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ho knew that the legal profession would follow in the footsteps of the National Football League when it came to diversifying the workplace? Law firms and corporate legal departments across the country are implementing the Mansfield Rule — a modified Rooney Rule — to increase diversity in leadership and governance roles.

The Rooney Rule, named after former Pittsburgh Steelers owner Dan Rooney, was implemented in 2003 to address the dearth of minorities in NFL head coaching positions.

The Rooney Rule requires NFL teams to interview minority candidates for head coaching and certain senior operations positions before those jobs are filled. Teams that fail to comply with the rule are charged monetary fines.

In 2017, having been inspired by the Rooney Rule, Diversity Lab developed the Mansfield Rule, named after Arabella Mansfield, the first female lawyer in the United States. Mansfield was admitted to the bar in 1869 — 150 years ago. By stressing accountability and concrete measurable goals, the Mansfield Rule focuses on increasing diversity in leadership positions in law firms and corporate legal departments.

Law firms and legal departments interested in receiving Mansfield certification must undergo a yearlong process documenting their efforts toward diversity in leadership.

For a law firm to become Mansfield-certified, it must consider women, attorneys of color, attorneys with disabilities and/or LGBTQ+ attorneys for at least 30% of certain roles, committees and leadership positions.

This includes positions such as chairperson and managing partner, lateral partner and mid-senior level associate as well as roles in practice group and office leadership, executive committees and compensation committees.

It also applies to partner promotions and nominations and formal pitch opportunities. For example, if a firm is evaluating five candidates for an open position on its executive committee, under the Mansfield Rule, at least two of the candidates considered for the position must be female, LGBTQ+, disabled and/or minority attorneys. In addition, firms are encouraged to make their appointment and election processes transparent to all lawyers in the firm.

Beginning in 2019, Diversity Lab made Mansfield certification available to corporate legal de-



RULES OF THE GAME

Taking a page out of the NFL's hiring playbook

By CAMILLE KHODADAD

partments, which are subject to more robust standards. Unlike in the law firm setting, Mansfield certification for corporate legal departments requires that at least 50% of all candidates for key leadership roles and outside counsel positions be female, LGBTQ+, disabled and/or minorities. The higher standard for legal departments stems from the reality that legal departments are usually more diverse than law firms.

For both law firms and corporate legal departments, the yearlong certification period runs from July through the following June. During this time period, Diversity Lab monitors the participants and collects data on their efforts.

According to statistics compiled by Diversity Lab, the results of the program show that not only have participating firms increased the diversity of their candidate pools for key positions, but they also raised the representation of diverse lawyers in leadership positions and client pitches.

For the period July 2018 to July 2019, 64 law firms received Mansfield certification. Nearly 100 law firms — including my firm, Much Shelist — have signed up for the yearlong certification process from July 2019 through June 2020. There are several corporate legal departments, including those at companies such as PayPal, U.S. Bank and Massachusetts Mutual Life Insurance Co., currently in the certification process.

This program also connects law firms with like-minded potential clients. Besides reaping the significant benefits of a more diverse workforce (see my July 2016 *Chicago Lawyer* "The Business Case for Shattering the Glass Ceiling"), law firms that successfully become Mansfield-certified are given the opportunity to send their diverse partners promoted during the certification period to a two-day client forum with in-house counsel from corporate legal departments across the country.

Professional football's reputation has taken some hits of late, but next time you are cheering on your favorite team, take a moment to consider how the NFL has influenced how forward-thinking law firms and legal departments approach diversity. [CL](#)

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