NASCAR’s Legal Dream Team: The Fast Lane to Progress

Cultural Competence

Interviews and Profiles

While the NASCAR fanbase is predominately male and white, the auto-racing company boasts a diverse staff, one with a women-led legal department. These six female in-house counsel share how the sport has supported them as women and people of color.

NASCAR's mission to strive for inclusion has rallied dedicated employees and fans alike, regardless of ethnicity or gender.

Below is ACC's conversation with the NASCAR Legal Dream Team on succeeding in a male-dominated industry and working with a company that stands up for their ideals.

This interview has been edited for clarity and length.

What advice do you have for female attorneys, especially those in a male-dominated field like sports entertainment?

***Tracey Lesetar-Smith, General Counsel and Senior Vice President*:** I think one of the most important characteristics to cultivate for any woman in business, but especially women in sports, is grit. As a woman in sports — and in other male-dominated businesses — you inherently end up developing a great deal of tenacity and a toughness. From personal experience, developing that grit was not comfortable. It really wasn't. In some cases, there is trauma that comes from those scars; trauma in building the grit that cannot be treated lightly or ignored.

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As a woman, it’s important to process that in the healthiest ways you can muster. But looking at those experiences in a positive light, I’ll say this: Those who know what it’s like to be uncomfortable, to have to push through, to not quit despite gale-force winds — those people can go very far indeed, because in the fray, in the storm, they persevere through the discomfort.

They power through at critical moments when other people might retire to the locker room — because they are already good at being uncomfortable. They’ve seen this show before. And they’re stronger in the places where they’ve been battered by the winds.

Most importantly, do I have advice for male-dominated businesses? You bet I do. The only way that male-dominated businesses cease to be male-dominated is when they hire women, empower women, and retain women. Period. Those are the principle stops on this train.

Granted, there are other important stops along the way — mentorship, female-friendly benefits, workplace culture — those are all incredibly important. But businesses that succeed long-term on the journey to gender parity are going to do those three principle things, and do them well.

***Amanda Oliver, Assistant General Counsel, Media and Broadcast Data*:** I have two bits of advice. First, listen and learn from everyone around you. Most businesses have a corporate culture, so I try to observe people above me and people coming up to see what people are successful at this company and do I need to step up my game to stay in step. I think it’s important to have male and female mentors to learn from.

Second, always be willing to speak up and use your voice. I think once you’re in the room, it’s important to embrace it and know that you’re there because of your legal knowledge and the company is looking to you to share that information. For me, from day one, my production team always treated me with respect and as the authority on matters, even as a young lawyer, so I feel like it helped me to develop that voice and confidence to speak up early on.

***Nichelle Levy, CIPP/US, CIPP/E, CIPM, PLS|Senior Counsel, Digital and Privacy Data, Legal* :** I would offer female attorneys the same advice I offer to male attorneys seeking to advance or get a foot in the door in sports and entertainment law, which is to be the best lawyer you can be. Really hone your craft as a lawyer. But while you are doing that, be sure to step away from your desk and try to meet as many people working in the field that you desire to work in so that you can learn as much as you can about the nuances of the field and business.

While doing that networking, it is critical that you share your vision for your own success — what your goals are. Armed with that information, your mentors, sponsors, and others can often spot opportunities that may be right for you long before they are posted and can introduce you to important decision makers.

Read more about the NASCAR legal team's commitment to teamwork in "Working Together, Winning Together."

***Kelsey Pincket, Corporate Counsel*:** My biggest piece of advice would be to not let any preconceived notion of what the culture is get in the way of going for the job you really want. Go and meet the people you would be working with, meet the team, and learn about what the company stands for. You may be pleasantly surprised by how aligned you are.

***Katie Hoffman, Associate General Counsel*:** Know your business and know your job. When you are good at something and project the confidence an organization needs to believe in you, your gender won't matter, people won't even really realize it — they will trust you to have their back and to have the best interest of the organization in mind.

***Jourdan Williams, Assistant Media Counsel, NASCAR*:** Stay true to yourself and your goals. When imposter syndrome creeps up, remind yourself of who you are and what you have accomplished to earn your place in this industry.

How have D&I initiatives like employee resource groups (ERGs) helped diverse employees feel more included? For example, the Women in NASCAR (WIN) and the Sam Belnavis Collective (named after the Black NASCAR general manager and race team owner).

Nichelle: These initiatives have shown our company's commitment to investing in its employees' personal and professional development and in creating an environment that is diverse and inclusive. One key feature of these groups within NASCAR is that all employees are invited to join these groups. It is really awesome to see the number of allies that have stepped up to be a part of these diverse ERGs. It shows their personal commitment to diversity and inclusion, which is truly appreciated.

Jourdan: To me, our diverse employees are more included because, through these groups, each of us has a direct line to have our voices heard on the highest level. Each ERG has an executive-level sponsor from NASCAR's Ally Council and those sponsors support and advocate for us. That is a big deal because it lends credibility to our respective missions and objectives.

Kelsey: Having a dedicated forum for D&I discussions has really helped to create a space for these discussions and has also given our diversity groups a dedicated audience. These initiatives have allowed us all to voice our opinions and truly be heard.

Amanda: I think the D&I Initiatives help with inclusion because it creates an awareness of the women and people of color working at the company. I think it also gives employees a platform to connect and feel more open to express what they would like to see more from the company. We are a company that grew quickly through the merger and has been through a lot of change, so I think we want to create a sense of community through these groups.

NASCAR made headlines this summer during the George Floyd protests for banning the Confederate flag from NASCAR events. What role did legal play in leading up to the announcement? And how did you prepare the company for the potential backlash?

Tracey: I think it's important to point out that George Floyd's death was a moment, but it was really part of a much larger and long overdue social justice reckoning. And it wasn't just about the protests. It was what everything about his death represented: a long, long string of social injustice.

I think that — and I welcome the group's thoughts as well on this because I know we have a lot of important and very deep-seated thoughts here amongst these ladies on this issue — I really think that what resulted after his death was a symptom of a much larger, robust, and terrifying problem, frankly.

As for legal's role, here's what's great about this company — I think that a number of us have touched on it — when it comes to the important directions and the important decisions that are being made at this company, Legal always has a voice. We have a seat at the table at the end of the day. I think that what we have to do is continue to facilitate from a legal perspective what the business doing, what it wants to do, and what it knows it has to do.

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We are really fortunate here at NASCAR, because the France Family and the leadership group here have both a conscience and a spine. Banning the Confederate flag wasn't as simple as one moment in history that transpired and then we decided to do this. This was a long time coming. It had a lot of history behind it. But I will say that it's really great, personally, to be part of an industry that has a moral compass, understands what is right and what is wrong, and acts on it. I'll let the rest of the group respond.

Nichelle: My perspective is more as an employee when that change was effected. I guess what I would say is that it was the summer of a lot of different events. I think you've seen us talk about an overall timeline, and you heard about the Kyle Larson incident with the N-word.

I think that kicked off some internal discussions that laid a foundation for ways that employees could be a part of the conversation. So, once the George Floyd incident occurred and the social injustices were being more talked about and became kind of a national phenomenon, there was already a dialogue that had been opened up with a lot of the employees in the company, some of the diverse employees, so that we were able to feel that we had input into the process.

We were asked what did we think about what was going on? I remember I specifically said, "Now is the time for action." That was a Monday, and by Wednesday, they made the announcement that the flag was going to be banned.

I personally felt heard and seen, and I know I'm not the only one. I think there was a continuum that

started many years ago. But even just this summer, there was a continuum of things that were happening in our company where the management showed extreme flexibility.

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And who knows — to what extent — the fact that we were home or able to connect this way through video, allowed management to really seek the opinion of a larger group of people, and to incorporate us into their decision-making process. But in the past, it would have been unusual to invite employees from across the landscape of the company to participate in one discussion like that with the president of the company. That might have not happened had we not already established this mode of communication that we're all now so comfortable with. So, I do think as an employee, it was a time of great change and you could see it happening in real time.

And as employees, I certainly felt myself personally involved in people asking my opinion and having the opportunity to offer it.

Jourdan: I was so proud to see our leadership team step up, and like Tracey said, “Have a conscience and a spine.” As a Black woman who works here, I get questions all the time about “How is it?” and “Do you like it?” and “How is the culture?” And when that happened and when the company released statements standing up against racism, I felt like that spoke for itself.

I will say outside of the external statements, internally, I felt supported by Tracey and Amanda and other members of my team really wanting to see my own growth, but then also supporting the development of the ERGs and the investments into the D&I department.

So, I feel like NASCAR is doing the real work and has been even before the summer of 2020. But as a Black employee here, it was just an overwhelming feeling to see Steve Phelps [NASCAR president] stand up for what's right and really speak truth to power. So it was, I think, for my first year at the company, one of the most memorable things to witness.

Amanda: And to say huge thanks to Kelsey, Tracey, and Alan Micallef, people who went there and actually had that first weekend in Talladega to implement this thing that we can all agree that we wanted to do. I think that, luckily, using employees who have great style and who can kind of have a very calm conversation, it sounded like it went as smoothly as it could.

I think hearing that also felt good because there are a lot of Black fans there that weekend supporting Bubba. And so to hear that like that went well, too. It was like, “Oh, this is this is nice. This is great.” So, I think it was that implementation, too. Like, kudos to NASCAR for those who went and did that.

What was that first weekend in Talladega like?

Tracey: Kelsey, you want to give a give a brief footnote on what that weekend was like?

Kelsey: Absolutely. The announcement was made, like Nichelle said, on a Wednesday. And then we were in Talladega that Friday. And I think there was a lot of uneasiness going into Talladega, just not knowing what it was going to look like when we got there. To Amanda's point, it was actually a surprisingly — a good surprise — it was a surprisingly easy transition.

People were there to witness something really powerful, and we were all happy to witness it as well. I was so proud to be a part of that moment — I think the entire team was. I think going into 2021, we're just excited to welcome an entire new world of racing fans and people who are finally comfortable coming into the sport and seeing what we all love about this sport.

Katie: Well, and to add to that, I don't know if everybody remembers, but the support of the drivers behind Bubba Wallace after the noose incident was — I mean, I'm a huge sports fan in general — and I teared up. I get choked up because seeing these guys who don't necessarily understand and can't necessarily understand the struggles that Bubba Wallace faces as just a human being when people don't know that he's a famous racecar driver. He's just a Black man walking on the street, but I mean, he could be George Floyd. So, I think these guys understand that, stand behind him, and show him the support that they showed him with like that — that was incredible to me.

And onto Kelsey said, the majority of the fans were supportive. Like, you always have some vocal outliers, but that's a minority. Our fans are really supportive of what we did, and so were the drivers. I think it was really important for me to see that that. That made me feel that everything everybody said has made me feel so good about this organization through 2020. But that also made me feel good about the driver side of this organization.

Read more about NASCAR's legal dream team in
"The Women-led Legal Team Steering NASCAR Toward Success."

Karmen Fox

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