

Thomas, Thomas & Markson, PC

2014 VAULT/MCCA LAW FIRM DIVERSITY SURVEY

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LOCATIONS

Phoenix, AZ

DIVERSITY LEADERSHIP

Head(s) of Firm: Barry M. Markson, President; Brian D. Rubin, Vice President; Michael G. Kelley, Secretary

Diversity team leader(s): MoniQue A. Simpson, Partner

NUMBER OF ATTORNEYS

TOTAL NUMBER OF ATTORNEYS

	Currently	As of December 31, 2013
Firmwide	8	9
U.S. offices only	8	9

Law Firm Demographic Profile

Does your firm have more than one tier of partnership?

Yes

ASSOCIATES (2013)

	Men	Women
White/Caucasian	0	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	1
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	0	1

SUMMER ASSOCIATES (2013)

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

The Multi-racial individual was middle-eastern.

EQUITY PARTNERS (2013)

	Men	Women
White/Caucasian	3	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	3	0

NON-EQUITY PARTNERS (2013)

	Men	Women
White/Caucasian	2	0
African-American/Black	0	1
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	2	1

OF COUNSEL (2013)

	Men	Women
White/Caucasian	1	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	1	0

NEW HIRES (2013)

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

Strategic Plan and Diversity Leadership

How does the firm's leadership communicate the importance of diversity to everyone at the firm?

Emails, meetings, sponsorship and attendance at multiple diversity events; membership in diversity committee; on our website

Who has primary responsibility for leading diversity initiatives at your firm?

Barry M. Markson, Senior Partner & President

Does your law firm currently have a diversity committee?

Yes

If yes, does the committee's representation include one or more members of the firm's management/executive committee (or equivalent)?

Yes

If yes, how many attorneys are on the committee, and in 2013, what was the total number of hours collectively spent by the committee in the furtherance of the firm's diversity initiatives?

Total attorneys on committee: 3

Total hours spent on diversity: 12

Does the committee and/or diversity leader establish and set goals or objectives consistent with management's priorities?

[No response]

Has the firm undertaken a formal or informal diversity program or set of initiatives aimed at increasing the diversity of the firm?

Yes

If yes, is it formal or informal?

Formal

How often does the firm's management review the firm's diversity progress/results?

Annually

How is the firm's diversity committee and/or firm management held accountable for achieving results?

[No response]

Is your firm minority-owned or women-owned?

No



Law Firm Diversity Initiatives

INITIATIVES FOR ALL DIVERSE ATTORNEYS

Already Completed	Currently Addressing	Not a Current Priority	
X	X		Undertake communication from firm management that diversity is a top priority of the firm
	X		Formalize diversity plan and committee with action steps and accountability to management
	X		Conduct firmwide diversity training for all attorneys and staff
	X		Focus on strengthening firm's mentoring program
X	X		Conduct internal diversity needs assessment (e.g., culture and environment surveys) and/or retain diversity consultant to examine how firm culture might be more welcoming of minorities
		X	Support law firm's internal affinity networks
		X	Hire a director of diversity or other full-time professional to implement the firm's diversity program
	X		Coordinate or work with clients on diversity issues
	X		Develop/expand relationships with minority bar associations and other legal diversity organizations to offer firm's support of these networks



Law Firm Diversity Initiatives

INITIATIVES SPECIFICALLY FOR MINORITY ATTORNEYS

Already Completed	Currently Addressing	Not a Current Priority	
	X		Increase the number of minority attorneys at the associate level
X	X		Increase the number of minority attorneys at the partnership level
	X		Increase the number of minority attorneys in leadership positions
	X		Focus on strengthening firm's mentoring program for minority attorneys
X			Manage/monitor allocation of work assignments and/or hours billed to ensure minority attorneys have equal access/inclusion on top client matters

INITIATIVES SPECIFICALLY FOR WOMEN ATTORNEYS

Already Completed	Currently Addressing	Not a Current Priority	
	X		Institute a formal part-time policy that addresses partnership prospects
X	X		Increase the number of women at the associate level
X	X		Increase the number of women at the partnership level
	X		Increase the number of women in leadership positions
		X	Focus on strengthening firm's mentoring program for women
	X		Manage/monitor allocation of work assignments and/or hours billed to ensure women have equal access/inclusion to top client matters



Law Firm Diversity Initiatives

INITIATIVES SPECIFICALLY FOR OPENLY GLBT ATTORNEYS

Already Completed	Currently Addressing	Not a Current Priority	
			Offer same-sex domestic partners the same benefits available to married individuals
			Increase the number of GLBT attorneys at the associate level
			Increase the number of GLBT attorneys at the partnership level
			Increase the number of GLBT attorneys in leadership positions
			Ensure that EEO and non-discrimination policies specifically address gender identity

INITIATIVES SPECIFICALLY FOR ATTORNEYS WITH DISABILITIES

Already Completed	Currently Addressing	Not a Current Priority	
		X	Increase the number of attorneys with disabilities at the associate level
		X	Increase the number of attorneys with disabilities at the partnership level
		X	Increase the number of attorneys with disabilities in leadership positions
		X	Ensure that EEO and non-discrimination policies specifically address individuals with disabilities



Pipeline Initiatives

Does your firm actively engage in initiatives to feed the diversity pipeline by encouraging minority students to consider law as a career and/or assisting them in pursuing such opportunities?

- Participate in established pipeline programs, such as SEO, Legal Outreach, Prep for Prep or Street Law
- Fund scholarships for minority high school or college students
- Mentor high school or college students
- Participate in or host mock trial programs or career events
- Provide internships or employment to minority high school or college students
- Outreach to middle school students

Please discuss any additional efforts to reach out to diverse undergraduates, high school, middle school or grade school students.

Personal contact for Phoenix School of Law and ASU Admissions to encourage minority students to apply at ASU



Recruitment - New Associates

Does your firm annually recruit at any of the following types of institutions?

Ivy League schools: None

Other private schools: None

Public state schools: None

Historically Black Colleges and Universities (HBCUs): None

Diversity job fairs: None

Do you have any special outreach efforts directed to encourage minority law students to consider your firm?

- Hold a reception for minority students
- Advertise in minority law student association publications
- Participate in or host minority law student job fairs
- Sponsor minority law student association events
- Firm lawyers participate on career panels at schools
- Outreach to leadership of minority student organizations
- Scholarships or intern/fellowships for minority students
- Other (please specify)

Do you have any programs specifically targeted at first-year students?

[No response]



Recruitment - New Associates

ALL 2L SUMMER ASSOCIATES (2013)

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

OFFERS MADE* (2013)

* Summer associates who received an offer of full-time employment

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

OFFERS ACCEPTED* (2013)

* Summer associates who accepted an offer of full-time employment

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

NEITHER ACCEPTED NOR DECLINED (2013)

* Summer associates who neither accepted nor declined an offer of full-time employment because of postgraduate clerkship/fellowship

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

Recruitment - Lateral Associates and Partners

LATERAL ASSOCIATE HIRES (2013)

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

LATERAL OF COUNSEL HIRES (2013)

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

LATERAL PARTNER HIRES* (2013)

* Both equity and non-equity

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

NEW PARTNERS PROMOTED* (2013)

* Both equity and non-equity promoted from associate or of counsel rank

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

NEW EQUITY PARTNERS* (2013)

* Whether hired laterally or promoted from within

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

Recruitment - Lateral Associates and Partners

What activities does the firm undertake to attract diverse attorneys?

- Partner programs with women, minority, gay/lesbian or disability-focused bar associations
- Participate at diversity job fairs
- Attend events at diversity legal organizations
- Seek referrals from other attorneys
- Utilize online job services (e.g., MCCA Job Bank)
- Hire recruiting professional who specializes in identifying diverse candidates
- Other (please specify)

Do you use executive recruiting/search firms to seek to identify new diversity hires (partners or associates)?

[No response]

If yes, are any of these executive recruiting/search firms women and/or minority-owned?

[No response]

If yes, list all women and/or minority-owned executive search/recruiting firms to which the firm paid a fee for placement services in the past 12 months:

[No response]



Retention and Professional Development

ATTORNEYS WHO LEFT THE FIRM IN 2013

1ST-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

2ND-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

3RD-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

4TH-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

5TH-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

6TH-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

Retention and Professional Development

ATTORNEYS WHO LEFT THE FIRM IN 2013

7TH-YEAR ASSOCIATES

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

8TH-YEAR PLUS ASSOCIATES

	Men	Women
White/Caucasian	1	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	1	0

OF COUNSEL

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

NON-EQUITY PARTNERS

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

EQUITY PARTNERS

	Men	Women
White/Caucasian	n/a	n/a
African-American/Black	n/a	n/a
Hispanic/Latino	n/a	n/a
Alaska Native/American Indian	n/a	n/a
Asian	n/a	n/a
Native Hawaiian/Pacific Islander	n/a	n/a
Multiracial	n/a	n/a
Openly GLBT	n/a	n/a
Individuals with disabilities	n/a	n/a
Total	n/a	n/a

Retention and Professional Development

Please identify the specific steps you are taking to reduce the attrition rate of diverse attorneys.

- Develop and/or support internal employee affinity groups (e.g., networks within the firm for minorities, women, gay/lesbian attorneys, or individuals with disabilities)
- Increase/review compensation relative to competition
- Increase/improve current work/life programs
- Adopt dispute resolution process
- Succession plan includes emphasis on diversity and greater inclusion of non-white men and women in firm leadership
- Work with diverse attorneys to develop career advancement plans
- Introduce diverse attorneys to key clients, including to lead engagements
- Review work assignments and hours billed to key client matters to make sure diverse attorneys, particularly non-white attorneys (i.e., minority attorneys, for whom research indicates a greater inclusion problem), are not being excluded:
- Strengthen mentoring program for all attorneys
- Professional skills development program for all attorneys
- Provide a gender-neutral parental leave policy that covers adoptions
- Other (please specify)

Does your firm have part-time/flex-time policies that permit attorneys (male or female) to work alternative schedules?

Yes

Comments:

Remote Access

What impact, if any, will the decision to work part time have on an attorney's ability to make a partner, or if already a partner, to remain a partner at your firm?

[No response]

How many current equity partners have worked part time, exclusive of maternity/paternity leave or short-term disability?

[No response]



Retention and Professional Development

PART-TIME ATTORNEYS (2013)	PART-TIME ATTORNEYS			TOTAL NUMBER OF ATTORNEYS (full and part-time)
	Men	Women	Total	
Associates	n/a	n/a	n/a	n/a
Of counsel	n/a	n/a	n/a	n/a
Non-equity partner	n/a	n/a	n/a	n/a
Equity partner	n/a	n/a	n/a	n/a



Management Demographic Profile

FIRMWIDE COMMITTEES 2013

EXECUTIVE/MANAGEMENT COMMITTEE*

* Attorneys on the Executive/Management Committee or equivalent

	Men	Women
White/Caucasian	7	0
African-American/Black	0	1
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	7	1

HIRING COMMITTEE*

* Attorneys on Hiring Committee or equivalent

	Men	Women
White/Caucasian	3	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	3	0

PARTNER REVIEW COMMITTEE*

* Attorneys on the Partner Review Committee or equivalent

	Men	Women
White/Caucasian	3	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	3	0

ASSOCIATE REVIEW COMMITTEE*

* Attorneys on the Associate Review Committee or equivalent

	Men	Women
White/Caucasian	3	0
African-American/Black	0	0
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	3	0

ATTORNEYS ON THE DIVERSITY COMMITTEE OR EQUIVALENT

	Men	Women
White/Caucasian	2	0
African-American/Black	0	1
Hispanic/Latino	0	0
Alaska Native/American Indian	0	0
Asian	0	0
Native Hawaiian/Pacific Islander	0	0
Multiracial	0	0
Openly GLBT	0	0
Individuals with disabilities	0	0
Total	2	1

Management Demographic Profile

OTHER LEADERSHIP ROLES

Leadership positions (2013)	U.S. office heads	Practice group/ department leaders	Committee leaders
Total number of positions	3	n/a	n/a
Number of such positions held by:			
Minorities	n/a	n/a	n/a
Women	n/a	n/a	n/a
GLBT attorneys	n/a	n/a	n/a
Individuals with disabilities	n/a	n/a	n/a

Please provide information regarding all diverse attorneys who currently head offices, practice groups and committees. Enter responses in the following format: Attorney, Office location/Practice group/Committee (No. of attorneys in office/practice group/committee).

U.S. OFFICE HEADS

How many offices does your firm have in the United States?

Minorities heading offices: [No response]

Women heading offices: [No response]

GLBT attorneys heading offices: [No response]

Individuals with disabilities heading offices: [No response]

PRACTICE GROUP/DEPARTMENT LEADERS

Minorities heading practices: [No response]

Women heading practices: [No response]

GLBT attorneys heading practices: [No response]

Individuals with disabilities heading practices: [No response]

COMMITTEE LEADERS

Minorities heading committees: [No response]

Women heading committees: [No response]

GLBT attorneys heading committees: [No response]

Individuals with disabilities heading committees: [No response]



The Firm Says

[No response]

