



LEVERAGING NAMWOLF

BEST PRACTICES FOR IN-HOUSE COUNSEL

The Best Practices Working Group was borne out of the Advisory Council's desire to identify, collect and disseminate best practices employed by in-house lawyers and NAMWOLF Member Law Firms to build and grow companies' relationships with NAMWOLF firms. This white paper represents the working group's efforts to share these best practices to help in-house legal departments—particularly those departments and lawyers new or newer to NAMWOLF—foster their relationships with NAMWOLF firms as part of the collective effort to enhance diversity within the legal industry.

Based on our experience, there are several critical steps that help ensure success for legal departments and lawyers who are looking to develop and grow their relationships with NAMWOLF firms, including (1) Securing support from in-house leadership, (2) Appointing a Relationship Manager to foster the NAMWOLF relationship, (3) Finding the right NAMWOLF firms to support your Company legal needs, (4) Creating in-house connections and networking opportunities with NAMWOLF firms, (5) Utilizing metrics to better track progress, and (6) Taking the relationship with NAMWOLF to the next level through efforts such as the Partnership Program. Additional details on each of these steps follow below.

1. Securing support from in-house legal leadership

COMMITMENT

Securing your leadership's commitment to diversity and inclusion, including their commitment to NAMWOLF, is an important first step. Chances are that your leadership has long embraced a commitment to diversity and inclusion. Their commitment to NAMWOLF then becomes simply another strong and important aspect of your company's and your legal department's diversity efforts.

NAMWOLF PRESENTATIONS

For companies new to NAMWOLF, who are discussing the organization with their company and legal department leadership, consider inviting the NAMWOLF CEO or designate to your company to discuss NAMWOLF and how best to build your company's commitment to and investment with NAMWOLF Member Law Firms. You should also consider inviting a NAMWOLF Member Law Firm partner and the in-house counsel with whom they worked to discuss the partnership.

Helping others within your leadership team understand how NAMWOLF firms are vetted before admission is an important piece of how NAMWOLF can serve as a valuable resource for your company. NAMWOLF member firms undergo an extensive admission process in which each and every law firm applicant is interviewed and assessed. Through this admission process, the NAMWOLF Admissions Committee, which is comprised almost exclusively of in-house counsel, makes recommendations on admission to the NAMWOLF Board. The NAMWOLF Board then reviews the recommendations and makes decisions on approval. This process ensures that the NAMWOLF member law firms are quality, top-notch firms that have already been fully vetted by your in-house peers and already provide legal services to Fortune 500 companies. At the end of this document, you will find the specific criteria for admission.

SPONSORSHIP

Consider financial sponsorship of a NAMWOLF event or year around sponsorship, and reference NAMWOLF as a part of the Company's broader D&I initiatives. NAMWOLF's Pipeline Scholarship is another area of potential company sponsorship and has the potential to leverage philanthropic donative funds.

COMPANY SUPPLIER DIVERSITY COLLABORATION

In addition to securing legal leadership "buy in," consider engaging your company's supplier procurement team to understand the company's overall supplier diversity spend goals. Your legal department could play a critical role in helping your company meet its supplier diversity spend goals. In fact, consider forming a department-wide supplier diversity committee to the extent this will help your law department to improve its retention and tracking of diverse suppliers. Finally, once you secure your

leadership's commitment to NAMWOLF, determine whether leadership is willing to empower team/department leaders within the legal department to hire and direct the hiring of NAMWOLF firms. If so, ensure that these leaders understand their role in this process. Visit periodically with these leaders to share resources for building diverse counsel teams and to help reinforce the commitment to a diverse and inclusive external counsel team.

INTERNAL ACCOUNTABILITY

To further demonstrate leadership commitment, consider developing tailored goals for department leaders for fostering and enhancing diversity in the legal profession. Consider also having department attorney leaders regularly report on efforts to develop relationships with diverse owned firms. See also Metrics section below.

2. Appointing a Relationship Manager

Consider identifying a dedicated relationship manager within your legal department to serve as a liaison with NAMWOLF. This relationship manager should attend NAMWOLF's Annual Meeting (usually in September) and the Driving Diversity & Leadership Conference (usually in February). This relationship manager should also consider joining NAMWOLF's Advisory Council, which serves as a consultative and advisory body to provide input to the Board of Directors, the CEO, the NAMWOLF team and the membership at large on matters relating to the mission, objectives and goals of NAMWOLF. By identifying a dedicated relationship manager to play this role, your company will better be able to foster its relationship with NAMWOLF and the member firms. Importantly, the relationship manager should be responsible for understanding how your company makes decisions to retain and



terminate law firms, and should work to ensure that lawyers in the department who make such decisions are considering NAMWOLF firms. Finally, consider enlisting other in-house lawyers to attend NAMWOLF events to broaden NAMWOLF's network with corporate in-house counsel, to give these lawyers professional development opportunities and for succession planning purposes.

3. Finding the right NAMWOLF firms for your company

Identifying and selecting the right law firm for a new lawsuit or a new business deal is critically important. Your legal department likely has a process in place for identifying and retaining outside counsel. Moving forward, consider a diverse firm in every decision process and also consider the following resources and information as you retain counsel on new matters:

FIRM DIRECTORY

NAMWOLF's law firm member directory is available online as a search function and as a downloadable PDF. The [online search function](#) makes searching for the right firm even easier. Firms are searchable by name, practice area(s), sub-practice area(s), MBE, WBE and/or LGBT status, firm size or geographic location. You can also download an Excel spreadsheet of the results of each search. When colleagues are searching for law firms, share a link to the directory and/or help them search through the site to find potential matches for their specific needs.

FIRM INQUIRY

NAMWOLF has a [Firm Inquiry function](#) on the website that allows you to find a NAMWOLF Member Law Firm that fits your needs. This is not a one-size-fits-all process. Some companies will submit a series of questions they want answered by NAMWOLF firms in a particular region or with particular expertise. Other companies will submit a detailed RFP requesting a substantive written response, anticipated rates and budget. All such requests are confidentially circulated to firms (and can be anonymous if the company so chooses), and the NAMWOLF team helps filter responses and forwards those that most closely match the request. As you might expect, the greater detail you provide about your particular needs, the more specific results you will elicit.

OTHER WAYS TO IDENTIFY NAMWOLF LAW FIRMS

Consider reaching out directly to the NAMWOLF team who are ready to assist. In addition, there are a number of in-house lawyers who are more than willing to answer questions about NAMWOLF firms, provide recommendations and/or solicit recommendations from other in-house counsel who have used particular NAMWOLF firms. In particular, please consider reaching out to the leadership of the Advisory Council.

SOLICITING POTENTIAL WORK INTERNALLY

Consider attending meetings held by particular practice areas within your legal department to introduce them to NAMWOLF. Also, consider contacting the practice areas in your department that retain outside counsel to determine any immediate or upcoming needs for outside counsel and attempt to introduce your colleagues to particular NAMWOLF firms with relevant expertise and experience. If you meet a NAMWOLF firm or lawyer who practices in a field that you do not practice, coordinate a meeting between the relevant in-house counsel and the firm.

INTRODUCING YOUR COMPANY TO A NEW NAMWOLF FIRM

As you consider NAMWOLF firms moving forward, try a new NAMWOLF firm on a discrete project or smaller piece of litigation. This will allow you to get to know the law firm, establish a relationship and build a foundation for future work. Also, consider using a NAMWOLF firm as local counsel on a lawsuit, with instructions to the lead law firm to partner with the NAMWOLF firm throughout the litigation whenever possible. Additionally, consider making a commitment to include at least one NAMWOLF Member Law Firm in any RFP or "pitch" opportunity. Finally, consider partnering a NAMWOLF firm with a majority-owned firm on a matter.

SHARE SUCCESS ALONG THE WAY

When you have a positive experience with a NAMWOLF firm, share the news with your in-house colleagues and legal leadership. As you build confidence in the relationship and share successes, your peers are more apt to follow suit. Relatedly, to



the extent your company policies allow, provide an endorsement based on your experience on the attorney's or firm's LinkedIn profile or allow the firm to include the endorsement on the firm's website.

4. Enhancing your relationship with NAMWOLF firms through networking and educational opportunities

NAMWOLF Member Law Firms are always looking for the opportunity to get to know you, build a relationship with and perform great work for your company.

CLE, WEBINARS AND ARTICLES

If your company wants the chance to meet a law firm and its attorneys before retaining the firm on a matter, consider reaching out to the firm to present a CLE at your company. NAMWOLF Member Law Firms are ready, willing and able to come to your offices, or visit your office virtually to present a CLE. The NAMWOLF Practice Area Committees (PACs) can also help identify potential CLE topics that may be of interest to your company. The NAMWOLF CEO or a designate from the Board of Directors will also visit your offices, or visit your office virtually and

present a CLE on Diversity in the Legal Profession. If you decide to host such a CLE, consider inviting local NAMWOLF Member Law Firms to your offices for a networking session following the CLE. Additionally, consider sharing NAMWOLF webinar opportunities and articles with your in-house colleagues. Also, NAMWOLF Law Firms may be willing to draft a short article or case alert for your in-house team based on new issues relevant to your Company. NAMWOLF and its Member Law Firms stand ready to help in all of these areas, and if you're not sure where to start, you are encouraged to reach out to the NAMWOLF team.

FOSTER PITCH OPPORTUNITIES

NAMWOLF Member Law Firms welcome the opportunity to speak with you directly about your company's legal needs and how they may be able to compete for the company's business. So, if possible, make yourself available to these firms at meetings, through participation in NAMWOLF PACs and other networking opportunities, and provide them with mentorship and coaching to help them "pitch" for work at your company.

CONSIDER PROMOTING DATA / METRICS REGARDING NAMWOLF FIRMS

Experience tells us that NAMWOLF Member Law Firms can provide top-notch legal work at a significant cost savings to your company. This is a great story to share when you are discussing the strength of NAMWOLF Member Law Firms. So consider sharing successes within your company and beyond.

CREATING IN-HOUSE CONNECTIONS AND NETWORKING OPPORTUNITIES

A number of your in-house peers have also developed learning opportunities that you may want to consider and personalize for your company. For example, Freddie Mac has a Supplier Vendor Academy that invites NAMWOLF Member Law Firms to its company monthly over a five-month period. This program, which is a joint effort by the legal, diversity and inclusion and supplier diversity departments, provides a robust education for law firms that want to build their working relationship with Freddie Mac. Specifically, the program includes: an overview of the company and legal department, executive leadership discussion, team building, branding and pitch presentation techniques and networking and social opportunities with in-house attorneys who regularly retain law firms. FDIC and Coca-Cola have similar initiatives.

In another example, Walmart regularly invites NAMWOLF Member Law Firms to its headquarters for a day-long event to meet the company's legal department leadership and the attorney who assigns and manages its matters. The attorneys are given the opportunity to hear from business and legal leaders who inform them of the company's history, culture and legal needs, as well as an opportunity to engage in networking sessions designed around relevant legal department practice areas. Home Depot similarly holds an event highlighting various NAMWOLF Member Law Firms and gives them an opportunity to network, and invites in-house counsel from nearby companies to participate in the event.

Accenture previously underwent a law firm selection process focusing on minority and women owned law firms. This selection process narrowed a pool of twenty-five law firms down to six. Accenture invited these six firms to its headquarters for an extensive assessment. Among other things, Accenture assigned each firm a "coach" who guided them through the process of developing presentations to the company. This proved to be a "win-win" situation where the law firms had the opportunity to gain invaluable, firsthand information about Accenture and also gave Accenture the chance to work closely with these firms and witness them in action. We share these few examples as great ideas that you may consider adapting for your particular legal department.

Another example is State Farm's Rising Star Academy, which is a leadership development program that blends rising stars from

diverse owned firms and in-house talent to come together, to gain greater business acumen, participate in leadership training and networking events. All participants are assigned mentors and external firm participants are given the opportunity to pitch their firms to in-house attorneys in their practice area and to receive meaningful feedback. Each external firm participant is provided a Sponsor who works to build relationships internally to provide work to external participants. While the RSA is a three-day event on campus (or virtually), the intent is that the leadership and relationship development continues well beyond that three-day event.

PLEASE NOTE: Each of the companies noted above can serve as a resource for how your law department or organization can develop similar networking opportunities. If you have a unique program, not reflected herein, please contact the Advisory Council to share your ideas and contribute to these Best Practices.

CONNECTING ACROSS COMPANIES

As you interact with peers from other organizations or Fortune 500 companies, help spread the word about the benefits of NAMWOLF and the opportunities it provides to a company's legal team for identifying strong legal talent and fostering an inclusive external legal team. Leveraging your networking resources at other companies, consider also setting a firm schedule and partner with a firm or lawyer to introduce a NAMWOLF firm to a company you work with, are friends with, members of the same organizations or practice areas. Consider committing to make these introductions on a quarterly basis for those your company has already developed a relationship. How the introduction is made could vary, but helping expand the market of new corporate clients to NAMWOLF will further strengthen the leveraging opportunities for all.



5. Utilize metrics & track progress

We highly encourage you to make a regular practice of using your company's record-keeping application to track your diverse legal spending. Whether the program is used for file management, electronic billing, or timekeeping, it is a great place to store the numbers on how much work you are assigning to your diverse suppliers. Some programs allow for this by default, but others might require customization—especially if you're looking to track more specific data. (Perhaps your program allows you to designate a firm as “diverse” but not “women owned,” for example.) Your program should, at the least, allow you to manually note that a law firm is a diverse firm, and if that is the case, it should be standard practice for your department to take the extra step to note that.

Tracking your spend is only helpful if you do something with the information, so you should set a policy of generating regular reports. Look at how much you spent on diverse firms versus majority firms, as well as the diversity within the majority-owned law firms you retained. Analyze the results with the appropriate members of your leadership team, and determine what adjustments need to be made so that your company can keep on the right track to increasing its diversity spend.



6. Taking your relationships with NAMWOLF to the next level

There are a number of ways that your company can further enhance its relationship with NAMWOLF and its commitment to NAMWOLF firms. Consider one or more of the following programs:

INCLUSION INITIATIVE

This program is a NAMWOLF-supported, company-sponsored initiative where companies make a commitment to spend \$1,000,000 or more annually with minority and women owned law firms. Each year, these companies report their annual diversity spend to NAMWOLF; this company-specific information is kept confidential. NAMWOLF collects this data and calculates the collective financial commitment made by these companies to diverse-owned law firms. This collective financial commitment is then shared in a press release disseminated by NAMWOLF. Participating companies are often quoted within the press release, and the link is easy to share within your organization to help build awareness around this important initiative.

PARTNERSHIP PROGRAM

This program invites companies to make an aspirational commitment of spending a percentage of its overall legal spend with minority and women owned firms. This commitment can be tied to the overall legal department's spend or to certain departments within the company, e.g., litigation. The different

"partnership" levels are as follows: companies that spend at least one percent of their annual legal spend are "Supporting Partners"; companies that spend at least three percent are "Leading Partners"; and those companies that reach the eventual goal of five percent are "Platinum Partners." Achieving these numbers is not a requirement to participate; rather, NAMWOLF simply asks companies to commit to these numbers as an aspirational goal.

CY PRES

The availability of class action settlement fund remainder or *cy pres* may create unique opportunities to further support the work of NAMWOLF, a not-for-profit organization. Defendant organizations who are in a position to influence or designate beneficiaries of these unallocated settlement funds might consider NAMWOLF as a beneficiary organization. Honda is an organization that has had some success in doing so, and might serve as a resource in this regard.

WRAP UP

As detailed throughout this document, there are many different ways you and your company can engage with NAMWOLF and NAMWOLF Member Law Firms. The Best Practices Working Group exists for the sole purpose of bringing these ideas to your attention and to help you and your company execute on your diversity and inclusion commitment with NAMWOLF. If you have other ideas about how best to engage NAMWOLF firms, we invite you to share these ideas. We also invite you to contact us with any questions or concerns; please contact the leadership of the Advisory Council.



CRITERIA FOR ADMISSION TO NAMWOLF

NAMWOLF firms agree that their primary practice is the defense of Corporations. Additional qualifications for firm membership in NAMWOLF include:

- Properly certified as a minority, women or LGBT owned, operated, managed and controlled law firm (51 percent or more). Specifically, the law firm must be certified by the National Minority Supplier Development Council (NMSDC), the Women's Business Enterprise National Council (WBENC), or the National Gay and Lesbian Chamber of Commerce (NGLCC);
- Client references from national and regional corporations, including corporate references within the Fortune 500;
- Excellence in quality of law practiced, as evidenced by corporate references, presence on outside counsel approved lists and panels for national or regional companies and other awards and memberships;
- Martindale-Hubble AV Peer Review Rating (or its equivalent);
- Three or more full-time attorneys in the firm;
- Headquartered in US or Puerto Rico; and
- Sufficient practice liability insurance (at least \$2 million).

DOES YOUR COMPANY HAVE PREFERRED PROVIDER LISTS?

If so, work to get NAMWOLF Member Law Firms added to these lists. If adding new firms to your company's preferred provider list is a long-term process, consider in the meantime exempting NAMWOLF Member Law Firms from the list, or else consider creating a separate list of minority and/or women owned law firms.

IS YOUR COMPANY ALREADY WORKING WITH MINORITY, WOMEN AND LGBT OWNED LAW FIRMS THAT ARE NOT CURRENT MEMBERS OF NAMWOLF?

If so, encourage these firms to apply to NAMWOLF for consideration. Likewise, reach out to the NAMWOLF team to ensure that the law firm is given the appropriate support and mentorship to meet the qualifications.

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