

SKILL DEVELOPMENT PRACTICES AND RACIAL-ETHNIC DIVERSITY IN ELITE PROFESSIONAL FIRMS*

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In elite professional firms, minorities are actively recruited but struggle to move upward. We argue that initiatives aimed at general skill development can have unintended consequences for firm diversity. Specifically, we contend that approaches that win partner support through motivational significance and interpretive clarity will provide a more effective avenue to skill development for minorities, who have less access than whites to informal developmental opportunities. We also argue that a longer “partnership track,” which imposes a time limit on skill development, will benefit minority professionals. Using data on 600 offices of large U.S. law firms in 1996 and 2005, we investigate the effects of five developmental initiatives and partnership track length on the representation of African-Americans, Latinxs, and Asian-Americans among partners. Observed effects are consistent with expectations, but patterns vary across racial-ethnic groups.

Keywords: race, ethnicity, African-Americans, Latinx, Asian-Americans, lawyers, law firms, professional service firms, employment practices, workplace inequality, organizational inequality, racial composition

* This research was supported in part by a grant from the Social Science and Humanities Research Council of Canada. The authors acknowledge that the data analyzed in this study were licensed to them by the National Association for Law Placement (NALP). The views and conclusions stated herein are those of the authors and do not necessarily reflect the views of NALP or of any individuals associated with NALP. The authors gratefully acknowledge comments provided by Alexandra Kalev, Simone Polillo, Adam Slez, and seminar participants at Vanderbilt University, as well as excellent research assistance provided by Stacey Alarie, Matthew Braswell, Robert Day, Sarah Mosseri, and Di Shao.

Shauna, graduating with honors from a respected university, was courted aggressively by the big four accounting firms, all of them eager to recruit top-level, diverse talent. She accepted an offer from one, and started with high hopes and great promise. But despite obvious intelligence, a strong work ethic and superb client relationship skills, she soon encountered difficulty in mastering her firm's procedures and in developing productive relationships with supervisors and peers. Uncertain whether her difficulties were due to being the only African American in her group or her newness to the team, she struggled to succeed but received only an 'average' first-year performance evaluation. . . [After that,] [w]hen she didn't know how to do something, she was less inclined to ask [the senior accountant on her client engagement] or one of her peers, and was putting in even more hours trying to figure things out on her own. . . . [Eventually,] Shauna questioned whether she wanted to pursue public accounting, and decided to leave public accounting and move into corporate internal audit.

-- Center for Accounting Education (2010a)

The composite story in the epigraph reflects the experience of many talented minority professionals who begin their careers in elite professional firms. After an initial experience of enthusiastic recruitment and welcome, members of racial and ethnic minority groups often struggle to advance in their careers (Coleman and Gulati 2006; Rivera 2012a: 34; Sander 2006). In law firms, the proportion of minority lawyers drops dramatically from the entry or “associate” level to the partner level (Gorman and Kay 2010). A similar pattern is evident in accounting firms, consulting firms, and investment banks (Ashley and Empson 2017; Center for Accounting Education 2010b; Ho 2009). Minority professionals in elite firms find it difficult to obtain recognition and responsibility (Ashley and Empson 2017; Fearfull and Kamenou 2006; Huang, Fowler and Baskerville 2016; Sommerlad 2012; Wilkins and Gulati 1996; Woodson 2015) and are disproportionately likely to become discouraged and quit (Foley, Kidder and Powell 2002; Viator 2001; Wilkins 2004). Over and over, young minority professionals embark on their careers with high hopes and leave a few years later in disappointment.

An important key to this unfortunate puzzle may lie in the process of skill development at work. Scholars of human capital have long recognized that skills and productivity improve not

only through formal education, but also through work experience (Becker, 1994; Tomaskovic-Devey, Thomas, and Johnson 2005). This point holds with particular force in professional firms, where new professionals have been trained in their field's substantive body of knowledge, but lack most of the other skills they will need to function at higher levels. Such skills include problem solving, working effectively in a team, leading and managing others, time management under pressure, formulating strategy at the project and firm levels, negotiating deals, effective self-presentation, resolving ethical dilemmas, bringing in new business, and managing existing client relationships (Anderson-Gough, Grey and Robson 2000; Ashley and Empson 2013; Ho 2009; Kumra and Vinnicombe 2008; Suchman 1998; Westfahl and Wilkins 2017). Professionals acquire these skills through experiential learning on the job (Galanter and Palay 1991; Westfahl and Wilkins 2017). Indeed, studies of professionals in elite firms repeatedly emphasize that developmental experiences at work are crucial for career success (Center for Accounting Education 2010a; Kay, Hagan and Parker 2009; Kay and Wallace 2009). Although the process of skill acquisition is demanding for professionals of all backgrounds, minorities are likely to find it especially challenging because they often have limited access to informal developmental experiences (Galanter and Henderson 2008; Sander 2006; Wilkins and Gulati 1996). In professional firms, compared to their white peers, minorities find it more difficult to form mentoring relationships (Fearfull and Kamenou 2006; Payne-Pikus, Hagan and Nelson 2010; Sommerlad 2012; Viator 2001), especially when potential mentors are predominantly white (Woodson 2015), and are less likely to obtain assignments that stretch their capabilities and allow them to acquire new skills (Garcia-Lopez 2008; Wilkins and Gulati 1996).

Racial and ethnic disparities in developmental opportunities could help to explain minorities' underrepresentation at higher levels through two mechanisms. First, it is well

established that professionals who lack adequate developmental opportunities are less satisfied with their jobs, less committed to their organizations, and more likely to quit before consideration for partnership (Dirsmith and Covaleski 1985; Kay and Wallace 2009; Scandura and Viator 1994). Indeed, a disadvantage in access to developmental experiences largely explains African-American law-firm associates' lower job satisfaction and stronger intention to quit, relative to whites (Payne-Pikus, Hagan and Nelson 2010). Second, over time, minority professionals who remain until consideration for partnership but lack opportunities to develop their skills will tend to become, through no fault of their own, less objectively qualified than many of their white peers and thus more vulnerable to being "passed over" in even the most scrupulously even-handed selection process (Wilkins and Gulati 1996, 1998).¹

In recent decades, recognizing the importance of skill development at work to employees' productivity and success, professional firms have adopted an array of initiatives intended to help employees develop the knowledge and skills needed for advancement to greater responsibilities and higher organizational levels. Can such initiatives, which are *not* aimed at increasing diversity, nevertheless have consequences for diversity regardless of their intent? Existing research has not squarely addressed this question. Scholarship on minorities in professional firms has focused on documenting their overall patterns of disadvantage rather than investigating variation across organizations. Research on other kinds of organizations, such as business corporations or government agencies, is likely to be of limited relevance, given that inequality processes in such bureaucratic organizations differ from those in professional firms, where roles and reporting relationships are fluid, structures are collegial or patrimonial, and authority is based on expertise and personal ties (Gorman 2015; Neely 2018). In any event, the literature on bureaucratic organizations has neglected this issue as well. Although numerous

studies show that organizational employment practices can influence race- and gender-based inequality in workplace outcomes, researchers have concentrated on practices relating to hiring, promotion, and pay (e.g., Abendroth, Melzer, Kalev and Tomaskovic-Devey 2017; Castilla 2015; Reskin and McBrier 2000). A few studies have examined the impact of *targeted* developmental programs for women and minorities, undertaken as part of a deliberate diversity effort, finding mixed results (e.g., Dobbin, Schrage and Kalev 2015; Kalev, Dobbin and Kelly 2006; Richard, Roh and Pieper 2013; Williams, Kilanski and Muller 2014). However, to our knowledge, none have investigated the effects of *general* developmental programs for junior professional employees.

We argue that if a program or policy successfully enhances skills for all employees, it should be particularly beneficial for minorities, who generally have less access to alternative opportunities for professional growth. In turn, better trained minority associates should be less likely to quit and more likely to be promoted, leading to greater diversity at the partner level. We also consider the length of the “partnership track,” or expected time until consideration for promotion to partnership; because it places a time limit on the process of skill development, it should also affect partner diversity. Using data on a nationwide sample of large U.S. law firms at two points in time—1996 and 2005— we investigate the effects of developmental initiatives and partnership track length on the representation of African-Americans, Latinxs and Asian-Americans among partners. We find that these practices do indeed have unintended consequences for diversity, but their effects vary across racial-ethnic groups.

BACKGROUND: CULTIVATING COMPETENCE IN PROFESSIONAL FIRMS

Traditionally, skill development in professional firms involved informal apprenticeship-style training under the close supervision of senior practitioners during a fixed partnership track period of six or seven years (Henderson 2010; Westfahl and Wilkins 2017). At the end of this period, those who were not made partner were expected to leave. The classic example is the New York law firm Cravath, Swaine and Moore, which implemented this approach in the early decades of the twentieth century. According to a history of the Cravath firm written by one of the founding partners, “Cravath men are not thrown into deep water and told to swim; rather, they are taken into shallow water and carefully taught strokes” (Swaine 1946, p. 4). By mid-century, this model had become institutionalized among elite law firms (Galanter and Henderson 2008; Westfahl and Wilkins 2017) and had spread to other professions as well (Axelson and Bond 2015; McKenna 2006). Although apprenticeship-style training required a substantial investment of both partner and associate time, the informal structure and norms of professional communities supported the financial viability of this approach. In an era when corporations maintained long-term relationships with specific firms, often within local metropolitan areas (Galanter and Palay 1991: 34), clients were willing to pay for most of the training that took place in connection with firms’ work on their matters. Moreover, because prevailing norms barred professional firms from “laterally” hiring other firms’ associates (or partners) (Smigel 1969: 57), firms were able to reap long-term returns from their investments in training.

In recent decades, this traditional model has become more difficult to sustain as firms have found themselves squeezed between two mounting economic pressures. On the one hand, the costs of apprenticeship-style training have increased dramatically. Salaries paid to new associates have risen sharply as firms compete to attract graduates of top professional schools

(Henderson 2010). As a result, the time associates spend in training has become considerably more expensive than it was in the past. On the other hand, firms find it increasingly difficult to recoup the costs of training. In today's more competitive professional markets, corporate clients are no longer willing to pay for time spent on general training (Barnhizer 2003; Schiltz 1999; Westfahl and Wilkins 2017). In addition, the demise of norms barring lateral hiring means that well-trained professionals can easily depart for more attractive opportunities elsewhere, taking their human capital with them (Henderson and Bierman 2009; Henderson 2010). Faced with these pressures, many professional firms have turned to a number of alternative skill-development strategies that they hope will meet their need for skilled practitioners at less cost. Many firms have also lengthened their partnership tracks, which allows them to retain profitable trained professionals while delaying the point at which they must either be given a share in profits or dismissed (Gilson and Mnookin 1989).

DEVELOPMENTAL INITIATIVES AND MINORITY SUCCESS

Developmental policies and programs that more effectively enhance experiential learning and skill acquisition for *all* associates should be particularly beneficial for minorities, who typically have less access to alternative opportunities for professional growth. Because minority professionals who have received better training are less likely to quit and more likely to win recognition for their competence and productivity, such policies and programs should have an indirect positive influence on the representation of minorities among professional firm partners.

A rich vein of research in organizational sociology and organizational behavior shows that employment practices are more effective at achieving their intended goals when they more successfully influence the behavior of the managers charged with carrying them out. The effectiveness of organizational policies depends on managerial implementation, but managers'

diligence at this task is likely to depend, in turn, on characteristics of both the policies themselves and the organizational context (Castilla 2011; Dobbin, Schrage, and Kalev 2015). In general, managers are likely to carry out organizational initiatives more effectively in a “strong situation” where all participants share the same expectations concerning valued and rewarded behaviors (Bowen and Ostroff 2004; Nishii, Khattab, Shemla and Paluch 2018). A variety of factors can create such a “strong situation.” For example, managers are more likely to be assiduous when their behavior is transparent to all or when mechanisms exist to hold them accountable (Castilla 2008, 2015). In corporate settings, initiatives are more effectively executed when a formal organizational structure, such as a specialized position, committee, or department, is given responsibility for ensuring that they are not overlooked (Kalev, Dobbin and Kelly 2006). In professional firms, however, where such specialized roles are typically staffed by non-professionals, partners may disregard their guidance as unimportant (Rivera 2012a).

Building on the work of Bowen and Ostroff (2004) and Dobbin, Schrage and Kelly (2015), we argue that managers are more likely to implement initiatives as intended when those initiatives offer managers both motivational significance and interpretive clarity. Initiatives have motivational significance for managers when managers perceive them as relevant to their own individual goals as well as to organizational goals (Bowen and Ostroff 2004). In addition, managers’ motivation to implement a policy or program is enhanced when managers have the power to influence goal achievement (Bowen and Ostroff 2004). When they are actively engaged and possess some degree of control over outcomes, managers are likely to align their attitudes with their behaviors, becoming proponents of an initiative’s success (Dobbin, Schrage and Kalev 2015). In contrast, policies and practices that fail to motivate managers are likely to become “decoupled” from their intended ends—carried out in ceremonial fashion, often

structurally buffered from the organization's day-to-day operations, and widely perceived as having little real utility (Bromley and Powell 2012; Dobbin, Schrage and Kalev 2015; Meyer and Rowan 1977). Interpretive clarity requires that policies and practices be distinct and consistent. Ambiguous policies that are open to varied interpretations will prevent the construction of a shared understanding concerning the behaviors that the organization values and expects (Bowen and Ostroff 2004).

In professional firms, partners play the key managerial role as supervisors of the associates who work on their projects. We posit that a developmental initiative will carry greater motivational significance for partners if they perceive that it benefits their own practices directly by training the associates who work for them. Each partner needs associates to staff the client matters that he or she is responsible for; indeed, the more associates a partner can keep busy, the more a partner can leverage his or her own reputation and human capital into higher revenues and profits (Galanter and Palay 1990). Partners are likely to be less supportive of developmental efforts that primarily benefit other partners. In addition, initiatives are more likely to generate partner enthusiasm when they enlist partners' active involvement and give partners a measure of control, while those that fail to engage partners will lead to apathy and lack of interest (Rivera 2012a).

Developmental policies and practices are more likely to offer partners interpretive clarity when the professional firm establishes clear behavioral guidelines or a well-defined procedural framework. In contrast, developmental initiatives that allow partners wide discretion unconstrained by organizational rules or oversight are inherently ambiguous. Individual partners are likely to interpret such policies differently, resulting in lack of consensus concerning their meaning and variation in their implementation.

Because initiatives that lack either motivational significance or interpretive clarity are likely to be less effectively implemented, they will probably do little to level the playing field, and therefore will fail to increase workforce diversity. Such initiatives could even have negative consequences for diversity if they inadvertently encourage partners to indulge habitual tendencies to favor associates who are socially similar to themselves or who appear most likely to succeed. In that case, implicit biases are likely to steer partners toward white men. This could happen in either of two ways. First, if organizational policies and programs lack motivational significance and generate apathy or resistance, partners may feel that they are relieved of the principal responsibility to provide associate training and justified in providing informal mentoring and sponsorship as they please. Second, if initiatives delegate control to partners but lack interpretive clarity, partners may interpret them as authorizing discretion to act on their personal preferences.

We analyze five common developmental approaches: formal mentoring programs, policies of giving associates significant responsibility early in their careers, assignment rotation systems, formal training programs, and policy statements emphasizing the firm's commitment to professional development. Firms may adopt these approaches in varying combinations. We argue that the first two strategies—formal mentoring programs and early responsibility policies—offer both motivational significance and interpretive clarity, and therefore should more effectively enhance associates' skills, with unintended benefits for diversity. In contrast, assignment rotation systems and formal training programs lack motivational significance for partners, and sweeping but imprecise expressions of commitment to skill development are open to interpretive variability. Accordingly, we expect that these approaches will have null or even negative effects on diversity.

Formal Mentoring Programs and Early Responsibility Policies

Formal mentoring programs match associates to partner mentors within a framework established and monitored by the firm (BCG Attorney Search 2018; Drew 2014). Effective formal mentoring can provide many of the benefits of traditional informal mentoring, such as learning (Eby and Lockwood 2005) and career-related and psychosocial support (Allen, Day and Lentz 2005; Raabe and Beehr 2003; Yang, Hu, Baranik and Lin 2013). Formal mentoring programs are likely to engage partners' motivation for two reasons. First, formal mentors—like their informal counterparts—stand to benefit directly from a protégé's professional growth insofar as the protégé works on the mentor's business, burnishes the mentor's reputation, and perhaps eventually becomes an ally within the firm (Singh, Ragins and Tharenou 2009). Second, because the nature of the mentoring relationship places the mentor in a position to wield a substantial influence on the protégé's training, partners who take on formal mentoring responsibilities are likely to develop a personal investment in their protégés' success. Formal mentoring programs also typically have a clearly defined purpose, structure, and set of expectations prescribed and monitored by the firm (BCG Attorney Search 2018), which should reduce inconsistency across partners in the interpretation and implementation of the program. Thus, formal mentoring programs should be relatively effective in enhancing associates' skills, which in turn should be particularly helpful for minorities.

Early-responsibility policies direct partners to delegate meaningful tasks to associates working under their supervision as soon as they are able to handle those tasks successfully. Such policies are likely to have clear motivational significance for partners. Complying with an early-responsibility policy benefits partners directly by training the associates who work on their client

matters and by relieving partners of work. Moreover, as direct supervisors, partners clearly have the power to influence achievement of the policy goal. Early responsibility policies are also likely to benefit from interpretive clarity and consistency across partners because they provide a simple, unambiguous behavioral guideline. Effectively implemented, early responsibility policies provide access to challenging assignments that allow associates to acquire new skills. This should be especially helpful to minorities, who may otherwise find themselves confined to support roles and routine, “back office” tasks (Barrett 1999; Wilkins and Gulati 1996).

Because we posit that formal mentoring programs and early responsibility policies are effective skill development strategies, we expect that they will increase diversity among partners.

Assignment Rotation Systems and Formal Training Programs

In assignment rotation systems, the allocation of work assignments to associates is handled by a central assigning partner or committee with an eye to ensuring that associates gain exposure to each of the key areas of the firm’s work. After a designated period of time in each practice area, an associate is rotated to a new area, where she or he works for a new set of partners. The central rotation system thus overrides the informal internal labor market that exists in most professional firms, in which individual partners invite associates of their choosing to work on their projects (Cohen 2015; Wilkins and Gulati 1998). Rotation systems limit the period of a partner’s supervision. By withdrawing associates from interaction with partners, rotation programs may discourage partners from forming informal mentorship and sponsorship relationships with associates and becoming personally invested in their success. Given that associates move on to other practice areas, partners may feel that any training they provide is unlikely to benefit their own practices or long-term interests. As a result, it is unlikely that

partners will be strongly motivated to support assignment rotation systems. Because they constrain partner discretion, they may even spark resentment and resistance (Dobbin, Schrage and Kalev 2015).

Formal training programs involve a series of classroom-style sessions where information is presented and associates are given the opportunity to practice skills in a simulated setting (BCG Attorney Search 2017; Westfahl and Wilkins 2017). Such programs are typically administered by human resources or “knowledge management” staff, or even outsourced to independent training providers (Greene 2014). Formal training programs do not engage the participation of most partners and are unlikely to hold motivational significance for them. At best, then, partners are likely to view them with indifference. If formal training programs infringe on partners’ autonomy by removing “their” associates from the regular flow of work or teaching them what a partner feels are incorrect techniques, partners may view them with some aversion. Moreover, their existence may inadvertently encourage partners to feel that training has become someone else’s concern. Such programs may encourage partners to see themselves as “buyers” of rising legal talent in their firm’s informal internal labor market, rather than as trustees with a responsibility to cultivate that talent. Shrugging off that task, they may feel free to offer informal help if and when they choose to do so—which is likely to favor whites.

Thus, we expect that assignment rotation systems and formal training programs will have null or even negative effects on partner diversity.

Expressions of Commitment to Skill Development

Professional firms may include explicit statements of their commitment to skill development—thereby implicitly establishing an expectation that partners should provide it—in mission statements, employee handbooks, and other oral and written representations of the firm

to internal or external audiences. Calls for such formal articulations of values and policy have become common (e.g., Barnhizer 2003; Boomer n.d.; Westfahl and Wilkins 2017). For example, Westfahl and Wilkins (2017: 1718) insist that law firms' "mission statements, stated and lived values, and cultures must encourage and celebrate their ability to develop great lawyers and leaders." Some proponents contend that a commitment to training the next generation of professionals is an ethical obligation (Barnhizer 2003), while others endorse the "business case" view that effective training increases employee productivity and reduces costs in the long run (Montgomery 2008). Expressions of commitment to professional development are typically broad and vague, lacking specific guidelines, measurable objectives, or procedures for assessing associates' progress. Such statements amount to a cultural strategy that in effect delegates training to individual partners without providing clear guidance as to what partners should actually do.

As a result, policy statements emphasizing the firm's commitment to skill development are open to a variety of interpretations. We expect that, in the absence of a shared understanding, partners will interpret such statements as authorizing them to direct their efforts to training associates of their choosing. Partners' personal inclinations and economic and political incentives will generally lead them to limit time-intensive one-on-one training to those associates with whom they feel most comfortable and whom they perceive as promising high productivity in the future (Wilkins and Gulati 1996, 1998).² These associates are likely to be white men. Given that white men still predominate in the higher ranks of most professional firms, social similarity and interpersonal comfort will lead most potential mentors to gravitate toward white male protégés. In addition, in a context where it is difficult to evaluate an employee's performance and even more difficult to draw inferences from performance to future potential,

evaluators' impressions of ability are likely to be affected by characteristics such as race and gender (Foschi 2000; Gorman 2006), leading them to perceive white men as more competent than other associates. Hazy statements encouraging partners to provide training without clear guidelines or procedures may only aggravate these tendencies. Thus, we expect that such statements will have null or even negative effects on partner diversity.

THE LENGTH OF THE PARTNERSHIP TRACK

Professional firms typically place a limit on the process of training and skill development in the form of an expected time until consideration for partnership. The length of this “partnership track” in elite firms has been inching upward in recent decades. Among the law firms we study here, the partnership track averaged 7.6 years in 1996 and 7.8 years in 2005. A longer partnership track offers two benefits to professional firms. First, as the skills and knowledge required to function effectively as a partner become more complex, a longer track allows associates more time to develop needed capabilities, and the firm more time to evaluate their progress, before the partnership decision must be made. Second, the longer track offsets some of the costs of training by allowing the firm to employ experienced, trained practitioners while delaying the point at which they must be compensated at higher partner rates. From the point of view of associates, a longer partnership track is a two-edged sword: it gives them more time to develop and demonstrate required skills, but it also extends the stressful period of uncertainty about the future.

On balance, we expect that a longer partnership track increases minorities' partnership chances and thus tends to increase diversity at the partner level. Because minorities do not enjoy the same presumption of competence that whites do, they may need more time to convince white

partners that they are capable. They may also require more time to form developmental relationships with senior professionals who can provide guidance and sponsorship. As “Shauna’s” story in the epigraph to this article illustrates, initial assignments can lead to misunderstandings, yet initial assignments can have long-lasting reputational effects (Briscoe and Kellogg 2011). Across a variety of work settings, minorities who attain promotion generally do so after a longer period of time than whites (James 2000; Smith 2005; Thomas and Gabarro 1999; Wilson and Maume 2013, 2014).

DATA AND METHODS

We analyze data on the racial and ethnic composition of partners in offices of large law firm offices across the United States in 2005. We examine the relationship between law offices’ approaches to skill development and the proportion of partners who are African-American, Latinx, and Asian-American.

Data

Our principal data source consists of the 1996 and 2005 editions of the *National Directory of Legal Employers* (the “*NALP Directory*”) prepared by the National Association for Law Placement (NALP). The NALP conducts an annual survey of all law firms that carry out on-campus recruiting at law schools, asking for both quantitative and qualitative information, and compiles the results in annual editions of the *NALP Directory*.³ Firms report information as of February 1 of the publication year. Our unit of observation is the office (or, in other words, the establishment). In the vast majority of cases, law firms with multiple offices provided information pertaining to each office separately; the few firms that provided only firm-wide data

were dropped from the sample. We also removed any non-firm employers (e.g., government agencies or public-interest law offices), offices located outside the United States, and offices with fewer than five lawyers. These steps left us with 811 offices in 1996 and 1,345 offices in 2005. Of these, 626 offices are observed in both years.⁴ Missing values reduce the size of our final sample to 601.

Most of the *NALP Directory* data, such as lawyer counts, are quantitative. For some of our measures, we coded the descriptive statement that each office is asked to provide as part of the NALP survey. First, the two authors prepared a detailed coding guide. Next, four graduate student research assistants each coded the same initial subsample of fifty cases from the 2005 data. This exercise resulted in high inter-coder reliabilities (ranging between 0.76 and 0.95). The first author and the four research assistants then discussed and resolved all remaining coding discrepancies in this subsample, and the two authors then revised the coding guide to reflect those resolutions. Using the revised coding guide, three of the same research assistants proceeded to complete the coding of the 2005 descriptive statements. One of these three research assistants then coded the 1996 statements, using the same revised coding guide. Finally, a fifth student research assistant independently coded every fifth case from the 1996 data and resolved any discrepancies through consultation with the second author.

Measures

We analyze the proportions of law office partners in 2005 who were African-Americans, Latinxs and Asian-Americans, respectively, based on lawyer counts reported in the *NALP Directory* (see Table 1 for summary statistics on all variables).⁵

--- Table 1 about here ---

Most measures of developmental initiatives are coded from offices' descriptive statements in 1996 and 2005, as described above. Here we follow previous studies that have coded the content of statements in the *NALP Directory* to capture organizational policies and priorities (Apfelbaum, Stephens and Reagans 2016; Gorman 2005). We coded offices as having a *formal mentoring program*, an *early-responsibility policy*, or a *formal training program* if their statements clearly described such a program or policy. Offices were coded as *expressing a commitment to skill development* when their statements clearly articulated that the office viewed the cultivation of capable lawyers as an important responsibility. Examples of text coded as indicating the presence of each developmental approach are presented in Table 2. The presence of an *assignment rotation system* is measured by an office's "yes" or "no" answer in each year to the brief question, "Work assignments: Rotation?" For each characteristic, we constructed two dummy variables. The first of these is coded "1" if relevant language was present in 1996, and "0" otherwise. The second is coded "1" if relevant language was not included in 1996 but was present in 2005, and "0" otherwise. The reference category consists of offices that never mentioned the approach.

Partnership track length is measured in years. We include one variable measuring track length in 1996 and another measuring the change in track length between 1996 and 2005.⁶

--- Table 2 about here ---

We control characteristics of offices in 1996 that could influence minority presence among partners in 2005 and could also be correlated with law offices' developmental practices. Law offices whose associates were already more diverse in 1996, or those with a stronger commitment to racial and ethnic inclusion, are likely to exhibit greater minority representation among partners in 2005. Although the initiatives we examine are not targeted at diversity, it is

possible that greater concern for diversity could coincide with greater concern for training and skill development in general. For example, both priorities might flow from a welcoming and supportive organizational culture. Thus, we include in each model a measure of the *proportion of associates who were members of the relevant minority group in 1996*.⁷ We also include two variables that attempt to capture an office's general disposition toward racial and ethnic diversity. A binary variable indicates whether an establishment reported an *equal employment opportunity policy* in the *NALP Directory*. Another binary variable indicates whether the office engaged in *minority recruitment practices* (such as participating in minority job fairs, reserving summer associate positions for minority law students, sponsoring a minority scholarship at a local law school, or maintaining a formal in-house committee on minority hiring).

Minorities may encounter greater disadvantages in attaining partnership in firms where the financial rewards are greater and the promotion-to-partner "tournament" is more competitive (Galanter and Henderson 2008). Queuing theory (Reskin and Roos 1990) suggests that more whites will compete for partnership in such firms, which in turn will allow firms to meet their needs for new partners with more-preferred white candidates without having to turn to less-preferred minority candidates. Unfortunately, our data do not include a measure of partner compensation, but we include the natural logarithm of *associate starting salary* (in thousands of U.S. dollars). The *proportion of lawyers who are partners* should be inversely associated with the competitiveness of the tournament to attain partner positions.

Establishment size and bureaucratic structure are commonly thought to promote diversity (Baron, Hannan, Hsu and Kocak 2007; Hirsh and Kornrich 2008; Reskin and McBrier 2000). Larger, more bureaucratic offices are also more likely to feature formal developmental programs as well as a greater number of developmental initiatives. We include measures of four different

aspects of establishment size and structure. *Office size* reflects the number of lawyers in the establishment in 1996 as reported in the *NALP Directory*; we also include the *percentage growth* in office size between 1996 and 2005. To gain some purchase on the extent of bureaucratization, we include variables indicating whether an office is divided into *departments* (1 if yes, 0 if no) and whether it is a *branch office* (1 if branch, 0 if principal office).

Members of different racial and ethnic groups could be differentially selected into fields of legal practice through processes of employer discrimination or worker self-selection that are unrelated to, yet coincide with, particular approaches to skill development. There is some evidence—at least during the period we study—that African-American lawyers were underrepresented in corporate, banking and tax law, and that both African-American and Latinx lawyers were overrepresented in litigation (Chambliss 1997; Wilkins and Gulati 1996). It is also possible that firms view Asian-American lawyers as well-suited to practice areas requiring some knowledge of science—such as patents or environmental law—because ability in science and mathematics is an attribute of the Asian-American “model minority” stereotype (McGee, Thakore and LaBlance 2017). Practice area mix, in turn, may be associated with developmental approach; for example, formal training programs have long been used to teach litigation skills (BCG Attorney Search 2017; Pierce 1995). Establishments listed their fields of practice and the number of lawyers working in each field in the *NALP Directory*. We collected data on up to twenty practice areas per establishment. Legal specialties can be described in various ways, and establishments used hundreds of different terms. We coded establishments’ descriptions as falling within 23 fields of practice identified by Heinz, Laumann, and colleagues (Heinz and Laumann 1982; Heinz, Nelson, Laumann and Sandefur 2006), and then further classified fields as falling within five broad areas: business transactions (e.g., corporate, banking, securities),

litigation, “people” fields (e.g., employment, immigration, trusts and estates), science-related fields (primarily patents and environmental), and “other” (the reference category). The *extent of an office’s practice in each area* is measured by the proportion of the office’s lawyers working in that area.

In the 2005 NALP data, minority presence varies by region of the United States, with African-Americans and Latinxs most heavily represented in the South, and Asian-Americans most numerous in the West (Gorman and Kay 2010). To tap this geographical variation, we included three dichotomous variables indicating the *region* where an office is located (Midwest, South, and West, with Northeast as the reference category).⁸

Most offices are part of larger firms with multiple locations. Bigger, more visible firms are more subject to institutional pressures to demonstrate racial and gender diversity, and indeed, minority representation among partners is greater in bigger firms (Gorman and Kay 2010). To capture firm size, we use a dummy variable indicating whether the firm was *included in the 1996 AmLaw 100 ranking* published by *American Lawyer* magazine. Similar to the *Fortune 500* for corporations, this annual list ranks the top 100 U.S. law firms by gross revenues. Because revenues are largely generated by lawyers’ billable hours, revenues are highly correlated with the number of firm lawyers. To assess whether a firm has an international presence, we include a variable coded “1” if the firm has *offices located outside of the United States*, and “0” otherwise.

Finally, to guard against the possibility that offices with shorter descriptive statement statements may have been less likely to mention specific developmental practices, we experimented with including counts of the number of words in offices’ 1996 and 2005 descriptive statements. Because the 1996 word counts had no significant effects, we retain only the 2005 word counts in our final models.

Analytical Strategy

When the dependent variable represents a proportion or percentage of an organization's employees, linear models present a number of problems (Papke and Wooldridge 1996).⁹ A common strategy in this case is to transform the dependent variable into the natural logarithm of the odds (Gorman 2005; Kalev, Dobbin and Kelly 2006; Reskin and McBrier 2000). Because the logarithm of zero is undefined, it is necessary to substitute a small positive value when the proportion equals zero. This strategy is problematic, however, when the frequency of zero values is high (Baum 2008; Papke and Wooldridge 1996). In our sample, in 2005, 52 percent of offices had zero African-American partners, 64 percent had zero Latinx partners, and 58 percent had zero Asian-American partners. A more appropriate approach in that case is the "fractional logit" method proposed by Papke and Wooldridge (1996, 2008). This is a generalized linear model of the mean of the dependent variable conditional on a series of covariates using the logit link function and the binomial distribution.¹⁰ The fractional logit model is fit by quasi-maximum likelihood estimation.¹¹

Because the dependent variables are proportions of partners, larger establishments provide more useful information and tend to have smaller errors than smaller establishments, creating non-constant error variance. When heteroscedasticity arises because the dependent variable is an average or proportion of individual values within a collectivity, it can be addressed by weighting observations by the number of individuals in the collectivity (Wooldridge 2006, p. 281). We accordingly weight each office by its number of partners in 2005.

We estimate models predicting the proportion of partners who are African-American, Latinx and Asian-American in each office in 2005 as a function of the office's existing

developmental approaches in 1996 and adoption of new initiatives between 1996 and 2005.¹² The nine-year interval between waves of observation is long, but it actually corresponds relatively well to the length of the typical partnership track period. In 2005, the median partnership track length was eight years, and ten percent of offices had tracks lasting nine years or longer. For each minority group, the first model predicts the *level* of group representation among partners in 2005. In the second model for each group, we include the corresponding proportion of partners in 1996 as an independent variable; as a result, coefficients indicate the effects of variables on the *change* in group representation between 1996 and 2005.¹³

FINDINGS

The summary statistics presented in Table 1 show that minority representation among law firm partners increased very slowly during this time interval. In the average office in 1996, African-Americans, Latinxs and Asian-Americans constituted 1.28 percent, 1.11 percent and 0.94 percent of partners, respectively. By 2005, the average presence of these groups had risen to 1.61 percent, 1.51 percent, and 1.81 percent of partners.¹⁴

Results from the fractional logit models are presented in Table 3. The effects we observe are consistent with our expectations, but the patterns of results are noticeably different for the three minority groups. We observe striking effects for African-Americans, limited effects for Latinxs, and no effects for Asian-Americans.

--- Table 3 about here ---

The results for African-Americans provide support for our expectation that formal mentoring programs are beneficial for partner diversity. A formal mentoring program in 1996 has a significant positive association with the representation of African-Americans among

partners in 2005, and also with the change in their representation over the 1996-2005 interval. The positive effect on the change suggests that this approach may have actually helped African-American associates coming up for partnership during the 1996-2005 period. For offices that did not have a formal mentoring program in 1996, the coefficients on the appearance of such a program between 1996 and 2005 are positive, but do not reach statistical significance.

As we anticipated, formal training programs are at best unhelpful and at worst actually disadvantageous to African-American efforts to attain partnership. The coefficients for the presence of a formal training program in 1996 are negative, but do not reach statistical significance with respect to either the level of or change in the representation of African-American partners. However, the addition of a formal training program between 1996 and 2005 has significant negative effects on both the proportion of African-American partners in 2005 and the change in the proportion between 1996 and 2005.

Emphasizing a far-reaching but imprecise organizational commitment to professional development is detrimental to African-American representation among partners, as we expected. The articulation of such a policy in 1996 is negatively associated with both the proportion of African-American partners in 2005 and the change in that proportion between 1996 and 2005. For offices that did not embrace a commitment to development in 1996, the signs on the coefficients for the expression of such an ideology in 2005 are negative, but do not reach statistical significance in either model.

Finally, as we anticipated, the length of an office's partnership track in 1996 is positively linked to both the proportion of African-Americans among partners in 2005 and the change in that proportion between 1996 and 2005. The positive effect on the change suggests that a longer track was helpful to African-American associates coming up for partnership during the 1996-

2005 period. The coefficients on an increase in the partnership track length between 1996 and 2005 are positive, but do not attain significance.

Turning to Latinxs, we observe some evidence that giving early responsibility to associates is beneficial for diversity, as we expected. The articulation of an early-responsibility policy in 2005 is positively associated with both the representation of Latinxs among partners in 2005 and the change in Latinx representation between 1996 and 2005.

Once again, the expression of a general but hazy responsibility for professional growth is negatively linked to partner diversity. The assertion of a commitment to development in 1996 has negative relationships to both the proportion of Latinx partners in 2005 and the change in that proportion between 1996 and 2005. Indeed, the effects for Latinxs are even larger in magnitude than those for African-Americans. Consistent with the pattern for African-Americans, the signs on the coefficients for the addition of such a commitment between 1996 and 2005 are negative but do not reach statistical significance.

Predicted proportions. To aid interpretation of the results, we predict proportions of partners in 2005 for African-Americans and Latinxs using the second model for each group from Table 3. All variables other than the developmental approach in question are set equal to their sample means.

--- Table 4 about here ---

Predicted proportions of African-American partners are presented in Table 4 and Figure 1. Table 4 reports predicted proportions of African-American partners in offices where specific policies or programs were present in 1996, added between 1996 and 2005, and never mentioned. For offices that described a formal mentoring program in 1996, the predicted proportion of African-American partners in 2005 is .020; for offices that implemented such a program between

1996 and 2005, the predicted proportion is .015; for those that never did so, it is 0.013. In contrast, the predicted proportion is .014 for offices that established a formal training program by 1996, 0.011 for offices that did so between 1996 and 2005, and 0.016 for offices that never did so. In offices that emphasized a broad commitment to development in 1996, the predicted proportion is .012; in offices that added such a statement of values between 1996 and 2005, the predicted proportion is .014; and for those that never did so, the predicted proportion is 0.016.

--- Figure 1 about here ---

Figure 1 plots the predicted proportion of African-American partners against 1996 partnership track length in years. As partnership track length increases from 6 years to 10 years, the predicted proportion of partners increases from .011 to .019.

--- Table 5 about here ---

Table 5 reports predicted proportions of Latinx partners in offices where specific practices were in place by 1996, added between 1996 and 2005, and never mentioned. The greatest gains from an early-responsibility policy are found among offices that implemented it in the more recent period. For offices that described an early-responsibility policy in 1996, the predicted proportion is .009, and for those that added it between 1996 and 2005, the predicted proportion is .013. For offices that never mentioned an early-responsibility policy, the predicted proportion is .008. The negative effect of a broad commitment to professional development, on the other hand, is greater the longer it has been in place. In offices that articulated a commitment to professional development in 1996, the predicted proportion of partners in 2005 is 0.008. For offices that added such a commitment between 1996 and 2005, the predicted proportion is 0.009, while for offices that never expressed such a commitment, the predicted proportion is 0.011.

DISCUSSION AND CONCLUSION

Developmental initiatives that more effectively foster professional growth should be especially beneficial for minorities, who have less access to developmental opportunities through informal channels. To be effective, developmental initiatives must win the support of managers—and in professional firms, that means partners. Policies and programs are most likely to gain that support when they offer motivational significance, by engaging partners' participation and benefitting their practices, yet also establish interpretive clarity with clear guidelines or structure. Consistent with this reasoning, we find that formal mentoring programs and early-responsibility policies have positive influences on diversity.

Policies and programs that fail to motivate partners are less promising and can even have adverse effects on diversity. Centrally administered programs that limit partner discretion or eliminate partner involvement altogether are likely to generate indifference or resentment. Partners may view these programs as relieving them of responsibility for training. Initiatives that fail to provide clear guidance to partners also tend to have null or negative effects. Thus, we find that both formal training programs and broad but imprecise expressions of commitment to professional development tend to decrease partner diversity. Paradoxically, both too much and too little organizational control may free partners to act on their personal preferences by devoting attention to a limited number of associates who are expected to perform well or with whom partners feel personally comfortable.

We also find evidence that a longer partnership track is linked to a greater partner diversity. The length of the partnership track places a time limit on the skill development process by fixing the point at which associates are expected to be able to perform the functions of partners. Given that minorities encounter more obstacles to obtaining mentoring, sponsorship,

and skill-building assignments and may be more severely penalized for their mistakes, a longer partnership track may put them in a better position to gain and demonstrate skills.

The effects we observe are consistent with our expectations, but the pattern of effects varies across racial-ethnic groups. We find the most striking consequences for partnership representation among African-Americans, more limited effects for Latinxs, and no effects for Asian-Americans. First, more of the developmental initiatives have noticeable effects—both positive and negative—for African-Americans than for Latinxs.¹⁵ Previous survey research on law firm associates suggests that African-Americans encounter more difficulty than Latinxs in obtaining informal mentoring and training (Payne-Pikus, Hagan and Nelson 2010; Sander 2006). If so, it makes sense that initiatives that either mitigate or aggravate informal processes would show more marked effects for African-Americans. It is noteworthy, however, that vague expressions of commitment to professional development seem to be detrimental for both groups. Second, the complete lack of significant effects for Asian-Americans suggests that their patterns of skill development and career advancement are markedly different from those of the other two minority groups. This difference is broadly consistent with the view that conventional frameworks for understanding racial differences in career attainment may not adequately describe the experiences of Asian-Americans (Lee and Zhou 2015; Sakamoto, Goyette and Kim 2009).

Our findings also suggest that the effects of different developmental practices may have strengthened or weakened over time. In some cases—such as formal mentoring programs or expressions of commitment to development—initiatives adopted before 1996 had stronger effects. In others—such as formal training programs or early-responsibility policies—initiatives added after 1996 were more consequential. Why these differences over time? Although our data

do not provide an answer to that question, we note two developments that took place during the 1996-2005 period. First, there was the rise of the “business case for diversity,” which claims that diversity among organizational employees enriches decision-making by bringing to bear a broader set of perspectives and resources for innovation and problem-solving, yielding higher-quality outcomes and improving organizational performance (Cox 2001; Florida and Gates 2001; Richard, Barnett, Dwyer and Chadwick 2004; Thomas 2004). This view, which spread to professional organizations as well as business corporations (Bowen, Bok and Burkhart 1999; Wilkins 2004), may have led partners to become more willing to offer informal mentoring to minority associates. If so, it may make sense to observe a weaker positive effect for formal mentoring programs adopted after 1996. A second development during the 1996-2005 period was the increasing formalization and rationalization of professional firm training programs. In many firms, training programs evolved from *ad hoc* sessions run by practicing partners to formal curricula developed and administered by human resources staff or outsourced to independent providers (see, e.g., BCG Attorney Search 2017; *The Economist* 2007). These changes may have increased practicing partners’ indifference or resentment toward the programs, thus accentuating their negative consequences for minorities.

The effects we observe are consistent with the sizeable body of existing research showing that experiential skill development matters for survival and success within professional firms, and that minorities and women consistently report disadvantages in access to developmental experiences (e.g., Ashley and Empson 2017; Center for Accounting Education 2010a, 2010b; McManus 2005; Payne-Pikus, Hagan and Nelson 2010; Reichman and Sterling 2002; Woodson 2015). Yet, while firms’ developmental initiatives can make a meaningful difference, it is important to acknowledge that the magnitude of that difference is relatively small. Multiple

overlapping social processes combine to create and reproduce disadvantage for minority professionals at multiple stages, from unequal early education to bias in the partnership promotion decision. In the aggregate, these complex individual experiences of disadvantage limit the growth of minority representation among professional firm partners. Organizational employment practices are relatively minor pieces of the larger puzzle of workplace inequality, with real but limited effects (for other examples, see, e.g., Kalev 2009; Kalev, Dobbin and Kelly 2006). Nevertheless, it is important to identify these effects because organizational practices are relatively susceptible to deliberate control and change—unlike, say, individuals’ unconscious racial-ethnic biases.

Our findings point to several directions for future research. First, the different patterns for African-Americans, Latinxs, and Asian-Americans underscore the need for further research into the different processes affecting the careers of different minority groups. It is no longer sufficient to lump them together as “nonwhite.” Each group has unique characteristics and circumstances that produce distinctly different experiences. Second, looking beyond law firms, it would be useful to explore the impact of general skill development practices on diversity in other kinds of professional service firms, such as accounting firms, management consulting firms, and investment banks. Just as Rivera (2012a, 2012b) found strong similarities in hiring practices across different types of professional firms, so research might confirm similarities in approaches to training and skill development. Third, qualitative research could dig deeper into the micro-level processes of professional skill development. For example, we and others have theorized that employment practices are more effectively implemented when partners/managers are more motivated to implement them, and that greater partner/manager engagement and

discretion increases motivation; qualitative research could uncover whether these mechanisms really operate in practice.

Our findings challenge also professional firms to reassess their mix of developmental practices. Clearly, policies and programs aimed at general skill development can have unintended effects on diversity. Yet, as of 2005, at least, considerably more law offices offered formal training programs, which tend to reduce diversity, than formal mentoring programs, which increase it. In evaluating their current professional development initiatives or considering new ones, then, professional firms should take into account not only learning outcomes, but also the potential impacts of different practices on the retention and career advancement of minorities. Although some apparently innocuous practices can work against firms' diversity goals, carefully selected initiatives can promote skill development for all associates while also bolstering firm efforts to increase minority representation, retention, and success. Finally, given that professional firms' current developmental practices—both those that are expressly targeted at minorities and the non-targeted, general practices we study here—have so far brought about only very slow increases in diversity among partners, firms should consider what new approaches, or combinations of approaches, might have greater impact. It is evident that firms will need to make more ambitious efforts if they are to achieve substantial change.

Endnotes

¹ We do not mean to imply that lack of developmental opportunities is the *only* process creating disadvantage for minorities at the point of consideration for partnership. Firms' promotion-to-partnership decisions are also likely to be influenced by conscious or unconscious racial and ethnic bias.

² Thus, this approach is not simply a continuation of the traditional apprenticeship model, in which (in theory at least) one-on-one training was made available to all associates.

³ *NALP Directory* data have been used in numerous studies (e.g., Apfelbaum, Stephens, and Reagans 2016; Beckman and Phillips 2005; Chambliss and Uggen 2000; Gorman 2005; Gorman and Kmec 2009).

⁴ Between 1996 and 2005, some offices were closed and a few entire firms ceased to exist, while new offices were opened and new firms were founded. Among offices observed in 1996, there were no significant differences in the means of key independent variables between those that survived to 2005 and those that ceased to exist.

⁵ The NALP survey asked law offices to report counts of lawyers who were African-American, Latinx, and Asian-American. It did not ask for figures on other groups, nor did it ask offices to explain how they determined lawyers' racial-ethnic identity.

⁶ For 8 cases where the 1996 track length was missing, we subtracted the mean increase (0.15 years) from the office's 2005 track length. Supplementary models that omitted these cases or utilized different imputed track length values produced almost identical results.

⁷ In supplementary models, we also included measures of the proportions of associates who were members of the other two minority groups. Because their effects never reached statistical significance, we omitted these variables from the final models.

⁸ The Northeast region is defined to include Connecticut, Delaware, the District of Columbia, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

The South includes Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. The Midwest region includes Indiana, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. The West includes Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

⁹ We considered the alternative analytical strategy of modeling counts of minority lawyers, but chose instead to model proportions for two reasons. First, most previous studies of the relationships between organizational characteristics and the representation of minorities or women have used proportions as the dependent variable (e.g., Blum, Fields, and Goodman 1994; Dobbin, Schrage, and Kalev 2015; Kalev 2009; Kalev, Dobbin and Kelly 2006; Reskin and McBrier 2000), so this choice makes our work more comparable to prior work. Second, the size of establishments in our sample ranges between 6 and 574, and the addition of a single minority lawyer has a very different meaning in a small establishment and a large establishment. In our view, the proportion does a better job than the count of reflecting the substantive change in minority representation.

¹⁰ We obtained substantially similar results in supplementary models using linear OLS regression and Tobit regression. For comparisons of the fractional logit method to alternative techniques, see Kieschnick and McCullough (2003) and Ramalho, Ramalho and Murteira (2011).

¹¹ Specifically, we used the "fracreg logit" command in Stata; identical results were also obtained using the "glm" command with the "link(logit)" and "family(binomial)" options.

¹² The analytical strategy we employ here represents an improvement over our preliminary analysis of the 2005 data alone (Kay and Gorman 2012). In that paper, we analyzed the cross-sectional association between minority representation among partners and the presence of developmental practices in 2005. Our use of panel data in the present study allows us to establish the temporal order of variables and thus the direction of causation. In our preliminary analysis, we also transformed the dependent variables to the logarithm of the odds, despite the substantial proportions of cases with zero values. The present study improves on the earlier analysis by utilizing the more appropriate fractional logit approach.

¹³ For a similar analytical approach, see Cech (2013) and Kelly, Moen and Tranby (2011). An alternative approach to modeling change in two-wave panel data is the use of a "change-score" model in which all variables are measured as changes from Time 1 to Time 2. Both approaches have strengths and weaknesses (see, e.g., Allison 1990; Johnson 2005). The change-score approach effectively controls for the time-invariant (fixed) effects of units of observation, thus reducing the risk of bias due to unobserved variables. However, it models change in the dependent variable as a function of change in the independent variables. Substantively, this poses two problems. First, it

eliminates any temporal ordering and effectively converts the data set to a cross-sectional one, precluding the possibility of determining the order of causation. Second, it assumes that the *level* of independent variables at Time 1 can have no causal impact on change in the dependent variable. We opted for the lagged dependent variable approach because it preserves temporal ordering and because we believe that not only the change in developmental practices during the period, but also the level of developmental practices in 1996, impacted the change in minority representation among partners.

¹⁴ Since then, minority representation among law firm partners has continued to increase at a slow rate. Based on the most recent NALP survey, in 2019, African-Americans represented 1.97% of partners, Latinxs represented 2.52%, and Asian-Americans represented 3.89%.

¹⁵ Richard, Roh and Pieper (2013) similarly found that *targeted* diversity practices had more marked effects for African-Americans than for Latinxs.

Table 1. Summary Statistics for Variables Used in the Analyses

Variable	Mean	S.D.	Min.	Max.
Percentage of partners in 1996				
African-Americans	1.29	2.89	0	33.33
Latinxs	1.11	3.72	0	50.00
Asian-Americans	0.92	4.23	0	52.38
Percentage of partners in 2005				
African-Americans	1.57	3.03	0	33.33
Latinxs	1.48	3.79	0	33.33
Asian-Americans	1.77	4.36	0	54.84
Formal mentoring program				
Present in 1996	.08	.27	0	1
Added 1996-2005	.19	.39	0	1
Early-responsibility policy				
Present in 1996	.46	.50	0	1
Added 1996-2005	.15	.36	0	1
Formal training program				
Present in 1996	.34	.47	0	1
Added 1996-2005	.25	.43	0	1
Assignment rotation system				
Present in 1996	.19	.39	0	1
Added 1996-2005	.04	.19	0	1
Expression of commitment to development				
Present in 1996	.31	.46	0	1
Added 1996-2005	.27	.44	0	1
Partnership track length				
Length in 1996	7.64	.82	5	9.5
Increase 1996-2005	.15	.73	-3	3.5
Percentage of associates in 1996				
African-Americans	3.90	4.71	0	30.00
Latinxs	2.91	5.88	0	69.23
Asian-Americans	3.78	6.48	0	70.00

Table 1. continued

Variable	Mean	S.D.	Min.	Max.
Other office characteristics ^a				
EEO policy	.90	.30	0	1
Minority recruitment efforts	.69	.46	0	1
Starting salary (in thousands)	65.31	10.75	38.50	87.00
Establishment size	90.79	77.64	6	574
Establishment growth as a percent of 1996 size	49.15	71.19	- 50.00	711.43
Proportion of lawyers who are partners	.47	.12	.11	.79
Departments	.80	.40	0	1
Branch office	.48	.49	0	1
Proportion of practice in				
“People” areas	.10	.13	0	1
Litigation	.32	.16	0	1
Business-related areas	.38	.19	0	1
Science-related areas	.08	.11	0	1
Region				
Midwest	.17	.38	0	1
South	.20	.40	0	1
West	.25	.43	0	1
Northeast (reference category)	.37	.48	0	1
Firm in <i>AmLaw</i> 100	.46	.50	0	1
International firm	.44	.50	0	1

Note: N of observations = 601; observations are offices (establishments) of law firms.

^a Measured in 1996 unless otherwise noted.

Table 2. Examples of Descriptive Statement Coding

Variable	Examples
Formal mentoring program	<p>“[Firm] conducts a one-on-one voluntary mentorship program between our partners and associates. This connection is instrumental to the progress of our associates' careers.”</p> <p>“Each associate has a partner supervisor, who works closely with the associate to plan and coordinate the associate's professional development. “</p>
Early-responsibility policy	<p>“[Firm's] selective hiring and preference for lean staffing result in a relatively low ratio of associates to partners and creates a climate that fosters early responsibility for associates.”</p> <p>“We believe that our associates are given greater responsibility earlier in their careers than is typical in most other law firms. Promptly after entering the office, each of our associates is expected to accept supervised responsibility for counseling clients and representing their interests in dealings with other parties and before tribunals. On the basis of long experience, we believe that sound professional development is best realized through assumption and discharge of significant responsibilities from the very beginning of a professional career.”</p>
Formal training program	<p>“Training is provided for new associates through a formal in-house continuing education program and regional seminars, member supervision, practice group meetings and mentoring programs.”</p> <p>“New attorneys participate in an extended orientation and integration program which culminates in a 2.5 day retreat during their first year at the firm. The firm offers comprehensive professional development programs which include introductory and advanced training in multiple areas of the law; skills training in the areas of communication, business, management, leadership, and technology; [and] a "real-time" training program that allows junior attorneys to shadow and observe more senior attorneys in daily practice during activities such as client meetings, depositions, and hearings.”</p>
Expression of commitment to development	<p>“[Firm] is dedicated to the continued professional growth of its attorneys at all levels.”</p> <p>“We believe in helping our associates - our future partners - grow personally and professionally to reach their full potential.”</p>

Table 3. GLM Regressions Predicting Minority Group Proportions of Partners

	African-Americans		Latinxs		Asian-Americans	
	2005 Level	1996-2005 Change	2005 Level	1996-2005 Change	2005 Level	1996-2005 Change
Formal mentoring program						
Present in 1996	0.512*** (0.124)	0.433*** (0.119)	0.059 (0.254)	0.080 (0.262)	0.123 (0.197)	0.260 (0.175)
Added 1996-2005	0.124 (0.116)	0.171 (0.115)	- 0.021 (0.167)	- 0.000 (0.169)	0.031 (0.135)	- 0.005 (0.133)
Early-responsibility policy						
Present in 1996	- 0.006 (0.086)	- 0.002 (0.081)	0.021 (0.127)	0.084 (0.127)	- 0.089 (0.135)	- 0.030 (0.124)
Added 1996-2005	- 0.018 (0.165)	0.026 (0.155)	0.395* (0.180)	0.421* (0.181)	- 0.041 (0.153)	- 0.041 (0.158)
Formal training program						
Present in 1996	- 0.098 (0.113)	- 0.168 (0.111)	0.048 (0.188)	0.031 (0.188)	0.138 (0.134)	0.057 (0.126)
Added 1996-2005	- 0.267* (0.116)	- 0.361** (0.114)	0.049 (0.180)	0.037 (0.186)	- 0.127 (0.164)	- 0.104 (0.147)
Assignment rotation						
Present in 1996	- 0.129 (0.123)	- 0.092 (0.122)	- 0.042 (0.159)	- 0.021 (0.157)	0.132 (0.126)	- 0.022 (0.119)
Added 1996-2005	- 0.327 (0.433)	- 0.161 (0.448)	- 0.637 (0.717)	- 0.429 (0.652)	0.254 (0.384)	0.127 (0.357)
Expression of commitment to development						
Present in 1996	- 0.246* (0.105)	- 0.262** (0.102)	- 0.387** (0.150)	- 0.369* (0.145)	0.004 (0.144)	- 0.024 (0.131)
Added 1996-2005	- 0.136 (0.101)	- 0.139 (0.102)	- 0.250 (0.163)	- 0.246 (0.159)	0.083 (0.155)	0.061 (0.149)
Partnership track length						
Length in 1996	0.130* (0.057)	0.142* (0.055)	- 0.042 (0.090)	- 0.040 (0.091)	- 0.157 (0.094)	- 0.138 (0.089)
Increase 1996-2005	0.036 (0.064)	0.081 (0.062)	-0.072 (0.086)	- 0.077 (0.091)	-0.000 (0.089)	0.006 (0.077)

Table 3. continued

	African-Americans		Latinxs		Asian-Americans	
	2005 Level	1996-2005 Change	2005 Level	1996-2005 Change	2005 Level	1996-2005 Change
Group proportion of partners in 1996		11.842*** (1.571)		5.709** (1.861)		7.634*** (0.923)
Control variables						
Group proportion of associates	3.860*** (1.027)	1.851† (1.043)	10.250*** (1.240)	7.275*** (1.584)	6.181*** (0.519)	1.323† (0.685)
EEO policy	- 0.213 (0.146)	- 0.225 (0.139)	0.070 (0.289)	0.085 (0.279)	- 0.228 (0.220)	0.013 (0.213)
Minority recruitment efforts	0.013 (0.109)	0.045 (0.110)	- 0.063 (0.131)	- 0.090 (0.134)	- 0.010 (0.125)	0.164 (0.119)
Starting salary (in thousands, logged)	1.485** (0.483)	1.272** (0.453)	1.358** (0.647)	1.317* (0.673)	0.980† (0.521)	1.500** (0.499)
Establishment size (logged)	0.324* (0.144)	0.421*** (0.129)	0.135 (0.158)	0.191 (0.157)	- 0.119 (0.127)	- 0.072 (0.117)
Establishment growth 1996-2005 (percent)	.000 (.001)	- 0.001 (.001)	- 0.002 (0.001)	- 0.001 (0.001)	-0.001 (0.001)	0.000 (0.001)
Proportion of lawyers who are partners	0.715 (0.556)	1.018† (0.551)	0.301 (0.756)	0.774 (0.789)	- 1.094 (0.675)	- 1.052† (0.581)
Departments	- 0.136 (0.112)	- 0.061 (0.105)	- 0.084 (0.183)	- 0.056 (0.189)	- 0.159 (0.166)	0.052 (0.141)
Branch office	0.434† (0.227)	0.475* (0.203)	- 0.065 (0.235)	- 0.078 (0.227)	- 0.021 (0.196)	0.015 (0.181)
Proportion of practice in “people” areas	- 0.635 (0.557)	- 0.896† (0.531)	- 2.214** (0.742)	- 2.259** (0.741)	- 0.714 (0.752)	- 1.201 (0.677)
Proportion of practice in litigation	- 0.126 (0.435)	- 0.178 (0.407)	- 0.806 (0.531)	- 0.789 (0.551)	0.129 (0.515)	- 0.625 (0.473)
Proportion of practice in business-related areas	- 1.129*** (0.301)	- 0.891** (0.296)	- 0.258 (0.372)	- 0.283 (0.379)	0.454 (0.397)	- 0.374 (0.359)
Proportion of practice in science-related areas	0.348 (0.488)	0.605 (0.462)	0.792 (0.761)	0.836 (0.711)	0.540 (0.564)	0.346 (0.520)

Table 3. continued

	African-Americans		Latinxs		Asian-Americans	
	2005 Level	1996-2005 Change	2005 Level	1996-2005 Change	2005 Level	1996-2005 Change
Midwest	0.194 (0.129)	0.162 (0.125)	- 0.263 (0.223)	- 0.312 (0.221)	- 0.039 (0.179)	- 0.007 (0.175)
South	0.598*** (0.151)	0.530*** (0.147)	0.690** (0.223)	0.619** (0.234)	- 0.400† (0.238)	- 0.289 (0.237)
West	0.004 (0.148)	- 0.049 (0.147)	0.812*** (0.174)	0.817*** (0.169)	0.594*** (0.167)	0.773*** (0.149)
Firm in <i>AmLaw</i> 100	0.069 (0.148)	0.027 (0.141)	0.424** (0.161)	0.440** (0.162)	0.478** (0.171)	0.515*** (0.152)
International firm	- 0.174† (0.105)	- 0.165 (0.102)	0.001 (0.146)	0.033 (0.139)	- 0.316† (0.168)	- 0.284* (0.138)
Constant	- 13.245*** (2.480)	- 13.115*** (2.281)	- 11.409*** (3.008)	- 11.583*** (3.215)	- 6.295** (2.358)	- 8.740*** (2.312)
Log pseudo-likelihood	- 2584.305	- 2564.014	- 2065.846	- 2057.840	- 2416.731	- 2389.611
Pseudo R ²	0.023	0.031	0.100	0.103	0.097	0.107
N	601	601	601	601	601	601

† $p < 0.10$ * $p < 0.05$ ** $p < 0.01$ *** $p < 0.001$ (two-tailed tests). *Note:* Standard errors in parentheses. The reference category for geographical region is Northeast. All models also include the word count of the office's descriptive statement in the 2005 *NALP Directory*.

Table 4. Predicted Proportions of Partners: African-Americans

	Formal Mentoring Program	Formal Training Program	Expression of Commitment to Development
Present in 1996	.020	.014	.012
Added 1996-2005	.015	.011	.014
Never mentioned	.013	.016	.016

Note: Predictions are calculated using the second model from Table 3. All other variables are set equal to their sample means.

Table 5. Predicted Percentages of Partners: Latinxs

	Early Responsibility Policy	Expression of Commitment to Development
Present in 1996	.009	.008
Added 1996-2005	.013	.009
Never mentioned	.008	.011

Note: Predictions are calculated using the second model from Table 3. All other variables are set equal to their sample means.

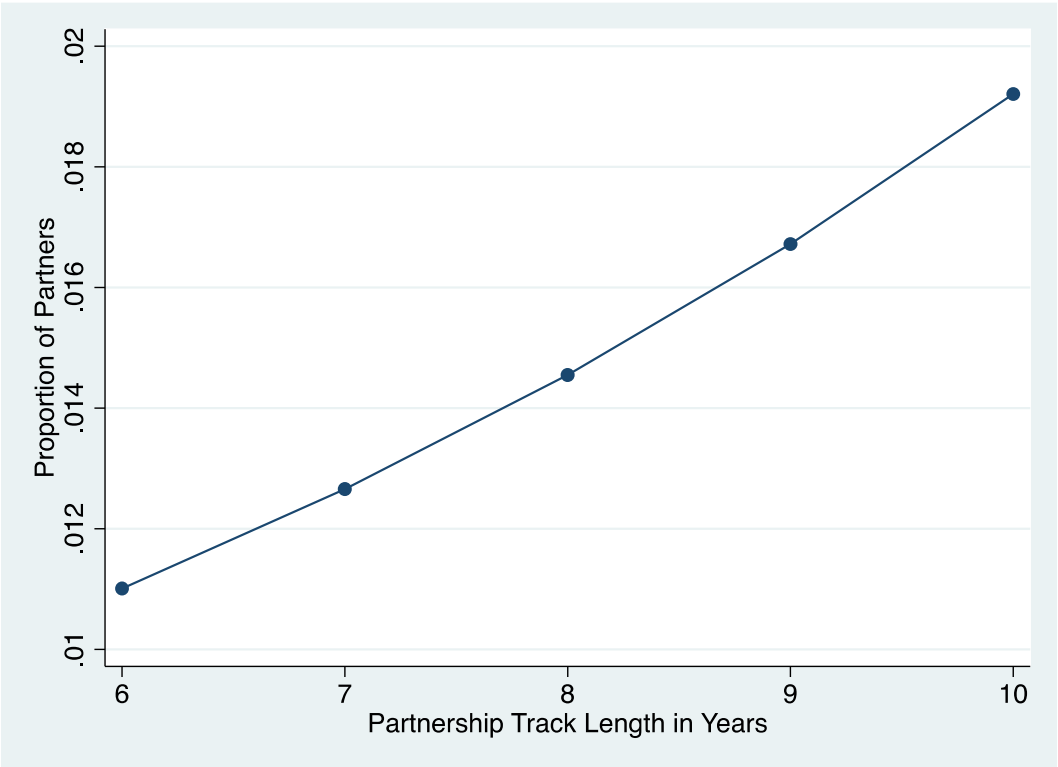


Figure 1. Predicted 2005 Proportion of African-American Partners by 1996 Partnership Track Length

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