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General Mills' Roderick Palmore, author of the 2004 Call to Action, brings GCs and law firms together at summit

BYLINE: Katheryn Hayes Tucker, Special to the fulton county report

BODY:

Four years ago, Roderick A. Palmore urged GCs to take a stand for diversity, and 110 of them responded by signing a Call to Action, a document that committed them to making progress in their own legal departments and demanding the same of their outside law firms.

Last month, Palmore, general counsel of General Mills Inc., reminded the GCs -- and their law firms -- that their signatures and good intentions weren't enough. This time, he called them to the Arizona desert for a private and frank assessment of just how much action has come from the Call to Action. All 110 signatories to the Call to Action were invited, along with the managing partners of 150 big law firms. A total of 150 attended -- 50 GCs and 100 firm managing partners.

No reporters were allowed for the two-day meeting at the J.W. Marriott Camelback Inn, Resort and Spa in Scottsdale, Ariz., on the last weekend of April. No announcements were made afterward. The group has engaged a public relations firm to create a report, but it has thus far released no information.

Last week, Palmore discussed the summit at length, as well as the events leading up to it in the legal profession and in his own career, in an interview with the **Daily Report**.

"There was a great deal of enthusiasm from the law firms. That was one of the most encouraging things about it," Palmore said. "It wasn't just arm twisting. I think there's some genuine energy around this. I think people are excited -- although that may be too strong a word -- about the possibility of having concrete steps for making progress."

The summit attendees established four working groups of GCs and managing partners to move forward on diversity issues, Palmore said. One will focus on recruitment, retention and advancement of minorities and women. The second will work on goals by which to measure success in diversity, with help from the Minority Corporate Counsel Associa-

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tion and the Vault survey data. A third will develop strategies for law firm and corporate partnerships. And the fourth is charged with creating a call to action document for law firms.

"The call to action is just the document. It may be an important document, but it's just a document. What has to flow from it is actual activity," Palmore said.

The idea of the summit grew from a meeting of a call to action planning committee, with 40 GCs at the New York Marriott Marquis a year ago. "The planning committee felt there was a need for people to come together to say where we are, and what we can do to take the next step. This is important. People are looking for answers on how to move forward," Palmore said. "The idea of the summit was to put together two very influential large groups to talk about how we can work together."

The summit drew two prominent keynote speakers: retired U.S. Supreme Court Justice Sandra Day O'Connor, the first woman to serve on the U.S. Supreme Court; and Warren M. Christopher, secretary of state under President Clinton.

Palmore said the take-home message from Christopher, who spoke at a Thursday evening opening dinner, was "difference makes a difference -- the more perspectives you bring to bear on a problem, the better the outcome." It was an important message coming from "a white male of a certain age who has been at the pinnacle of power," Palmore said.

O'Connor spoke during a Friday luncheon and told a personal story that Palmore called "the seamier side of discrimination." She graduated from Stanford University with a degree in economics in 1950, then went on to Stanford Law School. Despite finishing second in her law school class of 102 and serving on the Stanford Law Review, she could not get a job as an attorney. Firms told her they did not hire women lawyers. One offered a job as a legal secretary.

She practiced solo, then found opportunity in public service. She became an assistant attorney general for her home state, Arizona, from 1965 to 1969. She went on to become a member of the Arizona State Senate and a judge of the Maricopa County Superior Court and later the Arizona Court of Appeals.

O'Connor's story is important because it shows the dramatic progress of women in the profession, Palmore said. "Back in the day, people thought a man was a better lawyer," he said. "Now, we all know that is ludicrous. Half the students in law schools are women." He said he would like to see similar prejudices against minority attorneys become regarded as "equally ludicrous."

"You still don't see sufficient [number of] women in leadership positions in law firms," Palmore said. "We have room to grow with respect to women. We have even more room to grow with respect to lawyers of color from either gender."

Hence, the summit, which Palmore said was a mix of formal and informal discussions, with panel and speaker presentations balanced with group conversation. Topics covered the state of diversity in the legal profession and ways to measure it, with a goal of developing a common template for assessing performance. The conversation also covered issues, challenges and solutions surrounding diversity progress.

"I didn't want it to be all people talking at each other," Palmore said. "I wanted a healthy mix of people being candid and talking with each other."

For the same reason, Palmore and the call to action diversity committee chose not to allow reporters in the meetings. "The whole idea was we wanted to have a candid conversation. We wanted to be just us."

That candor led some law firms to talk about the difficulty of recruiting and retaining minority and women attorneys, Palmore said.

Palmore, who was general counsel of Sara Lee Corp. when he authored the call to action, expressed some frustrations himself -- mainly with the slow pace of progress. "A few years ago, at Sara Lee, I started asking for certain information from law firms on their diversity performance. Some things were pretty basic and some a step beyond basic, but still not that esoteric: overall retention rate for women and minorities compared to retention for the firm generally; the rate at

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which minorities and women get promoted to partner," he said. He was surprised to see that many firms weren't tracking diversity numbers and didn't have "even the most elementary" information.

"In every instance, these were firms that consistently said, 'This is important to us. We want to do better. We don't know what to do.' And I don't doubt their sincerity," he said. "There's a disconnect between the fact that they hadn't gathered their own data, and they're saying we're doing all we can."

Another frustration is being asked why diversity is important. "This is about business," Palmore said. "It's about finding the best talent. I have a fiduciary obligation to get the best results I can get. I can't afford to have anything but the best talent in the General Mills legal department."

He added, "It's frustrating to say, here's the business case, and the next year be asked the same things. Even if people can get intellectually to the business case, emotionally they doubt the business case. So they say, explain it to me again. For those who don't get it, what eventually will happen is your competition is going to eat your lunch."

That is the message behind the call to action. The GCs who signed pledged to make decisions about hiring outside counsel based in part on diversity performance.

Some of the issues with recruiting and retaining minorities and women are related to problems law firms have in general in those areas, he said. "The lament I've heard most frequently from associates and young partners of color is that they do not get enough meaningful experience and exposure. That's more consistent than anything else. If firms want to figure out why folks leave, that is reason No. 1, 2 and 3."

Palmore knows what life is like for a young lawyer of color at a big firm. He worked in Pittsburgh at Berkman Ruslander Pohl Lieber & Engel, now Klett Lieber Rooney & Schorling, where he was the only African-American attorney. Later, he became the first African-American partner at two other large firms in Chicago: Wildman, Harrold, Allen & Dixon and, then, Sonnenschein Nath & Rosenthal.

"When I started practicing law (in 1977), it was pretty lonely in the big firms," he said.

And getting a job wasn't so easy either, despite his law degree from the University of Chicago and a bachelor's in economics from Yale University. "I recall graduating from law school and going out looking for a job," he said. "I did not have to hire anybody to keep law firms away from my door with offers."

So when law firms say, "We would love to hire more diverse talent" -- and they throw in the word qualified -- "but we can't find any," said Palmore, "That rankles me."

He cited a report of 2,000 law partners comparing their credentials against their own firm's hiring criteria. The result showed only 40 percent of white partners met the criteria, compared to 80 percent of African-Americans. He was referring to a 2003 Minority Corporate Counsel Association report, titled "The Myth of the Meritocracy."

"My father used to tell me, you have to be twice as good," he said.

Palmore grew up in Pittsburgh in a family of five children, the son of an at-home mom and a father who worked his entire adult life for the Westinghouse Air Brake Co. in a number of jobs, including mill maintenance.

"Notwithstanding that background of never making a lot of money, they made sure they stressed the importance of education to every one of us," Palmore said. "They stressed the possibilities in life. They made sure there was an opportunity to go to college."

Palmore decided early that he wanted to be a lawyer. He can't say exactly why. "There were no obvious reasons. There were no lawyers in my family. I'd never been to a lawyer's office. The closest I'd ever gotten to a lawyer was Perry Mason."

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Yet as a young person, Palmore was intrigued by what the legal profession had to offer. "It's a powerful notion having the opportunity to do well and do good," he said.

And that combination of goals may be behind his passion for the diversity effort. "It's easy for people to land in positions of influence and not take advantage of it," Palmore said. "That would not have fit for me."

He has mixed feelings about the high profile he has raised with the call to action. "In a perfect world, we wouldn't have to talk about this. I could be famous for something else. I do have a day job, and I think I'm pretty good at it," he said.

But he is encouraged by what he saw and heard at the diversity summit. "I am hopeful about this," Palmore said. "The reality is progress has been made. Not at the pace any of us would like. We have a greater opportunity than we realized. But based on the conversations out there in Arizona, I'm hopeful something substantive will happen."

TITLE: Executive vice president, general counsel and chief compliance and risk management officer **COMPANY:** General Mills Inc. **LEGAL DEPARTMENT:** Approximately 50 lawyers **AGE:** 56 **EDUCATION:** Bachelors in economics, Yale University, 1974; J.D., University of Chicago School of Law, 1977 **PERSONAL:** Married and celebrating 30th wedding anniversary in June; two children, a daughter age 24, currently in law school at the University of Pennsylvania, and a son, 21 and in college **PROFESSIONAL:** First practiced law in his hometown, Pittsburgh, with Berkman Ruslander Pohl Lieber & Engel, now called Klett Lieber Rooney & Schorling. First African-American lawyer in both firms. Moved back to Chicago to the U.S. Attorney's Office. After three years, moved to Wildman, Harrold, Allen & Dixon in Chicago as the second African-American hired there. Became the first African-American partner in the firm. After 11 years, moved to Sonnen-schein Nath & Rosenthal, starting as the first African-American partner there. Recruited to the Sara Lee Corp. in-house legal department in 1996 as deputy general counsel. Became GC of Sara Lee in 1999. Moved to General Mills in February 2008.

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