

**ACTION PLAN
FOR
THE KANSAS CITY METROPOLITAN AREA
MANAGING PARTNERS' DIVERSITY INITIATIVE**

I. INTRODUCTION

The Managing Partners Committee of the Kansas City Metropolitan Bar Association have worked to achieve an action plan that will promote diversity in its broadest sense and the inclusion of all qualified individuals in the greater Kansas City legal community. The Managing Partners have agreed that a meaningful plan must outline a practical process and include measurable goals. To that end, the following action plan includes several "best practices" for recruiting and retaining under-represented groups as associates and partners in significantly higher numbers than in the past. All agreed that in order for the greater Kansas City community to achieve meaningful changes in the demographic make-up of its legal community, the member firms must, individually and collectively, commit to some new courses of action that will depart from previous practices.

While this action plan's initial objectives are primarily designed to increase the participation of under-represented racial and ethnic groups in the local practice of law, we acknowledge that the inclusion of diversity in its many facets, including, without limitation, race, ethnicity, gender, religion, sexual orientation, and physically challenged individuals, enriches us all.

All parties involved with the adoption of this action plan agree that its implementation will be conducted in good faith with the intention of enhancing the diversity of our legal community by focusing on an approach to hiring that does not artificially interfere with or discourage the objectives of this action plan.

We also gratefully acknowledge the work of the Columbus, Ohio Managing Partners' Diversity Initiative which served as a catalyst and template for the actions recommended here.

II. HISTORY AND STATEMENT OF PRINCIPLES

We agreed to join together in this undertaking because it was apparent to each of us that, despite individual efforts and good intentions, we have been unsuccessful in achieving the level of diversity that we wanted to attain.

We are acutely aware that, in greater Kansas City, as elsewhere, the legal profession has not achieved sufficient diversity. As a first step, we are committed to increasing the number of racially and ethnically diverse attorneys recruited, hired,

trained, retained, and initially or ultimately invited to join the partnership ranks in greater Kansas City's large, midsized and small law firms.

We believe that greater Kansas City's law firms must take a leadership role and make positive and determined efforts to achieve needed diversity. Each firm's managing partner and/or executive committee, as well as high-level members of the firm's hierarchy and hiring committees should vigorously support these programs.

We recognize that individual member firms vary greatly in size, management style, resources and types of clients. We expect, therefore, that the member firms will adopt different structures, different programs, and different strategies to guide efforts to achieve the recruitment and hiring objectives enunciated in this plan.

We remain committed to recruiting, hiring, training, retaining, and inviting to partnership attorneys from under-represented groups. We understand that the necessary changes will not be achieved by good intentions alone. In order to achieve meaningful, measurable and lasting progress toward greater inclusion of racially and ethnically diverse legal talent, it is necessary for us to not only commit philosophically to those goals, but also to commit resources, individually and collectively, towards activities that we as a group believe will have a positive impact.

In addition to the efforts of the member firms represented by the Managing Partners Committee, we recognize that a truly successful program will require a collaborative effort that also involves local and regional bar associations, corporate law departments and law schools.

III. STATEMENT OF GOALS AND ACTION PLAN OBJECTIVES

OBJECTIVE 1

The member firms will undertake to recruit, hire, train, and retain racially and ethnically diverse law students and/or attorneys in an effort to significantly increase the number of racially and ethnically diverse attorneys recruited, hired, trained, retained, and initially or ultimately invited to join the partnership ranks in every one of greater Kansas City's small, mid-sized and large law firms.

1. To achieve meaningful progress toward increasing the number of racially and ethnically diverse attorneys who practice in greater Kansas City in furtherance of Objective 1, each of the **member firms** commits, on an annual basis beginning on January 1 2005, for each of the next five (5) years, to:

a. Retain statistics (to the extent it is lawful to do so) concerning the number of racially and ethnically diverse law students and lawyers who are interviewed by their law firms, receive offers, are hired, and/or are promoted to partnership;

b. Report to the KCMBA statistical information each February that was retained under the prior paragraph and report on efforts undertaken by the member firm in furtherance of these objectives, and concerning other efforts undertaken by the member firm in furtherance of these objectives;

c. Attend a half-day meeting during the month of May each year with other member firm managing partners, bar association leaders and law school representatives to share information and experiences, evaluate and analyze results, address and correct shortcomings, and chart the progress made toward implementing the action plan to achieve these objectives; and

d. Discuss whether individual firm or aggregate numerical interim goals will be helpful to achieve the recruitment, hiring, retention or promotion objectives of this plan.

2. To increase the number of offers of employment extended to law students and racially and ethnically diverse attorneys in furtherance of Objective 1, each of the **member firms** commits to the following “best practices,” whenever practicable:

a. Adopt and publicize a commitment to racial and ethnic diversity within the member firms;

b. Analyze and question criteria used to evaluate prospects (e.g. class rank requirements, law review membership) to determine whether such requirements serve to disproportionately screen out racially and ethnically diverse prospects.

c. Endeavor to recruit from law schools with a significant number of racially and ethnically diverse law students.

d. Identify and recruit students of racial and ethnic diversity through law school placement administrators, faculty members, present or former summer clerks, and law students organizations.

e. Recruit more racially and ethnically diverse attorneys as lateral hires.

f. Create an inter-firm candidate referral network wherein law students or attorney applicants may be referred for consideration to other member firms, with the permission of the applicant.

g. For those who recruit on a national level, endeavor to recruit at national job fairs for diverse law students.

h. Support, sponsor and recruit at the Heartland Diversity Legal Job Fair in Kansas City, Missouri beginning in the Fall of 2005.

i. When utilizing outside recruiting firms, member firms will insist on a diverse pool of candidates as part of the selection process.

3. To increase the number of offers of employment extended to racially and ethnically diverse law students and attorneys in furtherance of Objective 1, the **bar associations** commit to:

a. Maintain, support, publicize, evaluate, and expand a summer employment program for diverse law students at participating law firms, corporate law departments and government agencies.

b. Create and/or support law related programs at area secondary schools, standardized test (SAT, ACT, LSAT) tutorial assistance programs, and programs staffed by attorney mentor/volunteers to provide diverse students with intensive training in the kinds of research, speaking and writing skills needed in the law school environment.

c. Monitor, collect, evaluate and report, on an annual basis, statistics regarding the number of racially and ethnically diverse law students and attorneys recruited, hired, and promoted by the member law firms; provided, however, that the signatories view firm-specific information as sensitive and intend that data will be used in compilations such that information reported will be disclosed only in an aggregate fashion or as it relates to groups of law firms, so as to maintain confidentiality but foster self-evaluation.

d. Collaborate with all area law schools, and other interested law schools, to identify and recruit diverse law students to the greater Kansas City legal market through correspondence, brochures, open houses, recruitment fairs, and other organized student activities directed to diverse law students.

e. Explore creating and/or supporting the National Institute for Diversity in the Law, law related programs at area secondary schools, standardized test (SAT, ACT, LSAT) tutorial assistance programs, and programs staffed by attorney mentor/volunteers to provide diverse students with intensive training in the kinds of research, speaking and writing skills used in the law school environment.

4. To increase the number of offers of employment extended to racially and ethnically diverse law students and attorneys in furtherance of Objective 1, the **participating law schools, consistent with and subject to the requirements of existing law**, commit to:

a. Consistent with sound educational policy, provide full opportunities for the study of law to a diverse student body, including a special concern for determining the potential of applicants to contribute to the diversity of the student body through the admission process and special recruiting and retention efforts.

b. Work with the KCMBA to recruit a diverse body of law students to greater Kansas City through correspondence, brochures, open houses, recruitment fairs, and other organized student activities directed to diverse high school and college students.

c. Encourage Career Service Offices, law faculty members and administrators to help member firms identify promising law students who will contribute to the diversity of the greater Kansas City legal community.

d. Provide diverse law school alumni with information on the diversity efforts being made pursuant to this action plan.

OBJECTIVE 2

Each member firm shall establish at least one (1) substantial hiring initiative involving racially and/or ethnically diverse individuals, e.g., a law student summer employment program designed to attract and retain racially and ethnically diverse law graduates for the member firms.

1. To increase the number of offers of employment extended to racially and ethnically diverse law students and attorneys in furtherance of Objective 2, the **member firms** commit to select from among the following “best practices:”

a. Establish or contribute to, as their respective sizes and abilities permit, a scholarship program for diverse law student(s):

i. at the law school of the member firm’s choice, or

ii. at the KCMBA;

b. Establish or maintain a program that awards a paid summer clerkship at the firm following the first year as well as a cash scholarship for a law student of diversity at the beginning of the second year; and

c. Establish or maintain, where feasible, an academic year clerkship position for a second or third year law student of diversity, for no more than 15 hours per week.

OBJECTIVE 3

Each member firm will establish an effective intra-firm mentoring program for attorneys designed to promote the development and retention of all attorneys, and particularly racially and ethnically diverse attorneys, and to facilitate promotion of successful law firm careers. Each member firm will also encourage associates, and particularly their racially and ethnically diverse associates, to participate in bar association or community mentoring and leadership training programs.

1. To increase retention and promotion rates for racially and ethnically diverse law clerks and attorneys in furtherance of Objective 3, the **member firms** commit to implement the following “best practices,” whenever practicable:

a. Each member firm will establish diversity and inclusion training for every attorney on a recurring basis.

b. Each member firm will develop, monitor and periodically evaluate mentoring programs for racially and ethnically diverse associates, which programs must go beyond pairing a new associate of racial or ethnic diversity with a more senior associate or partner. The mentoring must be consistent and detailed, covering all aspects of firm culture and life, including, but not limited to:

i. Assist each newly hired attorney (regardless of race, ethnicity or level) in learning the firm’s culture, history, practices and procedures;

ii. Ensure that the work environment and work-related social activities with clients are as hospitable and congenial for, and as inclusive of, racially and ethnically diverse attorneys as they are for all other attorneys;

iii. Include all new attorneys in programs that enhance their understanding of business concepts, client relations, client satisfaction, and their confidence in dealing with client matters;

iv. Ensure that racially and ethnically diverse law clerks and attorneys have the same opportunity to:

(A) perform significant work assignments for important clients,

(B) receive interesting and challenging legal work, and

(C) receive training, guidance, mentoring, client contact, performance feedback, and other opportunities to grow and succeed; and

v. Adopt mechanisms to monitor progress and compliance with these commitments, including, e.g., internal surveys, questionnaires, interviews, and other appropriate means for identifying problems and/or areas for improvement.

c. The member firms will encourage attorney mentors to take on assignments involving racially and ethnically diverse clerks and attorneys with the same commitment and vigor as other assignments with evaluation ramifications.

d. The member firms will encourage associates, and particularly their racially and ethnically diverse associates, to participate in bar association or community mentoring, networking and leadership training programs developed in conjunction with racially and ethnically diverse attorney associations.

e. In administering their compensation programs, each member firm will include individual diversity and mentoring efforts in the criteria to be considered.

2. To increase the retention and promotion rates for racially and ethnically diverse law clerks and attorneys in furtherance of Objective 3, the **bar associations** commit to adopt the following “best practices,” whenever practicable:

a. Recruit racially and ethnically diverse attorneys to participate as presenters at bar association sponsored CLE programs, as participants in leadership training programs such as the Bar Leadership Program, as members and chairs of committees, task forces and special projects, and as chairpersons and officers in their leadership structures.

b. To make racial and ethnic diversity and inclusiveness an objective as part of their long range plans.

c. Cooperate with the member firms in the presentation of an annual fall program for all area law students on employment opportunities in the area, followed by a reception and the subsequent scheduling of law firm informational visits by racially and ethnically diverse law students.

d. Create and support bar association or community mentoring, networking and leadership training programs for racially and ethnically diverse attorneys developed in conjunction with interested professional associations.

OBJECTIVE 4

Each member firm will work to create and/or support a mechanism as part of their firm management structure, whose focus shall be to promote the member firms’ diversity efforts.

1. To increase retention and promotion rates for racially and ethnically diverse law clerks and attorneys in furtherance of Objective 4, the **member firms** commit to adopt the following “best practices,” whenever practicable:

a. Each member firm should create a mechanism for promoting diversity within the firm, such as the creation of a standing Diversity Committee which will meet regularly throughout the year for the purposes of devising, promoting and guiding the firm’s diversity programs. In the absence of a formal diversity committee, the managing partner should actively promote the firm’s diversity effort within the firm; in firms with a formal diversity committee, the committee should be diverse and inclusive, and the managing partner (or member of the executive committee) should serve and be active on the committee.

b. Each member firm should implement and participate in programs, including, but not limited to, socials and/or luncheons with racially and ethnically diverse

law student groups, recruiting visits to Missouri/Kansas law schools, development of an intra-firm strategic plan intended to increase racially and ethnically diverse representation within the member firm, and various diversity publications.

c. Each member firm should support local organizations that recruit racially and ethnically diverse attorneys to the Kansas City metropolitan area.

d. Each member firm should seek to include ethnically and racially diverse individuals on the hiring and associate evaluation committees.

e. Each member firm should analyze its policies, procedures, practices and benefits to ensure that they are consistent with their overall diversity effort.

OBJECTIVE 5

Each member firm should create at least one prominent and several small-scale marketing and/or recruiting pieces highlighting the firm's concern for and commitment to diversity and soliciting applications from racially and ethnically diverse law students and attorneys.

1. To communicate the member firms' commitment to diversity, and to raise awareness of the member firms' efforts both within and outside the Kansas City Metropolitan legal community in furtherance of Objective 5, the **member firms** commit to adopt the following "best practices," to the extent practicable:

a. Those member firms with racially and ethnically diverse associates and/or partners will make concerted efforts to publicize the presence of their racially and ethnically diverse personnel in the member firms' recruiting and marketing materials, and, where appropriate to the message, the materials may express a commitment to diversity.

b. The member firms shall explore creating a navigation link on their respective web sites that discusses the firm's efforts at increasing diversity, highlight the accomplishments of their racially and ethnically diverse associates and partners, and actively solicit the resumes of racially and ethnically diverse law students and practitioners.

c. The recruiting coordinator for each member firm may contact the leaders of the racially and ethnically diverse law student organizations at law schools where the firms recruit to inform them of the member firm's efforts toward increasing diversity, to invite racially and ethnically diverse law students to submit resumes, and to identify and, where appropriate, to interview selected applicants.

d. Each member firm will review its marketing and recruiting materials and discuss its diversity efforts and its commitment to increasing diversity within the firm in its marketing and recruiting materials.

2. To communicate the bar association's concern for and commitment to diversity, and to raise awareness of the member firms' efforts both within and outside the greater Kansas City legal community in furtherance of Objective 5, the **bar associations** commit to the following:

a. The KCMBA will create an internet feature on its website. The proposed link will include a resume bank of racially and ethnically diverse law students and will post job openings at the area member firms.

b. The member firms will assist the KCMBA in producing a short videotape or CD to be distributed to Missouri, Kansas and other law selected schools from which member firms recruit. These videos should be housed in the law schools' career services offices and will focus on the greater Kansas City community and the area's efforts at increasing diversity during the past year.

OBJECTIVE 6

Each member firm's leadership shall participate, and its partners and associates should be encouraged to participate in diversity training programs.

1. To demonstrate the **member firms'** concern for and commitment to greater racial and ethnic diversity and inclusion in furtherance of Objective 6, the **member firms** commit to, whenever practicable:

a. Before June 30, 2005, each member firm should either (i) arrange a diversity training seminar/program conducted by an outside consultant for its management group attorneys and committee chairs or (ii) arrange for its management group attorneys and committee chairs to attend a diversity training seminar/program conducted by an outside consultant.

b. On an ongoing basis, each member firm should encourage its attorneys and legal professionals to attend diversity training seminars and/or continuing legal education programs on the topics of diversity and inclusion.

2. To demonstrate the **bar associations'** concern for and commitment to greater racial and ethnic diversity and inclusion in furtherance of Objective 6, the bar associations commit to:

a. Before June 30, 2005, the officers and leadership of the KCMBA should work together to arrange a diversity training seminar/program conducted by an outside consultant for the officers, board members, committee chairs and executive staff members.

b. Include diversity and/or inclusion training in continuing legal education offerings as part of the association's programming for professionalism.

c. Seek and identify attorney search firms operated by lawyers of racial and ethnic diversity and attorney search firms with success in the recruitment and placement of racially and ethnically diverse lawyers.

d. Seek to identify diversity training/seminar consultants with success in conducting such training, for the benefit of member firms.

OBJECTIVE 7

The member firms and bar associations will explore creating a Diversity Initiative Development Director position, either housed at the KCMBA or at a free-standing foundation, whose purpose shall be, inter alia, to:

(a) Attract talented racially and ethnically diverse secondary school, college and law students and law graduates to the greater Kansas City legal market;

(b) Monitor, analyze and report progress by member firms on an annual basis;

(c) Collect, study, maintain and disseminate information about evolving “best practices” aimed at recruitment, hiring, retention and promotion of diverse and inclusive legal talent;

(c) Consult, individually or collectively, and to work with managing partners, hiring and evaluation committees on diversity initiatives; and

(e) Create, maintain and share with member firms a resume bank and data base of racially and ethnically diverse law students and attorneys.

1. Once developed and approved by a majority of the member firms, we anticipate that member firms will be asked to contribute annually for five years toward the hiring and retention of the Diversity Director (the “DD”). (The member law firms and the bar association should explore alternative approaches to fund the DD position from law firm, corporate, bar association and foundation sources. Nonetheless, we anticipate that each member firm should make an annual pledge to support this effort. Firm size should be the dominant influence in the size of the financial pledge with the largest contributors pledging up to \$5,000.)

2. The DD’s primary responsibility will be to work closely with the greater Kansas City legal community, bar associations, law schools and other interested parties, to enhance Kansas City’s image as a diverse and inclusive legal community. The DD would act as the liaison between the national, regional and local bar associations, member firms, law schools, the Chamber of Commerce and community-based organizations,

assisting in the development and execution of their law-related diversity programs. The DD's responsibilities would include, but not be limited to the following:

- a. Establish recruiting networks with other metro and state bar associations.
- b. Create partnerships with racially and ethnically diverse attorney bar associations.
- c. Travel to nationally ranked law schools to recruit racially and ethnically diverse students to greater Kansas City law firms and to inform such students about the greater Kansas City metropolitan community.
- d. Develop new alliances and partnerships with area educational institutions, businesses and community associations to promote the diversity message.
- e. Host visiting racially and ethnically diverse law students in the greater Kansas City area for interviews.
- f. The member firms anticipate that the DD shall be available to mentors and associates in the mentoring programs as an outside contact, confidant and advisor.
- g. Organize social programs and events for racially and ethnically diverse professionals working in the greater Kansas City area.
- h. Serve as a professional development counselor and networking conductor for racially and ethnically diverse associates already working in the greater Kansas City area.
- i. Organize social programs and events for young racially and ethnically diverse professionals in the greater Kansas City area.

IV. ADVISORY COMMITTEE

The Managing Partners have agreed that, in order to facilitate future meetings and activities in furtherance of these objectives, the chair and co-chair of the Managing Partners Committee shall designate an advisory committee comprised of representatives from several firms and from the bar association leadership. The initial designees shall serve as members of the advisory committee for one year. Thereafter, in May of each year, the Managing Partners shall determine who will serve on the advisory committee, giving due regard to including representatives from different sized law firms.

V. CONCLUSION

The undersigned have signed this Action Plan for the Kansas City Metropolitan Area Managing Partners' Diversity Initiative this ninth day of December, 2004, to evidence their commitment to the diversity objectives and to the steps to meet those objectives, as are set forth herein.

[Signatures]