

How Law Firms Can Employ More Veterans

By **Daniel Sylvester and Nicholas Hasenfus** (May 2, 2022)

The hiring of veteran attorneys is an often-overlooked piece of a comprehensive diversity, equity and inclusion, or DEI, plan, even though it generates substantial benefits for law firms that focus on this key initiative.

For example, veteran associates can make an immediate impact on the organization because they already possess many of the soft skills that make a great attorney, including trust, accountability, teamwork, leadership, work ethic, maturity and world experience. It would seem that BigLaw firms should be lining up to hire them, but that is not the case.

According to the National Association for Law Placement, while veterans make up 2.8% of all attorneys in the legal industry, they account for only about 1.75% of attorneys in BigLaw — and account for only 1.24% of all BigLaw associates. These metrics include both veterans who served as attorneys while in the military and those who graduated from law school after completing their service.

How can BigLaw firms increase the number of veteran attorneys in their ranks, and why should they want to?

In 2019, none of our firm's summer associate class self-identified as veterans. In 2021, 8% of the firm's summer associate class identified as veterans.

When comparing that number to the percentage of veterans among all attorneys in the legal industry — 2.8% — and to the percentage of veterans among all BigLaw associates — 1.24% — it illustrates that a firm's objectively measurable, sustained commitment to veteran initiatives can make a substantial positive impact on the firm's ability to hire and retain veteran attorneys.

Firms that want to hire more veterans should begin by making themselves more attractive for competitive veteran attorneys. The most important step is to develop a program that shows the firm's dedication to veteran issues and advancement both in the community and in the firm.

We increasingly see strong veteran candidates weigh a BigLaw firm's veteran program in a similar way that environmental, social and governance, or ESG, factors are becoming increasingly important with investments and other corporate opportunities. These veteran candidates want to see a true commitment to veteran issues and not just a few sentences on a firm's webpage.

It is important that the firm's veterans program has support from the firm's leaders and can demonstrate a real and objectively measurable commitment to veteran advancement in the community.

Based on our experience, good examples of this commitment include:



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- Developing robust pro bono and community service initiatives through collaborating with respected veteran organizations and service providers;
- Serving in national, state and local leadership roles — such as veterans task forces and board roles — that promote and facilitate the delivery of services to veterans;
- Holding informational events for military and veteran candidates designed to promote veteran's initiatives and not market the firm; and
- Integrating veterans initiatives into the firm's DEI initiatives.

BigLaw firms should also look for unique ways to cultivate relationships with quality veteran law school candidates. Based on our experience, creating externship opportunities for veterans to perform military and veteran pro bono work for course credit at the law firm facilitates veteran hiring and can serve as a pipeline for veteran candidates to BigLaw jobs, particularly those who are most underrepresented in BigLaw, such as female veterans.

Most law schools provide their students with opportunities to perform this type of work and have been thrilled with the opportunity to have additional BigLaw externships for their students. BigLaw firms could consider implementing such programs to help develop a pipeline for competitive veteran candidates to join their ranks.

In addition, law firms can also help increase their veteran hiring by having their current veteran attorneys and staff assist when interviewing and screening veterans. Veterans have different resumes, backgrounds and mannerisms. Having a veteran interviewee can help make candidates more comfortable with the interview process and provide them with a better opportunity to share their experiences with an interviewer who can help transcribe their unique backgrounds to other colleagues in the firm.

This commonsense approach has paid off at our firm. Since 2018, we have hired 39 veterans and currently, 84 of our attorneys and staff are veterans.

General counsel can potentially play the most important role in increasing the numbers of veterans employed by BigLaw firms. GCs have the ability to influence which law firms receive a large portion of their outside legal spending. In the past several years, GCs have used that ability to play a critical role in the advancement of DEI by requiring their law firms to become more diverse, use more diverse teams, and reflect the core values and diversity of their companies.

Good GCs will be in tune with their companies' priorities, and if they are at companies that are veteran-owned, veteran-run or veteran-friendly, the GCs can direct their outside spending to those who share their companies' values and DEI initiatives. With so many things being equal among BigLaw firms, that can be an important differentiator.

A company's DEI and ESG initiatives can also influence the number of veterans in BigLaw.

Many companies require law firms to provide information on the diversity of their legal teams when the law firm responds to their requests for proposal. Such companies could ensure that they are including veterans in their DEI requirements and when requiring law firms to report on their ESG initiatives and DEI statistics.

One group of companies that is uniquely positioned to make an impact is the Veteran Jobs Mission. The Veteran Jobs Mission, now a 300-member coalition, began in 2011 as the 100,000 Jobs Mission, a group of 11 companies led by JPMorgan Chase & Co. with a goal to hire 100,000 veterans.

That was quickly changed to a goal of 1 million veterans by 2021, and then further expanded at the organization's 10th anniversary meeting in March to hiring 2 million veterans and 200,000 military spouses by 2031. The GCs of these member companies could consider encouraging their outside legal teams to have the same dedication to hiring and retaining veterans as they do.

In-house legal departments can also look for opportunities to collaborate with their outside legal counsel on military and veteran pro bono matters and encourage their law firms to appoint veteran attorneys and nonveteran attorneys to work on them. This would be a distinct way for in-house lawyers to support the veteran community and increase pro bono service throughout their own organizations while helping to increase the visibility of veteran attorneys employed by their outside counsel.

Once a law firm has hired veterans, it should then focus on implementing methods to retain them.

In addition to the methods described above with respect to implementing impactful veterans initiatives, another method for a law firm to retain veterans is for the law firm to review its military leave policy, particularly if some of the veterans — or their spouses — it has hired are serving in the National Guard or the reserves, and ensure that it provides benefits that go beyond the minimum requirements set forth in Uniformed Services Employment and Reemployment Rights Act.

For example, law firms should consider developing and implementing military leave policies that allow those serving in the National Guard or the reserves to:

- Receive full pay from the firm during their two weeks of annual training;
- Receive pay differential on the difference between their military salary and their firm salary for the first six months of any deployment; and
- Extend all firm benefits for as long as each such benefit's contract would allow.

A law firm can also help retain veterans by providing them with a seat at the table in their firm's diversity or affinity groups. This will ensure that this distinct class of individuals has an opportunity to be heard and contribute to the law firm's culture.

The pool of veteran law firm candidates is bigger than most lawyers realize. Focusing on recruiting talented veterans, partnering with like-minded organizations, and having a robust and active veterans group — with a substantial pro bono component — will go a long way in boosting a firm's ability to recruit and retain these uniquely qualified attorneys.

If you have implemented some or all of the methods discussed above, then hiring and retaining veterans at your firm already has become easier. After all, most employees want to work for a firm that values them and provides opportunities for community service, and that is especially true of veterans.

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Disclosure: Holland & Knight is a member organization of Veteran Jobs Mission.

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