



DIVERSITY COMMITTEE NEWSLETTER

Breaking News:
Largest (2004) Summer
class in K&L History,
composed of 50% Women
& 30% Minorities

Summer/Fall 2004

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Diversity as a Journey

As my friend and colleague, Carl Cooper, is fond of saying, diversity is less a destination than a journey. By our lights at K&L, it is a journey through the American experience, one that welcomes aboard the rich blend of perspectives, experiences and contributions that give content and meaning to our lives as Americans. It is this very journey that makes us a better, more resilient, and embracing organization, and one best suited to serve our clients.

As we enter this dawning century, our challenge is not what it was 50 years ago when *Brown v. Board of Education* was handed down. Now, we're confronted by a myriad of legacy issues whose subtlety and virulence require nuanced and determined responses. At K&L, we've concluded that diversity simply cannot be "in the mix" with other laudable institutional goals. Rather, our leadership is convinced that it must get out front on this issue, and we have attempted to do so in a variety of ways.

First, we recognized our own limitations and sought the very best leadership in the country on diversity questions. We found that leadership in Carl Cooper, a leading attorney with both private sector and public sector experience, a successful law professor, a graduate of the Howard University School of Law, and a former Teaching Fellow at Harvard Law School. And, by the way, beyond those formal credentials, Carl is a unique combination of idealism, empathy, vision, creativity, and pragmatism.

Second, we concluded that it simply wasn't enough to invite Carl to K&L. We had to empower him. And, thus, Carl, in his role as Chief Diversity Officer, participates in every meeting of our Management Committee on the same level, for example, as does our Chief Financial Officer. Carl is always at the table, and he always has one mission: diversity. We believe that he is the first officeholder at any major law firm to fill such a role.

Third, we specifically defined Carl's role as one of a "change agent." Carl is expected to drive change not only within K&L but also within the profession at large. We invite you to learn from Carl about how he has changed us. As for the profession at large, perhaps the greatest testimo-



by Peter Kalis
Chair, Management Committee

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PERSONAL NOTE FROM THE EDITOR

It is with great pride and enthusiasm that I serve as Executive Editor to the summer/fall edition of K&L's



by Betty Butchko
Partner, K&L Miami

Diversity Newsletter. I joined K&L as a Partner in the Miami office in September 2003, where I practice white-collar criminal defense and commercial litigation.

The pride I feel in being a member of this outstanding law firm is only surpassed by the pride my family feels for my career achievements, for I was the first person in my family to graduate from college and later graduate from law school. The journey that led me to K&L began many years ago by two people who

came to this wonderful country in search of the American dream. Although I am half Greek, I was raised predominantly Cuban-American in the wonderfully diverse and culturally rich city of Miami, Florida.

The desire to succeed and ambition to reach professional goals that I share with you are commonly felt by many people, but take on a unique quality in the minds of those born into diverse ethnic and racial families. Oftentimes, our will to succeed transcends economic, social and other hard-

ships, which in the end, do not defeat us but make us stronger. It truly warms my heart to be a part of a law firm that has made diversity a priority, for I know that K&L will continue to open its doors to others like myself, enabling them to achieve lifelong goals for professional success.

Here in Miami, I have witnessed firsthand K&L's commitment to achieving ethnic, racial and gender diversity. In the last year, we have hired four minority associates of African-American, Mexican, Cuban and Asian-American descent in addition to our incoming first year associate who is also of Cuban-American descent. It goes without saying that in an international business community, such as South Florida, a diverse office enhances our ability to better serve our existing clients and increases our ability to vie for future international business. In addition, the Miami office is actively participating in the firm's Work/Life Task Force initiative.

Without further delay, I invite you to sit back and enjoy our Diversity Newsletter, where you will learn of our achievements and our plans for the future, as well as get a chance to read thought-provoking articles concerning the status of educational opportunities in light of the fiftieth anniversary of *Brown v. Board of Education*.

Diversity Committee Membership

Carl G. Cooper
Chief Diversity Officer
Pittsburgh

Paul W. Sweeney, Jr.
Chair
Los Angeles

Mary M. O'Day
Pittsburgh

Edward W. Diggs
Pittsburgh

Christina H. Lim
Boston

Sandra L. Geiger
San Francisco

Betty Louie
New York

Ndenisarya Meekins
Washington

Jaime Ramón
Dallas

Patricia C. Shea
Harrisburg

Beatrice A. Butchko
Miami

Sherry D. Williams
Newark

K&L's Los Angeles Office is "In Good Company"

Kirkpatrick & Lockhart's Los Angeles office was awarded the "In Good Company" award at the 2004 Inside Out Community Arts "Art = Life" Awards dinner and reception. K&L was recognized for its groundbreaking diversity initiative, its commitment to pro bono and community involvement and for the support and pro bono legal services K&L provides to the Inside Out organization. Inside Out Community Arts is a non-profit organization that uses theater and

art to promote healthy interaction among diverse at-risk and underserved Los Angeles middle-school youth. Administrative Partner **Paul W. Sweeney, Jr.** accepted the award on behalf of K&L. K&L attorneys who have worked with Inside Out include: **Susan M. Mussman** (Pittsburgh), **Angela Ball** (Washington, D.C.), and **Chris Kondon** (Los Angeles). In addition to Paul Sweeney, **Jeryl Bowers**, **Robert Feyder**, **Chris Kondon**, **Colm Moran** and **Jennifer Wayne** represented K&L at the award ceremony. Los Angeles partner **Michael Mallow** also attended and serves as Chairman of the Board of Directors of Inside Out.

Diversity and Disability: Recognizing the Talents of Persons with Disabilities

By Dick Thornburgh and David R. Fine

Many of us, when we think of workplace diversity, focus principally on the important goals of including among our colleagues persons of various races, ethnic backgrounds and genders. We should also think about, and vigorously work toward, being a law firm that eagerly seeks out and welcomes the participation and contributions of persons with disabilities.

Of course, the law requires that we not discriminate against persons with disabilities. Title I of the Americans With Disabilities Act (“ADA”) prohibits many forms of discrimination based on disability and, in some situations, requires that employers set in place accommodations to assist persons with disabilities to work effectively. Thus, a person who is deaf or hard of hearing could request – and would likely receive – access to a TTY device for his telephone. (TTY, which stands for Text Telephone, is a special device that lets people who are deaf, hard of hearing, or speech-impaired use the telephone to communicate by allowing them to type messages back and forth to one another instead of talking and listening.)

But the ADA and its state-law counterparts, like most anti-discrimination laws, really describe only the minimum an employer must do. Our aim should be far higher than the minimum required of our firm as an employer. Why? If simple concern and compassion for other people are not enough, there is a business-oriented reason. A great many people with disabilities have skills, talent, energy and dedication that would make them important and helpful additions to the K&L team. It is fashionable to point to prominent people like physicist Stephen Hawking, actress Marlee Matlin or former Senator Bob Dole as examples of persons with disabilities who have achieved great things. But,

in truth, there are millions of lesser-known persons with disabilities who, like those without disabilities, live, work and contribute to our society on a day-to-day basis.

While there has been significant progress in integrating persons with disabilities into our communities and workplaces, we cannot yet claim success. And while, as a law firm, Kirkpatrick & Lockhart has welcomed persons with disabilities to its professional family, it can and should do more.

Perhaps the greatest obstacles to including among our colleagues men and women with disabilities are the same hurdles that stand in the path of so many other efforts at achieving diversity: lack of understanding, adherence to mistaken stereotypes and, sadly, lack of desire to learn. It is easy, sometimes convenient and invariably wrong for us to lump together all persons with disabilities and to assume that “disability” means “utter inability.” Fairness, compassion and good business sense mandate that we look more closely. A great many men and women with disabilities are fully capable of meeting and exceeding the essential requirements of jobs within our society, our profession and our law firm. Others could meet those requirements if provided with some accommodation.

Accommodations are generally modest changes in the work environment or job responsibilities that allow a



by Dick Thornburgh
Of Counsel, K&L Washington



by David R. Fine
Partner, K&L Harrisburg

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Dick Thornburgh practices in K&L's Washington office. As U.S. Attorney General, he was a leader of the effort to enact the ADA in 1990. David R. Fine practices in K&L's Harrisburg office. Both authors have sons who live with disabilities, and both are frequent writers and advocates on disability rights issues.

Diversity as a Journey

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nial is the number of law firms that followed in our wake to appoint people to positions not unlike Carl's.

Fourth, we understood that while Carl drives this bus, we all had to be passengers. We have embarked upon firmwide mentoring training that has included well over 500 of our attorneys. This is just one example of how diversity has made us a better organization for all personnel.

Fifth, we are taking diversity into places where few law firms tread. Our Work/Life Task Force, which is attacking the vexing issues associated with a proper balance as between paid work and personal life, is one example. And the K&L Health Challenge — an extraordinary initiative aimed at the wellness of all our personnel — is another example. Both of these programs have their roots, in various ways, in our diversity initiative.

So, at K&L, our journey continues. We're excited by what we've learned and what we've accomplished, and we're equally excited about meeting tomorrow's challenges.

If the issue of diversity is on your mind, whether you are a recent law school graduate or a more seasoned attorney, know that we have diversity on our mind as well. At K&L, we're trying to translate this concern into tangible progress, and we're convinced that we're succeeding.

I hope you have an opportunity to learn more about K&L, and that we have an opportunity to learn more about you.

Sincerely,
Peter J. Kalis

Diversity and Disability

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person with a disability to function and contribute. Consider, for example, a person with a spinal cord injury who uses a wheelchair. With a few workplace modifications (like wider doors, ramps and accessible rest rooms), that person could likely be as valuable and productive a colleague as any other. Similarly, a job candidate who is deaf or hard of hearing and who has the necessary abilities for a job our firm needs to fill might be able to function wonderfully if provided with just a few workplace adjustments like a TTY device for the telephone.

Let us be clear about what we're suggesting — and what we recognize to be true. There are persons with disabilities who face challenges that would not allow them to work in certain jobs, no matter what sorts of accommodations might be offered. Our point is not that every person with a disability is qualified and must be hired. Such a presumption would be disrespectful to all involved. Rather, the important goal is to avoid unwarranted presumptions. If a person who is blind or sees poorly or is deaf or hard of hearing applies for a job with our firm, those in a position to hire should first ask themselves if that candidate is or can be expected to become a talented lawyer, legal assistant, *et cetera*. If so, the hiring persons should consider (and discuss with the candidate) what accommodations the firm could provide to allow that person to show his talent or meet her potential. Our firm has always sought out the best candidates for every position. Nothing about our diversity initiative should (or needs to) change that. To the contrary, our effort should be to filter out irrelevant factors so that we can see the material and relevant characteristics a person might bring to our team.

In the final analysis, if one of our missions in the K&L diversity program is to reach out to talented potential colleagues and employees and not be distracted by unfounded and archaic stereotypes, we must be attentive to persons with disabilities. There is an underutilized resource there, and we have much to gain from pursuing it with vigor.

K&L and Howard University

On March 25, 2004, I had the pleasure and honor of attending the inaugural ceremony of the James M. Nabrit Lecture Series held at Howard University Law School and sponsored by Kirkpatrick & Lockhart. The lecture series is presented in honor of James M. Nabrit, former president of Howard University and former dean of its law school. The theme for this year's lecture was "*Brown at 50*," a commemoration of the Supreme Court's decision in *Brown v. Board of Education*, which was a lawyerly collaboration among the Howard Law faculty, the NAACP Legal and Educational Defense Fund, and the NAACP. After the day's events at Howard, I can say that seldom has such a commitment been so richly, overwhelmingly and immediately rewarded. By any measure, in my humble opinion, not only was this event spectacularly successful, but a true defining moment for K&L.

The day consisted of two principal sessions. The lunchtime session began with the Dean of Howard Law School, Kurt Schmoke, thanking K&L for its support. The standing room only audience of over 300 included Howard students and faculty, judges and other dignitaries, K&L clients and other guests, and our own firm contingent. Dean Schmoke introduced our Chair of the Management Committee, Peter Kalis, who in turn introduced the lunchtime speaker, Associate Justice Stephen Breyer of the U.S. Supreme Court.

Justice Breyer was remarkable—open, unpretentious, brilliant, insightful and friendly. He reported on his recent trip to South Africa and analyzed two progeny of *Brown*, the recent University of Michigan case and the much earlier case of *Cooper v. Aaron*. He then took questions from Howard's student body for 30 minutes or so.

The late afternoon session again saw an overflow crowd, one that now included Mrs. Thurgood Marshall. Commenting that his father graduated from Howard University Law School in the year of the *Brown* decision, 1954, Paul Sweeney, Administrative Partner in our Los Angeles office, introduced the James M. Nabrit

Lecturer, Professor Charles Ogletree of the Harvard Law School. Professor Ogletree, who began by acknowledging the role in his life of his "mentor of thirty years," our own Chief Diversity Officer Carl Cooper, talked about the brilliant and courageous "Dream Team" of lawyers who had collaborated on *Brown*. At one point, Professor Ogletree presented Mrs. Marshall with an autographed copy of his latest book, "All Deliberate Speed: Reflections on the First Half-Century of *Brown v. Board of Education*." He then discussed the background of the *Brown* decision and identified the principals, whose names read like a who's who of graduates of Howard Law School. He ended his remarks by challenging all of us to continue the struggle for quality education for all children and to make the promise and potential of *Brown* a present-day reality.

By sponsoring the Nabrit Lecture Series, K&L not only made a substantial financial commitment, but also sent a clear message that it is committed to being on the cutting edge of a continuing process to promote diversity both within the firm and the legal profession. Fostering a culture that embraces diversity as a core value is a path that is laid one brick at a time. Even if there should be detours or delays on this path, sponsoring the Nabrit Lecture Series is indicative of the type of actions and commitment that serves to keep diversity front and center, or "top of mind," both at K&L and among our peer firms. Ultimately, I believe that K&L's sponsoring of this event at Howard University was a declaration that our firm has prioritized diversity and is fundamentally resolved to change K&L and the profession. It also ensures that K&L will be at the forefront of "raising the bar" when it comes to issues of diversity. I am wholly encouraged by this initiative and look forward to K&L's continued inspiration in promoting diversity within all of the various dimensions in which it exists.



by Lynn Jenkins
Associate, K&L Pittsburgh

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The New York Office Mentoring Program

The New York City Board of Education Mentoring Program has been a part of life in the New York office for more than 10 years.

Each year, 15 to 20 lawyers, legal assistants and staff meet once a week with select students from the High School of Graphic Communication Arts to establish a one-on-one mentor/mentee relationship. During these meetings, mentors encourage the students to discuss problems and other issues, and try to offer guidance in these areas. They also help the students identify their career goals and pursue options for college.

In addition to the weekly meetings, the office holds social events for the students, including holiday and pizza parties and an annual skating party at Rockefeller Center. Representatives from the office visit the school to discuss subjects related to the law. Students are also given the opportunity to visit various state and federal courts, which introduces them to the state and federal justice systems.

The office serves as coach and advisor of the school's Moot Court and Mock Trial teams. The Moot Court competition, sponsored by the New York City Board of Education, takes place in the fall. The Mock Trial competition, sponsored by the New York State Bar Association, takes place in the spring.

Among the New York office's participants in this year's Mentoring Program are: Sommer Bender, Jerry Burrus,

Jasmeet K. Caberwal, Joanna A. Diakos, Shazneen Gandhi, Michele Higgins, Laryssa Kachmar, Christopher Lewis, Kathryn Plunkett, Bill Purcell, Phil Seliger, Matthew Trotter, and Rich Weinerman. Others also assist and help make the program a success.

Virtually all of the mentoring students come from underprivileged backgrounds, and many come from single-parent homes. Graphic High School is not ranked as one of New York City's top academic high schools. Although it is an excellent school and has many excellent teachers, it suffers from the problems of most big-city high schools, including overcrowding and disciplinary problems among the students. For those students who are serious academically and want to excel, it can be, to put it mildly, a difficult atmosphere in which to learn and to succeed. Many of the Kirkpatrick & Lockhart program participants have visited the school and can attest to this with their firsthand observations.

This is where the mentoring program comes in. The teachers in charge of the program at Graphic select students who have the motivation and ability to succeed and to go on to college. They then pair them with individual Kirkpatrick & Lockhart participants to establish a true mentoring relationship. Although the program does include group activities, its heart and soul is the individual meetings between student and mentor. In these meetings, the students are encouraged to discuss with their mentor whatever is on their minds and whatever problems they may be having in their life. Frequently the subject is college and scholarships and what it takes to apply and be accepted. But just as frequently it is issues confronted by every teenager – boyfriends, girlfriends, parents, difficult teachers, difficult subjects in school, friends, etc. Usually Kirkpatrick & Lockhart participants draw on their own life experiences, different as they may be, to try to help the students sort out their problems.

It is fair to say that the program has been an overwhelming success both for the students and for Kirkpatrick & Lockhart participants. Virtually all of the students



K&L partner, Bill Purcell, with mock trial team.



New York attorneys with mentoring group.

have gone on to college and some even to law school. Indeed, during Kirkpatrick & Lockhart's recruitment last year at Fordham Law School, a first-year student approached our recruiter to ask her to say hello to her former mentor and Mock Trial Team coaches. Others have gone on after college to do other things such as becoming a Peace Corps volunteer or a graphic arts designer. Indeed, college is not always the goal. Graphic has a strong ROTC Program, and some students have chosen to go into the military to get the structure, training and discipline they feel they need.

Every participant in the program here in the New York office could tell a success story about the program. I would like to take this opportunity to tell you one of mine. One of my mentees, a young girl, was doing well enough in school but not really applying herself. She was interested in college and environmental studies and had even located a program at the University of Alaska that interested her. Despite my encouragement, when it came time for graduation she still did not have enough credits to actually get her diploma. After graduation, I lost touch with her. Then one day the following January, I walked into my office and found a postcard on my desk from Fairbanks, Alaska. Needless to say, I still have the postcard, and this is what it says: "Dear Mr. Purcell, I've been in Alaska a week now and I love it here! I believe I will do well this semester. I also believe that I wouldn't be here now if you, my mother and a few other people hadn't shown me that I had within me the power to fulfill my dreams!" To quote Clint Eastwood, that card made my day, my week and probably my year.

One extraordinary mentoring success story involved a Kirkpatrick & Lockhart mentor who helped her student mentee extricate herself from a home where she was being abused by her father. The story was eventually written up in a June 13, 1995 story in *The New York Times* entitled, "With Aid, Girl Rises Above Troubled Life."

Participation in the program has also been rewarding to people here at Kirkpatrick & Lockhart. Jerry Burrus, who has been instrumental in administering and managing the program, says, "I have participated in the mentoring program, mock trial and moot court competition as a supporter to the coaches for over ten years. What I enjoy most is seeing the satisfaction on the faces of the mentees when they had accomplished a task they felt was impossible. Personally, giving encouragement to these students has helped me feel ten feet tall with a smile." Shazneen Gandhi, a New York associate, says: "The Mock Trial Program provides a great opportunity to learn for both the student mentees and their attorney mentors. It's a unique and interesting way to challenge yourself." Finally, Laryssa Kachmar, another New York associate, comments: "What I enjoyed most about the Moot Court competition was seeing how much some of the students really progressed. They were given a copyright/trademark-type issue to argue, and there were some tough elements of copyright cause of action to remember. We created mnemonic games for them so that they would remember the elements! I was also happy that the students and their teacher called me from the competition when their arguments were over to let me know how they argued (the kids sounded so excited for doing it)."

In sum, the Mentoring Program has been a huge success in the New York office, and we look forward to continuing it in the years to come.



by Bill Purcell
Partner, K&L New York

8 Minute Mentoring™ — Networking and Mentoring A Whole New Way

K&L recently had the privilege of hosting the inaugural 8 Minute Mentoring™ program of the Minority Corporate Counsel Association (MCCA).



by Jeffrey B. Ritter
Partner, K&L Washington

A recent MCCA research report, *Mentoring Across Differences*, reported that mentoring relationships, whether they are peer to peer, cross-gender or cross-race, can add to the professional development and career advancement of lawyers. With this in mind, MCCA developed 8 Minute Mentoring™ as a format through which networking can occur for meeting new faces and building new mentoring relationships away from daily office relationships.

8 Minute Mentoring™ organizes participants based on their years of legal experience. Then, every eight minutes, participants are paired off to meet someone new. Match cards are provided that allow participants to jot down a note or two about each person and, if they get along, to provide a basis for following up. Within ninety minutes, each person walks away with 8 new contacts and, hopefully, the chance to have a new mentor *and* serve as a mentor to someone else.

The inaugural event was held in K&L's Washington office and was co-sponsored by the Diversity Forum of the Women's Bar Association. Carl Cooper, K&L's Chief Diversity Officer, welcomed nearly 70 attorneys from the DC area for what proved to be a terrific, energy-intensive event. As a pilot, the success of the evening confirmed the value of the format for being rolled out on a national basis.

"I have rarely seen such a high level of interest among complete strangers in helping mentor each other," observed Carl Cooper. "MCCA deserves enormous credit for having developed such a terrific way to develop mentoring practices within our profession."

MCCA is using the success of the first event to produce a complete package of instructions and materials so anyone can develop and host an 8 Minute Mentoring™ evening. More complete information can be found at www.8minutementoring.com. K&L already has plans underway to host a program at each of its other national offices during 2004.

K&L and Howard University

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On a personal level, this event was particularly special to me. As an alumnus of Howard University, I was especially proud of the fact that my alma mater played such a pivotal role in one of the more momentous events of the twentieth century. Alumni pride aside, I was even more struck by the leadership role that K&L held in sponsoring the Nabrit Lecture Series. We learn every day that the challenge of diversity is multi-layered, and we also learn every day that it must be met head-on at each of its layers. March 25, 2004 was a day on which a historically black educational institution came to understand the depth of our

commitment at K&L, as we came more fully to understand the historical antecedents to the *Brown* commitment.

At K&L, we say that diversity is a core value. If diversity is to be more than a word, slogan or abstract concept, decisive and definitive actions and behaviors are necessary to breathe life into the principle that *diversity is truly a core value*. Based on my experience on March 25, I believe that K&L's sponsorship of the James M. Nabrit Lecture series exemplifies the type of leadership and initiative that embraces the very essence of diversity.

The K&L Health Challenge

In April 2004, Kirkpatrick & Lockhart launched a major new initiative: the **K&L Health Challenge**. The program focuses on improving the health and well-being of all members of the K&L family through personal health risk education and management. **Health Challenge** is filled with health promotion initiatives centered on reducing the risk of disease and promoting healthy lifestyles. The firm's Management Committee has undertaken this initiative with the utmost concern for the health and well-being of all firm personnel and has thus committed to a firmwide health and wellness program.

K&L is at the forefront of the legal profession in providing this type of programming. WellCorp, Inc., a national health management-consulting firm, is the firm's partner in the **K&L Health Challenge**, helping to provide consistent and expert national health and wellness programming in all offices. WellCorp specializes in customized on-site and online health promotion programs, and has provided these services to companies nationally for ten years, as well as comprehensive programming with a staff of nurses, dietitians, exercise physiologists and health educators. At the screenings, cholesterol, triglyceride, and glucose tests are performed and height, weight, body mass index (BMI) and blood pressure are measured. After the screening is completed, a comprehensive confidential report is mailed to the participant's home. All individuals with moderate to high risk results will be privately encouraged to visit their personal physicians for a second round of tests and appropriate treatment, medication and advice on lifestyle changes.

Throughout the spring and summer of 2004 the internal **Health Challenge** Task Force, together with WellCorp, has gathered information to refine the program. A *confidential* interest survey was electronically circulated firmwide so that WellCorp could gather information to customize the program to each office's needs. WellCorp then compiled the survey results and maintained the confidentiality of all responses. Fifty-five percent of the firm responded to the survey and of those that responded, nearly all (98%) indicated that

they would participate in the **Health Challenge** program. From the survey results and a review of the firm's aggregate health care data, WellCorp, Inc. will make recommendations regarding the scheduling of programs and activities that will provide the most benefit to K&L throughout 2004 and in future years.

As an additional indicator of its commitment to wellness, in July the firm initiated a firmwide fitness challenge. WellPerks is a confidential online program designed to reward participants for doing things that benefit them. Participants in the program are able to accumulate points for activities that benefit their health and will earn WellPerks points each week for engaging in cardiovascular exercise, weight training, or stretching. The WellPerks points are redeemable for health and fitness-related prizes. In addition, the firm is investigating fitness center partners in each city that will be able to provide discounted membership to K&L personnel and their families.

An interactive online health and wellness tool is also available to all K&L personnel and their families through the **Health Challenge** program. DesktopWellness.com (DW) is an online customized website sponsored by K&L and hosted by WellCorp. DW is available 24 hours a day, 7 days a week. DW includes an "Ask the Expert" section for nutrition, fitness, and health questions, a delicious and healthful recipe collection, monthly articles on issues concerning health, fitness tools, and an extensive health encyclopedia. Articles are updated and new recipes and fitness tips are added frequently.

K&L is committed to the success of the **Health Challenge** program and to the continued good health of all personnel at the firm. The program will continue to evolve and grow as feedback is received from each office as to what new health and wellness programs are needed.



by Amy Horn
Administrative Services
Coordinator



by Mike Sullivan
Chief Administrative Officer

Building a Monument to Diversity

Kirkpatrick & Lockhart partnered with Onesimo Hernandez Elementary in Dallas to sponsor an educational contest entitled “Building a Monument To Diversity,” the purpose of which was to commemo-



by Amy Scott
Associate, K&L Dallas

rate the 50th anniversary of the *Brown v. Board of Education* decision. K&L challenged approximately one hundred 4th, 5th and 6th graders at Hernandez Elementary to think critically about the importance of the *Brown* decision and incorporate their thoughts into a proposed public monument and written essay. On May 15, 2004, K&L personnel undertook the difficult task of prejudging approximately 100 entries and selecting nine semifinalists.

On May 21, 2004, K&L sponsored an awards ceremony, where the nine semifinalists presented their monuments and essay proposals to a panel of dignitary judges that included Mercedes Olivera, a reporter from the Dallas Morning News; Mary Gamarra, a weather person with Telemundo; Norm Lyons of the Texas Rangers Foundation; and Mark Followill, play-by-play radio announcer for the Dallas Mavericks. Other noteworthy participants were Bob Wolin, administrative partner for K&L's Dallas office, Jaime Ramón, a partner in K&L's Dallas office, and Carl Cooper, K&L's Chief Diversity Officer. Each of the celebrity judges, as well as Bob Wolin, Carl Cooper and Jaime Ramón, offered the students a few brief words of inspiration regarding the importance of education and equality. At the conclusion of the student presentations, the judges deliberated and selected three finalists.

The 4th grade finalist was Phantasia Taylor, whose monument was a handcrafted globe surrounded by different-colored clay people holding hands. The 5th

grade finalist was David Weatherston, whose monument was a handcrafted playground where children of different races play together as one. The 6th grade finalist was Gerardo Reynoso, whose monument was a handcrafted waterfall. Gerardo commented that people as individuals are like drops of water, some fat, some small and some big. However, when people join together, they are unified as one, much like a waterfall feeds into an ocean. All of the finalists' monuments were thought-provoking, inspiring and embodied the unifying message of *Brown*.

The finalists received a refurbished computer and monitor compliments of K&L-Dallas, a day trip to K&L's Dallas law office to see firsthand what it is like to be a working attorney, and a pair of tickets to Six Flags Over Texas theme park.

The winning students' teachers received a \$50 check from K&L-Dallas. The semifinalists received a pair of tickets to Six Flags Over Texas, and all of the student participants received special T-Shirts and Certificates of Achievement signed by Bob Wolin and Jaime Ramón. In an unexpected but exciting moment, Norm Lyons, who obviously was moved by a truly inspiring event, graciously agreed to host all of the semifinalists and their families to a Rangers' game this summer. He also offered to host the entire school to a ball game over the next school year!

At the outset of this project, members of K&L hoped this commemorative project would provide these students and their community a unique perspective on the significance of the *Brown* decision and serve as a unique platform for the students to express their creativity with respect to the value of diversity.

Our hopes were realized the moment we saw the students' inspiring monuments and read their stimulating essays. It truly was an honor to be a part of such an important commemorative event.

The Final Word

FROM THE OFFICE OF THE CDO

Diversity and *Brown* – Still a Dream Deferred

Despite the enormous, indeed unprecedented, publicity surrounding the 50th Anniversary of *Brown v. Board of Education*, inequality in educational opportunities and benefits is still the dominant reality of the day. From *Brown* to *Bollinger* (*Grutter v. Bollinger*), we have come a long way, in fact some would argue full circle, to resegregated education in public schools throughout America. The ironies seem to be endless when it comes to the issue of race in America, her continuing dilemma.

As Chief Diversity Officer for K&L, I have appeared on numerous panels discussing, debating and dissecting the *Brown* decision and its progeny, trying to determine how far we have come and how far we have to still go to attain equal educational opportunities for all. There is no doubt in my mind that had the *Brown* court decided that “separate but equal” was legal, I would not be CDO for K&L. In fact, had “separate but equal” been upheld, Thurgood Marshall would not have been appointed to the Supreme Court as its first African-American justice, and the *Brown* decision would not have received the prominence, indeed, pre-eminence, it has achieved to date.

With *Brown*’s “All Deliberate Speed” taking so long, diversity has come along to enhance its place in the Civil Rights Movement. The fact is, diversity’s best chance of success lies in *Brown*’s realization of quality education in all public and private schools starting at the elementary school level and continuing straight through high school.

Dennis Archer, the American Bar Association’s first African-American President, acknowledged the need for more excellence in education at his Diversity Summit held last October in Washington, D.C. President Archer realized that fulfilling the promise of *Brown* required creating a “pipeline” into the profession. With a “pipeline” from junior high to high school, to college and then law school, as jobs in law firms and corporate law departments become available, there

would be ample, qualified and interested minorities to fill them. President Archer noted, “Lawyers would encourage students of color to get good grades, and to think of law as an important career opportunity, and share with them outstanding men and women of color who as lawyers have made a difference in their community, state and nation.”

At K&L, pipeline programs are developing as an integral part of our Diversity Initiative. As we have learned, diversity is a process, long-term and consuming.

Yet, diversity in the legal profession, like *Brown* in education, still remains largely deferred, unfulfilled. Not to dramatize this point, but on June 2, 2004, K&L released its *Top of Mind™: Second Annual Survey of Senior In-House Counsel*, which showed that despite all the talk about diversity, “When counsel is actually being chosen today, there is very little relationship between a law firm’s diversity and its likelihood of being selected to provide legal services. In fact, our findings further reveal that racial diversity ranked below effective communication, working as a team, hourly rates, and working with enjoyable attorneys.”

Given our mission at K&L, diversity ranks much higher.

Our mission at K&L is twofold: (1) to effect positive and demonstrable change within the firm in the direction of greater diversity and sensitivity, and (2) to serve as a change agent for the profession at large, so that diversity goals become a living reality among major law firms and their corporate clients.

At K&L, diversity is part of our organizational DNA. We may not all be moving at the same pace, but we are all moving in the same direction.

While we may never obtain integrated education, we



by Carl Cooper
Chief Diversity Officer

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still have a chance to obtain quality education, and quality education can fill the diversity glass, which is more than half empty. As we continue in this marathon, we are reminded of Langston Hughes' relevant poem "A Dream Deferred."

What happens to a dream deferred?

Does it dry up
Like a raisin in the sun?
Or fester like a sore—
And then run?
Does it stink like rotten meat?
Or crust and sugar over –
Like a syrupy sweet?
Maybe it just sags
Like a heavy load.

Or does it explode?

The choice is ours, and at K&L we're committed, no matter how long or difficult the path may be. Period!

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