

Skadden's Culture

An Interview with Stephen C. Robinson, Of Counsel, Litigation, Government Enforcement and White Collar Crime; Brenna K. DeVaney, Director of Pro Bono Programs/Pro Bono Counsel; and Lauren E. Aguiar, Partner, Complex Litigation and Trials; Skadden, Arps, Slate, Meagher & Flom LLP

FIRM BRIEF Founded in 1948, Skadden, Arps, Slate, Meagher & Flom LLP and affiliates (*skadden.com*) is one of the world's most highly-respected law firms. Skadden has 22 offices, approximately 1,700 attorneys and more than 50 distinct areas of practice. The firm's clients include approximately 50 percent of Fortune 250 industrial and service corporations, as well as financial and governmental entities, startup companies and nonprofits.

Stephen Robinson is of counsel in Skadden's Litigation Group and a co-chair of the firm's global Diversity, Equity and Inclusion Coordinating Committee. Prior to joining Skadden, he served as a judge for the U.S. District Court for the Southern District of New York and as the U.S. attorney for the District of Connecticut.



Stephen C. Robinson

What is the relationship between a firm's culture and its efforts to promote diversity, equity and inclusion?

Advancing diversity, equity and inclusion requires the sustained attention of a firm, from the very top of its leadership to its youngest associates. If a firm's culture is one of rugged individualism or "every person for themselves," it becomes difficult to focus on issues of diversity and inclusion, bias and oversight. If a firm generally has a culture of inclusion, respect for all employees and a willingness to take hard looks at, for example, recruiting, matter assignments, and reviews and promotions, the firm will be much more likely to uncover gaps and potential biases in its processes and to move steadfastly toward an equitable and inclusive work environment.

How have recent developments, including the protests in support of racial justice, impacted the firm's perspective on and approach to fostering inclusion?

The events of the past year, and in particular the protests in support of racial justice and equity, have had a profound impact at every level of our firm. They have motivated

us to scrutinize our processes and outcomes, and to deepen discussions of bias, "organic attorney development" and meritocracy. This spotlight also has encouraged us to learn more about, and hold a series of webinars on, American history and the legacies that we continue to grapple with today of slavery, Jim Crow, redlining and racism. It has moved many of us to reconsider and reassess how we can learn and get better. This ongoing conversation inspired our Executive Partner to join other law firm and corporate leaders to come together and, through the Leadership Council on Legal Diversity, publicly commit to identifiable, measurable goals of processes, progress and outcomes.

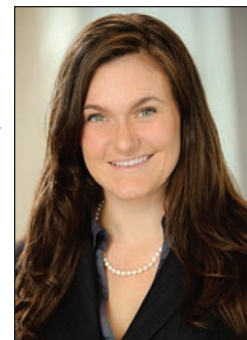
What are the keys for a large law firm to attract diverse candidates?

Diverse candidates, like the majority of all candidates, want to join a firm that is paying attention to these issues. They want to know that they will get substantive work, good developmental feedback and opportunities to work on significant matters for sophisticated clients. They also want to stretch and grow and learn from their mistakes. Young attorneys need to know that someone is looking out for them and will provide meaningful advice, support and sponsorship along their professional journey. They want to see a path to advancement and success at the firm and in the profession. What diverse candidates are increasingly demanding is that firms show a recognition of issues of racism and bias, and demonstrate a plan to attack those evils, so that the candidates will be able to avail themselves of all of these opportunities.

Has the past year made you more optimistic, or less, regarding diversity within Big Law?

I am by nature an optimistic person. The past year has made me much more optimistic about our nation and the legal profession having the discussions and self-examination that can lead to progress on these issues. Big Law has recognized that it has much work to do and has set about doing that work. Clients are demanding accountability and results. Much of American society has coalesced around the need to address racial disparities and racial justice. I think these are all heartening signs, but those flames of hope can quickly be extinguished if they are not continually fueled.

Brenna DeVaney, who became Skadden's first full-time pro bono associate in 2008 and now serves as director of pro bono programs and pro bono counsel, leads the firm's global pro bono practice. She previously served for six years as an associate in Skadden's Government Enforcement and White Collar Crime Group.



Brenna K. DeVaney

How did Skadden develop its strong pro bono culture?

If there was a list of the factors that contribute to building a culture committed to public service, I think we'd check all the boxes. It's in the firm's DNA – giving back and pro bono service were incredibly important to Skadden's founders; it has been part of our culture from the beginning. The firm's senior leadership supports the work at every level – their dedication to pro bono is sincere and tangible, which inspires partners, counsel, associates and professional staff to get involved. We devote significant resources to our program, not only directly but also by providing attorneys billable-hour equivalents for their time. We also include everyone at Skadden, not just the lawyers, in our efforts. We recognize that everyone at Skadden cares about something and has skills that enable them to give back. Ultimately, it all comes down to our people who believe that it is their professional and personal responsibility and want to make a difference. Those are qualities we value, seek out and cultivate.

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- Brenna DeVaney**

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- Stephen Robinson

Will you discuss the new initiative that Skadden helped launch, the Law Firm Antiracism Alliance?

Last year, soon after George Floyd's death, a group of pro bono counsel from several firms came together to discuss the heightened desire to engage in racial justice work among our firms' lawyers. We looked at what our firms already were doing through pro bono programs and what we could do better. We landed at the realization that firms have been fairly good at addressing the symptoms and manifestations of racism through direct representation of individuals, but less often through rooting out racism within the justice system. That's what we wanted to do. I suggested that we identify all of the racist laws and then set about the very long-term project of dismantling them together. At the same time, a group of managing partners was talking about the importance of collaborating across law firms to address systemic racism, and those two discussions soon converged. We launched the LFAA in June, and there are now nearly 300 Alliance Firms teaming up to take on systemic racism in the legal system.

We already have brought hundreds of attorneys together for virtual training sessions and launched 18 working groups to investigate problematic laws in categories such as policing, education and access to justice. Excitingly, the substantive work is now underway. LFAA Alliance Firms have begun working on addressing the continuing effects of non-unanimous Jim Crow juries, supporting low-income taxpayers and conducting targeted research requested by racial justice-focused legal services organizations throughout the country.

How has the spotlight on racial justice and equity impacted Skadden's pro bono program?

I've heard this question asked in a number of different ways throughout the past year. At the heart of it is, "Why now and why not before?" It's not as if racism in the justice system is new or surprising. The short answer is that of course law firms should have done more to help address these problems long ago. However, lawyers at law firms across the country are now activated and ready to do the heavy lifting that this endeavor requires. When our attorneys are ready to do the right thing, it is the job of law firm pro bono programs to help create the opportunities and structures that allow such work to take place. That's what's happening here.

Lauren Aguiar

is a partner in Skadden's Complex Litigation and Trials Group in New York and has been with the firm for 25 years. She serves as the President/Chair of the Skadden Foundation, which runs the Skadden Fellowship Program. Since its founding in 1988, the Fellowship Program has provided more than 900 two-year, full-time fellowships for recent law school graduates and law clerks to practice public interest law.



Lauren E. Aguiar

What was the original vision for the Skadden Fellowship Program and how has the program evolved?

Skadden launched the program to develop the next generation of talented public interest attorneys who would work to improve legal services for underserved and poor communities. The Foundation assists the Fellows early in their careers – right out of law school or following judicial clerkships – by providing them a professional springboard. Over the past three decades, our mission hasn't wavered. Our alumni network of Fellows is now 900-strong and includes many of the most innovative and accomplished attorneys working in public service today. In many ways, they function as a virtual public interest law firm, teaming up for amicus briefs, working together on large-scale projects and turning to each other for advice or support. Former Fellows can be found throughout the system, from direct service attorneys in legal aid offices in underrepresented communities, to executive directors of nonprofit organizations, to judges and law professors, to senior positions in the Biden Administration.

We continue to find innovative ways to assist our former Fellows throughout their careers. We bring them together for annual conferences, local networking events and substantive webinars on topics of interest to their practice. We also provide funding to support their new ideas through what we call "incubator" grants. As we always have,

Skadden attorneys in all of our U.S. offices regularly collaborate with former Fellows on pro bono matters.

What has the Foundation done in response to the events of the past year, including the pandemic and the renewed calls for racial justice and equity?

As you might imagine, this has been one of our busiest years in a long time. We've developed a broad menu of new initiatives, such as awarding dozens of special COVID grants for former Fellows to take on pressing initiatives related to the pandemic. These projects include, for example, supporting self-litigants in eviction cases in Michigan; connecting Native Americans in New Mexico with assistance under the CARES Act and other governmental resources; and helping to get children out of group care and juvenile detention programs in California with potentially high COVID infection rates. The Foundation also has provided technology stipends to assist both current and incoming Fellows who are working remotely, and we've hosted educational programs around systemic racism and racial justice to foster important conversations around many of the underlying issues that Fellows address through their work. In addition, the Foundation has offered several new wellness programs to help members of our community care for themselves during this exceedingly challenging time.

What effect have recent events had on the process for selecting Skadden Fellows and the projects they will pursue?

Although our basic process remains the same, we are always evolving to meet the current needs of the communities served by Skadden Fellows. The pandemic has both exacerbated old challenges and created many new ones for individuals living in poverty, and we took that into account when selecting our latest class of Fellows who will start their projects in the fall of 2021. Their projects include, for example, providing direct, bilingual debt-collection defense and bankruptcy assistance for low-income Washington, D.C. residents hardest hit by the pandemic, and offering direct services and systemic advocacy to combat the wave of pandemic-related evictions in Massachusetts. ●