

2017 EVENT REPORT



Diversity & Inclusion in the Latin America Legal Profession

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OVERVIEW

On June 5 2017, the Institute for Inclusion in the Legal Profession, the Vance Center's Women in the Profession program and five Multinationals (Philip Morris International Inc, GE, Honeywell International Inc., Mondelez International, and Walmart) convened the "Diversity & Inclusion in the Latin America Legal Profession" ("DILALP") event in New York. The New York City Bar Association generously provided the venue and through its office of Diversity & Inclusion shared 10 years of diversity data collected from New York based law firms.

DILALP was comprised of a half day of panel discussions, presentations, and interactive workshops, at the end of which Walmart and Philip Morris International presented four excellence in Diversity and Inclusion awards.

Conscious of travel costs and aiming to maximize attendance, DILALP was convened the day before an International Bar Association conference popular with Latin American ("LA") and Caribbean lawyers. The four US law firm sponsors (Baker & McKenzie LLP, Hunton & Williams LLP, Kirkland & Ellis LLP and Shook, Hardy & Bacon LLP) supported DILALP by participating as Panelists and/or Moderating a Panel, co-designing and producing DILALP materials, managing the participant registration process, hosting the luncheon and awards ceremony reception and generally supporting the initiative.

Six LA law firm lawyers, eight in-house lawyers and four US Law firm lawyers participated as Moderators, Panelists, Speakers and Breakout Session Discussion Leaders. All were supported by volunteers from the Vance Center, IILP, NYCBA, PMI, and the sponsoring law firms.

135 legal professionals from 11 different LA countries (Argentina, Brazil, Colombia, Costa Rica, Chile, Dominican Republic, Ecuador, El Salvador, Mexico, Panama and Uruguay) attended DILALP in New York. Of the 135 participants, 42 were from LA law firms; 39 were from US law firms; 28 were in-house counsel; 10 were from Universities; 9 were from Not-for-Profits; 7 were lawyers who did not identify an employer. Regrettably there were no government lawyers in attendance.

The Livestreaming of DILALP was well received, with 12 local forums convened across Latin America in Argentina, Brazil, Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Peru, Panama and Uruguay, as well as many individuals across Latin America and the USA viewing DILALP through the NYCBA You Tube channel.

We were honored to have Ambassador Mari Carmen Aponte as our very lively and thought-provoking Keynote Speaker. Her remarks prompted a great deal of further energetic discussion among those in attendance.

Breakout sessions covered seven different topics. A summary of the key takeaways from the Panel and Breakout sessions, and the Keynote Speech is set out below.

Walmart presented one Excellence in Diversity and Inclusion award to their top performing Chilean law firm - Ferrada Nehme. Philip Morris International presented three Excellence in Diversity and Inclusion awards for its:

- a. Top Ranked and Most Improved Latin America Law Firm embracing innovative initiatives for Diversity and Inclusion – Marval O’Farrell Mairal, Argentina;
- b. Most Innovative and Flexible Law Firm in Latin America embracing Diversity and Inclusion – Arias, Central America; and
- c. Excellent initiatives to educate, promote and advance Diversity and Inclusion in the Latin America Legal Profession – Guyer & Regules, Uruguay.

There was a tremendous level of energy and enthusiasm throughout DILALP. Judging by conversations overheard throughout the afternoon and during the networking reception, everyone felt that they learned a great deal and enjoyed the opportunity to meet other lawyers interested in diversity and inclusion efforts in Latin America and beyond.

We also gathered insights from Event Participants and some of the 12 local LA forums which are set out in Annex A below.

A collection of Event photographs can be accessed at <https://www.flickr.com/photos/137666158@No2/sets/72157687303238016/>. A video of the plenary portions of the Event and the findings and recommendations from the breakout sessions can be accessed at <https://www.youtube.com/watch?v=CtjSxBk9aVo&list=PLR5Lmj4dJucl04qoausPVcmkx3S3aGANM>. Mari Carmen Aponte’s keynote address and the DILALP Awards ceremony are also found in this coverage. The video is available through both the Vance Center’s website in the Women in the Profession section and the Institute for Inclusion in the Legal Profession’s website at www.TheIILP.com which will allow others who were unable to attend to still hear the discussions.

There was post-Event coverage of the initiative in LACCA and Latin Lawyer online and hard copy magazines. Sponsors and Supporters also have or plan to publish articles about the Event in their internal newsletters and other publications.

Overall the Event generated new ideas, information and inspiration for all participants to take back to their law firms and companies.

A number of participants have encouraged us to consider building upon the foundation of this Initiative, perhaps with another event or regional meetings. We will reach out to Event Supporters and Sponsors to see how they would like to be involved moving forward. We also plan to keep Event participants apprised of the next steps.

TAKEAWAYS FROM THE EVENT



1. Introduction

Latin American lawyers, law firms, and their corporate clients are concerned about diversity and inclusion in the legal profession. As in other parts of the world, multinational corporate clients are in the forefront of driving diversity and inclusion efforts, many of which emphasize gender diversity.

Despite being treated as a single region by many of these corporate clients, there is recognition that diversity and inclusion impetus, goals and objectives, strategies, and efforts, can vary dramatically from one country to another. It would be a mistake to assume that diversity and inclusion in Latin America's legal profession can benefit from a homogenous approach. While there may be similarities and commonalities, the social, economic, and philosophical underpinnings can be very different. Anyone seeking to advance diversity and inclusion in the legal profession in Latin America as a region needs to understand and appreciate this.



2. Panel Discussion: What corporate clients are considering/ measuring/ assessing when they evaluate diversity and inclusion efforts within Latin American law firms

Panelists: Carmen Roman, Corporate General Counsel and Head of Corporate Affairs, Walmart Chile; Felipe Paez, Chief Compliance Counsel, GE; Jonas Bruzas, Vice President & Chief Counsel Latin America, Mondelez International; Luisa Menezes, Vice President & Associate General Counsel, Regulatory, Policy & Strategy, Philip Morris International Inc.; Valeria Chapa Garza, Vice President and General Counsel, Latin America, Honeywell International Inc.

Moderator: Madeleine McDonough, Chair and Partner, Shook, Hardy & Bacon LLP

Most firms and corporate clients started their diversity and inclusion (“D&I”) journey focusing on gender balance.

Central to the conversation about how corporations approach diversity and inclusion is the debate surrounding which approach is most effective: the carrot or the stick. Should corporations award law firms for excelling at diversity and inclusion or punish law firms for failing at it? Irrespective of the answer to this question, Madeleine McDonough made clear that there is no doubt that corporations have the resources, the mission, and the influence to advance diversity and inclusion.

Luisa Menezes, Vice President & Associate General Counsel, Regulatory, Policy & Strategy, Philip Morris International Inc. (“PMI”), kicked off the panel discussion by discussing PMI’s approach to D&I. Menezes explained that PMI thought critically about the cultural norms in Latin America which impact the corporation’s D&I policies and practices. Considering those norms, PMI determined to raise awareness internally by: 1) identifying the gender imbalance, 2) addressing the need to include awareness of multi-cultures, and 3) acknowledging the effect that having a multigenerational workforce has on D&I.

PMI has both baseline D&I guidelines for their outside counsel, as well as a multi-faceted D&I program in which outside counsel may choose to participate. PMI looks for whether the law firms have both a structural and behavioral understanding of D&I. Menezes suggested that firms address structural bias by implementing written policy and programs on D&I. She emphasized that for D&I to be successful, there must be buy-in from the top. Moreover, to embed D&I firms may consider compensating lawyers that help reduce or eliminate bias. She noted that Latin America firms can lead by example by participating in programming that raises awareness in their respective countries. PMI credited their simple act of starting a conversation as the trigger that led firms to see the advantage of working toward D&I and to join the effort.

Jonas Bruzas, Vice President & Chief Counsel Latin America of Mondelez International echoed the need for written policy. He also emphasized that a senior manager be responsible and held accountable for the firm's diversity and inclusion. In addition to having a single identifiable senior lawyer or manager take the lead on D&I, senior lawyers generally should lead the effort on D&I by being an example for junior lawyers.

Walmart Chile was prepared to advance the culture of diversity and inclusion even when Chilean law firms and government were not. Carmen Roman, Corporate General Counsel and Head of Corporate Affairs of Walmart Chile acknowledged that corporations have the "push and power" to move the needle on D&I. The responsibility does not solely lie with lawyers. Executives must also commit to working on D&I.

Walmart Chile takes both the carrot and the stick approach to D&I. They measure their firms' D&I outcomes and award the firms that have excelled in their efforts. At the same time, however, Roman made it clear that if she does not see that a law firm is committed to D&I, then she terminates Walmart Chile's relationship with that firm. Promoting diversity and inclusion is a core business value for Walmart, therefore, Walmart will only work with firms that demonstrate this shared value.

Moderator Madeleine McDonough echoed this sentiment. She argued that if corporations are transparent and unequivocal about their D&I expectations, then they should terminate relationships with outside counsel who fail to demonstrate that they share their clients' commitment to D&I by meeting clients' expectations.

As has been emphasized above, firms and corporations need to move towards a global perspective on D&I, accounting for regional and local cultures and specific diversity needs. Felipe Paez, Chief Compliance Counsel at GE, explained that GE's work on D&I also includes working on law and policy. This work must be undertaken as aggressively as is required to remedy the specific issue that each organization has identified. Paez explained that one should not be apologetic about their diversity efforts or progress towards diversity goals. Rather, we just need to be honest about the obstacles and the triumphs. Finally, Paez stated that when we think about inclusion, we must remember that inclusion also applies to white men who might be made to feel like they are not "diverse" because they are not in the racial or gender minority in their law firms. Cognitive diversity is just as important as demographic diversity.

- Mentoring resonated as a theme in this panel of corporate diversity and inclusion leaders. For example, Valeria Chapa Garza, Vice President and General Counsel, Latin America at Honeywell International Inc. encouraged lawyers to mentor someone. She co-founded Abogados en MEX, an

organization that works towards bringing more women into the profession in Latin America. While she champions this mentoring organization, Chapa clarified that the mentoring relationship does not need to be a formal arrangement or restricted to relationships between lawyers of the same firm. Senior lawyers should be as open to being mentored as junior lawyers. Younger lawyers can teach too.

This panel discussion provided thoughtful insight to the challenges of pursuing diversity and inclusion. Panelists also provided examples and possible solutions to addressing these challenges. The primary conclusions drawn from this panel are: 1) Diversity and inclusion efforts must account for the culture and resources that are unique to Latin America regions, countries, and cities; 2) There is no one-size-fits-all solution; 3) Corporations play an important role in advancing diversity and inclusion efforts; and, 4) Corporate clients are positioned to demand progress and to reward or reprimand law firms that pursue diversity and inclusion.



3. Presentation and Panel Discussion: Ways in which metrics can be leveraged to guide law firms towards inclusion, assess specific challenges, and identify where bias may hinder diversity efforts

Speaker: Gabrielle Brown, Director, New York City Bar Association Office of Diversity & Inclusion

Panelists: Barack Echols, Partner, Kirkland & Ellis; Carolina Zang, Partner, Zang, Bergel & Vines; Gustavo Membiela, Partner, Hunton & Williams; Paula Samper Salazar, Partner, Gomez-Pinzon Zuleta

Moderator: Claudia Farkouh Prado, Baker & McKenzie Global Executive Committee member and Latin America Global Diversity & Inclusion Committee Chair, Baker & McKenzie

Gabrielle Brown, Director of Diversity and Inclusion at the New York City Bar Association, opened this session by presenting some of the findings from the Bar's data from over 100 firms in New York City. Her findings emphasized the importance of effectively using metrics to identify diversity and inclusion needs, approaches, and results. Based on the data, Brown noted that firms were working in silos, using only internal resources. She reported that most D&I efforts fell into three main categories: 1) professional development; 2) client access and relationships; and, 3) bias awareness training and firm culture. The Bar encouraged firms to work together and share resources and ideas. She also noted that minorities and women should not be the only people leading these efforts; anybody can do it,

especially since 80% of equity partners are white men. Brown concluded by emphasizing that everybody needs to make a concerted effort to create a diverse and inclusive legal profession.

Claudia Farkouh Prado began the panel discussion on the use of metrics in law firms by placing an emphasis on the need to “stop counting people and start making people count.”

Prado set a challenge for the panelists and law firm leaders: to “think about how to have [data-driven diversity] targets because...if we don’t measure – if we don’t have clear objectives – it’s very hard to drive the changes.”

Emphasizing that D&I needs to be tailored to address problems specific to a country’s and firm’s culture, Paula Samper Salazar, a partner at Colombian law firm Gomez-Pinzon Zuleta, noted that women are fairly well-represented in top leadership positions in business (about 40%). However, women are not well represented in law firms and there is a culture of women taking on the primary care-giver role within the family. Samper’s firm did not want to lose women who started families, so they implemented a flex-time policy. According to Samper, the Colombian legal profession is not diverse in terms of socioeconomic status (SES). 60% of lawyers from leading law firms graduate from three elite private universities. Lawyers from public universities and lower SES backgrounds are particularly underrepresented. Universities are addressing this disparity by offering more scholarship funding. Diversifying universities in this way will widen the pipeline to diversity within the Colombian legal profession. Samper believes that “in the future, in the next decade probably, most of the students that the law firms are hiring are going to be more diverse. Right now I don’t think we are doing enough with regards to social and economic diversity in our firms. We don’t even have policies for diversity in hiring, for example.”

Argentina confronts diversity issues that are similar to those in Colombia. Carolina Zang, a partner at law firm Zang, Bergel and Vines, asserted that gender income disparity and Argentina’s national economic stagnation caused “a lot of women [to leave] the firms because the firms were not making partners or not equity partners... [In turn,] a lot of women established their own firms effectively.” Although women lawyers have tended to start their own firms, most firms in Argentina offer flex-time options like working from home, maternity leave, and working part-time. Due to the fact that Argentina’s city bars do not collect data, the task falls to Argentina’s law firms; “in this regard, firms are more advanced.”

Zang noted that out of Zang, Bergel & Vines’s total of 11 equity partners, 5 of those partners are female. The “5 female partners are all head of areas. All of them are in charge of the client relations, the budgeting for their areas, the business development.” Zang, Bergel & Vines implemented a mentoring program to address the gender disparity in management expertise after the firm restructured to include the 5 female equity partners. Zang, Bergel & Vines also implements internal review based upon the following “7 values: which is empathy, teamwork, honor your word, think big, commitment, excellence, client passion, and leadership.” Associates and partners alike can award stars to colleagues who exemplify these values, and hours and bonuses can be awarded accordingly.

Kirkland & Ellis implements a similar reward structure. Partner Barack Echols explained that attorneys at all levels have in their “review system... a requirement that you have to write in your memo, [which asks,] what have you done in the past year to further diversity, inclusion, mentoring, recruiting.? If you have done a significant amount... you can get credit for that with your hours and

your bonus.” Echols also emphasized the importance not just of diversity, but of inclusion as well. Kirkland & Ellis supports younger attorneys’ connection to senior counsel with its “Kirkland Connections’ series, [which allows] either clients or the senior attorneys in house [to meet with] 6 or 7 young attorneys, women, diverse, [and] just sit and chat... so they can feel part of the broader organization.”

Gustavo Mumbiela, a partner at Hunton & Williams, echoed the importance of inclusion in law firms, particularly at the associate level where firms see the most attrition. After his firm Hunton & Williams had an associate class particularly lacking in diversity, it made a commitment to make sure its associates received equal support and mentorship from its partners, regardless of diversity characteristics. It is crucial that diverse attorneys are not the only ones who support diversity initiatives – white men must join in as well if these programs are to continue to exist. Mumbiela remarked that “you have to be able to bring people together in order to effectuate change, and so it’s important that everyone feels part of the process in one way or another.”

As a final thought, Prado discussed the gender difference in associates’ partner aspirations: in a survey of associates at her firm, 78% of men wanted to become partner vs 53% of women who wanted to become partner. In a further dissection of the data, Baker & McKenzie found that the leading reasons that deterred women from wanting to become a partner stemmed from a lack of flexibility and a lack of role models.

Unfortunately, flex-time work programs are generally perceived as an accommodation for women. However, flexibility is not only about maternity leave. As Prado explained, flexibility also means that lawyers can work anywhere at any time. Gabrielle Brown of the NYC Bar Association agreed and highlighted that, in New York City, more men are taking advantage of flex time. They take advantage of firms’ practice of offering 6 months to a year of leave to volunteer with non-profits, write books, explore new career paths, or pursue passion projects. These firms made it easy for lawyers to transition back into the firm. Clearly the legal profession – in the U.S. and Latin America – needs to change the narrative that flex-time is for women to raise families.

Other best practices for utilizing metrics to measure D&I growth include: (1) reviewing associates’ billable hours for substantive work on complex matters; (2) establishing a review system for all attorneys in which each lawyer provides a narrative of what they have individually done to advance D&I; and (3) crediting associates for their hours of D&I work and offering bonuses for extraordinary efforts.



4. Keynote Address

Keynote Speaker: Ambassador Mari Carmen Aponte



“As a nation, we are at a critical moment where American foreign policy is no longer about American values. Sadly, it is relegated to succinct comments in 140 characters ranted out at midnight via Twitter. Over the last three generations, the U.S has led the effort in the post-War era to establish and maintain a stable world order. Ironically, at this junction, the U.S. itself is now threatening the stability it fought so hard to create.

There are two important factors about this critical moment. First, American foreign policy is heading in a new direction that is not yet clearly defined. In all fairness, this lack of coherent structure is not unique to the U.S. Rather, other western countries are also experiencing Populist movements promising self-reliant utopias and then blaming outside forces for failing to deliver on those promises. Superficial policy-making will not bring cohesive solutions to a complicated, interdependent world. For example, backtracking on the Paris Accords will not prove to be helpful especially when the reality is that severe weather disasters occur more frequently and result in increasingly devastating damage and loss of human life.

A second important factor is the resistance and push back that is displayed in many segments of the community. We see this in areas such as health care. Many Americans are speaking out and pushing back. I have been observing this phenomenon, especially in the Hispanic community. My sense is that as a community of immigrants, both legal and undocumented, we are changing the flavor and look of American neighborhoods and cities. Instead of an apparent breakdown of established American-led global order for at least three generations, this resistance in the Hispanic community represents a positive breakthrough.

The Hispanic-American community is at the center of a multiculturalism, which has become part of the American mainstream. Our community is positioned to break through positively and constructively. We know and we understand racism. We know and we understand rejection. However, we also know and understand that responding negatively when confronted with slights and putdowns will only lead us into an endless cycle of retaliation. Unfortunately, responding with retributions will

only result in more reprisals. One way, then, to move forward constructively is to learn and apply lessons of good will and understanding. How do we promote respect for our differences? How do we promote empathy and understanding? We must seek to identify not what divides us, but what unites us. We need to look inside ourselves for those values that come from our family, our heritage, our community. Indeed, these are the very lessons that have shaped my life both personally and professionally.

Although raised with respect for education, my generation was also raised to be compliant. My family expected me to attend college, therefore, I attended college. After I finished college and worked with minority children in inner-city communities in Philadelphia and New Jersey, I learned that sometimes I had to stand up not only for myself, but also for the children. This is what led me to law school.

When I started practicing law, there were not that many Hispanic women in the profession. As a matter of fact, I can only think of five Puerto Rican women who, like me, were finishing law school at the time. We used to discuss whether there would be a Hispanic in the Supreme Court in our lifetimes. Well, one of the participants of those conversations sits there now!

The first time I appeared in a courtroom in what was a routine in uncontested matter; I became the focus of the proceedings. The senior judge interrogated me about my background. Finally, he asked where had I attended law school. When I replied, he responded, “Temple University was a fine institution until they allowed people like you in.” As he continued in this outburst, it became clear that it was my gender, not my ethnicity, offended this judge. It became clear at that moment that I had to turn the two most obvious apparent strikes against me [race and gender] into assets rather quickly if I was going to be successful practicing law.

My pursuit of excellence now included accomplishing this transformation – turning perceived strikes against me into assets. This pursuit led to unexpected results along my life’s journey. After working in inner city communities for several years, I was accepted into the White House Fellows Program. The Fellows Program offered me transformative experiences:

Up to the time I became a White House Fellow I had a narrow view of the Hispanic community. I believed that if you spoke Spanish, you were Puerto Rican. During that year, however, I was introduced to icons such as Cesar Chavez and Graciela Olivarez. Through them I came to understand the breadth and diversity within our community. I became part of a movement, part of a much larger community that gave me a new sense of responsibility. I gained clarity: my life would require my focused attention and my total integration, both emotionally and intellectually. I realized that I not only had the ability to make a difference, but it was also my obligation to do so. For example, I learned to pick my fights. Initially this was very confusing because I thought I had to wage every fight that came my way. Despite my compliant nature, I learned to swim against the current, even when I was the only voice advocating an argument. It was no longer what everybody thought, but what I thought. I followed clearly defined convictions and found the courage to manifest them into reality.

In hindsight, the White House Fellows year was my time of losing interest in many superficial aspects of my life and the year to understand whether I could be true to myself, regardless of expediency. It was the period when I understood that I did not have to retreat and shrivel into the safety of not taking chances. Even if I had been bruised or disappointed, during that phase I learned to remain open to life, no matter the obstacles that were coming my way.

I discovered that when I changed, others changed. I had a choice: I did not have to abdicate the power of how I felt about myself because of what others were saying or doing, or even worse, how they felt about me. I experienced these changes, while at the same time, taking advantage of the opportunity of watching the government function at the highest levels.

I spent the next 20 years in the private practice of law but my full commitment to the Hispanic community never wavered. During that time, I was privileged to serve as President of the National Hispanic Bar Association and was elected to be a member in the American Law Institute. Additionally, the American Bar Association became a professional home for me. I am always grateful for the opportunities they gave me.

My tenure as the United States Ambassador to El Salvador was a privilege and an unforgettable experience. I arrived not knowing the people working at the embassy and the key to my success was the ability to listen to the Foreign Service officers. There were times when discrepancies occurred over policy but the differences were always solved by internal processes that took into account all views. In the end, it was the ability to consider and weigh all sides that allowed everyone to feel heard and respected. Even when there were differences in the bilateral relationships we always worked at solving them in a respectful and civil matter.

My time in the diplomatic world showed me that multiculturalism is a constructive way to navigate the world. Diverging points of view are healthy in getting us to understand each other. I saw up close how generalizations and ignorance could affect our lives. But, I also realized that those interactions do not give us license to retaliate. Instead, they have become opportunities to rise above rejection and model behavior in seeking common ground, as hard as that may be. I also learned that one of the most significant and fascinating journeys in one's life is really the journey into yourself. It consists of a systematic reflection and examination. In other words, self-knowledge allowed me to make important decisions and to take measured risks that, for the most part, turned out well.”

Ambassador Aponte retired from the Foreign Service on January 20, 2017. She now works at Kinesis Foundation in Puerto Rico which provides students with resources to attend college.



5. Breakout Sessions

In order to utilize the collective experiences and resultant wisdom of the event participants, attendees divided into seven topic-specific breakout sessions. Following that, the attendees reconvened as a single group to recap these discussions and the insights gleaned from them.

Recap: Patricia Lopez Aufranc, Partner, Marval O’Farrell & Mairal

Lopez Aufranc received reports from group leaders covering 7 different topics and synthesized their conclusions to present final observations and recommendations for ongoing engagement. She identified universal themes that resonated for all groups.

First, all groups made it clear that for diversity and inclusion initiatives to succeed, the leadership must be substantively involved in those initiatives. Organizations should approach this work from a “top-down” perspective.

Second, firms need to get ahead of millennials leaving firms. Firms tend to take for granted the idea that success in practicing law means making income and equity partner. This is not true for millennials. Younger lawyers tend to leave firms to find inspiration for the issues and interests they care about, including seeking employers that are flexible with how millennials practice law. With this in mind, firms should work with millennials from the outset to determine and develop career enhancement needs.

Third, each group pointed to the need for establishing attainable and reasonable goals and metrics that effectively measure those goals. This is essential to advancing diversity and inclusion.

Finally, breakout groups emphasized that diversity and inclusion efforts must account for cultural nuances of each firm and each country. Initiatives in the United States do not work for Latin America, where countries' needs and resources are different.

i. Group 1: Career Enhancement Initiatives, led by Carmen Roman (Walmart Chile)

Targeted initiatives need to be undertaken to advance women lawyers into leadership and professional roles within law firms and the legal community. Some of these initiatives include: training women in business development, strategic career planning, and leadership; cultivating community leadership opportunities through fellowships, executive leadership, board service, speaking and publishing, and bar association programs. Women also need to be appointed to corporate boards.

ii. Group 2: Firm Diversity Support, led by Carolina Flores (Arias Law)

Law firms should appoint a dedicated diversity professional, set a budget and allocate human and monetary resources to the firm's diversity efforts, and establish a diversity committee or council that includes representation from the management committee. A partner from the management committee should serve for a set length of time to promote consistency and the partner's sincere investment in the committee. Ideally, this partner would serve as Chair of the diversity committee/council.

iii. Group 3: Networking and Support Resource Groups, led by Cecilia Mairal (Marval O'Farrell & Mairal)

Networking should be considered an inextricable part of the job. Clients appreciate lawyers with broad networks. Therefore, lawyers should devote 10-20% of their time to networking, both within the firm and with clients. There are various methods for firms and individuals to engage in effective networking with the goal of creating meaningful relationships with clients. Women lawyers should be included in client events just as frequently as their male counterparts. Firms and the legal community should collaborate to form resource groups to support women.

iv. Group 4: Inclusion and Retention Efforts, led by Corina Bove (Guyer & Regules)

Innovative efforts to recruit, retain, and promote women associates within the firm and in their careers must be a priority. These efforts should include concerted efforts to cultivate environments that embrace and promote diversity. The culture, needs, resources, and demographics within each firm and each country is different and these differences should be considered when developing inclusion and retention efforts.

One example is to monitor work allocation and quality of assignments to ensure that all attorneys, especially diverse attorneys, are receiving meaningful opportunities to improve their practice skills and expand their expertise. Mentoring is also essential. Women attorneys should have a mentor and a champion within the firm. One way to achieve this is to intentionally pair partners

and associates, making the partner responsible for the associate's development. Senior partners and managing partners can also evaluate and reassess client team composition and work product on significant matters to ensure that at least one woman is on the team and billing hours doing substantive work.

Bias and discrimination, whether conscious or unconscious, are barriers to the retention and advancement of diverse attorneys. Awareness of one's implicitly held biases is a significant step towards eliminating such bias. Thus, firms should regularly conduct office-wide trainings and workshops to understand and interrupt bias. Further, firms should develop objective evaluation and feedback methods as one way of interrupting bias. Establishing a consistent and objective exit interview process is another way of evaluating the firm's inclusion effectiveness.

v. Group 5: Sensitivity Training, led by Ellen Smith (Mondelez International)

Another take on sensitivity training is awareness training. Awareness connotes a goal of identifying individual's blind-spots and working to eliminate those deficiencies. Every professional within the firm should undertake training to become aware of their cultural blind-spots and firm leadership should spearhead the inclusivity effort to foster buy-in from other partners and associates. Workshops should include training on "soft" skills such as interpersonal development, relationship building, and self-reflection. Participants should also think critically about and evaluate their attitudes and beliefs about gender and define how they have been conditioned over time to stereotype others based on their gender.

vi. Group 6: Flexible Work Programs, led by Silvia Kim (Philip Morris International)

Most flexible work programs are gender-based and are aimed at mothers. However, due to cultural views regarding men and women, very few Latin America firms have these programs. Flexible work programs should be gender-neutral while also considerate of the challenges that mothers face upon returning to work. Current flexible work programs and those utilizing the programs need to be evaluated to determine the conditions under which lawyers undertake flexible work programs and the measureable outcomes of those programs. Once firms know that most lawyers using flexible work programs work just as much, if not more, than those working in-office, there will be less objection to flexible work arrangements. Additionally, flex lawyers and office lawyers can strike a reasonable balance on hours spent working and billing so that firms may have reasonable expectations about all lawyers' work product.

vii. Group 7: Accountability and Action, led by Trish O'Prey (GE Corporate)

Diversity and inclusion strategic plans must include methods of holding lawyers accountable for achieving firms' diversity and inclusion goals. Partners should lead by example, holding each other accountable for meeting firm-wide and individual goals. Accountability measures should be tied to remuneration, whether as an award or as a reprimand. Corporate clients should set and communicate clear and unequivocal goals and consequences that they consistently enforce.



6. Conclusion

Diversity and Inclusion increasingly is being recognized as an important challenge for lawyers and the legal profession in Latin America. It would be a mistake, however, to treat the legal profession in Latin America as monolithic; the levels of concern and interest, as well as the types of diversity and the resources and commitment to address them vary dramatically across the region. Gender diversity is frequently the most comfortable access point for many lawyers in Latin America but it can quickly expand to include socioeconomic status, race/ethnicity, sexual orientation, gender identity, disabilities, and other diversity categories with which there is decidedly less comfort.

Corporate clients and their outside counsel are leading the legal profession's diversity and inclusion efforts in Latin America. These efforts have been most effective when multinational corporate clients recognize early on that Latin America needs and deserves efforts and strategies specifically designed for the many unique cultural and social climates that exist across this large region of the world. While lawyers in Latin America are open to and interested in learning about the strategies and experiences of lawyers seeking to advance diversity and inclusion in the US, Europe, and elsewhere in Latin America and the world, it would be a mistake for anyone to simply try to impose a strategy or program that may work someplace else on lawyers or law firms in a specific part of Latin America.





The lawyers who attended this event were enthusiastic about building upon the afternoon's discussions to further advance diversity and inclusion in the legal profession in Latin America in a more collaborative and strategic way. There was strong consensus that the time is ripe to pursue an active and energetic effort to advance diversity and inclusion in the Latin America legal profession.

Conveners

Institute for Inclusion in
the Legal Profession

Philip Morris
International Inc.

Cyrus R. Vance Center for
International Studies

Host

New York City Bar Association
Enhance Diversity Committee,
Global Diversity Sub-Committee

New York City Bar Association
Office for Diversity and Inclusion

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ANNEX A

Comments from the June 5 DILALP Event – 9 of the local forums:

Argentina

Argentina was hosted by Marval O'Farrell Mairal – Alberto Molinario

“Even though we did not keep records of the number of participants from Marval that connected to the livestreaming, we can confirm that our Diversity Committee participated and was represented by the Head of our HR Department.

In addition to the three partners who assisted in person (Patricia Lopez Aufranc, Maria Ines Brandt and Cecilia Mairal), two more of our female partners, also members of the Diversity Committee, followed most of the Event. Their positive feedback was unanimous.

All found this Event extremely useful and inspiring, and the subjects discussed perfectly topical and applicable in our local jurisdiction.

For those who attended in person, the interaction with colleagues both at lunch and in the breakout sessions was an excellent opportunity to share views and exchange common experiences.

Those who participated highlighted the crucial role that the Initiatives of companies such as PMI, Walmart, GE and Honeywell towards their outside counsel firms, are having in the advancement of a more gender balanced, diverse and inclusive legal profession and in raising awareness of the importance of this advancement.

They also mentioned how the Event had inspired several new initiatives at Marval such as a remote work program available for lawyers (mothers and fathers) with children under 2 yrs old; and the organization of several Diversity and Inclusion Discussion Panels with inspiring speakers with significant participation of members of the firm.”

Brazil

Brazil was hosted by Philip Morris Brazil in Sao Paolo

“The event in Brazil was very good. Three law firms attended the meeting (out of four law firms participating in the program). Participants: - Law firms: 9 people (7 women and 2 men) and PMB: 5 people (2 women and 3 men).

Participants indicated that they enjoyed the event, the panelists were very good and lots of insights. The discussion held among those present in Brazil was fruitful, they were happy to discuss their initiatives and to find out what the other firms are doing on D&I. The Regional Sales Manager for São Paulo who is the PM Brazil D&I coordinator, joined the event and she was very happy to exchange her experience as manager of the most important sales area in Brazil.

The Livestreaming approach was good. The only point of attention is the length, maybe next time (if there will be a next and we hope there will be!) if we could make it shorter and have more time for live discussions.”

In addition, Participants asked for help to build an action plan tailored to the Law Firm's needs. They also asked for more examples of guidelines and policies and best practices.

Bolivia

Bolivia was hosted by Bufete Aguirre Soc Civ Abogados – Carolina Aguirre “12 female lawyers attended the event. No males were present or invited! We all found the topics covered very interesting and we are currently working on our D&I projects.”

Colombia

Colombia was hosted by the Colombian Chamber of Legal Services:

“It was a pleasure to be part of the activity. The Event was attended by 31 female lawyers and 1 male lawyer.

It would be very interesting to continue to carry out this kind of activities, as well as motivating our team.

The quality of the Livestreaming was excellent, which allowed all the attendees to be very interested in the subjects discussed.

From the Colombian Chamber of Legal Services we are very interested in working with you and in organizing joint activities.”

Costa Rica

Costa Rica hosted an internal forum for Philip Morris International’s affiliate.

8 people from HR, IS and Law joined together to watch the livestream of the Event and discuss the topics.

Dominican Republic

Dominican Republic hosted by Philip Morris Dominican Republic

Participants: 24 attendees, 4 men and 20 women.

Technical aspects: The webcast in general went very well, it was clear in both image and sound, and participants even ventured to present questions for us to send via Twitter to the panelists.

Key Takeaways: Several topics were discussed and, at the request of the participants, the "breakout" session was extended. The main takeaways from the discussions are:

Incentivize adapting law firms into structures that provide flexibility to truly achieve work/life balance in practice based on the reality of the firm and their members.

Promoting education on gender biases, not only on law firms’ level, but on organizations, schools and families, understanding that these play a key role in their perpetuation.

Incentivize regulations that drive equality, and promote their enforcement.

Recognize and understand the role of allies driving changes towards equality and including them in the discussion forums.

We had the privilege having the assistance and active participation of internal and external stakeholders during planning phase and throughout the execution of the activity, including that of Women In the Profession, a member of which agreed to participate as one of the moderators for the discussions session. In addition to the lawyers from the Firms that were part of the Diversity and Inclusion program, we extended the invitation to members of their administrative departments and broaden it to include lawyers from other firms and of different industries, whom we were glad to see were excited to also participate in the event.

From the active participation and the feedback we received in the days following the activity, we believe it was a success; Law Firms and practitioners are genuinely interested and willing to

implement measures that drive diversity in their practices/work environment, and to serve as catalysts and example to others in the field on Diversity and Inclusion practices.

Ecuador

Ecuador was hosted by Meythaler & Zambrano Abogados – Margarita Zambrano.

“The event was very interesting, we had eleven participants: 10 women and one man. We shared lunch and after the fórum we shared our points of view, it was very important for us to hear directly from the in-house lawyers about all the policies that they have in their companies for Diversity and Inclusion, and also to hear the personal experiences of our colleagues.

We were very glad to have young people among the participants, they are really involved in Diversity & Inclusion and they can help a lot with the seniors to make important changes.

These fórums are always very useful.”

El Salvador

El Salvador was hosted by Arias – Morena Zavaleta.

“The livestream approach was great. The image and sound was perfect.

In respect to gathering people to the event it was difficult. We invited people internally in our firm, but also external people such as company in-houses, however being an event with a duration of several hours (and remote, not personal), most people declined (even offering the alternative to only join for a couple of hours for the main presentations).

So we had 10 attendees from 35 invitations sent, all women. We did not send invitations to men, however we will do so the next time and see what is the interest of this sector in respect to this matter.”

Peru

Peru was hosted by Miranda Amado law firm – Nathalie Paredes.

“We invited the executive committee (11 lawyers) of WIP Peru to participate. 8 members participated.

We really enjoyed the topic “Ways in which metrics can be leveraged to guide law firms towards inclusion, assess specific challenges, and identify where bias may hinder diversity efforts. Plenary Q&A Session”. After that panel we discussed how we could implement in our firms some of the good practices mentioned in the panel. For example, we were impressed with the fact that in some law firms the partners are evaluated on how they are participating in diversity issues in their firms. This is something not seen in Peru.

In relation to the location, it does not make a difference if the event is hosted in NY or Miami. We think that it attract more LA lawyers to personally participate if it is next to another event. Otherwise it is difficult to include it in our firms’ budgets. We unfortunately encountered a technical issue with the sound – the volume was low which made it hard to hear.”

Nicaragua

Nicaragua had hoped to Host a local forum through the Women in The Profession program but were unable to proceed.

Venezuela had hoped to host a local forum but had to cancel it on June 5 due to ongoing disturbances. They hope to host a Local Forum at a later date using the Event video and plan to incorporate a Breakout Session.