

The 2021 A-List: With Change a Constant, Top Performers Are Always Reevaluating

For the firms on this year's A-List ranking of the most well-rounded members of the Am Law 200, one key to success is a constant desire to improve.

By Andrew Maloney

Flexibility. Reflection. Reevaluation.

Every firm has used those traits to navigate the COVID-19 pandemic during the last year and a half. But they're a constant for the firms on The American Lawyer's A-List for 2021—especially those at the very top.

"We have a long way to go," says Brad Butwin, chair of O'Melveny & Myers, which has steadily ascended the rankings for much of the last decade and this year reached the top slot on the A-List, which considers revenue per lawyer alongside cultural markers including associate satisfaction, pro bono commitment and gender and racial diversity.

Most firms on this year's list actually lost ground on their diversity scores between 2020



and 2021—15 out of the top 20 saw slight declines, including the top three firms on the list. (Scores in each category are based on a relative ranking of all Am Law 200 firms.) But Butwin and other leaders recognize even increases in their diversity scores wouldn't tell the whole story.

"We are not doing any victory laps. We're not claiming success. The fact we are at the top of an industry that historically hasn't done so great—that's not really where we want to be. I think diversity is a lot more nuanced than the numbers," he says.

O'Melveny has been a member of the A-List for a decade, and climbed from No. 12 in 2017 to No. 9 in 2018, then from No. 7 to No. 3 between 2019 and 2020. A 7-point jump in the pro bono category, as well as a three-point increase in its female equity partnership score, helped it rise to No. 1 overall this year.

Butwin says the firm's lawyers devoted approximately 99,000 hours to pro bono work over the course of last year, with 94% of attorneys chipping in on causes from criminal justice reform to reproductive rights and voter suppression. The firm's attorneys averaged 155.8 hours of pro bono work, fourth-highest in the Am Law 200, according to this year's Pro Bono Scorecard.

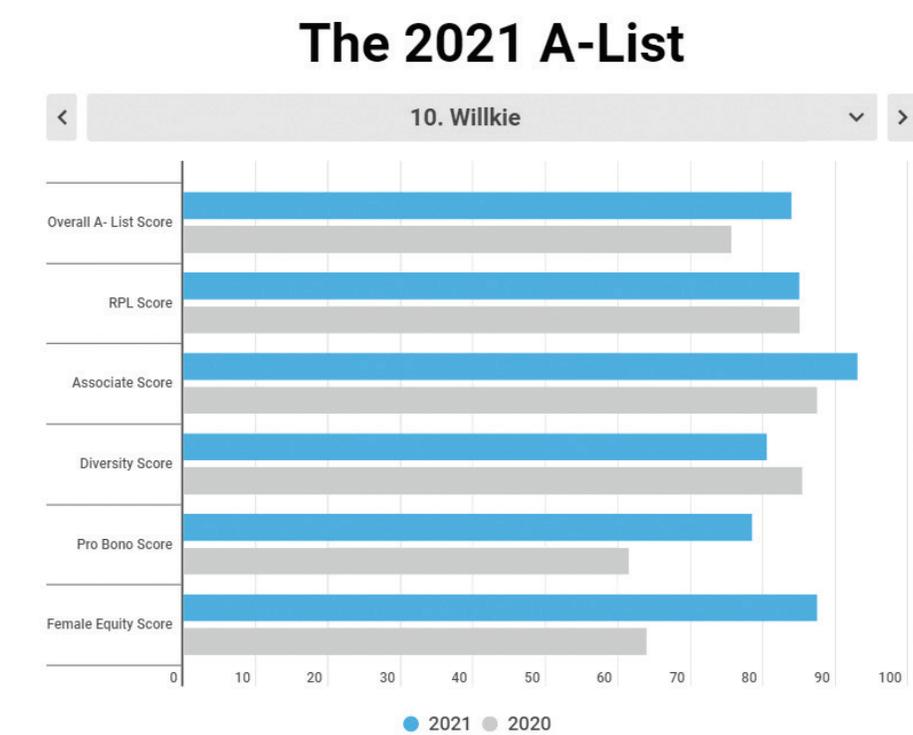
Butwin says one of the tools O'Melveny has implemented to help it constantly self-reflect is called The Redesign Project,

a sort of meta-analysis to help snuff out bias in areas like lateral hiring, professional development and performance reviews.

“For years we’ve treated [diversity and inclusion] like our survival depends on it, because we believe it does,” Butwin says. “We believe that law firm survival depends on moving the dial on diversity and inclusion. I don’t think that’s an overstatement. And I don’t mean survival like this year or this month, but I’m convinced that firms that get it right in this area will succeed and those who don’t won’t.”

Ropes & Gray used a 5.5-point increase in associate satisfaction and a two-point increase in women in the equity partnership to remain in the No. 2 overall slot this year. Firm chair Julie Jones says that while a lot of firms find financial success by “managing the denominator”—reducing personnel to improve metrics—Ropes is purposely trying to invest in a younger pool of talent.

“We dramatically increased the size of our associate base over the last few years. We think we can get great talent that way. We believe it’s important for our associates and counsel to see partnership opportunity,” Jones says. “Our growth is coming from adding and bolstering the strength of the firm by adding and doing those things.”



Credit: Roberto Jimenez/ALM and LaMonte Ayers/ALM

But it’s not enough to pick a strategy and stick with it, Jones says. She and the firm’s partnership are looking at data constantly. For financials, there’s a particular focus on demand growth and increasing the volume of legal work for the firm’s lawyers. Ropes also evaluates whether billable hours for diverse lawyers are on par with everyone else’s. And when it comes to associate satisfaction, the firm looks closely at attrition.

“Every month, I’m looking at data about attrition. We are meeting personally with associates in town halls and one-on-ones, and asking what their experience is,” Jones says. “Our management committee is the policy committee, it’s the governing body, and

as a part of our agenda, every month, we consider [diversity, equity and inclusion] topics. It’s a critical aspect of what we consider.”

Jones adds that the committee spends as much time evaluating DE&I initiatives during its monthly meetings as other topics, and she points to programs such as the Diverse Partner Network, a tool the firm created to highlight diverse lawyers they can call upon when their particular expertise would help with a problem. Ropes also pairs diverse senior associates with partners who sponsor their professional development at the firm.

“What I feel really strongly about is you can’t rely on anecdotes. You’ve got to understand

what your data is showing you,” Jones says. “That leads to evidence, and you’ve got to test yourself: ‘Are we really delivering?’ And we do that.”

Although firm personnel are constantly looking for improvements, they can come in unexpected ways, too. At Willkie Farr & Gallagher, which jumped an astonishing 22 spots in the ranking to wind up 10th overall on the A-List, the firm’s leaders have tried to cultivate a mindset that diversity and inclusion “is almost always, if not always, part of the message,” says Matt Feldman, one of the firm co-chairs.

Both Feldman and co-chair Tom Cerabino emphasize that while they’re still looking forward to a time when they can be together with their colleagues more regularly, one unexpected consequence of the pandemic was that the heavy use and acceptance of video conferencing has helped them stay focused on diversity.

“It has allowed greater access to both leadership at the firm and diverse associates,” Feldman

says. “So there’s greater connectivity and inclusion over Zoom than it had been when those of us in New York would gather and dial in to other offices. The face-to-face, if you will, even through screens, has been a real positive in terms of diversity.”

The firm increased its pro bono score by 17 points, and its female equity partners score by 23.5 points since last year. Feldman says the firm has encouraged lawyers to be on the lookout for pro bono opportunities, and that one such opportunity came from a serendipitous conversation he had with a woman on a bus who spoke at a retreat he attended as a member of the board of the NYU School of Law. She just so happened to be involved with a voting rights program in Texas.

“So, we partnered with them, and got hundreds and hundreds of more pro bono hours than we would have gotten otherwise,” he says.

Firms have had to stay especially flexible and remain willing to change course throughout

the last 18 months. But there is another side effect of the pandemic and the overlapping U.S. reckoning with racial justice: There has been more attention on societal ills, and the work law firms are doing to combat them.

“Obviously there’s greater social awareness now,” Cerabino says. “More of our lawyers want to take part in these programs, and we as a firm have supported that.”

Methodology

The A-List recognizes firms based on a combination of factors, both financial and cultural: revenue per lawyer, pro bono commitment, associate satisfaction, racial diversity and gender diversity (the percentage of equity partners who are women), with RPL and pro bono given double weight. Each metric measures Am Law 200 firms’ relative performance—a firm’s score in a given category is based on its ranking among all 200 firms. Each category, as well as the overall score, is based on a 100-point scale.

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