

# UCLI Certification Program for Legal Employers Diversity & Inclusion Policy Samples

## Overview

In order to qualify for UCLI Certification, UCLI requires that legal employers adopt and implement a new policy regarding organizational diversity, equity, and inclusiveness. The specific content and wording of an organization's policy are entirely at the discretion of the organization and may vary based on the organization's particular structure, needs, and circumstances. Below, we have included various sample diversity & inclusion (D&I) policies, organized by category. These policies are provided for reference and should neither be construed as guaranteeing any particular outcome or as constituting legal advice regarding employment law or any other legal matters. For further assistance in developing your organization's diversity policy, please contact [ucli@utahcli.org](mailto:ucli@utahcli.org).

## Sample D&I Policies

### A. Values

Commitment to Diversity (1): [Firm or Organization] best serves our clients when we foster a diverse, equitable, and inclusive workplace. We value – and our clients benefit from having – the perspectives of attorneys with different backgrounds and experiences. [Firm or Organization] promotes diversity, equity, and inclusion through participating in local initiatives, encouraging its members to participate in and support affinity groups, and implementing internal policies and practices aimed at ensuring that each individual has an equal opportunity to succeed regardless of their background and identity.

Commitment to Diversity (2): [Firm or Organization] has diligently and deliberately worked to promote diversity throughout the firm, and ensuring that each individual has an equal opportunity for employment and success regardless of their background and identity. [Firm or organization] has dedicated itself to the principle that the quality of its work and the continued growth of its business are enhanced by intentionally attracting and including highly qualified diverse employees who understand and can relate to the diverse backgrounds of the clients and communities [Firm or Organization] serves.<sup>1</sup>

### B. Recruitment & Hiring

Our [firm or organization] performs better when it considers the perspectives of individuals with different backgrounds and fosters an overall culture that is equitable and inclusive, which includes providing reasonable accommodations as needed. We recruit diverse candidates by seeking out

---

<sup>1</sup> Adapted from Gallivan, White & Boyd's Diversity Policy

diverse applicant slates from a variety of sources. We retain diverse candidates by fostering a culture of equity and inclusiveness. We work closely with our clients to create diverse teams for client matters. To that end, when a position becomes available, we utilize the following practices for recruiting diverse candidates, in addition to commonly used channels:

1. Notifying both internal and external recruiters that we are seeking a diverse applicant pool and advertising the positions for associates, lateral hires, partners, paralegals, and staff through local and national affinity groups;
2. Striving to have at least [i.e. 25-50%] of the applicant pool come from diverse backgrounds. If this objective is not met during the initial round of applications, making a more directed effort to achieve this percentage;
3. Including diverse interviewers on our interview panels;
4. Providing interviewers with training to help mitigate implicit bias and ensure that they are sensitive and aware of our [firm or organization's] goals regarding diversity, equity, and inclusion; and
5. Including references to the [firm or organization's] diversity policies in the materials it uses to advertise the position.

### **C. Retention & Workplace Inclusiveness<sup>2</sup>**

Creating a Culture of Equity and Inclusivity: Our firm understands that to build an equitable, inclusive, diverse workplace, we must put forth measures that facilitate the retention of attorneys with diverse backgrounds. To that end, our firm promises to:

1. Host regular required [quarterly/semi-annual/annual] implicit bias, bias interrupter, and workplace inclusiveness trainings for all of our attorneys; and
2. Actively encourage the wellbeing and mindfulness of our attorneys, including diverse attorneys, whose particular experiences may warrant the provision of individualized support. This commitment includes providing reasonable accommodations as needed.

Inclusion & Belonging Guiding Principles: We believe that by investing in an inclusive culture, we will attract the best and brightest talent, leading to more innovative solutions for our valued customers. Building and sustaining an inclusive and diverse culture is essential for business success, and it is the right thing to do. This is who we are:

- We believe in an inclusive work environment where employees are welcomed, valued, respected, and heard.
- We believe that employees will be provided a safe work environment.
- We believe that diversity brings strength.
- We believe in equality of opportunity free from discrimination.
- We believe in hiring and promoting the most qualified candidate.
- We believe in employee development at all levels of the organization.

---

<sup>2</sup> See [Ballard Spahr](#) for additional diversity and inclusion policies.

- We believe in the power of belonging as an integral component in achieving diversity & inclusion and business success.<sup>3</sup>

Commitment to Continued Progress on Diversity & Inclusion Matters: We will continue to make our workplaces trusting places to have complex, and sometimes difficult, conversations about diversity and inclusion: We will create and maintain environments, platforms, and forums where our people feel comfortable reaching out to their colleagues to gain greater awareness of each other's experiences and perspectives. By encouraging an ongoing dialogue and not tolerating any incongruence with these values of openness, we are building trust, encouraging compassion and open-mindedness, and reinforcing our commitment to a culture of inclusivity.

We will implement and expand unconscious bias education: Experts tell us that we all have unconscious biases -- that is human nature. Unconscious bias education enables individuals to begin recognizing, acknowledging, and therefore minimizing any potential blind spots he or she might have, but wasn't aware of previously. We will commit to rolling out and/or expanding unconscious bias education within our companies in the form that best fits our specific culture and business. By helping our employees recognize and minimize their blind spots, we aim to facilitate more open and honest conversations.

We will share best—and unsuccessful—practices: [Firm or Organization] has established programs and initiatives around diversity and inclusion. By sharing our efforts and initiatives with others, we will commit to helping Utah's legal profession evolve and enhance its current diversity strategies.

We will create and share strategic inclusion and diversity plans with our board of directors. We will work with our board of directors (or equivalent governing bodies) through the development and evaluation of concrete, strategic action plans to prioritize and drive accountability around diversity and inclusion.

We will create a workplace environment that reflects a healthy disposition toward difference, by:

1. Providing ongoing and relevant training to attorneys and client-facing staff on how to exhibit and encourage behavior that exemplifies our values of civility and respect;
2. Establishing and promoting workplace culture expectations that all employees and visiting guests are made aware of and make commitments to follow; and
3. Motivating and empowering employees to take responsibility for their actions and to help positively influence the behavior and civility of their fellow employees;
4. Sharing and implementing methods on how to best create a culture of accountability and respect when it comes to issues of diversity and inclusivity.<sup>4</sup>

Alternative Work Arrangements: Our firm recognizes that its attorneys have responsibilities outside of the [firm or organization] that may affect their number of billable hours or collections and that the needs of individual attorneys may vary. Accordingly, the firm has gender-neutral flextime and parental leave policies. [Set forth off-the-shelf policy which is available upon request. Such policies

---

<sup>3</sup> Adapted from Larry H. Miller Sports and Entertainment Diversity, Inclusion, and Belonging Policy with the addition of reasonable accommodations.

<sup>4</sup> Adapted from the [CEO Action Pledge](#) with no significant alterations

should include proportionality, pro-rated bonuses, true-up mechanisms, ramp up/down, and practices to avoid hours creep.] The firm is also willing to negotiate with individual attorneys who have specialized needs. Upon request, our firm will work with any individual attorney to identify an annual billable hour or collection requirement that is less than the firm standard while also ensuring that such attorney is compensated proportionately for their time and contributions.

Attorneys who take advantage of the foregoing policies shall be treated with respect and as valuable and contributing members of the firm. They shall continue to have opportunities to participate in firm governance. To ensure the success of the attorney who participate in the foregoing programs, a coordinator shall be assigned to help coordinate assignments in a manner that ensures the attorney on flex-time is still being provided with meaningful opportunities to develop their skills and practice.

#### **D. Professional Development & Advancement**

Demonstrated Commitment to Growth & Success: Our [firm or organization] provides a viable path for all associates to obtain [partner or shareholder] status and to participate in our leadership. In addition to objective criteria, we consider work quality, efficiency, client base, client satisfaction, positive workplace attitude, and services to the [firm or organization], bar, government, and community in making decisions regarding [partner or shareholder] candidacy and participating in firm leadership.

Mentoring: The [firm or organization] also assigns all associates a [partner or shareholder] mentor to help facilitate each associate's growth and development and appoints a mentoring coordinator to oversee its functioning. Mentors shall work with [billing attorneys/practice group chairs/managing partners] to ensure that cases are staffed in a manner intended to reflect diverse perspectives and to give all associates equal opportunities for growth and business development, including opportunities such as handling depositions, hearings, and trials; participating in formal pitch opportunities; and communicating with clients. Each practice group shall report to the mentoring coordinator quarterly about how its cases are staffed and what opportunities its associates have had to develop their skills and build their practice.

The [firm or organization] incentivizes participation in the associate mentor program and informal mentoring through \_\_\_\_\_ [possible examples – paying for mentor lunches, giving mentors billable credit for any time spent with associate, using mentor service as a criteria for bonuses. Such mentoring incentives should be structured in a manner that encourages partners and other organizational leaders to interact with a larger number of associates. For example, for informal mentoring lunches, the partner will only be allowed to charge the lunch to the firm if s/he has gone to lunch with a certain number of other associates since the last time the partner charged the lunch to the firm for that mentee. For after work socializing, the partner will only be allowed to charge the firm if s/he invites at least one person they have not previously invited.] The overarching goal of this policy is to create an inclusive environment committed to providing equal access to opportunities for growth.

Performance Reviews: Any performance reviews will be completed in a manner that is constructive, collaborative, and fair. If needed, the [firm or organization] shall make available to its associates tools to improve their performance such as individualized performance improvement plans, business development workshops, career coaches, and speakers.

Diversity in Leadership: Our firm encourages lawyers of all backgrounds to succeed. To this end, we adopt the following measures regarding diversity in our leadership:

1. For all leadership positions and activities,<sup>5</sup> we strive to have at least 30% of those interviewed or considered to have a diverse background.
2. We have in place (or will have in place by January 1, 2021) a plan with specific steps for achieving the foregoing goal.
3. Job descriptions for the leadership positions and activities shall be created and posted in a way that ensures that the processes for election and/or appointment to these roles are transparent and accessible to all eligible lawyers.

### **E. Participation & Support of Affinity Groups**

Our [firm or organization] understands that to have a more diverse and inclusive workplace, we must work together with organizations such as the Utah Center for Legal Inclusion, the Utah Minority Bar Association, Women Lawyers of Utah, the Disability Law Center, and LGBT and Allied Lawyers of Utah. Our [firm or organization] encourages its shareholders, partners, and associates to become active members of, leaders in, and mentors within these groups. We commit to support these groups by actively encouraging our members to attend the events hosted by these organizations, co-sponsoring related events and programming, and by remaining dedicated to continued collaboration to improve the state of diversity, equity, and inclusion in Utah's legal profession.

Diversity Hours Policy: [Firm or organization] will recognize \_\_\_\_\_ hours [ex. 50 or 100 hours] of diversity time each year for associates as if such hours are billable. Qualifying diversity activities include, but are not necessarily limited to:

- Attending internal and external diversity educational sessions;
- Presenting on diversity and inclusion topics serving on firm-wide or office diversity and inclusion committees participating in the firm's internal affinity groups;
- Holding a leadership role in a local or national affinity bar association or another diversity organization;
- Organizing or attending diversity-related events;
- Participating in recruiting efforts targeted at diverse candidates;
- Volunteering for affinity groups such as the Utah Center for Legal Inclusion;
- Mentoring diverse in-house or external attorneys or law students; and
- Representing [Firm or Organization] at client-facing diversity events or trainings.<sup>6</sup>

---

<sup>5</sup> To be defined by the firm or organization based on their business structure. Leadership positions may include equity partners, practice group and office head leadership, executive committee, board of directors, partner promotions, partner nominations committees, compensation committee, chairpersons, managing partners, and formal pitch opportunities.

<sup>6</sup> Adapted from the [Dorsey & Whitney's Diversity Hours Policy](#) with no significant alterations