

THE MONDAY PAGE

To the same as me ref

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Commentary from the editors and guests

Please keep letters brief — no more than 300 words — and provide us with a daytime phone number. Letters are edited for clarity and brevity.

Swing open door to diversity

by Eddie Dominquez

When W. George Allen wanted to open a small law firm in downtown Fort Lauderdale he had a difficult time finding an office.

That wasn't because of a shortage of available space. It was because landlords weren't willing to rent to "coloreds."

It was the early 1960s, but Allen and his partner, Alcee Hastings, were determined. They called a news conference to protest the discrimination against them.

As a result of the ensuing news coverage, Allen heard from a downtown lawyer who was willing to rent space to them.

Allen and his partner went on to enjoy a lucrative practice. Today, Allen is a successful solo practitioner and the dean of the black bar in Broward County. His former partner is a Congressman who serves Florida's 23rd District.

Allen's story was part of several tales he offered with practical advice in a presentation to a group of young black lawyers last week in Fort Lauderdale. They gathered in the main conference room of Shutts & Bowen's Broward Boulevard office Thursday night for the first in a series of panel discussions organized by prominent black litigator Sidney Calloway and the T.J. Reddick Bar Association. The series is designed to equip young black attorneys with the tools for a successful practice.

Another panelist, North Miami City Attorney Lynn Whitfield, told the dozen young lawyers assembled that Allen had to "knock through doors so you could walk through them."

A lot has changed since the 1960s, but the doors at law firms haven't exactly swung open to welcome black lawyers.

Overt discrimination might be gone, but it's obvious from the Daily Business Review's first annual Diversity Scorecard that South Florida

law firms have a long way to go.

If the results are any indicator, most firms don't take diversity seriously. Many that talk the talk are doing little more than paying lip service.

It is no surprise that the number of black lawyers is low at area law firms. What was shocking was just how low.

I've heard my share of managing partners complain about the difficulties of recruiting and retaining minorities of all colors and creeds. It's not easy, but in this day and age, there is no excuse. And it's not only the right thing to do, it's also good for business.

The problem goes beyond black attorneys. While women are well represented among associates, they do not claim a proportionate share of partnerships.

It is unacceptable for firms to rely almost entirely on Hispanic attorneys to show a decent — or minimally acceptable — representation of minority lawyers.

Law firm leaders need to realize that a truly diverse law firm can be achieved.

One such law office exists in Miami. Out of nearly 300 lawyers, 55 percent are women, 15 percent are black and 26 percent are Hispanic.

The office handles some of the most important criminal and civil cases in South Florida. It is headed by a woman — Katherine Fernandez-Rundle.

The Miami-Dade state attorney has proven that recruiting minority lawyers is possible. And she does it without the benefit of six-figure starting salaries to woo them.

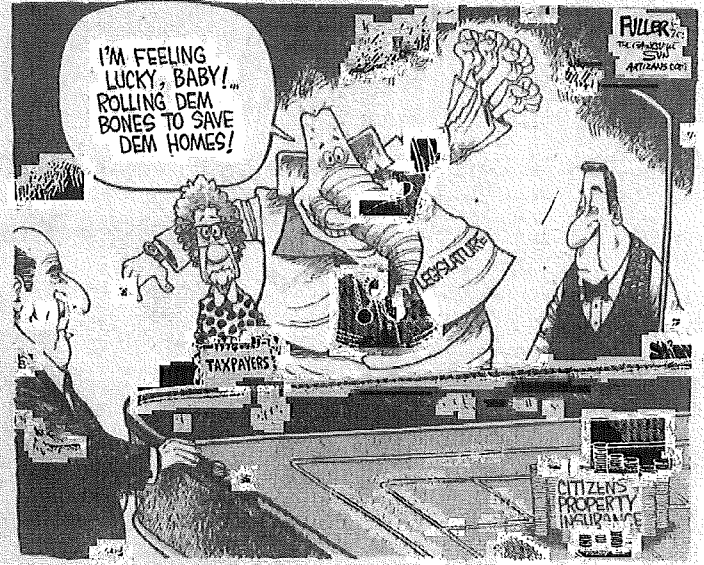
With the aid of her chief assistant for administration, Don Horn, Rundle has built what could be the most diverse law office in South Florida.

The public sector law offices throughout South Florida are among the most diverse and their success proves it is possible. Perhaps private law firms need to consider stealing not just the state attorneys' brightest litigators, but their recruiters.

Rundle's office achieves this diversity with a pragmatic recruitment system not bogged down in criteria that automatically sets the stage for many minority candidates to be rejected.

The state attorney's selection process is aimed at finding good litigators.

"I need somebody who is going to be able



Diversity Scorecard begins on Page A6

to go into court and advocate on behalf of the state," Horn said. "We have a process in place to find people who can think on their feet."

They look beyond the Ivy League. They go deeper than where a law student ranked, or whether the job candidate served on a law review. They recruit at predominantly black schools, attend minority job fairs, focus on schools in major metropolitan areas that have a diverse student pool, including Chicago, New York and Atlanta.

Horn says many of the attorneys — himself included — have their little collections of rejection letters from large private firms.

Horn went into public practice before leaving for Shutts & Bowen. In 1992, he became the venerable South Florida firm's first black partner.

Despite gaining that distinction, he was lured back to the state attorney's office a few years later.

He remembers what it was like in the South Florida legal community just 15 years ago. He isn't very impressed with the progress.

"I don't think that it's gotten much better," he said. "The firms that were low in number back then are still low in number now."

The problem, he says, has a way of perpetuating itself.

"If you've got a place that is not conducive or not embracing, that information gets out," he said. "One of the things that continues to amaze me is that you have this reality in spite of the other reality — that our country is changing and that the people in corporations handing out business are darker and are wearing skirts."

It's a phenomenon that has been called "the browning of America."

For law firms to be places where minorities want to make a career, they must not only hire them, but assign meaningful work and make the firm's leadership representative of them as well.

But before a solution to the lack of diversity can even be considered, firms must be willing to admit they have a problem. Being defensive about diversity is not an option.

When we undertook this initiative, we knew it wasn't going to be appreciated by every-

one. Still, we thought it was important, particularly in a time when firms are increasingly touting their diversity initiatives. This survey will be a starting point for an effort to track firm diversity in the coming years.

Just how hostile some would be toward the effort was probably the most surprising discovery.

One firm had a distinctive way of expressing its displeasure — assigning a rather aggressive senior litigation associate to declare that the firm's ethnic and gender makeup is none of our business.

Wendy DeVecchio made it known that Conrad & Scherer was offended by the survey, especially by the fact that we intended to list the firms that did not respond.

"Who do you think you are?" she thundered. You are not a government or regulatory agency, she proclaimed, adding that we were in no position to compel the firm to disclose anything.

I agreed.

Fortunately, we have the First Amendment in this country. The press plays a significant role in raising questions about public policy in business and government.

But I didn't say that.

Instead I explained the methodology and noted that widespread opt-outs would undermine the survey.

She continued to protest, saying we couldn't prove the firm received our survey. Was it sent certified mail? she asked.

I wondered how it was she came to call us about the survey if the firm hadn't received the questionnaire. But I didn't ask that.

I politely told her that our staff would ensure that the firm would receive another copy.

But that wouldn't be fair either, she complained. Acquiring the necessary information to respond to the survey would take time, she said. The deadline was just days away.

So, we gave the firm an extra week even though it took us five minutes to peruse the firm's Web site and determine that the 16-lawyer firm is all-white. (One attorney at the firm was born in the Panama Canal Zone but when asked whether or not the lawyer is Hispanic, his assistant said his ethnicity is a "personal" matter.)

WINNERS & SINNERS

Carlos Alvarez

Miami-Dade mayor convinces voters to turn post into "Office of the Strong Mayor." No word of resume blitz by manager George Burgess. Undaunted, commissioners still plot to deep-six police department's anti-corruption unit.

Manuel Noriega

Ex-dictator, Medellin cartel facilitator, "Our Man in Panama" soon to receive get out of jail card. Fellow Panamanians may see him in September.

Applica

Miramar appliance distributor, employer of 500 people sells self to preferred buyer, Harbinger Capital Partners of New York. Rejected suitor Nacco Industries of Cleveland still vows court action.

Zhivargo McBride

In Miami federal court, Bahamian smuggler pleads guilty to second-degree murder charges in '05 drowning deaths of three women after Nassau-to-Florida boat run. All found dead in Pompano Beach.