

# TEXAS LAWYER

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## Commentary: Diversity: Get in the Game

by KATHLEEN J. WU

When I'm not being a lawyer, I watch tennis. I love everything about tennis: the sounds, the courts, the clothes, the tension and the sheer mental determination required to make it to the top of the heap.

My love for tennis also has become professional, since I serve as general counsel to the United States Tennis Association's Texas section. I've also recently taken on another job, as the vice chairwoman of the USTA's national committee on diversity and inclusion, heading up the Asian-American subcommittee. Simply put, my job is to get more Asian-Americans to play tennis.

### ON THE LEVEL

See, the USTA knows what corporate America knows: The face of America is changing. If tennis wants to stay as vibrant a sport as it is today, one that will continue to obsess fans like me, it needs to appeal to all hues of Americans.

So, how can I get more Asian-Americans to play tennis, and how can firms attract more minorities of every kind?

The answer is blatantly obvious: The tennis world, and the legal world, have to want it — and want it badly enough to do something about it. And, just like it's not enough for an Asian-American to want more Asian-Americans to play tennis, it's not enough for minority attorneys to want to see a more diverse legal profession.

Those already in power need to want it. The legal profession needs white, male lawyers to think to themselves, "You know, I've mentored plenty of young, white, male lawyers. But I can't think of a single African-American, Hispanic, Asian-American, female, disabled or gay lawyer I've mentored. I need to change that. Today." And then pick up the phone and make it

happen. It's time for lawyers to move past their comfort zones.

The simple truth is this: Anybody in a minority group (and this could be the only white person in the room or the only man at the meeting) feels like an outsider. That's not a good feeling. It's lonely, it's stressful and it's not conducive to producing great work. It's true for the only kid who's different on the tennis court, and it's true for the only associate who is different at the firm.

Could those outsiders just suck it up and play through the pain on the court and in the courtroom? Sure, but dumping the entire burden on the person who's different is what firms have been doing for years. Is it working?

All the things firms do to increase diversity — hiring diversity officers, starting diversity initiatives, holding diversity trainings, etc. — boil down to one thing: making outsider lawyers feel welcome so they'll stick around, become partners and generally create a more diverse legal profession.

And it all starts with the most personal act of all: caring.

Lawyers already in power need to care that all young lawyers grow and develop — not just the ones who look like them.


That's not an easy thing to do, frankly. Humans are naturally drawn to others like themselves. Unfortunately, that means the halls of power continue to be predominantly white and male. But they don't have to stay that way.

I know, it's exhausting. And I'm sure that diversity fatigue has set in at more than

one firm that has had middling (or worse) success with its attempts to attract a more diverse group of lawyers. I'm sympathetic. But it's not time to give up yet.

Fortunately, many clients are holding firms' collective feet to the fire by demanding accountability on the diversity front. It can be cumbersome to collect and synthesize that data, and it can be harder still to deliver the diversity results they expect of us. Nevertheless, firms need to keep at it. Results matter, on the court and in the conference room.

If the legal profession becomes a monochromatic corps of trust-funders that bears no resemblance to America, the American justice system could lose the confidence of those who rely on it to craft laws that protect everyone.

Fortunately, that future is avoidable. The world of tennis and the legal profession can do better — much, much better. Both must commit themselves to sustained, aggressive diversity initiatives, not just a box to tick off at survey time. 

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