

***Championing Inclusion:  
Tools Law Firms,  
All Companies, and All of Us,  
Can Use to Create  
Positive Change***

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A certified woman-owned law firm

# Part I: Institutional Measures All Companies, Including Law Firms, Can Take to Better Include Women and Historically Underrepresented Groups

- Work with women and/or minority owned law firms.
  - You can search members of the National Association of Minority and Women Owned Law Firms (NAMWOLF) by city, state, and practice area, at <https://namwolf.org/law-firm-members/filters/>.
- Hire women and/or lawyers from historically underrepresented groups (referred to hereafter as “minorities”) as your Settlement Masters, Mediators, Discovery Masters, Receivers, Expert Witnesses, and American Arbitration Association (AAA) Arbitrators.
- Make sure all of your vendors are women and/or minority owned businesses: court reporting companies, the companies from which you buy paper and other supplies, expert witnesses, e-discovery companies, etc.

# More Strategies to Boost Inclusion

- Audit pay to ensure you are paying women and minorities the same as their white, non-diverse male colleagues with comparable levels of experience. Do not hold women's lack of salary negotiation power, or that of minorities, against them.<sup>1</sup>
- Make pay transparent.
- Set up a fair, thoughtful, and equitable system in which who inherits business is not decided by who the partner with business decides to mentor – disrupt affinity bias in business inheritance.
- Audit reviews to eliminate bias against women being self-possessed, self-assertive, confident, and/or cold and harsh.

1. "Lean Out: The Dangers for Women Who Negotiate," by Maria Konnikova (discussing "Social incentives for gender differences in the propensity to initiate negotiations: Sometimes it does hurt to ask," Hannah Riley Bowles, Linda Babcock, Lei Lai)

# More Strategies to Boost Inclusion

- Audit reviews against people of color being unfairly judged as purportedly less competent / poorer decision makers and writers.
- Audit billing rates so women and minorities are not billed at lower rates than their white male colleagues.
- Ensure that the firm's criteria for advancement is clear. Have clear, written criteria, accessible to all lawyers.
- Ensure that women and minorities are fairly represented in those deciding who will be promoted (to all levels including to senior management roles), given harsh reviews, disciplined, and terminated.

# More Strategies to Boost Inclusion

- Audit who is getting promoted, given harsh reviews, disciplined, and terminated, to ensure that:
  - Women and minorities are fairly represented in those being considered for promotions (the Mansfield and the Rooney Rules), and that they are getting fairly and equitably reviewed and promoted; and
  - Women and minorities are not overrepresented in those being given harsh reviews, disciplined, and terminated.

# More Strategies to Boost Inclusion

- Build unconscious bias training and sponsorship training into the firm's formal training program and culture.
- Ensure that the firm's equity partners, compensation committee members, and management committee members are diverse by gender and race. Show that the firm values diversity.

Adapted from "Gender divide and conquer: Breaking through bias," Grant Thornton

# More Strategies to Boost Inclusion

- Tie partner compensation to diversity and inclusion metrics including:
  - the retention and advancement of women and minority attorneys and conversely, the loss and lack of advancement of women and minority attorneys; and
  - the growth of business by women and minority attorneys and conversely, the lack of the growth of business by women and minority attorneys.
- Elevate the firm's head of Human Resources to a strategic role and title (ex: Chief Human Resources Officer).

Adapted from "Gender divide and conquer: Breaking through bias," Grant Thornton

# More Strategies to Boost Inclusion

- Make talent management experience, including successfully managing diversity and inclusion programs, a highly preferred criteria for admission to the firm's Management and Compensation Committees.
- Make sure the firm isn't typecasting women or minority male lawyers for roles that pay less, have little visibility, and/or have no upward mobility (like Head of the Associate Summer Program).

Adapted from "Gender divide and conquer: Breaking through bias," Grant Thornton



# Part II: Axelrod's Tools Everyone Can Use to Become Diversity Champions

“PEP”: **PLACE**, ECHO, and PROMOTE women and minorities.

- Place: **When you see an opportunity for a woman or minority** – whether it's a publication to which they should write, a speaking engagement that would suit them, a person or group they should meet –**recommend them for the opportunities.**
- **Help PLACE them.**

# Axelrod's Tools for Diversity Champions

“PEP”: PLACE, **ECHO**, and PROMOTE women and minorities.

- **Echo: In group settings, ECHO good suggestions you hear women and minorities make.** Say her/his idea was great. Specifically mention her/his name and repeat their idea to ensure it was heard, it gets well received, and that they get the credit for having made the recommendation.

**ECHO them.**

The above tool is so powerful that using it, the women in the White House under President Obama achieved gender parity among those in the President's inner circle.

# Axelrod's Tools for Diversity

“PEP”: PLACE, ECHO, and **PROMOTE** women and minorities.

- **PROMOTE: Speak highly of other skilled women and minorities' capabilities**, personalities, and professional qualities, telling people how terrifically well you regard them.

**PROMOTE** them.

# Axelrod's Tools for Women and Minorities

- **Develop a coalition of allies, your own personal board of directors, and work with them to:**
  - Have them echo the words you want to be described by – think of **Carla's Pearls** (Carla Harris);
  - Mentor each other;
  - Strategize with each other;
  - PEP each other; and
  - Harness the power of each other's connections to grow.

# Biography

Sheryl L. Axelrod is the President & CEO of The Axelrod Firm, a certified, woman-owned law firm with offices in Pennsylvania and Washington, DC. She provides strategic, results-driven advice and representation to companies in Commercial and Employment Litigation. Her commercial litigation cases have been the subject of Law360 articles. Much of her work revolves around her serving as a Mediator and Settlement Master, a Receiver, and on the roster of American Arbitration Association (AAA) arbitrators. As an arbitrator, she is not only rated to preside over Commercial Disputes, but specially rated to preside over Large, Complex Commercial Disputes, and regularly presides over such matters.

# Diversity, Inclusion, & Belonging Expertise

Sheryl is an expert and sought-after speaker in the diversity, equity, inclusion, and belonging (DEIB) space, and has published many nationwide articles in the space, including through the American Bar Association's award winning *Law Practice Today*, the Minority Corporate Counsel Association's *Diversity & the Bar*, and the National Association of Women Lawyers' *Women's Lawyers' Journal*. She co-founded the non-profit, The Fearless Women Network, founded the Temple Law Alumni Association (TLAA) Women's Initiative, the TLAA Diversity Committee, the TLAA Women's Champion Award, and the TLAA Diversity Leadership Award during her term as President of TLAA.

The Axelrod Firm is a member of NAMWOLF, the National Association of Minority & Women Owned Law Firms.

# Memberships & Awards

She serves on the Philadelphia Bar Association's Chancellor's Diversity Advisory Panel, on the Diversity Law Institute and Women Owned Law's Advisory Boards, and on Women Lawyers on Guard's Conversations with Men Advisory Council.

For her DEIB work, she has been awarded the NAMWOLF Yolanda Coly Advocacy Award, the Diversity Law Institute Award, and the TLAA Women's Champion Award, and was shortlisted for the Chambers Diversity Gender Diversity Lawyer of the Year Award.

Ms. Axelrod has been profiled by: Thomson Reuters; *Profiles in Diversity Journal*; by the American Bar Association; *INSIGHT into Diversity*; Ms. JD; and *Law360*, which featured her in its Female Powerbrokers series.

# Axelrod's Articles

Links to all of Ms. Axelrod's articles are on her profile page of The Axelrod Firm's website at: <https://theaxelrodfirm.com/sheryl-l-axelrod/>.

Also, watch this short, stunning, and spot-on ad by Pantene that has gone viral globally: <https://www.youtube.com/watch?v=B8gz-jxjCmg>.



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Ms. Axelrod is available to advise and represent clients in litigation and settlement, and/or to serve as a Settlement Master / Mediator, Discovery Master, Arbitrator, and Receiver in Commercial Disputes.