

My Take: Pursue Justice!

Community



A message from the Chair of the ACC Global Board of Directors

Even as the world was grappling with COVID-19, other threats demanded our attention in 2020. Following the disturbing killing of George Floyd at the hands of police officers in the United States, people from many nations marched, protested, and demanded change. In the United States, this was followed by a period of political tension, culminating in an attack on the Capitol building in January of this year. On the world scene, refugee crises continue, with a growing number of people living in a country other than the one where they were born. Income gaps continue to widen. Food insecurity remains an intractable issue. Employers continue to make hiring and promotion decisions based on factors other than objective qualifications, thereby denying opportunities to disadvantaged groups. These events and realities are sobering reminders that we must be relentless in our pursuit of social justice.

The pursuit of social justice is not new. Gaps in social justice are not unique to a particular time, community, or place. In fact, the global dimension of social justice issues was recognized by the United Nations when, on November 26, 2007, the General Assembly declared that February 20, would be celebrated annually as the World Day of Social Justice.

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As lawyers, who are also a part of a world in need of repair, what can we do? How can we contribute to the fight? Certainly, we must uphold the laws of the lands in which we work and live. As in-house counsel, we advise and instruct our clients on all areas of the law. We can therefore be advocates for compliance with laws that call for things like greater diversity and inclusion, as well as protections for the planet. And some of our in-house colleagues work for nonprofits and NGOs that promote social

justice causes like fairness in housing, healthcare, and access to the legal system. There any many ways that in-house counsel can engage in the pursuit of social justice daily.

That said, is there a role for in-house counsel that goes beyond compliance with laws? If so, what should that role be, both within our organizations and within society?

Finding a role that is both meaningful and acceptable within work norms can be daunting. Nevertheless, there are tangible actions we can take to become allies for change within the profession and within our own legal departments. I encourage you to use the *ACC Docket* article, "The Time is Now: 10 Ways In-house Counsel Can Advocate for Change," as a jumping off point for ideas on how to leverage your position to promote diversity and inclusion, call out bias, and make colleagues feel welcome.

If taking up the social justice challenge feels like the right approach for your legal department, there are many avenues available to you. For one, you can hire legal service providers who promote social issues. For example, you can include in your outside counsel RFPs questions about a firm's diversity and inclusion initiatives — and even better — ask for their D&I metrics and scorecards. Ask about the causes they support, and perhaps even suggest partnering on pro bono activities that promote the social justices causes that are important to you and your client. Also, consider choosing law firms that demonstrate a commitment to work-life balance, with programs or policies that encourage lawyers to take time beyond the billable hour to care for family, community, and themselves.

If you choose your legal service providers based on their social commitments, I challenge you to keep track of how they are doing, and to take work away if they do not live up to their promises. These are hard conversations to have, especially with trusted counsel or firms your organization has worked with for years. But they are necessary to move the needle and go beyond platitudes. While no one action will end injustice, each thoughtful act moves us closer.

If you are looking to do more with social justice, reform, and corporate citizenship, don't forget that ACC is always there to help. For example, following the release of ACC's statement on George Floyd last summer, the ACC Foundation launched its IDEAL initiative and has since released many resources and produced programming on diversity. Recent programming, featuring notable diverse counsel, includes the two-part series, "What Every GC, Board, and Corporation Needs to Know About Diversity, Inclusion, and Equity." You can find both sessions and more On-Demand.

In addition to IDEAL, we continue to expand our Seat at the Table initiative. While it's critical that we champion the access and reporting structure of CLOs and those in leadership positions within the legal department, it is equally important that all levels of our teams have a clear pathway to earning their seats. I recently had a conversation with ACC's Ramsey Saleeby to discuss this topic in "Find Your Seat – Earning the Role of Strategic Business Partner." And as I encourage individual lawyers to seek and earn recognition, I also ask those in leadership positions to take a stand on equity within your departments. Being an ally to diverse communities truly matters in this area. I am optimistic when I read in the recently released 2021 Chief Legal Officers Survey that 72.7 percent of CLOs surveyed believe a focus on diversity and inclusion will continue to grow in importance in 2021 and beyond.

How we show up in our personal and professional lives matters. Standing up and saying something matters. Whether through a company statement or via a hiring decision, we have the power to make a difference, to be allies for change. As the keepers of the law, and those charged with managing risks and liability, we are uniquely positioned to champion these issues. I applaud you for the strides

you are making and challenge you to do more; to go further. And as you grapple with finding a response to the question, what can we do, I encourage you to share your thoughts and insights with your fellow ACC members.

Jo Anne Schwendinger



Chief Legal & Compliance Officer & Secretary

II-VI Incorporated

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