



ACC Association of
Corporate Counsel



ACC Foundation
Association of Corporate Counsel

Diversity Equity & Inclusion

Maturity Model

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THE ACC/ACC FOUNDATION DEI MATURITY MODEL

What is the DEI Maturity Model?

The ACC/ACC Foundation DEI Maturity Model is based on the framework that was developed for the ACC Legal Operations (LOPS) Maturity Model. A widely used and celebrated reference tool, the LOPS Maturity Model is used by legal department leaders around the world to benchmark maturity in a wide range of functional areas that are relevant for optimization of legal services delivery. This first iteration of the ACC/ACC Foundation DEI Maturity Model follows the same blueprint, outlining clear descriptions for three levels of maturity for each DEI function – early, intermediate, and advanced – providing leaders with a critical snapshot of where their department is currently and a roadmap of how to achieve future goals.

The DEI Maturity Model is a living tool, developed by ACC and the ACC Foundation, in consultation with an advisory committee of DEI experts from the legal and business communities. That said, we hope this document continues to be refined and improved based on the valuable feedback from those who use it.

DEFINITIONS

Diversity is the variety ways and circumstances, both visible and invisible, that groups of people differ from each other.¹

Equity is the guarantee of fair treatment, access, opportunity, and advancement for all while striving to identify and eliminate barriers that have prevented the full participation of some groups. The principle of equity acknowledges that there are historically under-served and under-represented populations and that fairness regarding these unbalanced conditions is needed to assist equality in the provision of effective opportunities to all groups.²

Inclusion is an environment that makes the most of diversity. Everyone feels welcome and like they belong. They have opportunities to contribute and are accepted.

Governing Body is the entity that takes responsibility for coordination and oversight of the DEI strategy, including decision-making about goals, metrics, resource allocation, and more. It delegates extensively to local or

functional groups, while also holding them accountable for results.

Metrics are measurements that are used to assess progress, and ultimately, results of a company's DEI program.

Sponsor is a senior executive who uses their position and power to advance a more junior person's career by "opening doors" to opportunities for visibility, exposure, stretch assignments, etc. A sponsor is an advocate who takes action.

Mentor is a senior person who provides coaching to support the mentee's performance, inclusion, and professional development. A mentor is an advisor who may or may not take action.

Employee Resource Group (Affinity Group) is a group of coworkers who share characteristics or life experiences.

¹ Cook Ross

² Minority Corporate Counsel Association

STRATEGIC PLANNING

STRATEGY & ORGANIZATIONAL DEVELOPMENT

The organization's short- and long-term plans that ensure the organization remains committed to becoming a more diverse, inclusive and equitable organization. This includes the participation of internal teams and collaboration with external partners to support strategic objectives.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Initial steps under way to document DEI program objectives (e.g., <i>draft of mission statement</i>)▶ Identify key stakeholders and process owners and gather input from the collective group▶ Program is reactive based on inbound requests for support and engagement▶ “Pockets” of support exist without a cohesive plan or alignment▶ Data and metrics are identified, although approach for collection and benchmarking may be nascent	<ul style="list-style-type: none">▶ Mission statement and objectives are created and aligned with the business objectives, and reviewed and committed to regularly▶ Process is established to ensure collaboration and alignment with enterprise objectives and internal business partners (e.g., <i>DEI/HR team, Governance, or Operations</i>)▶ Evolving proactive engagement with external diverse organizations, associations, etc.▶ Leadership is engaged as strategic partners in driving the organization’s DEI program(s)▶ Benchmarking and internal and external data gathering becomes the norm, and consistent surveys show trends that drive actions▶ Strategic development is underway, and a “roadmap” is created	<ul style="list-style-type: none">▶ Strategy deployment process establishes short, medium, and long-term goals and execution plans▶ Enterprise and Legal DEI strategies are aligned▶ Mutual support exists to drive outcomes▶ Partnerships with key external organizations and associations have been established and support the strategic objectives▶ Legal leadership would be part of the leadership team to actively drive accountability within their teams▶ Refined intelligence gathering for DEI metrics tailored to the Enterprise

GOVERNANCE & RESOURCING

STRATEGY & ORGANIZATIONAL DEVELOPMENT

The governing body of the organization (senior leaders and board members) prioritize creating a work structure and provide resources to support the implementation of the DEI Maturity Model.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none"> ▶ No established set of policies that incorporate the organization’s culture, anti-racism, and DEI ▶ Informal guidelines / policies for how the organization manages its programs and no established processes for execution of these guidelines / policies ▶ DEI management practices are inconsistent across the organization <hr/>	<ul style="list-style-type: none"> ▶ Basic governance model is in place with clarity between governance, planning, and execution ▶ Establish committees and / or task forces to manage specific goals and workstreams – but do not act without governing body approval ▶ Specific Legal team resources are committed and aligned to identified goals (<i>i.e., an internal committee is in place to organize and run the program</i>) ▶ Funding is planned as part of the budget cycle ▶ Process exists to direct funds and resources to projects that address / support key objectives ▶ Developing a system of monitoring the execution of identified goals and objectives ▶ Begin to close the gaps between policies and practices ▶ Aligns with company on proper focus, governance, and resources and provides oversight to manage to target(s) <hr/>	<ul style="list-style-type: none"> ▶ Governance structure is solidified; no longer evolving and changing ▶ Governing body takes an innovative leadership role in advancing DEI goals internally and externally ▶ Governance is representative of the different regions, functions / business units and people ▶ Consistent feedback loop utilizing a cross-section of functional stakeholders ▶ DEI resources (both headcount and budget) are committed to the function ▶ Legal team DEI resources include all relevant skill sets (<i>e.g., operations, substantive, administrative, technological, and legal</i>) <hr/>

OPERATING MODEL / WORKSTREAMS

STRATEGY & ORGANIZATIONAL DEVELOPMENT

The design and integration of DEI efforts into workplace operations so that they become seamless and routine. This includes delegating responsibilities, identifying processes, defining metrics, and creating a feedback process to guide change when needed.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none"> ▶ Program staffed on volunteer basis ▶ No consistency in operational efforts ▶ Lack of alignment with corporate strategy (assuming there is one that references DEI) ▶ Recognition of the need for diversity-focused resources in pockets within the organization ▶ Operational support processes are reactive (e.g., <i>inbound request to develop initiatives</i>) 	<ul style="list-style-type: none"> ▶ DEI Operating Model defined by general counsel and leadership team ▶ Defined operational targets in line with corporate strategy ▶ Responsibilities defined and held by general counsel and leadership team ▶ May hire consultants to help define operational model for the organizations DEI strategy ▶ Work teams and work streams established for the DEI programs ▶ Action plans include quantitative and qualitative data with aligned metrics to measure against objectives ▶ Regular reports on progress and compliance with ends / goals 	<ul style="list-style-type: none"> ▶ Complete alignment with all DEI stakeholders on the definition of success, metrics, and responsibilities; regular feedback loop to check and adjust ▶ Define work teams and work streams to drive program success are in place ▶ Involvement of consultant(s) in auditing / survey ensures candor and compliance ▶ Full engagement of the leadership team and stakeholders to drive DEI goals and objectives at the employee level ▶ Regular reporting to governing body regarding progress against goals / execution; resources needed and other barriers to achievement of DEI goals / targets

RECRUITMENT

INTERNAL

Describes organizational efforts to diversify candidate pools and create a more equitable hiring experience. Areas to review include job descriptions, interview process, advertising, selection tools, and background checks. Also includes clearly welcoming staff to bring their authentic selves to work, and offering a broad range of benefits and flexible work arrangements to meet employees' diverse needs.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Corporate practices are established to increase diverse candidates for all career opportunities▶ Efforts are made to remove bias, non-inclusive language in job descriptions, and to only list work experience and skills that are truly necessary for the position (e.g., <i>to cast a wide net, skills or industry knowledge that can be acquired on the job are not listed as candidate qualifications</i>)▶ Advertise career opportunities with diverse bars / associations and other job posting sites that have a more diverse audience▶ Ensure panel of interviewers is diverse and consistent inclusion and format is the same for all candidates▶ Ensuring panel of diverse interviewers have undertaken training in unconscious bias and in interview techniques that focus on competencies▶ Ensuring accommodations can be met for candidates who request one	<ul style="list-style-type: none">▶ Legal-specific practices have been introduced▶ Formal, consistently applied programs are in place to source and attract diverse candidates, and monitor results (e.g., <i>accessing channels such as diverse associations and recruiters / agencies that focus on diversity recruitment, recruiting from schools that graduate higher percentage of diverse students, and offering incentives for diverse placements</i>)▶ Programs are in place to leverage internal networks to source diverse candidates (e.g., <i>referral incentives and communicating job openings</i>)▶ Resumes are anonymized to mitigate bias in the selection process▶ Using a more structured interview process with standard situational and behavioral questions	<ul style="list-style-type: none">▶ Fully acting upon commitments / policies to consider a diverse slate▶ Utilizing self-identification data to benchmark diversity of candidate pool▶ Using an assessment process to avoid human selection bias (e.g., <i>if there's a case study, using an AI tool may help to objectively conduct the first review</i>)▶ Career options are offered / utilized, such as structured opportunities to apprentice or ramp up (e.g., <i>a "return to work" program for those with career breaks</i>)▶ Background checks avoid automatic exclusion for past issues / infractions▶ AI is used to remove any bias language within job descriptions, polices, and procedures

ONBOARDING

Development of a robust program with consistently applied features for diverse hires that foster inclusion and belonging. The program makes a deliberate effort to convey culture to new hires and what it means to the organization.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Onboarding is very basic, undifferentiated, and reliant on corporate HR/IT (e.g., <i>here's where you work, your equipment, and your employee handbook</i>)▶ Diversity values, culture, and policies are articulated in welcoming materials and include hearing about DEI initiatives▶ Making sure all new hires are aware of ways to engage with Employee Resource Groups (affinity groups)	<ul style="list-style-type: none">▶ Onboarding has some elements that are supportive of Inclusion goals (e.g., buddy program)▶ Checkpoints are included in onboarding process to ascertain that all hires are acclimating well and address any issues or questions that arise▶ Handbook includes information on how to embrace diversity practices	<ul style="list-style-type: none">▶ Robust onboarding approach (first 90 days, six months, one year), including buddy / other support mechanisms▶ Onboarding has robust consistently applied features for diverse hires that are designed to foster inclusion and belonging (e.g., <i>thoughtfully selected buddy who is held accountable to certain standards of new hire engagement, introduction to employee relations or affinity groups, etc.</i>)▶ There's a deliberate effort to convey culture to new hires (e.g., <i>explaining the intangibles that lead to success, offering illustrative professional stories, etc.</i>)

CAREER DEVELOPMENT

INTERNAL

Describes processes that are in place that provide equal opportunity for all team members to enhance current skills and acquire new ones. It includes training given to supervisors and employees to ensure an equitable and transparent performance evaluation system, and the implementation of mentorship and other formalized programs that level the playing field for career advancement.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none"> ▶ Clear and transparent standards of assessment ▶ Basic annual review process that may include scan for gaps or inequities across the organization and effort to improve, but without structure 	<ul style="list-style-type: none"> ▶ Sponsorship and mentorship programs are in place; to overcome limitations in sponsor pool, category matching may include training on cross-cultural relationships; participation is strongly encouraged and may be monitored ▶ Development programs are transparent, no mystery or inconsistency about criteria for participation, accountabilities, assessments, etc. ▶ Documented annual development plans for all employees ▶ Formal oversight of annual reviews and actions taken to ensure equity of application of standards 	<ul style="list-style-type: none"> ▶ Sponsorship program focused on development, advocacy, internal and external opportunities / visibility, and career advancement are highly evolved and robust, and adherence is tracked to ensure no one falls between the cracks; sponsors are supported through training and held accountable through performance reviews whereby compensation is impacted ▶ Independent career coaches may be provided; if so, there is transparency about qualifications for coaching programs ▶ Reverse mentoring programs may be in place, wherein historically underrepresented individuals help train / inform majority colleagues about cultural sensitivity, effective inclusion, and allyship practices ▶ Longer-term development plans are in place (3-5 years); quality work assignments are ensured ▶ Focus on development of emotional IQ among leaders and high priority potential leaders ▶ Career development opportunities, such as job rotations and secondments are formalized and widely used ▶ Robust leadership development training is aligned to and supportive of career development plans ▶ Measurement of and action taken to ensure equity in accessing advanced, non-role specific training

PROFESSIONAL DEVELOPMENT

INTERNAL

Describes an organization's commitment to extending opportunities for professional development and networking through external conferences and workshops to all staff. It also includes the implementation of internal managerial and leadership development programs that are inclusive and accessible.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Focus on technical job skills, proficiency in role	<ul style="list-style-type: none">▶ Equal access to participate in seminars and conferences▶ Training may be offered in business and professional skills beyond current role (e.g., <i>business acumen, management, leadership, negotiation, deal pricing and structures, strategic thinking, etc.</i>)	<ul style="list-style-type: none">▶ Robust leadership development training is aligned to and supportive of career development plans▶ Measurement of and action taken to ensure equity in accessing advanced, non-role specific training opportunities

ADVANCEMENT

INTERNAL

The design, communication, and implementation of processes that ensure all staff understand what skills and experience are needed to apply for a promotion and how one can prepare for future career growth.

EARLY

- ▶ Advancement and Promotion efforts are applied generally, with no special effort targeting historically underrepresented individuals
- ▶ Visibility and open posting (including adequate communication) of promotion opportunities
- ▶ Transparency and consistency of promotion process (*e.g., number of interviews, other assessments, scoring and weighting criteria, etc.*)
- ▶ Training is in place for hiring managers on unconscious / implicit bias
- ▶ Diverse interview panels (variety of skill sets, levels, backgrounds), especially for leadership positions
- ▶ Consistent application of parameters for roles (*e.g., complexity of scope, team size, seniority of stakeholders, etc.*) that trigger consideration for promotion due to role expansion, to be validated by HR (Talent Management and/or Compensation Management)

INTERMEDIATE

- ▶ Internal diverse candidates are identified and included
- ▶ Availability of up-to-date job descriptions for positions within career path (to ensure visibility of, and preparation for, promotion requirements)
- ▶ Identification of must-have vs. nice-to-have skills, knowledge, and experience
- ▶ Assessment of emotional intelligence is treated as importantly as intellectual ability and technical skills
- ▶ Proactive encouragement of diverse candidates to apply for promotions
- ▶ Monitoring and reporting of promotion diversity data (led by HR)
- ▶ Establish aspirational goals
- ▶ Supplemental development and training before promotion
- ▶ Assessment of emotional and intellectual IQ and technical skills
- ▶ Monitoring and reporting of robust promotion diversity data (led by HR)

ADVANCED

- ▶ Programs are formalized and include well-defined sponsorship programs that have been reviewed to identify and mitigate potential bias for high potential employees (including remote employees)
- ▶ Sponsorship program focused on development, advocacy, visibility, stretch assignments
- ▶ Coaching and mentorship for individuals to build readiness for future role
- ▶ Management encouragement to apply for specific promotion opportunities
- ▶ Consideration as to whether candidates need to have all relevant experience or can be promoted with gaps that can be closed in the new position (via training, on the job experience etc.)
- ▶ Increased feedback and check-ins for at least first year in new position
- ▶ Honest and constructive feedback is provided consistently
- ▶ Pay equity assessments are used to set compensation (market-based pay vs. placing onus on individual candidate to negotiate fair outcome)
- ▶ Pay equity assessments are conducted frequently and with regularity (*e.g., annually or with each round of promotions*)

RETENTION

The various programs available to ensure that staff from diverse backgrounds are not only hired but retained within the organization for the long-term. This includes empowering historically underrepresented individuals to contribute to decisions that impact employee satisfaction, well-being, and career success.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Limited to corporate efforts to promote employee satisfaction / engagement and loyalty▶ Does not include scanning for or intervening to address voluntary attrition risk	<ul style="list-style-type: none">▶ Informal focus on retaining historically underrepresented individuals in Legal▶ Mentorship and coaching occur on ad hoc basis▶ Attention is paid to Inclusion and Equity, but not systematically▶ Communities / networks are in place to build loyalty and support each other	<ul style="list-style-type: none">▶ Retention programs are robust and well-documented, and include special attention to measuring and/or assessing attrition across employee demographics and roles▶ Legal department has specific diversity goals to work towards and track progress▶ Specific coaching and mentoring programs are systematically directed to historically underrepresented individuals who are deemed higher risk of attrition

SUCCESSION PLANNING

Defining and communicating criteria for assessing readiness for leadership positions that supports inclusive and equitable outcomes. Prioritizing diversity goals in identifying candidates for leadership positions.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Clarity and transparency of standards being used to assess talent and readiness for leadership positions▶ Regular reviews of the criteria used to identify existing succession candidates▶ Not qualifying or disqualifying candidates based on arbitrary characteristics (easily accessible link to clear criteria for the position provided)▶ Training of decision makers for succession planning on unconscious bias	<ul style="list-style-type: none">▶ Establish aspirational goals▶ Corporate policy is supplemented with Legal-specific tailoring that may include attention to representation of historically underrepresented individuals in rising ranks▶ Identifying high-potential diverse candidates and assigning sponsors for giving visibility into upcoming opportunities▶ Assessment of EQ as important as IQ and technical skills▶ Oversight of succession diversity data, led by HR (e.g., <i>ready now, ready in short-term or medium-term, etc.</i>)▶ Leadership program for high-potential succession candidates	<ul style="list-style-type: none">▶ Inclusion of historically underrepresented individuals among candidates for succession is deliberate and target-driven▶ Building culture of agile succession consideration (flexible opportunity for other candidates that come into the running)▶ Formalized diversity succession goals

MEASUREMENT

Creating systems to track progress and the achievement of DEII goals. This includes collecting and using DEI data when making decisions and communicating outcomes in a transparent and easily understood format.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Buy-in from leadership to collect and track DEI metrics▶ Types of metrics are determined and defined▶ Data privacy and security concerns are addressed▶ Data collection plan (including process and systems) is rolled out to targeted firms and implementation begins	<ul style="list-style-type: none">▶ Wide-scale data is harvested from outside law firms and potentially other legal service providers▶ Data management systems in place to track, measure, analyze, and report on metrics▶ Baseline data is established▶ KPIs and performance targets are determined▶ Benchmarking may also be a feature of the measurement program	<ul style="list-style-type: none">▶ DEI performance data is managed in a structured environment such as a dashboard▶ Capability exists to track trends, perform comparative analysis, and generate DEI program as well as individual law firm scorecards showing performance against targets▶ DEI data is included in performance evaluations in a way to drive actions, be it corrective or for recognition and reward purposes▶ DEI performance is taken into consideration for when assessing leadership compensation▶ Measurement of DEI data in global regions is determined and data collection plan is developed

GOAL-SETTING / COMMUNICATIONS

The efforts an organization takes to ensure their DEI goals compare to or exceed industry standards, or those established by associations engaged in promoting the inclusion of underrepresented groups. This includes integrating and communicating the importance of DEI goals at various operational levels.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none"> ▶ Legal aligns with broader corporate-wide DEI goals ▶ Commitment is communicated to external stakeholders (e.g., outside counsel and Legal Service Provider(s) via established communication channels 	<ul style="list-style-type: none"> ▶ Legal aligns with broader corporate-wide DEI goals, but creates some specific targets for external stakeholders (e.g., <i>outside counsel and LSPs</i>) ▶ For law firms, set targets based on benchmarking to others (e.g., <i>National Association for Law Placement or firms used by the company</i>) ▶ Legal engages in dialogue with external stakeholders on DEI goals in an ad-hoc way 	<ul style="list-style-type: none"> ▶ Legal creates targets above and beyond corporate-wide DEI goals, with specific goals for different external stakeholders that assure both quantity of representation and quality of assignments and credits for underrepresented groups (e.g., <i>scorecards, Mansfield Rule, etc.</i>) ▶ Specific targets for different stakeholder groups are clearly communicated in written format, and regular dialogue sessions are implemented that focus only on DEI ▶ KPIs related to outside counsel DEI goals are incorporated into legal department employee performance objectives ▶ Established goals for law firms in the United States, Canada, United Kingdom, and other countries, where permitted by law. For firms in other countries, engage in regular dialogue on improving DEI ▶ Other legal vendors, such as staffing firms or e-discovery vendors, are included in DEI program for external stakeholders

INCENTIVES & CONSEQUENCES

The efforts an organization takes to ensure their DEI goals are achieved and the willingness to not move forward with a program if DEI goals are not met. This includes working with internal and external stakeholders to remove barriers and establish valid incentives that communicate the importance of DEI goals within the organization and the broader community.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ No mandated incentives or consequences based on DEI goals	<ul style="list-style-type: none">▶ Legal actively uses DEI metrics when considering whether to award work to a law firm	<ul style="list-style-type: none">▶ Legal provides incentives or imposes consequences based on a firm's or service provider's overall DEI performance, not just for one matter; consequence could reduce overall fees or removal from panel if minimum representation levels are not met; incentive could be bonus payment at year-end, award, or opportunity for additional work▶ In the review of the performance of a company's DEI program, all dimensions of are considered (<i>i.e., gender, ethnicity, LGBTQ+, people with disabilities</i>)▶ In the review of DEI performance, consideration is given to diversity at all levels (particularly equity partner) both for staffing on company's matters and the firm's overall diversity as publicly reported (ex: Vault).

COMMUNITY ENGAGEMENT & PIPELINE

EXTERNAL

This is the work the organization engages in externally to support underrepresented students and recent law school graduates entering the legal profession. This includes pro-bono services that help address gaps in legal services to local communities in need.

EARLY	INTERMEDIATE	ADVANCED
<ul style="list-style-type: none">▶ Scholarship contributions▶ Affiliation / membership with organizations that support the advancement of under-represented groups▶ Diversity training (computer based) for department leaders on how to foster a diverse talent pipeline▶ Legal department employees volunteer with external organizations focused on DEI <hr/>	<ul style="list-style-type: none">▶ Internships for law students and / or recent graduates▶ Secondments from law firms▶ Summits / conferences for law students▶ Leadership training / development through organizations (e.g., <i>Leadership Council on Legal Diversity and Pathfinders</i>)▶ Attorney mentorship programs▶ Speaking engagements for legal department employees at events sponsored by affinity groups▶ Law student mentoring <hr/>	<ul style="list-style-type: none">▶ Senior leaders of legal department and on boards of schools and other diversity organizations▶ Paid / well-defined / structured internship programs▶ Attorney sponsorship programs▶ Affinity programs for diverse populations within the organization▶ Law school partnerships (including financial support)▶ Present careers in law for high school students▶ Strategic programming with pro bono <hr/>

ABOUT ACC AND THE ACC FOUNDATION

The Association of Corporate Counsel (ACC) is a global legal association that promotes the common professional and business interests of in-house counsel who work for corporations, associations and other organizations through information, education, networking opportunities and advocacy initiatives. With more than 45,000 members employed by over 10,000 organizations in 85 countries, ACC connects its members to the people and resources necessary for both personal and professional growth.

By in-house counsel, for in-house counsel.[®]

The ACC Foundation – a 501(c)(3) non-profit organization – supports the efforts of the Association of Corporate Counsel, serving the needs of the in-house bar through the dissemination of research and surveys, leadership and professional development opportunities, and support of diversity and pro-bono initiatives.

The ACC Foundation partners with corporations, law firms, legal service providers and bar associations to assist in the furtherance of these goals.

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