



We, the General Counsel and Chief Legal Officers of more than two dozen major companies, want to create a more inclusive and diverse legal profession. Although we've worked hard for many years – along with others in our profession – to diversify the pool of talent in law schools, in our own legal departments, and in the law firms that provide outside counsel to us, the needle hasn't moved far enough fast enough.

To achieve transformative change in our profession, we are committed to trying something different and bolder together as a community of law firms, legal departments, law schools, and trade associations.

As a major first step in this effort, we have partnered with Diversity Lab and four forward-thinking law firms – Eversheds Sutherland (US), Goodwin, Orrick, and Stoel Rives – to create the Move the Needle Fund ("MTN"). Together, we are designing a first-of-its-kind experimental "laboratory" in which bold new approaches will be incubated over five years in these law firms to serve as a model for learning and change across the profession. The MTN firms will set aggressive, measurable diversity goals, experiment with research-based and data-driven ways to achieve them, and publicly report their progress. In parallel, we will test many of these innovative initiatives in our own legal departments and share the results.

#### ***Why are we committing to five years of active involvement in this innovative project?***

NALP reports that, for more than a decade, law school graduating classes have hovered around 50% women, 33% racial and ethnic minorities, 6% LGBTQ+ students, and even fewer veterans and individuals with disabilities. But the upper ranks in most large law firms and legal departments do not reflect those percentages. We want to meaningfully improve the representation of these groups – as collaborators and influencers – to help the profession drive transformational change in the next five years.

#### ***What distinguishes MTN from other diversity initiatives?***

This is the first collaborative effort designed to test innovative initiatives to create a more diverse and inclusive legal profession with law firms setting bold public goals and investing \$5M to implement experimental research and ideas, measure the outcomes, and share the results for all to see — failures included. We are providing an "all-in" approach to help them, our companies, and the profession succeed.

Also built into this effort are the following critical elements:

- **Experimentation with new, research-based methods.** What we've done thus far to boost diversity and inclusion has not worked as well or as fast as we had hoped, so it's crucial that we and others experiment with innovative and different ways to tackle these challenges.
- **Data collection and measurement.** For us to know what works and doesn't work, and for cultural change to stick, diversity and inclusion efforts must be regularly measured using objective metrics to assess progress and allow for course correction.
- **Transparency and knowledge sharing.** Public knowledge sharing will allow everyone to collectively learn, benefit, and ultimately advance all of our efforts more successfully. This letter is the first in a series of open communications on MTN's forward progress and the missteps we will inevitably encounter while embarking on a new endeavor of this magnitude.
- **Collaboration.** Individual entities working in isolation will struggle to move our profession forward. MTN provides a unique structure to facilitate meaningful, collective actions between and among Diversity Lab, law firms, legal departments, and the community.

- **Accountability.** MTN's unprecedented commitment to public knowledge sharing, the firms' \$5M investment, and the ongoing partnership between the GCs/CLOs and the law firms ensures an elevated level of both external and internal accountability.

### ***What role will we play as founding General Counsel in MTN?***

We will invest time and resources to support each MTN firm with achieving their goals, while also piloting new diversity initiatives in our own legal departments and with our current outside counsel firms. We have also committed to one or more of the following collaborative initiatives as a starting point:

- (1) We plan to increase the pipeline of diverse junior lawyers entering law firms and legal departments. Many of us have committed – along with other legal organizations – to annually provide paid summer internships split between firms and legal departments, similar to the Law in Tech Collaborative started by eBay, to 100 diverse first-year students from law schools typically underrepresented in firms' on-campus interview processes.

We will also help direct MTN's annual investment of money and in-kind services in excess of \$100,000 to existing legal pipeline programs – such as Pipeline to Practice, Silicon Valley Urban Debate League, Street Law, LCLD Pathways, MCCA 1L Scholarship, Twin Cities Diversity in Practice, Law in Tech 1L Collaborative – and other initiatives to strengthen and expand current efforts.

- (2) We plan to increase access to meaningful work, sponsorship, and advancement opportunities for diverse senior associates and partners at MTN firms and at our current outside counsel firms.

Research shows that one of the biggest barriers to diverse lawyers' advancement is the lack of equal access to these opportunities. To address this challenge, we – representing more than \$1.5 billion in legal spend annually across our companies – have committed to providing diverse teams at law firms, with a special focus on the MTN firms, with the opportunity for new and expanded business.

For diverse lawyers at MTN and other firms who work on or lead our matters and cases, we will provide sponsorship in the form of advocacy, feedback, and referrals. Our goal is to provide sponsorship to hundreds of diverse associates and junior partners over five years, with the help of our legal departments and others, to increase diversity in the equity partnership of law firms.

- (3) We plan to boost outside counsel diversity and inclusion at all levels, from entry-level to leadership, by assessing the diversity of the teams handling our legal work. Many of us will require our outside counsel firms to consistently and progressively staff matters with diverse teams and lead lawyers. We will engage in an annual diversity data collection process, facilitated by Diversity Lab, that sets outside counsel diversity staffing goals, collects data, and rewards compliance. Similar models, such as HP's law firm diversity and inclusion initiative, have resulted in increasingly diverse teams, providing evidence that this approach produces positive results.

### ***What's our call-to-action for other legal departments and law firms?***

We invite other legal departments to engage in these collaborative initiatives with us. Our hope is that 100 additional legal departments will do so in 2020. We also encourage forward-looking law firms to partner with us and to apply to join MTN as the fifth firm. And we hope all organizations will emulate the innovative approaches, learn from the successes and failures, and share in the triumphs as this effort moves the needle forward over the next five years. To join us, please go to [www.MTNFund2025.com](http://www.MTNFund2025.com).

Signed,

*The Founding MTN General Counsel*

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