



Howard University School of Law in Washington, D.C.

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COMMENTARY

# When It Comes to Legal Industry Hiring, Can Howard Now Compete With Harvard? Yes.

While there will always be firms that consider themselves elite because they only hire from Harvard or Yale, there is a growing number of students, clients and private practice attorneys who do not consider such firms elite but rather elitist.

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By Frederick Shelton

In 2002, I submitted a fourth-year associate who graduated first in their class from Howard University Law School to an Am Law 50 law firm. They had solid experience at a large law firm.

I received the following reply from the firm's recruiting coordinator:

"If you're going to submit candidates to us in the future, please make sure they are from a Top 20 law school. We are not concerned about individual class ranking at Howard or other similarly ranked schools."

Today, that same Am Law 50 firm has an entire page on its website devoted to diversity, equity & inclusion. The firm also touts the fact that it supports programs to help students at Historically Black Colleges & Universities. One of the schools they go out of their way to mention? Howard University.

Even firms that fall well below the Am Law rankings now have DEI programs in place and are seeking to prove their commitment to diversity, through avenues such as [Mansfield Certification](#).

But can schools like Howard actually compete with Ivy Leagues like Harvard when it comes to getting jobs and landing clients? Twenty years ago, the answer would have been a simple “No.” There would have been zero chance that a firm would choose a Howard grad over schools like Harvard, Stanford and Columbia. But as the Nobel Laureate once wrote, “The times, they are a-changin’.”

While many major law firms have been making sincere efforts at diversity for years, others have not—at least until recently. Why the sudden prioritization of diversity? Clients started demanding it.

In January 2021, the Coca-Cola company announced that any outside counsel who didn’t staff their matters with sufficiently diverse representation, would have to accept a write down on their bills of up to 30%.

That same month, [The Intel Rule](#) was announced and implemented. Intel made clear that, beginning Jan. 1, 2021, the company would not retain or use outside law firms in the U.S. that are deemed to be average or below average on diversity.

Other companies, including Facebook, Hewlett-Packard and Novartis, followed suit and now over 100 U.S. companies have instituted similar measures.

Diane Gabl Kratz leads a global team of 16 at Dolby Laboratories and is involved in numerous hiring decisions. When asked whether she would hire a Howard or Harvard grad as outside counsel, she replied that she makes no assumptions about either.

“I believe law school will remain relevant,” Gabl Kratz confirmed. “However, grit, passion, and impeccable client service are important factors. If I were deciding between these two attorneys, I would schedule individual conversations so I could get to know each personally.” (Diane emphasized that she is speaking only in her personal capacity as she is not authorized to speak on behalf of Dolby.)

Debra Kelleher, the CEO of the prestigious Stirling Club in Las Vegas, expressed similar views.

“Suppose two law firms send over a team of attorneys to pitch for our work. If one is diverse and the other is all white males, that’s at least going to be noticed,” she said, adding, “While a successful track record and other credentials will ultimately be the deciding factors in any business decision, diversity is at least a consideration.”

Thus, it seems that while law school ranking is still recognized, it is no longer an automatic “win” against other schools when it comes to gaining clients.

This also applies to getting hired at even the biggest and most prestigious law firms.

We polled 300 attorneys with the following hypothetical:

*Two candidates are applying for an associate position at your firm. Both are fourth-year associates from the same Am Law firm, work in the same office and group. Both have equal desire, positive attitude, excellent performance reviews from the same partners etc.*

*Which candidate would you hire?*

*Candidate A is a white male who graduated from Harvard.*

*Candidate B is an African American graduate from Howard.*

*Please feel free to write comments as to your reasoning.*

The poll favored the Howard alum over the Harvard grad by a jaw-dropping margin of 59% to 41%. Even those who polled in favor of the Harvard graduate didn’t specifically state that they believed the law school made for a better lawyer.

Ji Kim is a partner at Berkowitz, Trager & Trager, a corporate & securities boutique. His reasoning for choosing the Harvard grad had more to do with brand and market competition than the belief that law school determines whether an attorney will be successful.

“As a boutique working on deals with big firms, the attorneys’ bios are more critical to us, as we have fewer attorneys than other firms,” Kim said. “Thus, law school remains critical in hiring decisions.”

A partner who asked to remain anonymous because they felt this issue is so divisive, gave a different reason for choosing the Harvard graduate.

“My reasoning is purely anecdotal in that, my experience has been that Ivy League graduates are simply the best writers you can find,” the partner said. “They may not be great orators or client developers but given that I do appellate work, this singular aspect is critical.”

“Ideally,” the partner continued, “I would have an opportunity to hire a minority who graduated from an Ivy League, but one need only look at the graduation photos from these schools to see the small pool from which there is to draw such candidates.”

The attorneys who polled in favor of the Howard graduate were equally clear in their reasoning, however.

“I do not remember a client ever saying or caring or even knowing where an associate went to law school,” said Rafael Zahralddin, a partner at Armstrong Teasdale. “They are usually more concerned about whether you have people who have successfully handled a similar case or transaction.”

Christopher Carmichael is a partner at Henderson Parks. He has hired attorneys for his current firm, as well as having hired over 50 attorneys while working at a prestigious, international Am Law firm previously.

“Law schools, particularly the ‘top’ law schools charging much more than other schools, have a financial incentive to continue to perpetuate the myth that where you went to law school matters,” Carmichael said. “You do hear hiring attorneys acknowledge, at least privately, law students who graduated at the top of their class are usually more or less comparable across law schools.”

He continued: “My experience has been that where someone went to law school largely does not matter for determining either how good a lawyer they will be or how smart they are.”

Another crucial consideration for hiring a more diverse workforce is the view of associates and law school graduates. Given that less than 30% of partners are women, and less than 10% are minorities, it is not surprising that younger attorneys and law school students are more concerned about diversity than previous generations.

“Diversity has been and will continue to be a major factor in choosing the firms I decide to interview with.” said Cassidy Pappas, a 2L at Gonzaga Law School who has already been elected vice president of the student bar association “The legal industry is saturated in a ‘traditional’ ideology which stereotypically gives men a seat at the table.”

“If I look at a website and I don’t see women and minorities, I begin to question the leadership of the firm,” she added. “Further, if the only diverse people I see are associates, I question what my potential for making partner at that firm one day look like.

“I’m all for breaking glass ceilings, but I will invest my time and efforts into finding a firm that will allow my potential to grow,” Pappas said. “That begins with the first look at the leadership. I’m going to proactively look for firms that are making real efforts when it comes to diversity, equity and inclusion.”

The current trend of prioritizing diversity in hiring is only gaining strength. The value of an Ivy League diploma is diminishing and among some lawyers, considered the ultimate mark of entitlement.

While there will always be firms that consider themselves elite because they only hire from Harvard or Yale, there is a growing number of students, clients and private practice attorneys who do not consider such firms elite but rather *elitist*.

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