

Q&A: How Covington & Burling's Pipeline Fueled a Diverse New Partner Class

The firm feels it has succeeded in an area where many others find frustrating outcomes.

By Patrick Smith
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Achieving consistently diverse partner classes that reflect the actual makeup of law school graduating classes has long been a point of frustration for many Big Law firms. Washington, D.C.-founded Am Law 50 firm Covington & Burling, with its most recent partner class, seems to have found a way.

The firm announced it has promoted 14 attorneys to partner. Nine of those are women and six come from ethnically diverse backgrounds.

Even though women have for decades kept pace with men in law school graduating classes, they still only make up 21% of law firm equity partners, according to 2019 data provided by the National Association for Law Placement and the Minority Corporate Counsel Association.

Ethnic minorities fare worse, comprising 33% of law school graduating classes but only 9% of equity partnerships, according to NALP and MCCA. And finally, LGBTQ individuals make up 6% of reported graduates and only 2% of equity partners.

Firms have made investments in programs like the Move the Needle Fund and Diversity Lab to help tackle these issues, but most are not finding consistent results in line with what their clients are demanding. Timothy Hester, chairman of Covington's management committee, sat down with The American Lawyer to discuss the process, actions and strategy that allowed the firm to feel as though it can consistently churn out diverse partner classes year after year.



Covington's new partners for 2019

(Courtesy photo)

Is this one of the more diverse classes Covington has had come through? The most?

This is the most diverse class we have ever had, and I would expect it is one of the most diverse classes any firm in the country has had when they have promoted a large class like this. It's a real milestone and something we are really proud of.

Can you walk us through the process of getting to the point of promoting your most diverse class ever?

One of the reasons I think it useful to pause, celebrate and take account of this is it reflects a lot of work over a lot of years to get to this point. This group is the manifestation of a very strong pipeline of women and diverse lawyers that we have been building for well over a decade.

We have been focused not only on recruiting—obviously you start there—but really focused on making sure that our pipeline is robust and that we are creating good opportunities for our women and diverse lawyers to flourish.

I see this not as something that happened in a vacuum at a point in time but really as a reflection and a manifestation of something that happened over years with us.

More specifically than that, I'd point to efforts we have made over many years looking at our second-, third-, fourth-year classes and studying how our women and diverse lawyers are slotting into roles in the practice and making sure that different practices are thinking hard about creating opportunity for women and diverse lawyers in those practices.

There was a pretty systematic effort that we made. We made some changes in our policies to make sure that we were fully supportive. We then had a pretty careful, systematic year-over-year review of where we were in different parts of our practice. We were looking at who was coming along in the pipeline in different practices, how were they slotting in, what kind of work were they being given. It was a study over years. I would view it as a 10-year effort.

Do you feel Covington is at a point with its development system where the firm can consistently churn out more diverse than average classes?

I certainly hope so. I'm quite optimistic we can. One of the things I would point to is that the firm has a very strong culture of collaboration and sharing. We think that is pretty rare in the profession these days.

I have seen over and over again the willingness of our senior lawyers—our most senior partners—to create new opportunities for younger women lawyers and for diverse lawyers. They slot into projects and slot into client relationships, really creating a virtuous circle where you see the younger people coming along really being given fabulous opportunities by more senior people, and that in turn allows them to thrive. This is what builds the pipeline.

We don't have billing credits or origination credits at our firm. We don't use that model. Because we don't keep track of that, we see a lot of willingness of people to hand off projects and opportunities and client relationships to other people. And that has had a really

profound effect on opportunities for a wide range of our newer partners.

The younger partners, whether women or diverse or not, are being given good chances because the incentive structure isn't impeding that kind of sharing.

We have seen this as a real advantage for us. Obviously the younger lawyers need to do their jobs once they have those opportunities, but they are really great lawyers and they are being given the chance to thrive at a relatively early stage in their career.

What systemic changes need to happen, in or out of firms, to make partner classes look more like law school graduate classes?

The law school classes are pretty diverse, from what I see. The question is whether the firms can nurture and retain the kind of talent that will help them diversify their partnerships. I do think it is a multiyear process. We do think it is has been helpful that our clients are really focusing on this and are encouraging it. I often say to our partners that this greater diversity within our firm is what we want for ourselves as a community of professionals, but we also see it as responding to something our clients are asking us to do. So the fact that the clients are asking us to do this and asking firms to respond to their wish for more diversity is a positive factor and it does encourage the law firms to respond.

Covington's new partners are: Stephanie Bignon, Nikhil Gore, Kate Mitchell-Tombras, Kayleigh Scalzo, Eric Sandberg-Zakian and Dustin Cho in Washington; Sarah Cowlshaw in London; Erin Thomas in New York; Neema Sahni and Ali Mojibi in Los Angeles; Megan Rodgers in Palo Alto, California; Yan Luo in Beijing; Derek Kiton in Dubai; and Helen Hwang in Shanghai.

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