

## **LGBT DIVERSITY “BEST PRACTICES”**

### **A. Employment Policies and Benefits**

1. Including sexual orientation and/or gender expression in the firm’s non-discrimination policy.

- A non-discrimination policy specifically setting out protected characteristics is preferable to a more general “we comply with all applicable laws” statement.
- The term “sexual preference” is considered offensive to some and should not be used.

2. Offering same-sex domestic partners the same benefits as married individuals, including health insurance.

- Rather than requiring complicated and intrusive affidavits to establish the validity of a same-sex relationship for the purpose of providing benefits, it is preferable to accept a valid governmental recognition of a domestic partnership as an alternative. The City of New York and the State of New Jersey both offer same-sex couples the opportunity to register officially as domestic partners, and such registration should be accepted as conclusive proof of eligibility for domestic partnership benefits.

3. Maintaining a gender-neutral parental leave policy that specifically covers adoption.

- Certain parental leave policies differentiate between the amount of time available for maternity leave versus the amount of time available for paternity leave. In some firms, the disparity may be significant (e.g., a three month paid maternity leave versus a two week paid paternity leave). These policies are at best confusing for same-sex couples planning the birth or adoption of a child, and are at worst inequitable.

### **B. Creating a Comfortable Work Environment**

1. Encouraging the development of peer groups or mentoring groups for self-identified LGBT lawyers, and ensuring that incoming attorneys are aware of the groups. These

groups are especially important in firms where other minority groups (e.g., African American and Latino/a attorneys) have established peer / mentoring programs.

2. Taking concrete steps to increase the total number of self-identified LGBT attorneys employed at the firm.

- One way to accomplish this is to re-circulate on an annual basis an invitation to all attorneys to self-identify as a member of a minority group for purposes of the firm's NALP reporting.

3. Making personnel directory entries for attorneys' spouses more general, such as "Spouse / Significant Other."

- Note that if this information is used to prepare invitations to firm functions, same-sex significant others should be given parity with spouses. That is, if invitations to an annual dinner are mailed to "Mr. & Mrs. Attorney X," they should also be mailed to "Mr. Attorney Y and Mr. Significant Other Z."

4. Including LGBT-related organizations in its charitable and community service work.

- This may include financial contributions to LGBT organizations, pro bono representation of LGBT clients and participation in LGBT law conferences and community events.

### **C. Recruiting a Diverse Group of Attorneys**

1. Using self-identified LGBT attorneys to conduct legal employment interviews and ensuring that potential LGBT candidates have the opportunity to meet with self-identified LGBT lawyers if they so desire.

2. Regularly communicating with LGBT student organizations at law schools and hosting recruiting events in conjunction with those organizations where student have an opportunity to meet with the firm's LGBT attorneys.