

SUMMER 2011

Welcome to the Summer 2011 issue of the *Mintz Levin Diversity Newsletter*. In this issue we bring you insights from a noted diversity expert, introduce the first recipient of the Herman Mintz Diversity Scholarship, get to know litigation attorney Andowah Newton, and provide news from recent Diversity Committee events.

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## A Discussion with Dr. Arin Reeves



**Arin Reeves, J.D., Ph.D.**, is the president of **Nextions LLC**, a research and consulting firm that focuses on diversity, inclusion, and leadership development. Earlier this year, Dr. Reeves conducted several education programs for Mintz Levin attorneys involved in the firm's mentoring, advising, and sponsorship and retention programs. Dr. Reeves spoke with Yalonda Howze and Chip Phinney. The following is a summary of their conversation.

**YH:** Is there a model for diversity? What does a truly diverse firm look like? Is it just about the numbers?

**AR:** Measuring diversity by statistics is a remnant of past affirmative action and equal employment opportunity programs. The head count model is outmoded and can even be harmful. But people hold on to it because it's what they are used to. The firms that are on the cutting edge are focusing more on inclusive behaviors, and less on just the numbers.

Let me use weight loss as a metaphor. Getting on the scale and seeing that you have lost weight from one day to the next doesn't really tell you whether the diet you are following is going to be successful in the long run. There are plenty of weight loss methods that are effective in the short term, but that don't lead to long term success. It's better to focus on daily behaviors that have been proven effective in yielding long term results, such as regular exercise and healthy eating.

Similarly, in improving diversity, it's important to focus on the kinds of behavior that will support diversity in the long run, and not just on the numbers. What are the behaviors that will support diversity? Bias-free and effective interviews in hiring. Equity in assignments to associates. Giving fair feedback. Supportive mentoring. The companies that are making the most progress in improving diversity are those that are focusing on improving these kinds of "inputs," and not just on "outputs." Then the numbers improve organically.

**Click here to read the rest of the interview, continued at bottom.**

## Meet Esther Chan, Mintz Levin Diversity Scholar



The Herman Mintz Diversity Scholarship was established in 2010 as part of the firm's effort to make our workplace and profession more diverse. We are privileged to introduce this year's recipient, Esther Chan.

Esther joins our Boston office this summer as a first year student from Harvard Law School, having completed her B.A. in French and Political Science at Columbia University. Her favorite project thus far has been conducting research for an amicus brief for a case to be heard by the Supreme Court next term because, she says, it is exciting to know that her work might influence such an important decision. As a part of her role as the diversity scholar, Esther will be working with the Pro Bono Committee in a program tailoring assignments to her particular interests.

Esther spent time in college working as an intern for public and private organizations, where she saw firsthand how the law can influence both the public and private sphere. That exposure informed her decision to pursue a legal career. Part of what has motivated Esther to succeed is the hard work of her parents. She is the first in her family to attend both college and graduate school.

In addition to her scholarly pursuits, Esther is an active member of Highrock Church in Arlington, Massachusetts, and serves as a mentor to college students among the congregation. She also flexes her muscles as a competitive player on a coed flag football team.

After this summer, her first in Boston, Esther will continue to work with the firm throughout her second year of law school.

## Diversity Profile: Andowah Newton



At Mintz Levin, Andowah Newton is known for her exemplary work in the Litigation Section. However, those outside the New York office may not realize the breadth of her talents and experience.

Andowah's career prior to Mintz Levin includes clerking at the International Criminal Court in The Hague for the First Vice-President, the Honorable Judge Akua Kuenyehia. From there, she gained experience in New York as an associate at a large international law firm, where she worked on trademark, copyright, and breach of contract disputes. Andowah also applied her dual degree in French law from the Sorbonne and her background as a CPA while working on cases in the areas of international litigation and arbitration, accountants' liability, and securities law.

Her success with Mintz includes working on teams that won an appeal from denial of coverage in a dispute with Anthem Blue Cross and that secured asylum for clients from the Democratic Republic of the Congo who were victims of persecution. Andowah represents a variety of companies and individuals, including investment and asset management firms, and high net-worth individuals.

Andowah uses her professional experience to encourage young legal minds through the program Legal Outreach, in which she serves as a mentor and coach to an urban high school student participating in constitutional legal debates. She also knows what it's like to be on the learning side of the classroom, as she attends classes to keep up with her Spanish speaking skills. As for hobbies outside of the legal and educational realms, Andowah is a soprano in the New York Choral Society, a prestigious ensemble that performs classical repertoire in Carnegie Hall (for a listen, visit the Discography link on the group's website, [www.nychoral.org](http://www.nychoral.org)). She also enjoys traveling abroad.

## Diversity Committee Events Update

### New York Women's Event

The Women's Initiative of the Mintz Levin Diversity Committee hosted an event for our women attorneys, clients, and friends at the Guggenheim Museum in New York City. The evening offered a unique opportunity to participate in a private educator-led gallery tour, which was very well-received. Feedback was very positive, with guests calling the event "delightful," "a real privilege," and "a very memorable evening."



### Boston Women's Event

The Women's Initiative of the Mintz Levin Diversity Committee sponsored an evening of art, networking, and celebration at the Museum of Fine Arts in Boston this past March. The very well-attended event offered an opportunity to participate in a gallery tour of the new Art of the Americas wing throughout the evening. We've received fantastic feedback from the event, with our clients and friends calling the evening "lovely" and "a terrific opportunity to meet other professional women, learn about them, and renew relationships." We were told by several guests that the "opportunity to meet women from Mintz Levin and other companies was fantastic" and that it "was by far the best networking event in a very long time."



### D.C. Spring Social for Women Attorneys

Mintz Levin's Diversity Committee recently hosted a spring social for the D.C. office's women attorneys. The **eighteen** women attorneys, who included two women members visiting from Boston, were treated to a guided

“Lighter Wines for Summer”-themed wine tasting by their **sommelier** (also a woman, by the way) and a selection of Café Atlántico’s award-winning food.



## West Coast Events

In addition to pursuing our active Women’s Initiative, our West Coast offices have been busy with a number of events and sponsorships this spring. Below is a list of some of the recent events we’ve participated in on the West Coast:

**Women of Color in Law Luncheon**

**Lawyers Club of San Diego – Champagne and Chocolate Affair**

**ATHENA CFO Scorecard**

**ATHENA On-Board Series**

**Korean Bar Association – San Diego’s annual Raise the Bamboo Ceiling Panel Discussion**

**ATHENA Pinnacle Awards Scholarship Dinner**

**Lawyers Club of San Diego Annual Dinner**

## A Discussion with Dr. Arin Reeves (continued from top)

**YH:** In interviewing and recruiting, most law firms tend to focus on who will fit into the existing firm culture, who will fit the norm.

**AR:** Yes, it’s important to look for people who think outside the proverbial box, and who can contribute to transforming the firm’s culture to make it more inclusive.

**CP:** So it’s not just about changing what the firm looks like, but how it thinks.

**AR:** Yes, and also changing the destination. The goal isn’t just increasing diversity, but building innovative excellence by incorporating more points of view.

**CP:** Many law firms believe they are making sincere efforts to attract a more diverse range of attorneys, yet find themselves making relatively little progress in this area. What are they doing wrong, and what do they need to change? You’ve already given us some answers to this question, but can you tell us more?

**AR:** Many law firms still have not really bought into the idea that including diverse perspectives produces a better work product. Law firm work tends to be very individualized. While there is collaboration, it often involves combining the separate work products of different lawyers, each working alone. Similarly, the incentives in law firms are largely based upon individual outputs, such as hours worked and revenue produced. That focus on individual work can tend to blind firms to the benefits of an interactive and collaborative work process that includes different points of view.

When people talk about the “business case” for diversity, they often focus on the notion that a more diverse workforce will satisfy the demands of clients or help attract more business. But it’s really more than that. A more diverse workforce will help the firm be smarter.

**YH:** In one of your articles, you observe that “our differences are only valuable once we connect on our similarities.” Can you explain a little more about what you meant? What can law firms do to be more effective in promoting connections between attorneys from diverse backgrounds?

**AR:** Diversity is relative. Nobody is born diverse. Diversity simply means difference. Differences only matter when we have a baseline of similarity. If we start out focusing only on differences, we have no basis for connection. So we need to start out by focusing on what we have in common. In a law firm, you can say, “We are all excellent lawyers, committed to providing excellent client service.” Or you can go further and include non-lawyers too, saying, “We are all excellent professionals.” The goal is to forge a common professional identity that includes everyone. It’s like a family reunion, where everyone wears the same T-shirt. That unity encourages people to interact with one another regardless of their differences.

**YH:** Can you tell us about your own career path?

**AR:** While I have pursued a number of different paths, I think I have always been fueled by the same passions. I became interested in law because of the significant role it plays in moderating our lives. I realized how much could be done through law to effect change, and I wanted to pursue civil rights and social justice.

After law school, as I was practicing law, I realized that there was a need to research the issues of race and gender in our profession because we were not very diverse as a profession. I also realized that I needed more tools to do the kind of quantitative and qualitative research that would be useful. A mentor suggested that I undertake graduate work in this area, which led me to complete a Ph.D. in sociology at Northwestern. I did my dissertation on race and gender as barriers to success in law firms.

While I was doing my doctorate, I was also continuing to practice law, and I was frequently invited to speak on race and gender issues. I founded The Athens Group, the predecessor firm to Nextions, in 1999 to continue to focus on research in this area.

**CP:** Based on your experience, what advice would you give to young lawyers who do not fall into the traditional “in-group” in a law firm? You have written, “Shifting identities is not about changing who you are. It is about changing where you feel you fit in given who you are.” Can you explain that observation and how it might apply in this context?

**AR:** Associates start out with the understanding that not all of them will become partners. But to get good work, they have to project the image that they want to become partners. And in the course of their work, they may discover that they are better suited to do something else. So part of the task of being an associate is to figure out who you want to be and where you fit in. Law firms can help associates through that process by counseling them and helping them think about what they want to do.

**YH:** But why is that the law firm’s problem?

**AR:** Retention can be good and bad, and attrition can be good and bad. Bad retention exists when associates don’t like what they are doing but stay because they have no other choice. Good retention exists when associates stay because they love the firm and the work. Bad attrition occurs when associates leave because they can’t stand the firm and have had a bad experience. Good attrition occurs when associates conclude that there is something else that would be a better fit for them, but they feel they have been supported by the firm. Then they will go out and be ambassadors for the firm, and they may even become clients. Supporting good retention and good

attrition is good for the firm, too.

**YH:** But firms can't always give associates work in their chosen field, if there isn't enough available work. What happens then?

**AR:** Law firms need to get better at counseling associates and explaining the options. If there is more transparency and communication, it will go a long way.

I want to stress that these are not new ideas for your firm. From what I have seen, you have already planted the seeds for the kinds of practices that we have been discussing, and it's just a question of continuing to nurture and support their growth.

**YH & CP:** Thank you so much for your time. You have certainly given us a lot to think about.

**AR:** My pleasure.

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