

Findings

American Bar Association Profile of the Legal Profession 2021

- Involved a Practice Forward Survey of more than 4,200 ABA members in September and October of 2020, with a follow up survey in March of 2021 of senior lawyers

National Business Institute (NBI)

- Collected a study with 86 leading law firms to probe the effect of the pandemic on leading firms' PD and DEI efforts
- Data collected March 2020- November 2020

The Big Question

- Since the country has started working towards returning to normal, what is the new “normal” for lawyers and the legal profession?

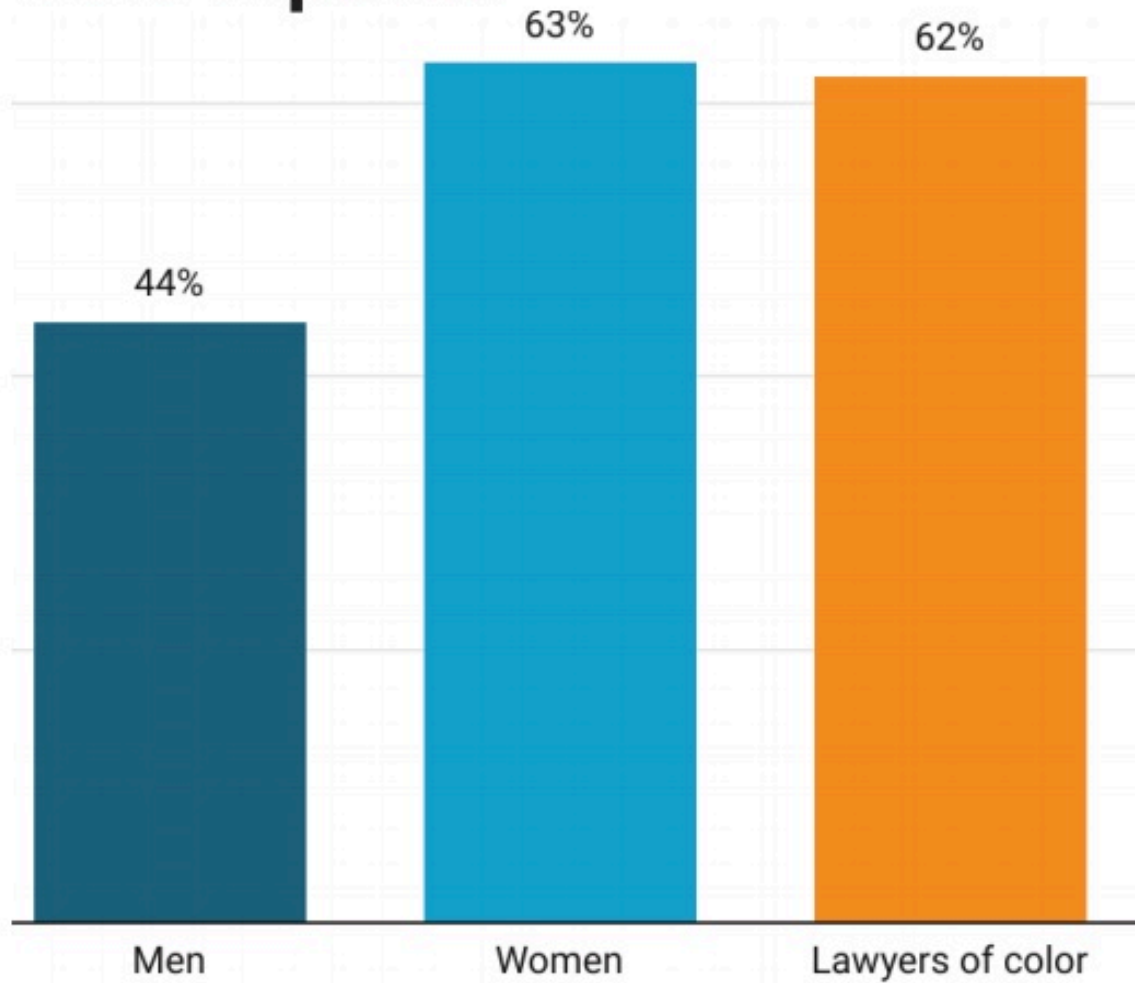




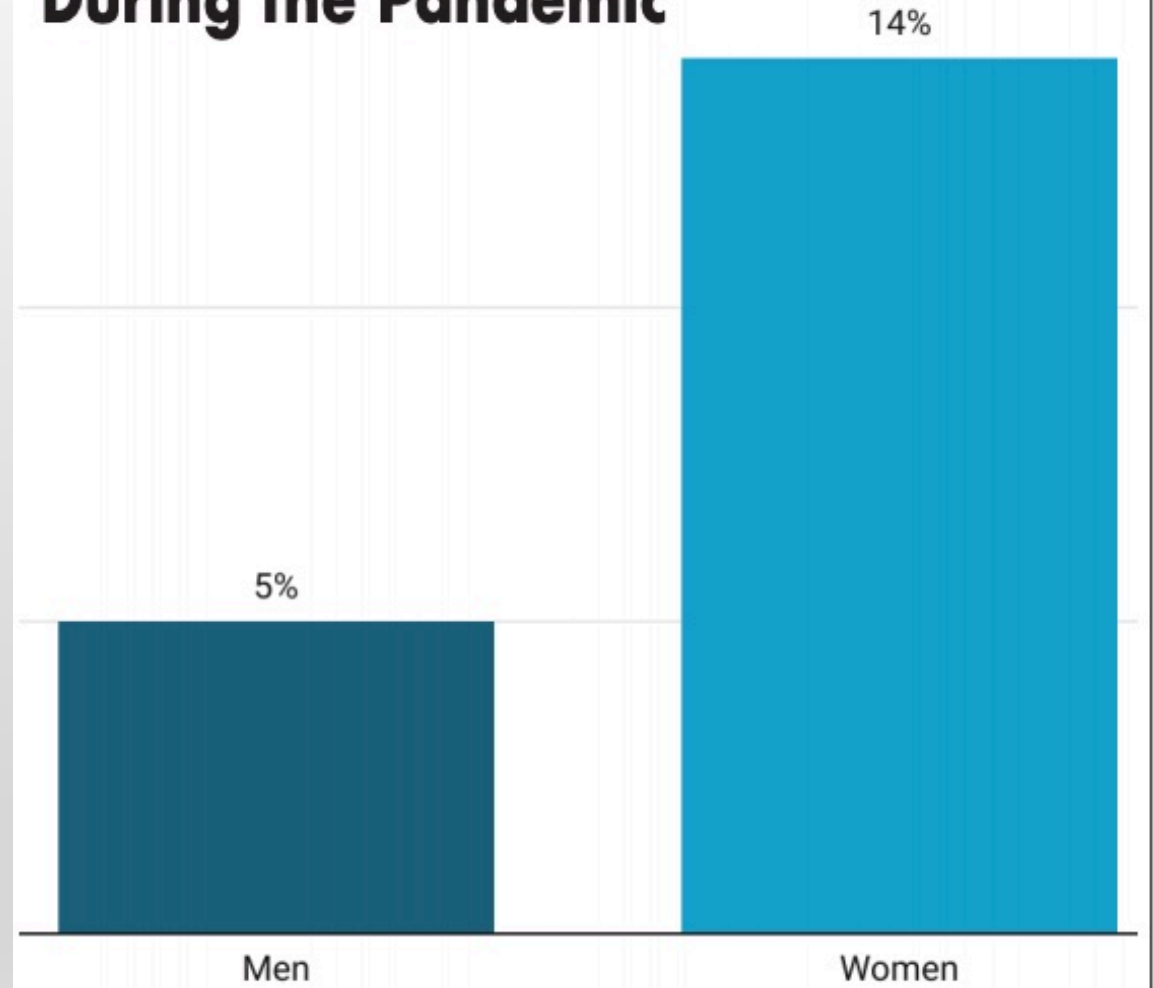
How Have Lawyers Been Affected?



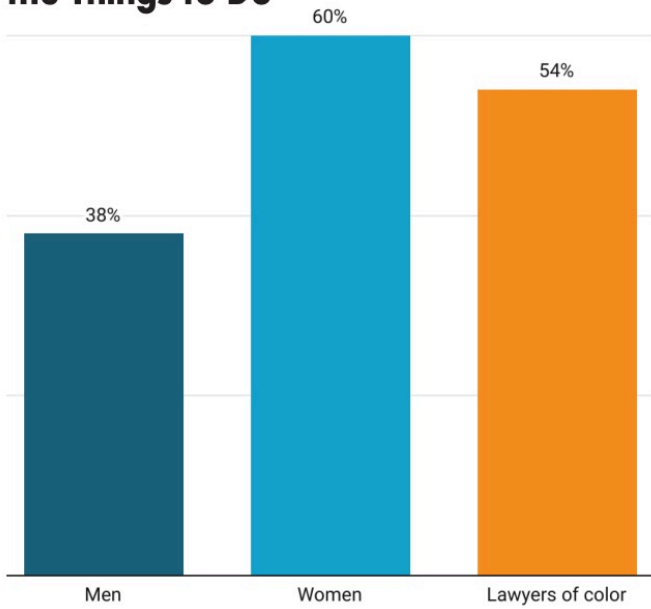
Hard to Keep Home and Work Separate



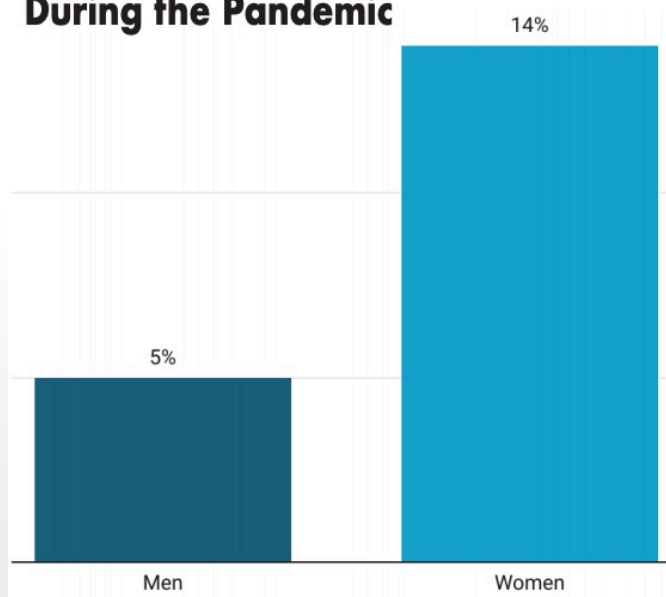
Took on More Child Care During the Pandemic



Felt Overwhelmed With All the Things to Do

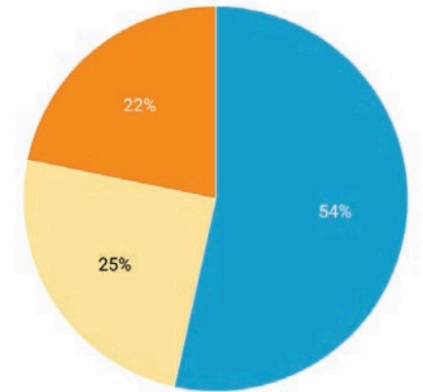


Took on More Child Care During the Pandemic



Time Spent Working From Home During the Pandemic

Close to 100% Between 25% and 75% Close to or 0%

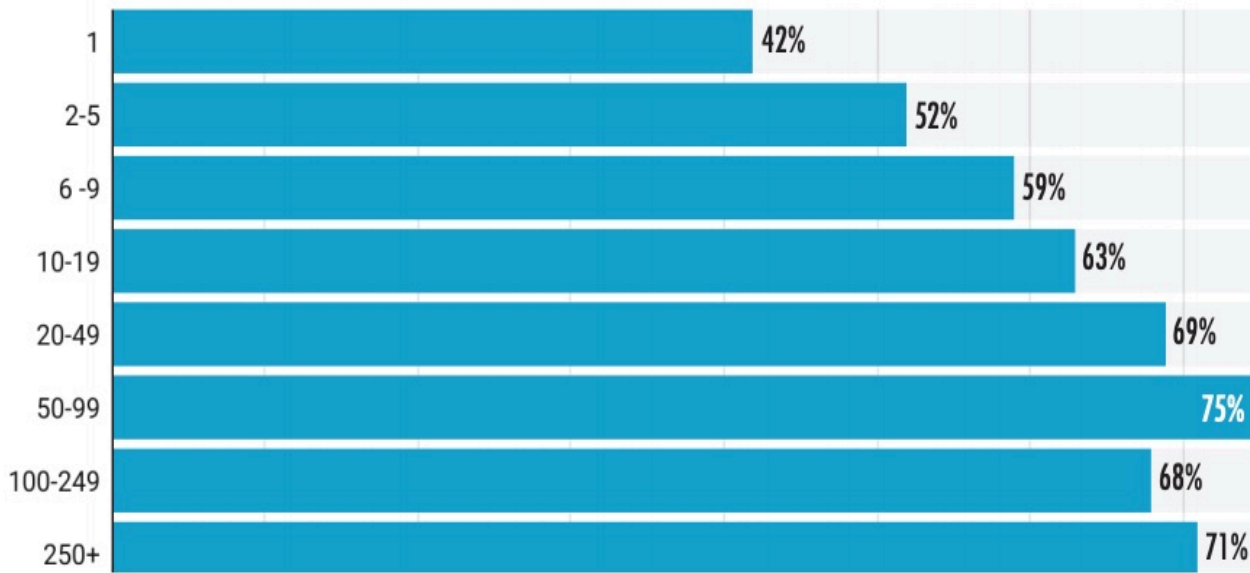




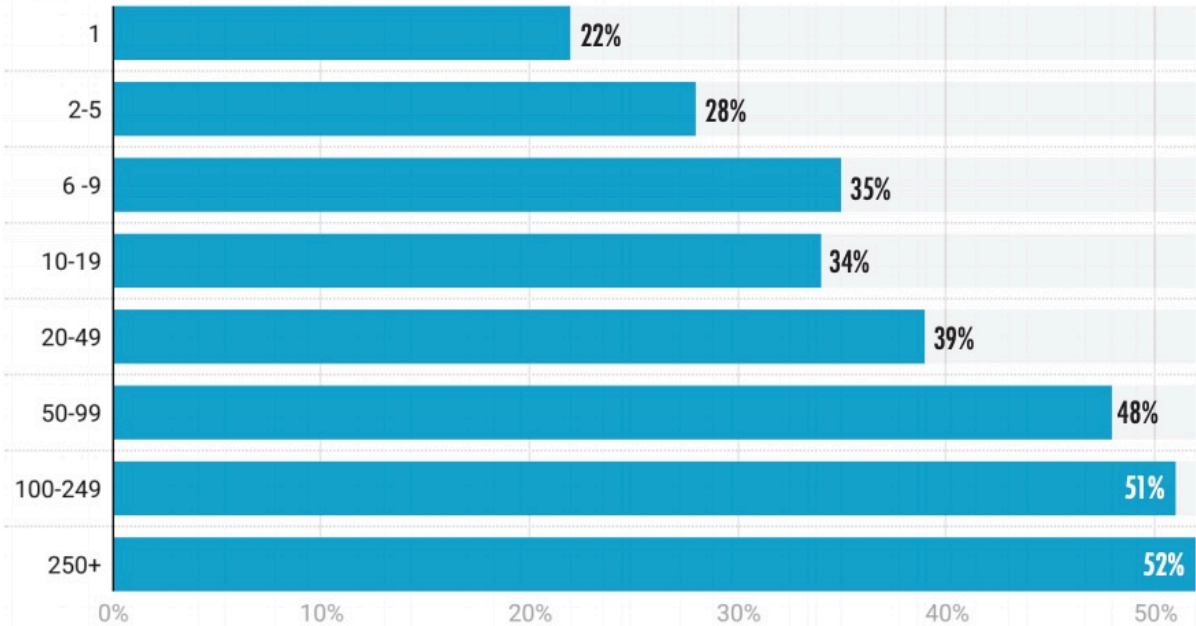
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How Have Different
Firms Been Affected?
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Big-Firm Lawyers

Concerned That Being Inside an Office Building For a Working Day Will Not Be Safe
(by number of lawyers in the office)

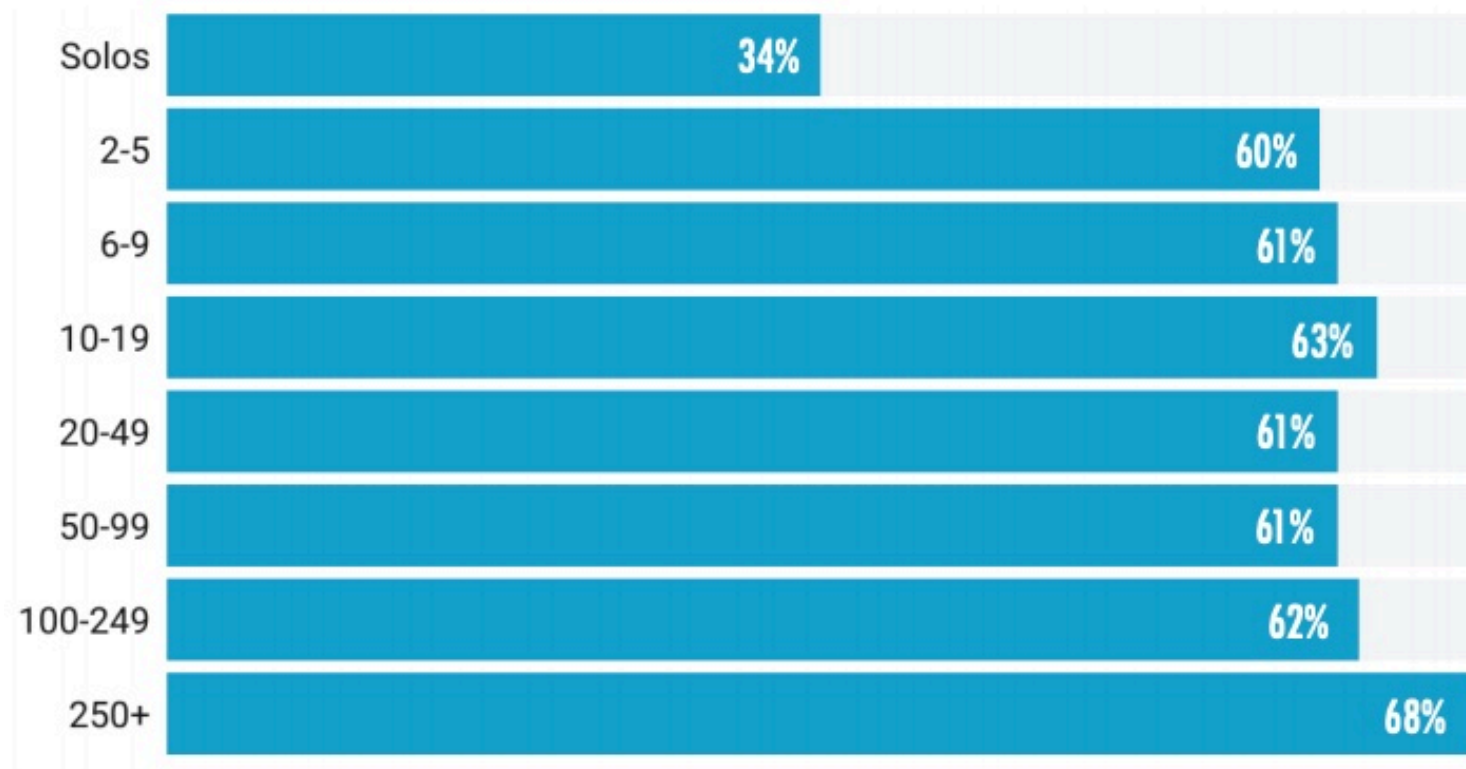


Compared to a Year Ago, How Often Do You Worry About Receiving a Salary Reduction?
(by number of lawyers in the office)



Solo Practitioners

Working More Than 40 Hours a Week (by number of lawyers in firm)



Solo Practitioners Cont.

Have More Trouble Taking Time Off Than a Year Ago (by number of lawyers in firm)

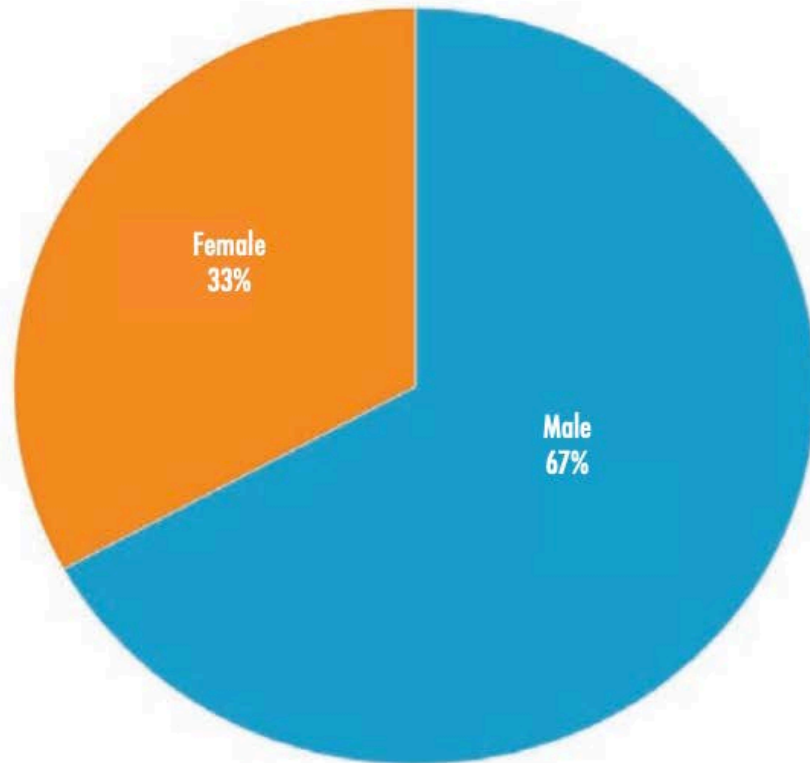


Harder to Keep Home and Work Separate Compared to a Year Ago (by number of lawyers in firm)

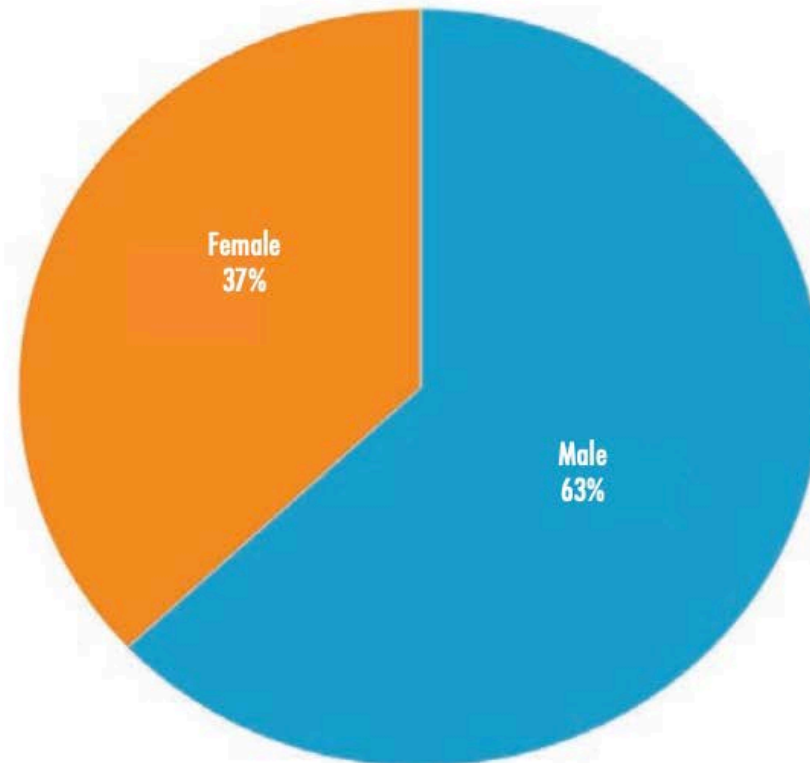


Demographics of Diversity and Inclusion

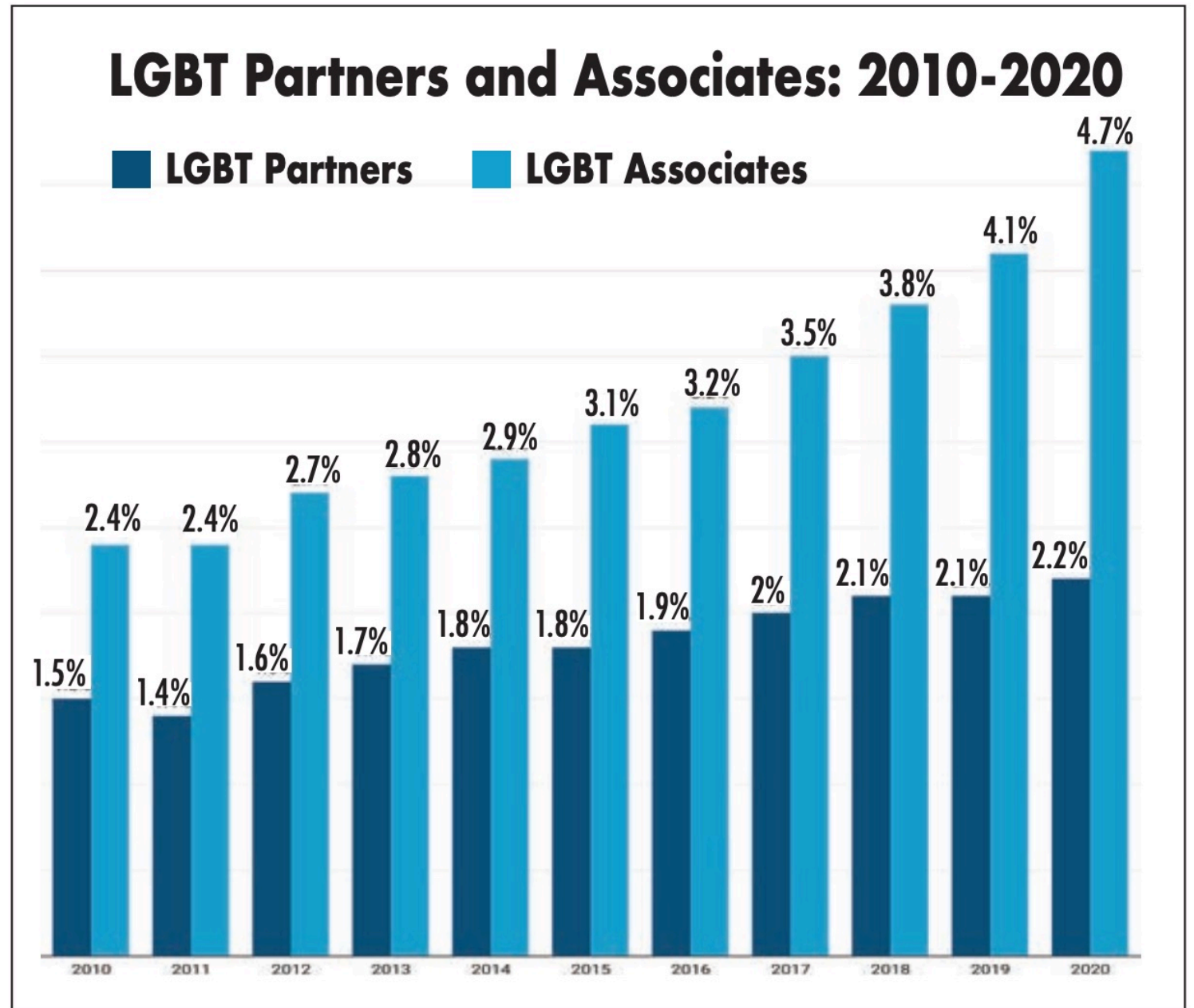
Lawyer Gender: 2011



Lawyer Gender: 2021

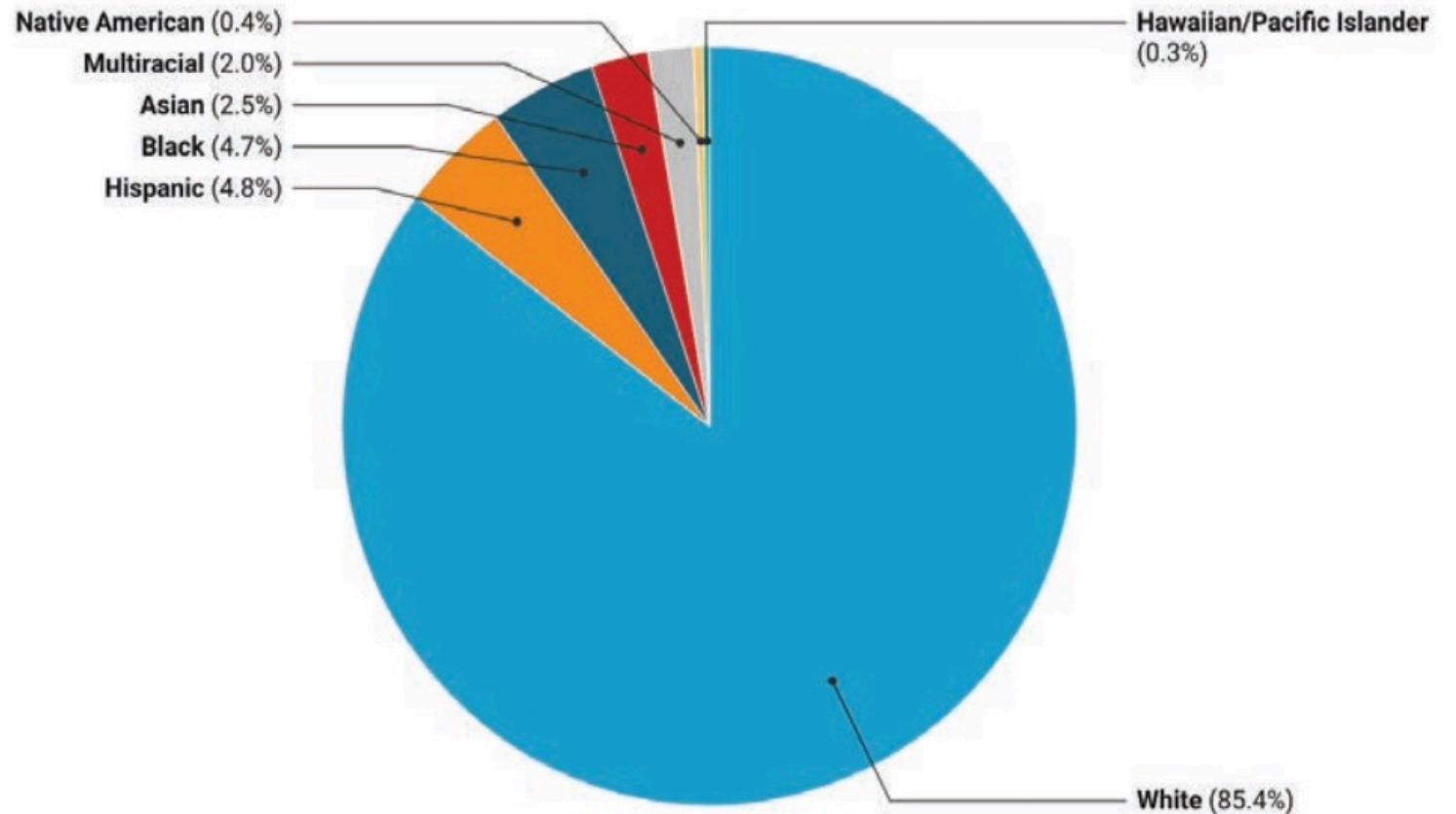


Diversity and Inclusion Cont.

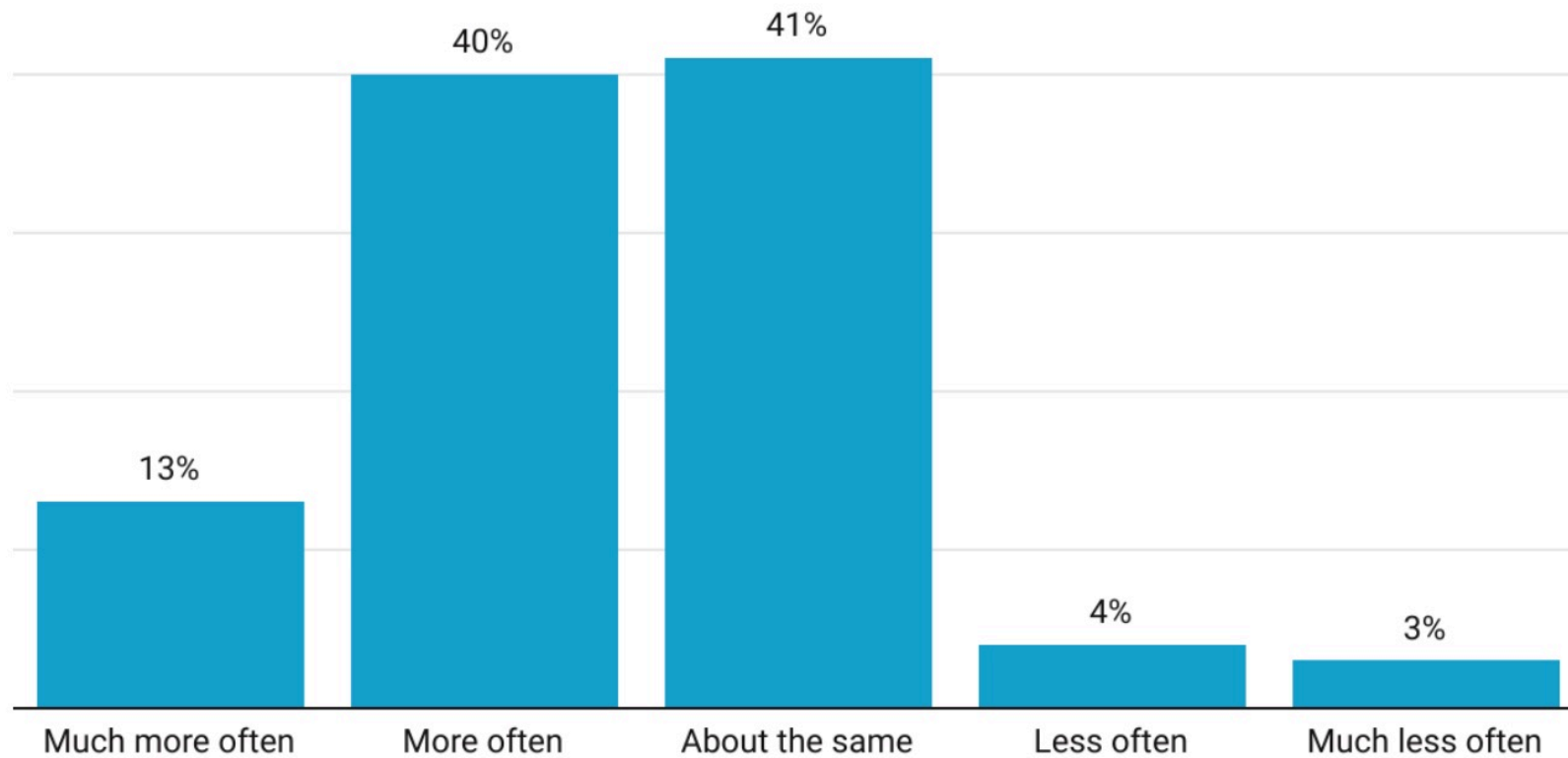


Diversity and Inclusion Cont.

Lawyers by Race and Ethnicity: 2021

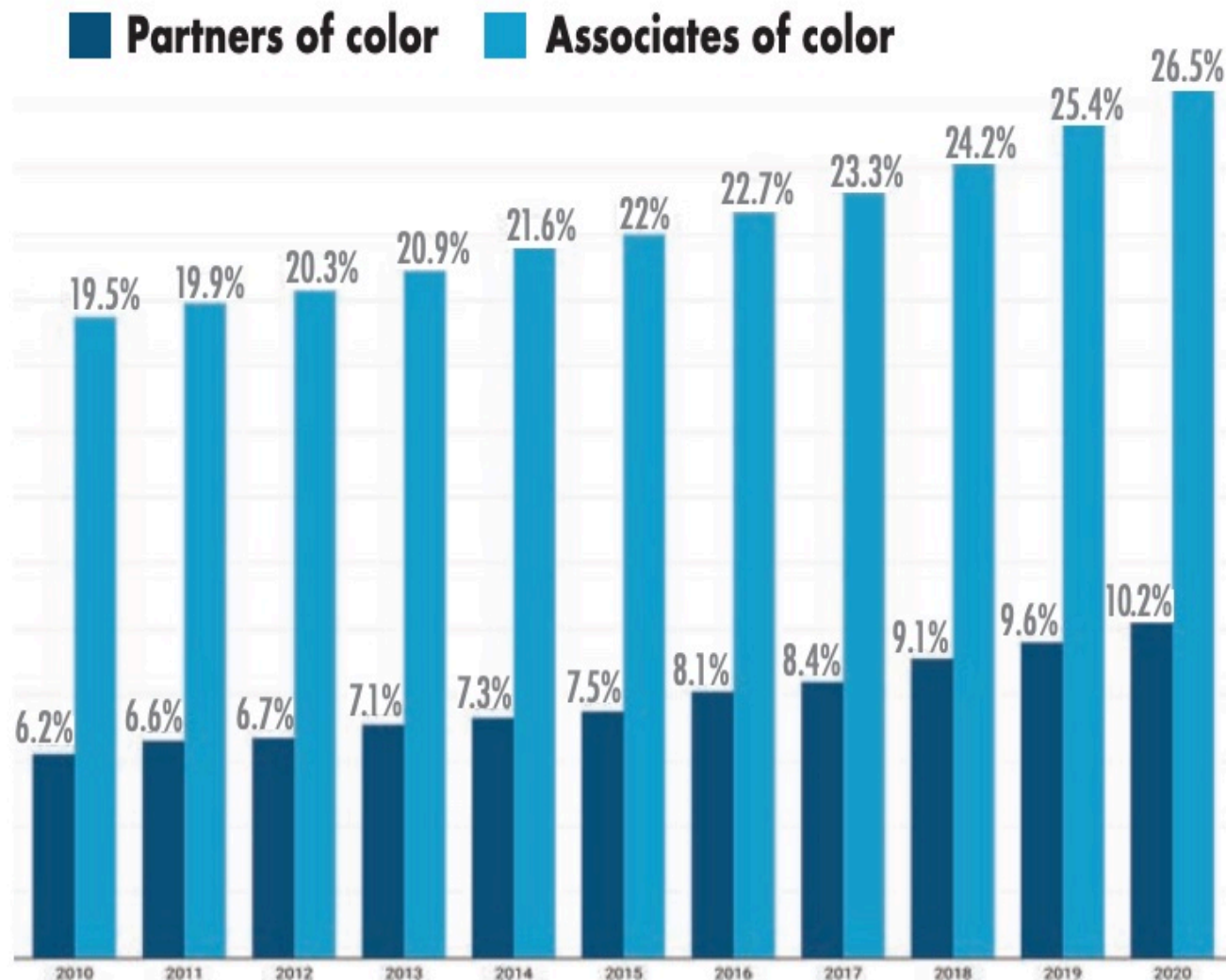


Compared to a Year Ago, How Often Do You Have Conversations with Colleagues about Racial Justice Issues? (Lawyers 62 and Older)



In 2021, for the first time in history, more than 10% of law firm partners are lawyers of color (2020 Report on Diversity in the U.S Law Firms from the National Association for Law Placement).

Partners and Associates of Color: 2010-2020

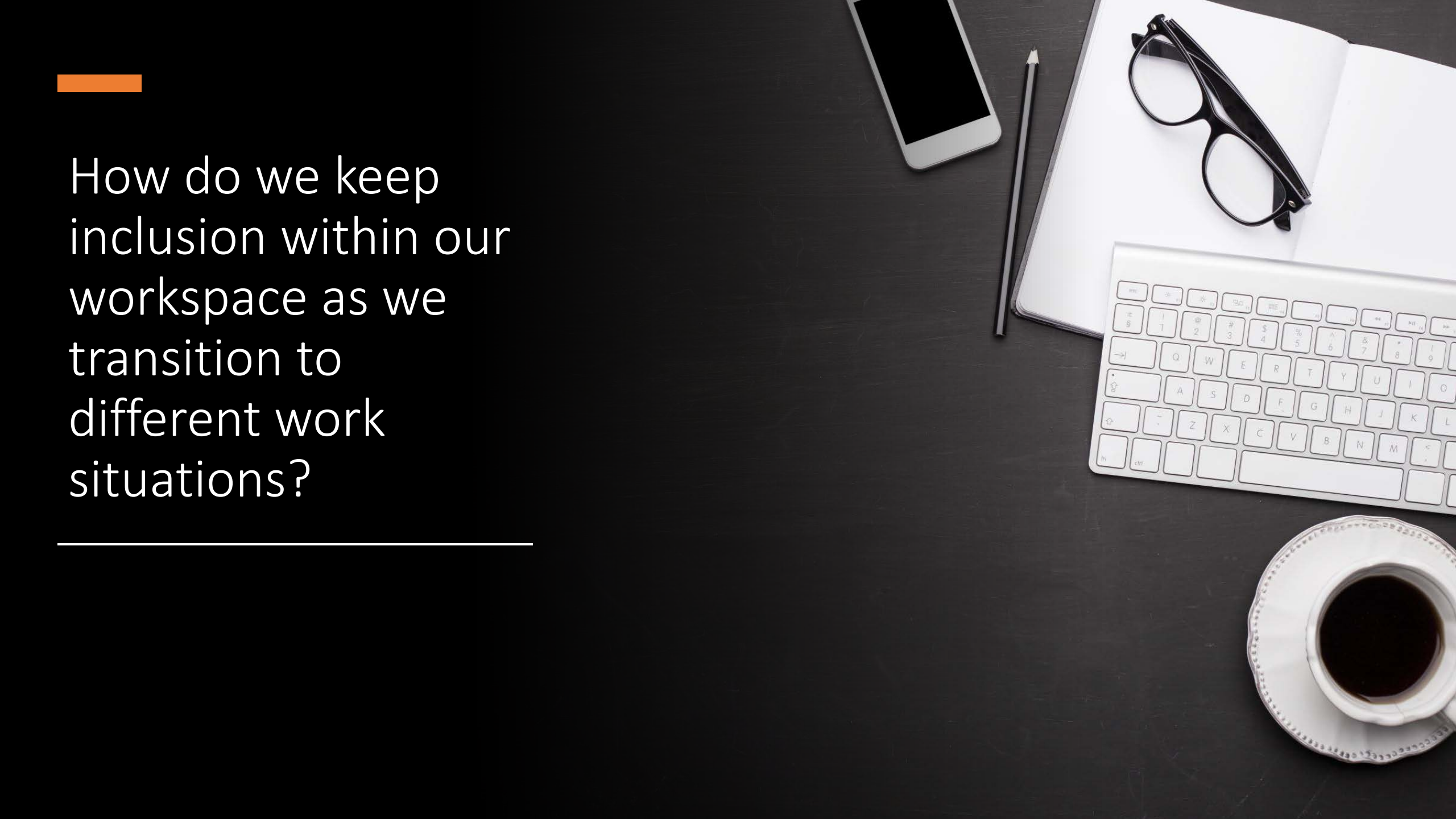




Diversity and Inclusion Cont.

- How do we address the inclusion of parents and caregivers?
- How do we better understand the strain people are feeling?

What is the impact of Covid on communities of color and how has that impacted Black, Indigenous, and other lawyers of color?



How do we keep
inclusion within our
workspace as we
transition to
different work
situations?

Comparative Impact: COVID-19, Civil Unrest, Economic Downturn

	Geographic Region				
	Mid-Atlantic	Midwest	Northeast	Southeast	West/Rocky Mountain
No impact	0%	0%	0%	0%	0%
Increased demand for training and programs	100%	78%	75%	56%	60%
Increased utilization of internal and external resources	67%	67%	75%	67%	60%
Work origination/assignment processes revised	11%	22%	13%	0%	10%
Performance evaluation process revised	44%	28%	13%	33%	40%
Formal and informal feedback mechanisms added or revised	0%	28%	31%	0%	30%
Implicit bias assessment of above firm procedures	22%	28%	13%	11%	10%
Other	11%	22%	13%	22%	40%

Base: All respondents. Percentages may not sum to 100% because more than one response could be provided.

Comparative Impact: COVID-19, Civil Unrest, Economic Downturn

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Performance evaluation process revised	44%	28%	13%	33%	40%
Formal and informal feedback mechanisms added or revised	0%	28%	31%	0%	30%
Implicit bias assessment of above firm procedures	22%	28%	13%	11%	10%
Other	11%	22%	13%	22%	40%

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Impact on PD and DEI Teams: Increase in Clout/Visibility

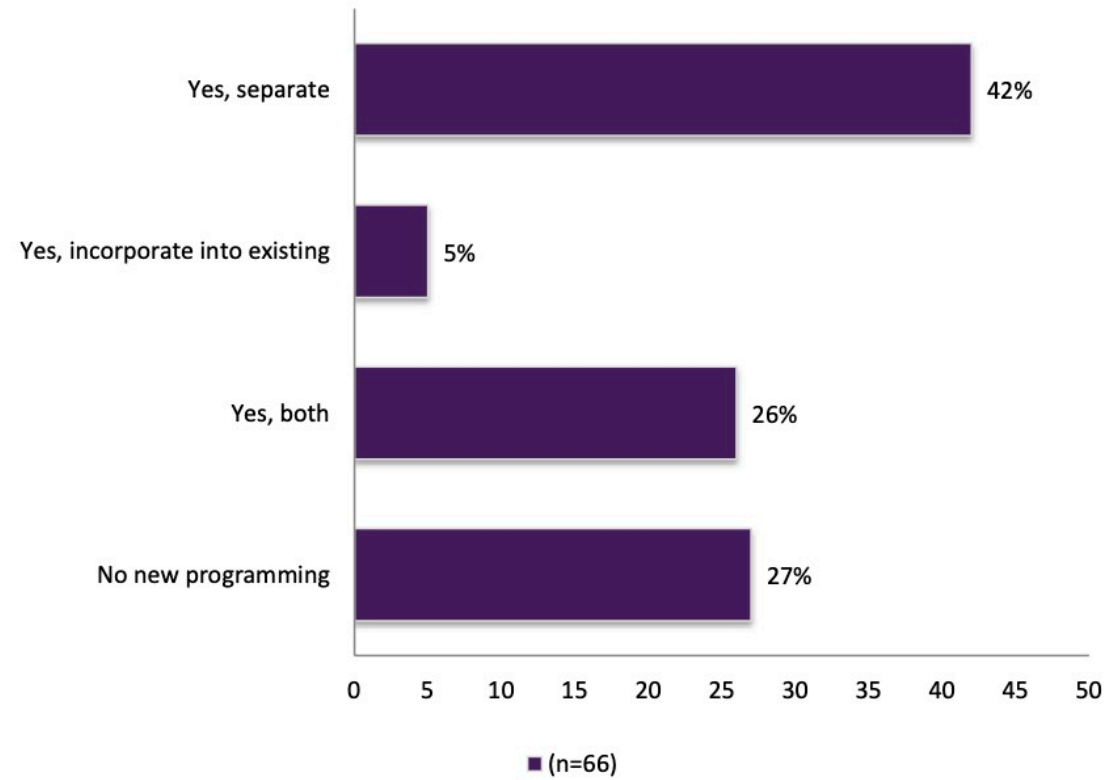
PD Team

- 54% reported the PD team's visibility/clout increased with firm leadership.
- 51% reported it increased with partners.
- 48% reported it increased among both

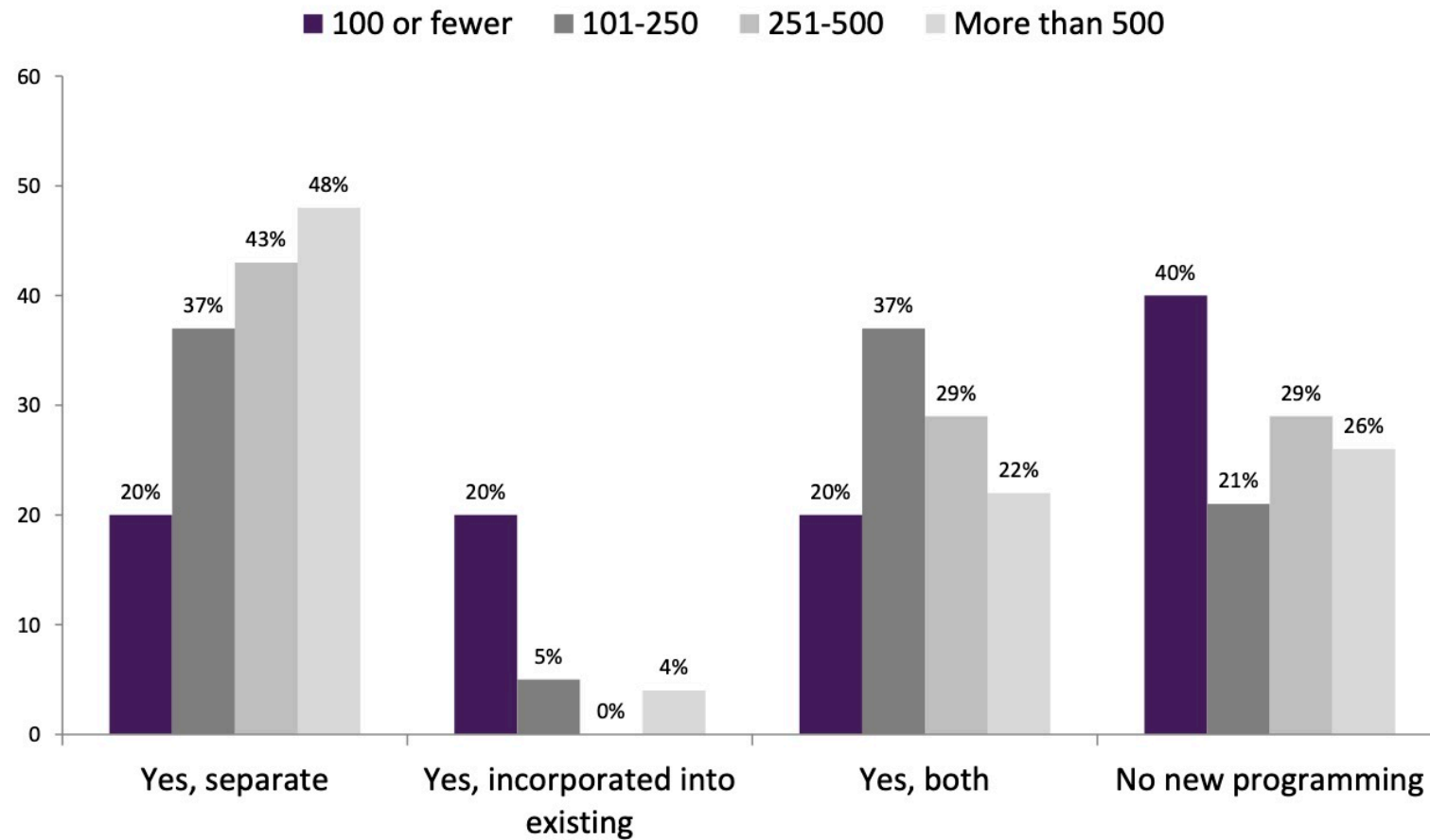
DEI Team

- 69% of all firms reported an increase in the DEI team's visibility/clout among firm leadership.
- 67% reported an increase in visibility/clout with partners.
- 64% increased visibility/clout among

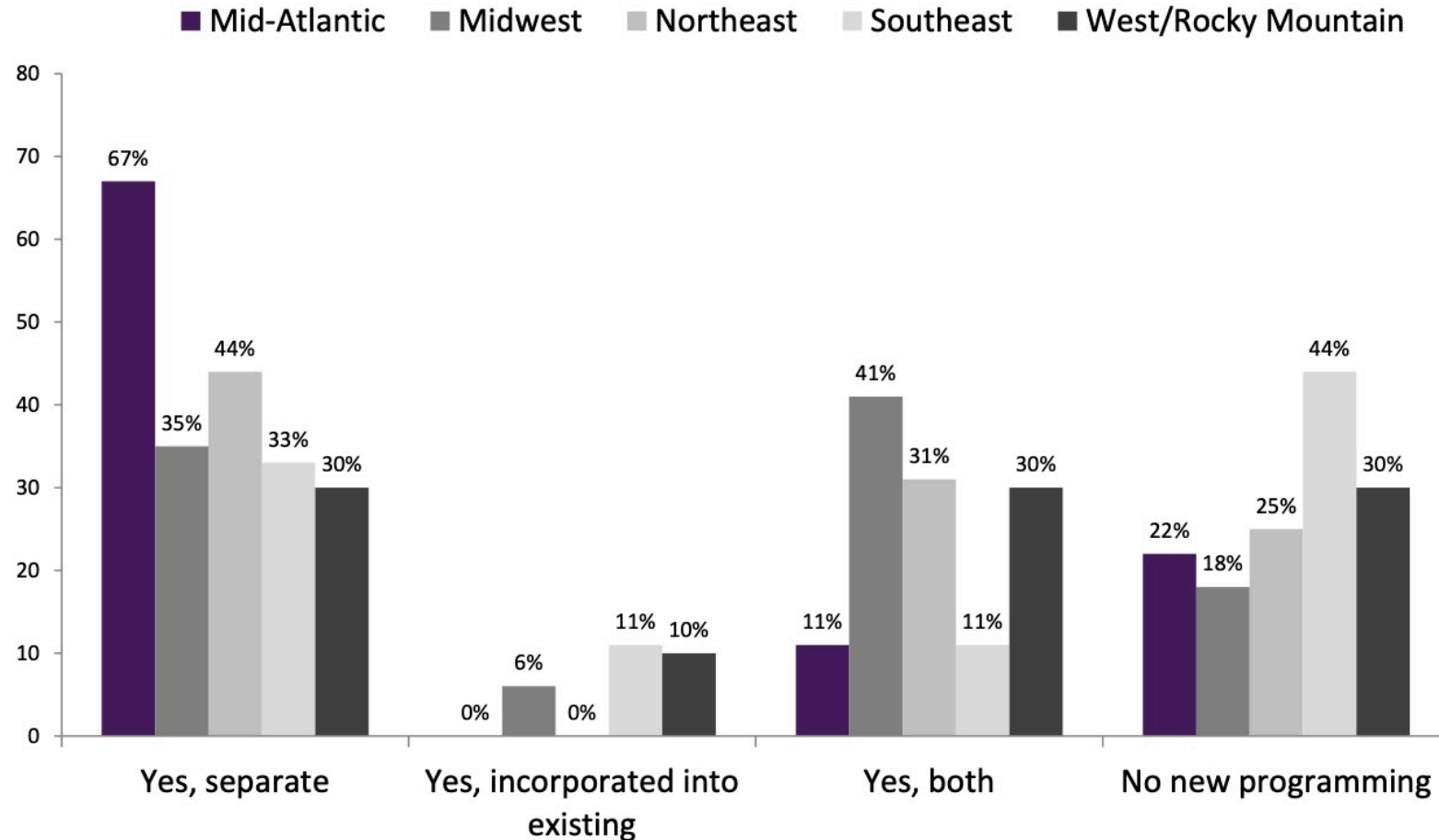
Development of New DEI Programming



Development of New DEI Programming: Firm Size



Development of New DEI Programming: Location



Anti-Racism & DEI



Dedicated DEI personnel



Implemented new anti-racism and DEI initiatives to address racial injustice and civil unrest



Redeployed staff or attorneys to work on DEI efforts and initiatives

Redeployment of Staff/Attorneys to DEI Efforts

	Geographic Region				
	Mid-Atlantic	Midwest	Northeast	Southeast	West/Rocky Mountain
Yes, staff	13%	29%	33%	67%	11%
Yes, attorneys	38%	24%	27%	33%	0%
No	50%	59%	53%	33%	89%

Base: All respondents. Percentages may not sum to 100% because more than one response could be provided.

Anti-Racism & DEI



Reported the DEI team's scope and responsibilities increased after March 2020



Did not adjust DEI budgets up or down as a result of civil unrest

Firms' Priorities: Topics

Highest priorities

- DEI – 76%
- New attorney orientation and integration – 74%
- Performance evaluations – 70%

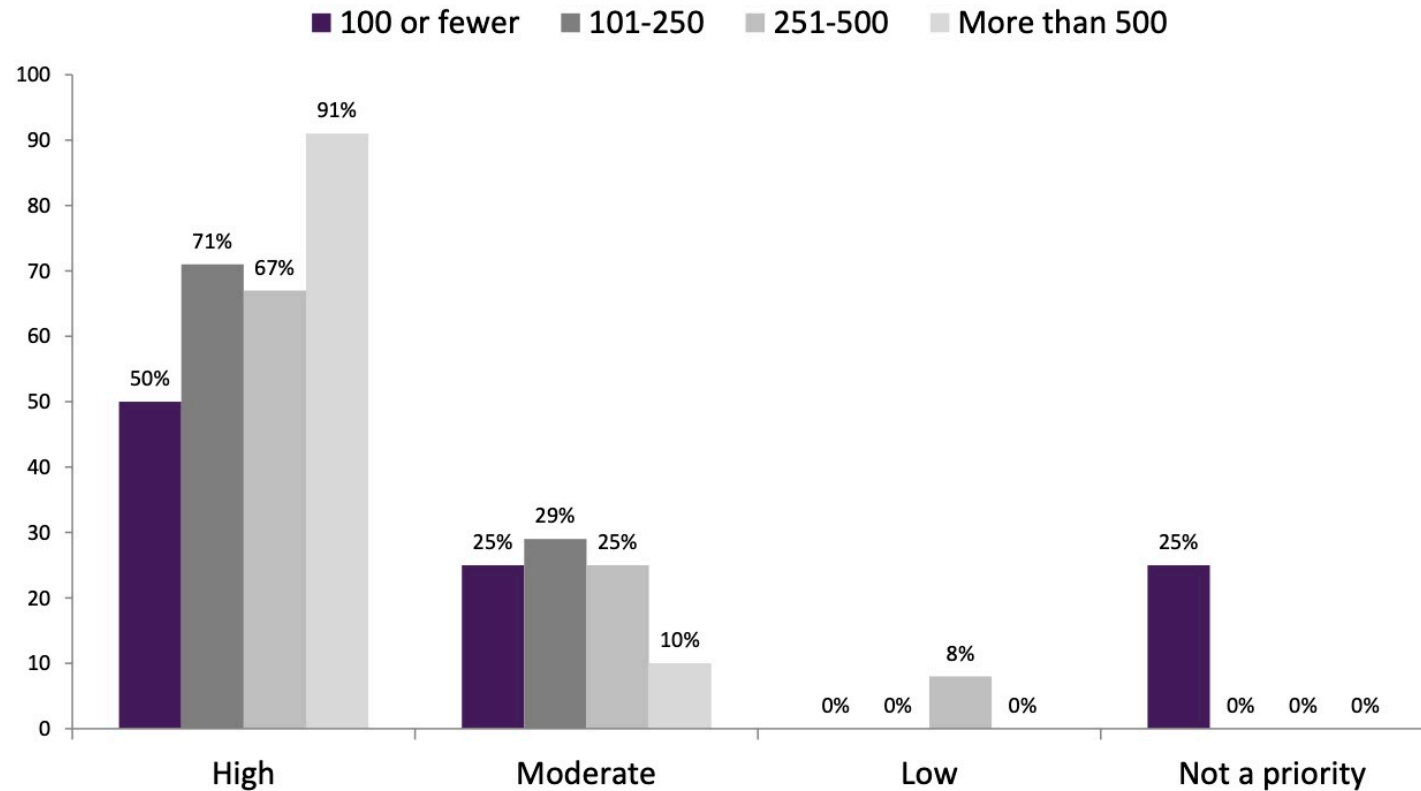
Next Level

- Mental health and well-being – 63%
- Cultural cohesion and integration for remote workers – 62%

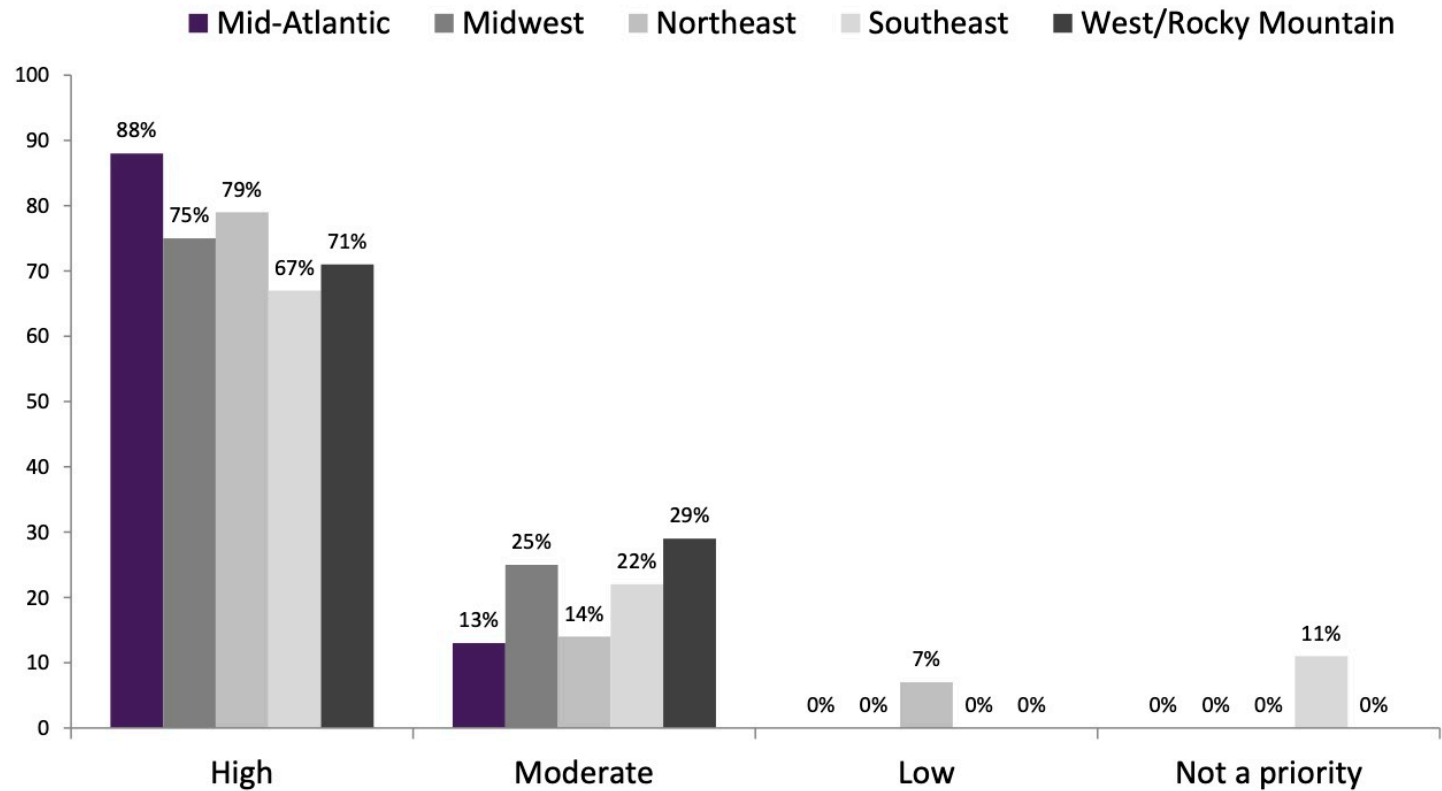
Third Level

- Workload/ensuring sufficient development opportunities – 52%
- Formal and informal mentoring – 46%

DEI Level of Priority: Firm Size



DEI Level of Priority: Location



Firms' Priorities: Top Challenges



Mental health and well-being



Developing and maintaining relationships
between partners and junior associates



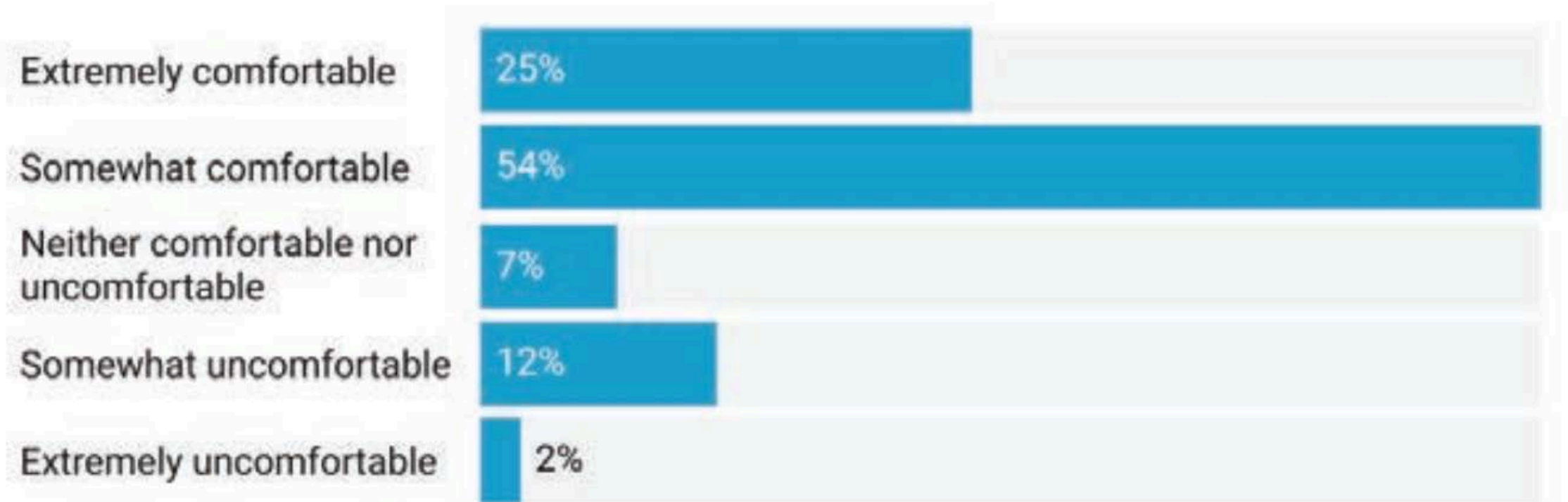
Lack of boundaries resulting
from remote work

Generational Differences

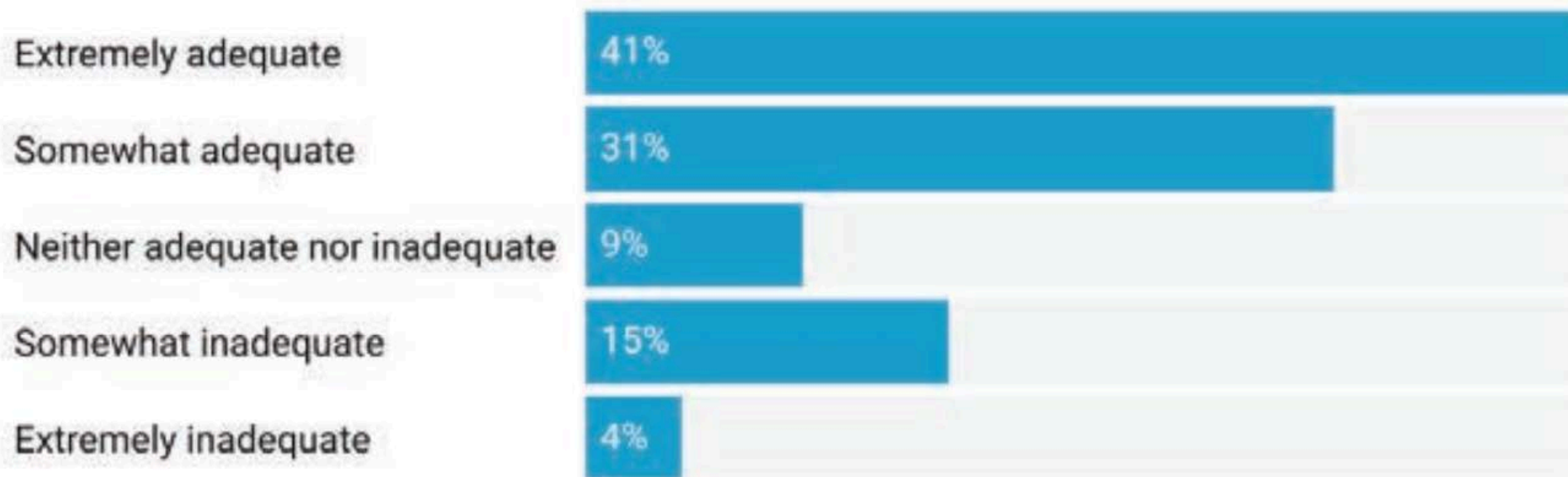
- How do we understand generational differences when it comes to technology?



How Comfortable are You with New Technology That You Learned to Use During the Pandemic?



How Adequate Do You Find Technical Support While Working Remotely?





Evolving Technology within offices



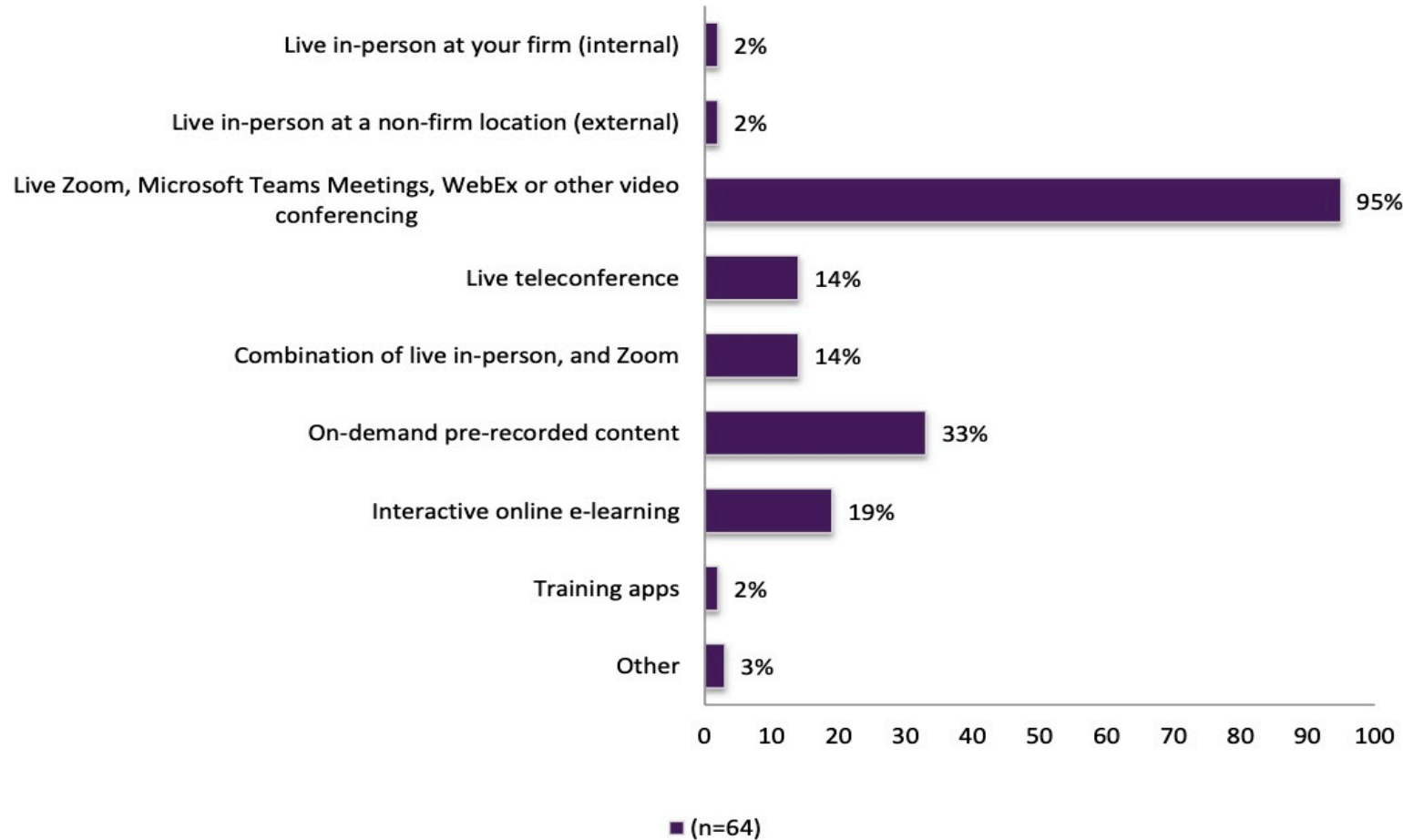
The background features a complex financial chart. The upper portion displays a candlestick chart with several white candlesticks, overlaid with a solid white trend line and two dotted white lines representing support and resistance. A white downward-pointing triangle is positioned near the bottom of the candlestick pattern, and another white upward-pointing triangle is located higher up. The lower portion of the chart shows a bar graph with numerous vertical bars of varying heights, also overlaid with a dotted white trend line. In the top right corner, the number '1.65' is visible next to a small downward-pointing triangle.

Changed Delivery Methods Since March 2020

	How Changed...		
	Decreased	No Impact	Increased
Live in-person at your firm (internal)	97%	2%	2%
Live in-person at a non-firm location (external)	98%	2%	0%
Live Zoom, Microsoft Teams, WebEx or other video conferencing	0%	0%	100%
Live teleconference	15%	26%	59%
Combination of live in-person, and Zoom	64%	13%	23%
On-demand pre-recorded content	0%	28%	72%
Interactive online e-learning	2%	45%	53%
Training apps	4%	72%	24%
Other	0%	50%	50%

Base: All respondents. May not sum to 100% due to rounding.

Most Effective Delivery Methods



Practicing Safe Cybersecurity

01

Protect your WiFi

02

Keep your devices up to date with software patches, system updates, anti-virus, malware and spyware

03

Replace software and operating systems that are no longer being updated

Cybersecurity: File Sharing

1

Restrict locations to which files containing sensitive information can be saved or copied

2


Use file-naming conventions that are less likely to disclose the types of information a file contains

3

Monitor networks for sensitive information, either directly or by using a third-party service provider

4

Encrypt and password protect files



Question: How do we best fund upgrades in technology for the courts to enable everyone in an entire state to have electronic filing and access to electronic to judicial dockets?

How can we
better public
access to
remote court
hearings?



- What are the challenges of continuing remote jury trials post-pandemic?



Impact of
Litigation Costs
on Access to
Justice

Two-Tiered Legal
System

Alternate Private
Dispute Resolution

Globalization
with COVID-
19

