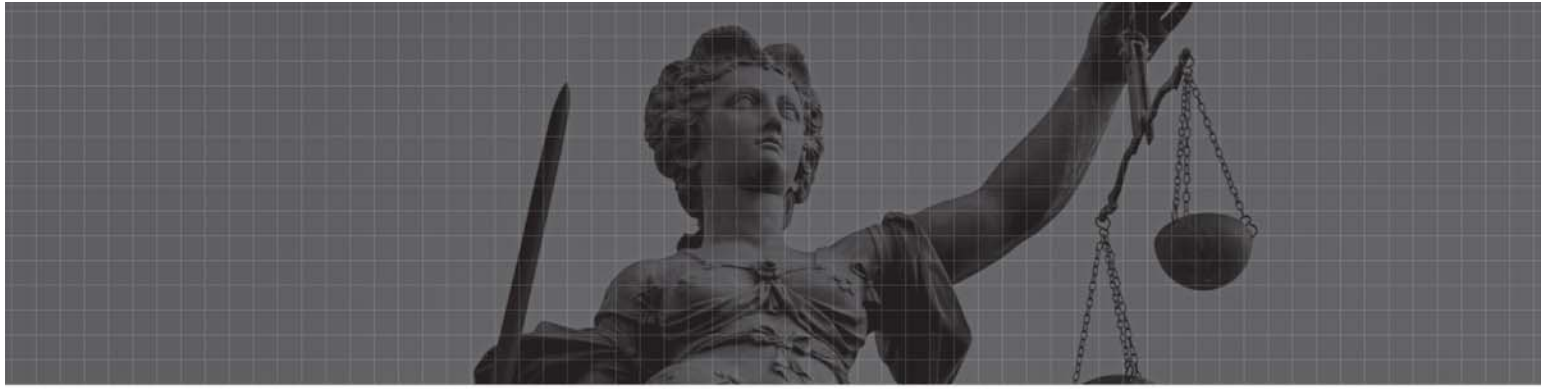
CLI identified a source of this problem as the failure of law firms to recognize the difference between diversity and inclusiveness. “Many people use the terms interchangeably, but they have very different meanings,” Nalty says. Whereas diversity describes the extent to which an organization’s employees have diverse backgrounds, inclusiveness describes a culture that values difference, removes hidden barriers, and creates a work environment that helps diverse employees succeed. It moves beyond numbers (compositional diversity) and embeds philosophies and practices that encourage diversity throughout the organization. An inclusive organization recognizes and values the backgrounds and perspectives of every person within the organization and strives to incorporate each individual’s needs and viewpoints into its practices.

“The legal profession has been good when it comes to recruiting, but less focused on the retention of diverse attorneys,” Nalty continues. “We need to keep recruiting, but fundamental changes have to be made in the organization—structurally, culturally, and behaviorally—to retain diverse attorneys. That’s inclusiveness and inclusion is what’s going to make the difference.”

CLEAR DIRECTION

In order to become a catalyst for change, CLI developed several resources to guide public and private legal organizations to build cultures of inclusion within the workplace.

First is a comprehensive toolkit for fostering inclusiveness. *Beyond Diversity: Inclusiveness in the Legal Profession*, now in its fourth edition, is a step-by-step manual that charts a specific protocol for achieving a culture of inclusion. It offers specific instruction on laying an internal foundation, creating an external support system, integrating inclusiveness within an organization and into external relationships, implementation of initiatives, and joining with other organizations to share insights on successes and challenges throughout the process. For example, the manual describes how to restructure an existing diversity committee—including changing leadership, removing some committee members, and bringing new people onto



the committee—in a way that embeds inclusiveness. The manual is continuously revised based on the experiences of organizations that have put these practices into place.

CLI's Inclusiveness Network, a group of seven law firms, two corporate law departments, and two government law offices in Denver, was developed with the purpose of being a real-world laboratory for testing the manual's procedures. The group was formed in 2008 and its members have made fundamental structural and cultural changes in their organizations and embedded specific diversity and inclusiveness practices and principles into their cultures. For example, members make structural changes, like tying compensation to efforts to make the organization more diverse; cultural changes, such as actively engaging white men in diversity and inclusiveness efforts by including them on inclusiveness committees, and behavioral changes, such as teaching managing partners to confront peers about conduct that is exclusionary.

The group continues to meet on a quarterly basis. Leaders from each member organization discuss their firsthand experiences implementing the manual's protocol and offer one another constructive feedback. "The group experience is a key to its success," Nalty notes. "Clients and law firms are required to report on their progress at each of their quarterly meetings. They can't quietly put [the inclusiveness protocol] on the back burner. Accountability is built into the process."

CLI takes this feedback and implements it into future editions of the manual in the form of case studies. Such real-world examples help non-member legal organizations that purchase the manual to implement inclusiveness initiatives into their own organizations.

***"THE OPEN DOOR
HAD TURNED INTO A
REVOLVING DOOR, WITH
DIVERSE ATTORNEYS
LEAVING AT HIGHER
RATES THAN NON-
DIVERSE ATTORNEYS."***

—KATHLEEN NALTY

COLORADO CAMPAIGN FOR INCLUSIVE EXCELLENCE
is now



CENTER FOR LEGAL INCLUSIVENESS
the path to transforming the legal profession

SPREADING THE WORD

The work of CLI, while still relatively new, is quickly growing beyond its Colorado roots. A second Inclusiveness Network formed earlier this year, bringing the number of legal organizations using CLI's step-by-step protocol to 29, including the corporate law departments of Walmart, DaVita, Xcel, and Qwest (CenturyLink). "The growth has been meteoric, primarily because we focused on inclusiveness," Nalty explains.

When good ideas yield positive results, word spreads quickly. This is how Walmart Stores Inc., which is not based in Colorado but in Arkansas, entered the mix. "[Executive Vice President, General Counsel, and Corporate Secretary] Jeff Gearhart heard about what we were doing and was excited about the toolkit. He flew into Denver with seven attorneys for an initial meeting and he decided to implement it," Nalty says.

Indeed, Gearhart is optimistic. "We believe that CLI's inclusiveness program will help us take our diversity efforts to the next level by ensuring that we are doing our best to develop and retain our talented attorneys and professional staff. A more inclusive environment leads to better collaboration and engagement, which will make our department more effective," he says.

"When Walmart got on board, we realized this toolkit is useful anywhere, not just here in Denver," Nalty adds. "I'm really proud of what we've done here. We didn't turn our backs on diversity. We're really excited about the power and potential for this tool to really transform our entire industry." **D&B**

Kara Mayer Robinson is a freelance writer based near New York City. For more information, visit centerforlegalinclusiveness.org. For information about inclusiveness, the manual, and resources on diversity and inclusiveness, go to legalinclusiveness.org.