

change in motion

Diversity Magazine

Summer 2005



**An Interview with John Latham,
Diversity Partner**

The Business of Diversity

From Where I Stand

ALSTON + BIRD_{LLP}



Diversity Committee

Blas Arroyo
Renee Brissette
Mark Calloway
Michelle Cunningham
Cathy Benton
Ken Britt
Barbara Bryant
Cari Dawson
Angela Payne James
John Latham
Jon Lowe
Kevin Lyn
Linda Sims
Erin Springer
Johnny Stephenson
Bernard Taylor
Chris Ford
Tammy Franklin
Jamie Hutchinson
Kimya Johnson
Catherine Meeker
Mitchel Pahl

Welcome to the inaugural issue of *change in motion*, a publication dedicated to promoting diversity within Alston & Bird. I knew that we needed to do a better job of communicating the firm's commitment to diversity when I was recently asked, "What does the Diversity Committee do?" The theme, "Change in Motion," has been adopted as a call to action within the firm, as well as a theme for our outside communications regarding diversity. We see the publication being produced twice a year and for it to be a look back at what we have accomplished, an opportunity for people to put a more personal face on diversity, and a vehicle for sharing what is on the horizon. I hope everyone will take the time to get acquainted with the contents and messages of *change in motion*.

John Latham, Diversity Partner

Contents

2	An Interview with John Latham	7	For the Record
4	Continued Growth	8	Let's Celebrate
5	The "Business" of Diversity	9	Where's the Benefit?
6	From Where I Stand		

An Interview with John Latham

When securities litigation partner John Latham was appointed Diversity Partner for Alston & Bird, one of his first actions was to establish a structure within the firm to study, assess and take action. The Diversity Committee and John have been working diligently to make a difference within Alston & Bird. In this interview, John shares his personal experiences and some insight into the work of the Diversity Committee.

John Latham, Diversity Partner



Why is diversity important?

Diversity is important because it is critical to our culture and who we are at Alston & Bird. Of course, there is a business imperative at play as well since clients are asking more and more about our efforts toward promoting diversity. However, the effort being put forth to make the firm more diverse is not just to have numbers to provide to publications to demonstrate that we are a diverse firm and can rank high in national surveys. I also know that it is not an easy thing to bring about. We sometimes find ourselves on the tough side of a decision as it relates to our business relationships. Our work on the Georgia same-sex marriage amendment is a

good example because it did put the firm in an unfavorable light with some clients.

John, why was the Diversity Committee established?

The Committee came into being in October 2002 and was comprised of attorney and staff representatives from all offices. Today, it has 22 members, each of whom provide an extraordinary amount of talent and insight into the issues we as a firm face. I can't underline strongly enough the amount of time and energy that has been expended by so many.

There were a number of reasons for forming a committee, starting with the broadest one which was to provide advice and guid-

ance on diversity issues, reaching across the full breadth of the firm. And there are others. However, underlying all of this was a vision that we as a firm promote diversity so that it becomes part of our day-to-day processes — or, as Pinney Allen has noted, “to be so diverse that we are not asked about diversity.” Working with R. Thomas Consulting & Training (RTCT) we put into place working groups and were then able to break tasks into manageable pieces. We also learned early on, as the Committee became immersed in its work, that we needed a plan for each office — a catalyst if you will — to make things happen; to turn our goals into specific action in the midst of other equally important commitments.

Why are the office plans so critical?

Each of our offices is different. The differences can be attributed to the historic mix of the office, the geographic location, and challenges of the recruiting and retaining of a workforce over a lengthy period of time. Diversity encompasses a very broad collection of elements, and each office is truly unique in the factors contributing to its diversity. For instance, New York is rich with cultural differences based in part on the diversity of the population of the city itself, but also because of its historical relationships with German clients and other international contacts, including those built through the office's *referendare* program.

I think the office plans are the Committee's greatest accomplishment because the need surfaced through the early work of the Committee, and they are a natural progression of starting with a firm plan. In and of themselves, the fact that we need office plans demonstrates that when dealing with diversity, one size does not fit all. That's because diversity really is something that each individual must embrace — and what better way to make that happen than by getting close to everyone as individuals. It is not a top down issue; it can't happen by edict.

What are you most proud of?

I think it is the support and response from the firm and individuals. The firm is behind diversity as demonstrated by its financial commitment to sponsorships, training and hosting of events. In turn, the lawyers and staff have demonstrated tremendous support through participation. I constantly receive emails that tell me we are truly making progress in how we all think and feel.

What's the greatest challenge?

We need everyone to walk the walk. As I mentioned, while we have seen buy-in conceptually, as individuals each of us

must personally invest the time to embrace diversity and make it truly a part of how we act every minute of the day. Changing thought and behavior is not an easy thing to do, and we will continue to find tools and encounters to make it happen.

We need to succeed at the individual level. While what we do externally is great — receiving awards, being mentioned as sponsors, etc. — at the end of the day it is what individuals do that will tell us we are succeeding. When everyone feels equally a part of Alston & Bird we will know we *have* succeeded.

What gives you personal satisfaction in your role as Diversity Partner?

I have a fierce belief in the importance of each individual having the right to equal footing — equal opportunity — to strive, achieve, and ultimately succeed in whatever they choose to do. I relate to this because my own path was often fraught with setbacks and hurdles. So, for me, it's personal — it's always going to be personal. And when folks like Bernard Taylor and Karol Mason tell me that we're making a difference for individuals it all becomes very worthwhile.



Creating Pride – Patchwork Painting

There are some specific events, such as the one we hosted for Creating Pride – Patchwork Painting, that I especially enjoy. Here you have little children from socially and

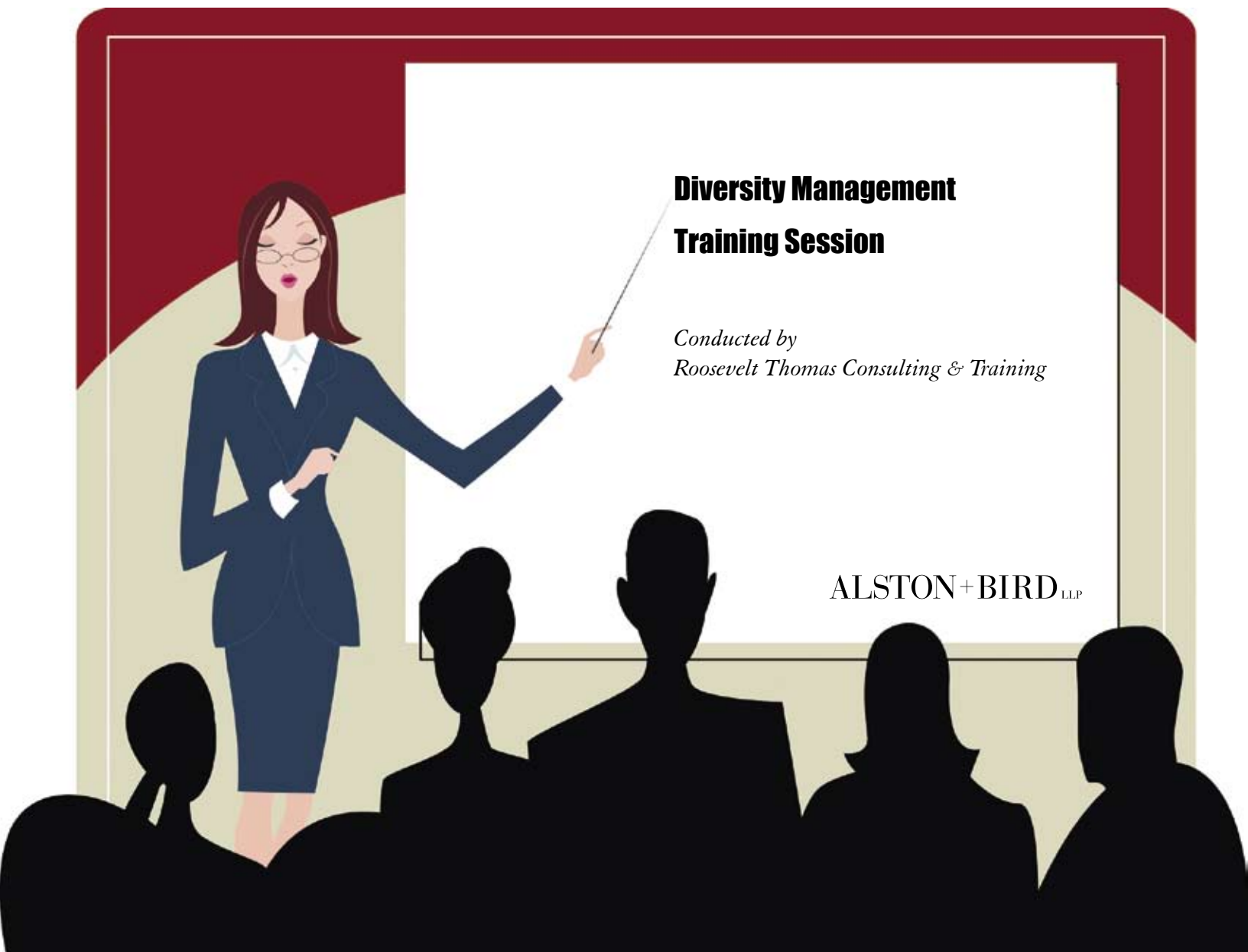
economically deprived homes using their skills to further their art programs through co-sponsorship with corporate entities like Alston & Bird. I want those children to truly feel that they can do anything they want to do. That's the message I try to impart to them, and when I look into their faces I see their pride in the art they present, and it just makes my day.

You mentioned working with RTCT. What is its role?

The RTCT Web site has a banner that states, “We Understand Diversity. We Wrote the Book.” RTCT is in the business of helping businesses manage diversity. When we embarked on our commitment to making diversity truly part of the fabric of the firm, we knew we needed to be guided by experience, and RTCT brings that to the table. The group is a true partner in our efforts and has been invaluable in providing training and mentoring. We know that we can be candid with RTCT, take advantage of their insight and be up front about what we see as our limitations. RTCT is one of our most coveted resources in making diversity work at A&B.

Any closing thoughts?

Just one that I think sums up what the firm is all about. Each year, the Committee recognizes someone at Alston & Bird for their personal contributions to diversity inside and outside the firm. The award has been presented to Ben Johnson, Cari Dawson and Mitchel Pahl, and without these people we could not have achieved the same level of progress as we have today. In each instance, Ben, Cari and Mitchel felt someone else was more deserving, and it is this sense of humility that demonstrates the truly great human beings we have the fortune of being associated with at Alston & Bird. ■



Continued Growth

Diversity education is an important element in making certain that diversity is part of the every day life within Alston & Bird.

An important step on the education path began in 2003 when every partner, associate and staff member attended an educational session on diversity management conducted by Roosevelt Thomas Consulting & Training (RTCT), experts in the diversity and diversity management field. The firm first conducted focus groups with

a cross section of attorneys and staff in each office. The feedback received from these initial groups enabled RTCT to gain insight into our working environment and the firm's diversity challenges. The feedback also aided RTCT in the development of the educational and training modules customized to address specific issues. The objective of the sessions was to expose our attorneys and staff to a diversity management approach with concepts that will help the firm fully leverage diversity in our workforce, workplace and market-

place. Planning is underway to provide a second round of training for everyone in the firm: "Honing Skills – Demonstrating Diversity Maturity," to be held later in 2005 and 2006. This continued commitment is clearly part of the firm's goals.

Earlier this year, a two-day training program for our Human Resources and Legal Recruiting personnel was conducted to focus on the implications of diversity in the employment life cycle and in cross-cultural communications. ■

The “Business” of Diversity

As the partner on the Diversity Committee assigned to oversee marketing-related issues, Cari Dawson shares her perspectives on the role of diversity in today’s corporate legal arena.



Two Dimensions

Corporate America is seriously scrutinizing their service providers’ commitment to diversity, and as we seek to grow our business base, diversity is increasing in importance during the selection process. But, in my personal experience, I see two areas in which diversity is now and will continue to play a significant role in the business of law: *building* the best team and *selling* the best team.

Building the Best Team

Even as we initially approach a potential client, a sense of team must be a high priority. Each individual’s experience and insights vary depending on where they grew up, where they were educated and their exposure to people and events. It is this experience that team members draw upon when working on a matter or a case. Having a diverse team is helpful in thinking about legal theory or how to present to a jury and judge, and it helps us to be better advocates, deal makers and counselors. Alston & Bird is very good at taking diversity into account when assembling teams. As lawyers, we need to understand everything possible that has a bearing on a problem or situation. Assembling a diverse team with the widest possible breadth and depth of perspective provides us with the greatest opportunity to address legal issues comprehensively.

Selling the Best Team

On the direct selling side, it is no longer unusual to receive RFPs or RFIs that dedi-

cate a whole section to learning about the respondent’s diversity initiatives and actual diversity census. And, clients are being quite bold in articulating their support for diversity. For instance, at a recent Atlanta Legal Diversity Consortium session reported on by the *Fulton County Daily Report*, Wal-Mart clearly stated that if their service providers are not in line with diversity, “they will be let go.” As another example, Sara Lee’s “Call to Action” provides in no uncertain terms that the company will penalize law firms that do not step up to the plate when it comes to delivering on a commitment to bring diversity to the Sara Lee team.

I have been at the table with prospective clients reviewing an Alston & Bird response to an RFP, and it is obvious that they are reading the diversity section closely. For example, in a meeting with a large insurance company, questions about the “Charting Your Own Course” program were asked. A major international company asked specifically about the Diversity Committee and where we recruited our young lawyers. We know from participating in an RFP for a top auto manufacturer that part of their in-house counsel’s compensation is tied to the achievement of specific diversity objectives within their legal department. Corporate America’s diversity initiatives for their outside counsel are the goals of not only minority in-house counsel, but the priority of the heads of legal departments led by majority lawyers, such as Tom Sager, DuPont Vice President and Assistant General Counsel.

Market Dynamics

Looking at diversity as an attribute of their outside legal teams is only one aspect of how businesses today are making diversity a priority. Diversity has become a focus of their strategic marketing and investments, which must reflect the global marketplace in order to be competitive and grow market share. Moreover, corporations, like law firms, want the best and brightest from colleges and graduate programs to be their future employees, officers and directors, and therefore an environment of inclusion, understanding and respect is critical.

Companies also are working on building a future pipeline in corporate leadership by raising money for minority scholarships, recognizing that the future of America depends on inclusion. I recently participated in just such an effort by Safeco, one of the firm’s long-standing clients.

What Everyone Should Know

It appears that companies appreciate and understand the importance of diversity. Similarly, the legal profession should follow suit, as there is a compelling business case for diversity that we must address to compete successfully in the legal marketplace. Looking beyond the business case, diversity is simply the right thing to do. It is not a compromise for excellence — it guarantees it. ■

From Where I Stand



Linda Sims, Atlanta's Secretarial Support Manager, is a member of the Diversity Committee and chairs the Diversity Task Force. She shares her personal perception of diversity.

Coming from humble beginnings and being the daughter of a jazz trumpeter who insisted that I attain a good education, I was never afraid of change. Just like my father's music, full of high and low syncopated rhythms, I welcomed differences in opinion, lifestyles and culture and encountering the unpredictable. When the South was struggling with diversity, no one called it that; it was referred to as integration. And I had a front row seat in watching diversity take hold at Alston & Bird.

When I joined the firm, I became the first black staff person, and I embraced the opportunity to work for the best law firm in the South. I interviewed with three people: Philip Alston, Alex Gaines and Charles Aff, the office manager. I was what could be considered the firm's first word processor,

but the equipment at that time was referred to as an "automatic typewriter." To me, it was just a job, but I knew it represented a big change for the law firm because it was emphasized that I was the first black staff employee. Looking back, I think the firm was reacting to change and taking a positive step in integrating the firm. Atlanta was changing and so was the practice of law.

One week after I started, the first black associate, John L. Kennedy, was hired, and together we were not only making history, but creating diversity. It's ironic that the second black staff person hired was my best friend, and she was hired as John's secretary. A few years later, John left to form his own practice, and she went with him and is now the office manager for that firm. And I am the Secretarial Support Manager of what I still consider to be the best law firm in the South!

"When I joined the firm, I became the first black staff person, and I embraced the opportunity to work for the best law firm in the South."

From where I stand, diversity never was just a black and white issue. To me, diversity is the ability to step outside of one's comfort zone and create an atmosphere that embraces change and the differences that can come about from that change. From hiring employees that speak languages other than English to hiring those who may be physically handicapped but have a full range of ideas and experiences that will allow the firm to grow, diversity is about an assortment of personalities working together for a common cause. This is most often brought home to me when I participate in Diversity Task Force meet-

ings and events. The greatest thing for me about the Task Force is that it provides a forum for asking things you might hesitate to ask anyone or anywhere else — those personal questions you are curious about with regard to someone's religion or lifestyle. The Task Force is one of the things I enjoy most here at Alston & Bird and have taken from it more than I have given.

To me, diversity is the ability to step outside of one's comfort zone and create an atmosphere that embraces change and the differences that can come about from that change.

I can unequivocally say that from that very first day of employment, I have never had an unpleasant experience or been made to feel less than comfortable here at Alston & Bird. And that includes the day I hung my Earth, Wind & Fire poster in my office in the C&S Bank building, visible to everyone who walked passed my office. What was I thinking about — those tight jeans and bellbottoms! ■

For the Record

Alston & Bird has a long-standing record of achievement in being recognized for its commitment to diversity. Outstanding awards from past years include Ben Johnson receiving the **American Jewish Committee's Institute of Human Relations Award** for his community activism and leadership in the battle against all forms of bigotry and discrimination and for his lifelong effort to promote human rights. In 2004, the firm received the **Ally Award** from the Georgia Commission on Women (a state agency) recognizing the firm's "support of women, their issues and their work environment."



The Angel of Justice Award was presented to Ken Britt, the firm's executive director, by the Center for Democratic Renewal.

One of the most recent awards was presented to Ken Britt, the firm's executive director. The **Angel of Justice Award** was presented by the Center for Democratic Renewal at the third annual Faces of Triumph award dinner on June 17. The Center, founded in 1979, is a multiracial organization that advances the vision of a democratic, diverse and just society, free of racism and bigotry. The award recognizes individuals who share the organization's vision and demonstrate philanthropy at its best.

Senator Tom Daschle was the **National Gay & Lesbian Task Force Leadership Award** recipient in recognition of his efforts in defeating the Federal Marriage Amendment in the U.S. Senate.

The firm was one of two recipients of the **2005 Commitment to Equality Award** presented by the State Bar of Georgia's Women and Minorities in the Profession Committee. The award is presented annually to individuals or companies that have shown and continue to promote diversity in the workplace.

The New York office recently became a proud signatory of **The Association of the Bar of the City of New York's Statement of Diversity Principles**. The signatories are committed to fostering diversity in the legal profession and adopt goals related to hiring, retaining and promoting a diverse group of legal talent.

Over the past decade, Alston & Bird's New York office has conducted an **international internship program** for foreign lawyers and postgraduate legal interns that combines a challenging legal internship with the excitement of working in Manhattan. The referendare program is one of the most preferred for German-speaking law students and postgraduates and contributes significantly to the international diversity of the New York office. ■



Alston & Bird also supports diversity by lending financial support, participating as presenters at events focused on promoting diversity, and being members of minority-related organizations.

- Leaders in establishing a Mecklenburg County Asia Bar Association as a local bar association of NAPABA.
- Membership in the Atlanta Legal Diversity Consortium where Cathy Benton presented as a panelist at the Fourth Annual Symposium on June 28.
- Member and sponsor of the spring meeting of the ABA Minority Counsel Program.
- Participant in the annual meeting of the ABA Commission on Racial & Ethnic Diversity in the Profession.
- Hosting the Minority Corporate Counsel Association luncheon and reception at Alston & Bird's Atlanta office and having John Latham serve as a panelist for the program.
- Member of the American Institute for Managing Diversity.

Let's Celebrate!

As a way to keep diversity in the forefront, the Diversity Task Force makes certain that first-hand opportunities to celebrate and experience diversity within the firm take place throughout the year.

February

One of the most compelling and emotional events in 2005 was the February 4 presentation by Doug Jones, prosecutor for the 16th Street Church bombings in Birmingham, Alabama. Mr. Jones' comments were shared with all A&B offices and brought to life a significant event in the history of racial

to publish information about the personal history of the firm and its African American lawyers — John Kennedy (first male associate), Leah Ward Sears (first female associate), Charles Johnson (first male partner), Karol Mason (first female partner) and Bernard Taylor (first chair of the Partners' Committee). *Quicknews* also carried a series on black inventors.

March

March marked the celebration of women in history, and *Quicknews* provided a plethora of information and events on the subject. On a personal note,

name changed by President Carter in 1980. On May 17, Dr. John Thames, an expert on health aging, spoke to all A&B Offices on the subject of "Maintain Your Brain."

Creating Pride is a non-profit organization that raises funds to purchase art supplies used by teachers during art hour at school. In the process, Creating Pride's goal is to build the self-confidence of the students by giving them an opportunity to be builders and shapers of their own school communities. The process mimics a real job experience and raises the bar of student behavior expectations. Alston & Bird commissions art through this program and has participants present their art to a live audience.



Photos from the February 4, 2005 presentation by Doug Jones, prosecutor for the 16th Street Church bombings

prejudice in the United States. His insight and first-hand narrative left a lasting impression on all those who participated.

Throughout the month of February, events were hosted to celebrate Black History Month. New York invited The Abyssinian Baptist Church Gospel Choir to entertain; Charlotte hosted Dr. Robert Smith of UNCC as a luncheon speaker on the topic of "Significant Developments in 20th Century Black America;" Raleigh invited Karol Mason to share her personal perspective on diversity; and Atlanta had the good fortune of having Dora McDonald, secretary of Martin Luther King Jr., speak about her personal experiences in working with Dr. King. In addition to events, *Quicknews* was used

Alston & Bird has contributed directly to promote women in history. Three Alston & Bird Atlanta alumnae have taken their place in the history of the judicial system: Honorable Leah J. Ward Sears, Chief Justice, Supreme Court of Georgia; Honorable Joyce Bihary, Chief Judge, United States Bankruptcy Court; and Honorable Orinda D. Evans, United States District Court, Northern District of Georgia.

May

May is Older Americans Month and celebrates the contribution of older Americans. Established in 1963 by President John F. Kennedy, the month was originally designated as Senior Citizens Month, with the

This year, the presentation took place in the Atlanta office on May 17.

June

The Stonewall riots, a series of violent conflicts between homosexuals and police officers in New York City in 1969, served as the focal point in June for recognizing the diversity of sexual orientation. These riots are often referred to as a turning point in the modern gay rights movement worldwide. Throughout the week of June 20, *Quicknews* served as the source of information on the story behind the events leading up to the 1969 riots, highlighting prominent members of the gay, lesbian, bisexual and transgender community throughout recent history. ■

Where's the Benefit?

In June, the firm announced a change in policy in recognition of our diverse workforce by adding floating holidays to the vacation schedule. Flexibility in the work schedule allows for greater celebration of religious, ethnic or cultural observances that the firm does not officially recognize.

Already in place are several benefits that reflect the diversity of the Alston & Bird workforce. The following benefits are highlighted to remind everyone that they are available and part of your personal benefits package.

Expanded Health Care Benefits

In 2003, the firm was able to customize a program to cover infertility treatments up to \$25,000 lifetime, including in vitro fertilization, within our health care benefits. One person taking advantage of the benefit remarked about the opportunity to have children without incurring tremendous debt and commented, "We are even contemplating having another child, thanks to the great health insurance coverage that A&B offers."

Expanded Parental Leave Benefits

In 2005, the firm expanded the parental leave policy to provide three months to all eligible employees including the non-exempt staff. What makes the benefit unique is that the leave is available to men if they are the primary caregiver at some point during the first three months after the birth or adoption of an infant.

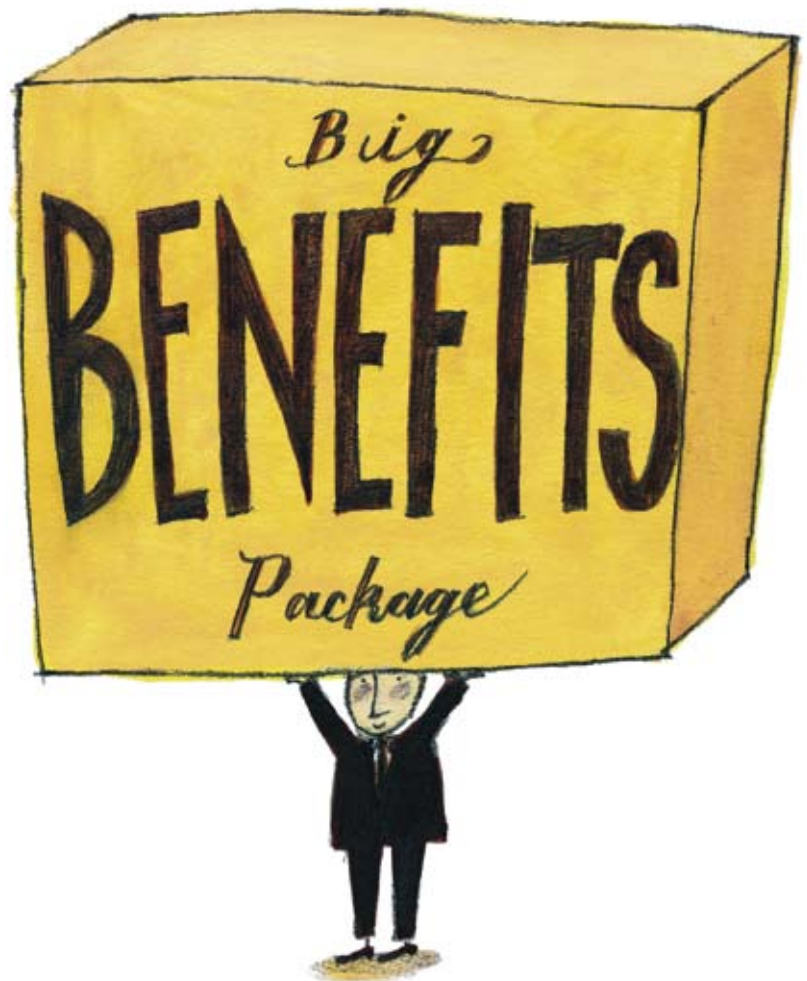
Adoption Benefits

For eligible employees, adoption benefits include parental leave and reasonable and necessary birth-related medical expenses

for the biological mother up to \$7,000. From personal experience, one employee observed, "With the firm's adoption benefit, anything that was not reimbursed by the birth mother's insurance company, including pre-natal care, was covered by Alston & Bird's adoption benefit."

New Mother Rooms

All offices now have lactation rooms for new mothers. To quote one employee, "The privacy and convenience of the lactation room has eased my transition back to the workplace."



Working Parents Support Group in Charlotte Office

The support group meets monthly and offers a variety of discussion topics for parents in a dual role. An employee initiative supported by the firm, the group provides an opportunity for new parents to share ideas and experiences. Lunch & Learns, speakers and roundtable discussions are among the activities presented by this support group. One employee states the group's value to her has been amazing, "...from the knowledge the experts share with us, to the personal interaction and learning from others in the group." ■



www.alston.com