



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Perkins Coie LLP
c/o Dane H. Butswinkas
Williams & Connolly LLP
680 Maine Avenue, SW
Washington, DC 20024
dbutswinkas@wc.com

Re: Review of Perkins Coie LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Butswinkas:

Based on public statements and court filings¹ by Perkins Coie LLP ("Perkins Coie"), I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

Perkins Coie publicly has touted its hiring practices, including its diversity fellowships, which have historically been limited to "students of color,"⁵ as "help[ing] create and foster one of

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; public statements by Perkins Coie in court filings; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

⁵ See *AAER v. Perkins Coie LLP*, Case No. 3:23-cv-01788 (N.D. Tex. 2023), Dkt. 1 at 1.

the strongest and most diverse talent pipelines in the legal profession”⁶ and “designed to increase the representation of racially diverse lawyers at the firm.”⁷ Merely five months ago, Perkins Coie announced it had “achieved Mansfield 7.0 Certification Plus status for another year from Diversity Lab, which measures how leading law firms have affirmatively considered women, lawyers of color, [and] LGBTQ+ lawyers . . . for recruitment, partnership promotions, and management positions, among other significant benchmarks.”⁸

In addition, in 2020, Microsoft’s Law Firm Diversity Program recognized Perkins Coie as its “top performing law firm” when it came to meeting Microsoft’s diversity goals, demonstrating a five year plan that “achieved impressive progress . . . growing diverse attorney hours on Microsoft matters by 12.3 percentage points (from 56.7% to 69%);” a 10.3 point increase in overall diverse partner representation at the firm (from 33.6% to 43.9%);” and “great progress in diverse representation on its management committee, with over 64% of their committee members identifying as women, minorities, LGBTQ+ people, people with disabilities and veterans.”⁹ In fact, since at least 2012, Perkins Coie has been a leader in a third-party diversity scorecard that scores law firms based on their “percentile ranking of the representation of underrepresented racial and ethnic groups, gender and LGBTQ+ per level and the overall disclosure of DEI data versus firms of a similar size.”¹⁰

Further, Perkins Coie provides several “Resource Groups,” divided on, among other bases, Title VII-protected bases, including race, color, religion, sex, and national origin. For example, Perkins Coie’s “South Asian/Middle Eastern (SAME) Lawyers Resource Group consists of attorneys with backgrounds from South Asian and Middle Eastern nations”¹¹ The group “seeks to attract, welcome, retain, and promote attorneys that identify as South Asian or Middle Eastern” and provide those attorneys with other advancement opportunities.¹² Similarly, the “Asian Pacific Islander Resource Group” seeks to “create business opportunities with clients”¹³

I am concerned that Perkins Coie’s “diversity and inclusion” or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or

⁶ See *id.*, Dkt. 29 at 7.

⁷ See *id.*, Dkt. 29 at 30.

⁸ Perkins Coie, “Perkins Coie Awarded Mansfield 7.0 Certification Plus in Diversity Leadership for a Consecutive Year,” <https://perma.cc/3UNE-39PG>.

⁹ Dev Stahlkopf, Microsoft’s Law Firm Diversity Program 2020 Awards and the Next Evolution of the Program, Microsoft On the Issues, <https://blogs.microsoft.com/on-the-issues/2020/09/30/microsoft-law-firm-diversity-program-2020-awards> (last accessed Mar. 13, 2025).

¹⁰ See MCCA Scorecard, 2022 Law Firm Diversity Survey Participants, <https://mccascorecard.com> (last visited Mar. 13, 2025).

¹¹ Perkins Coie, “Diversity & Inclusion,” <https://perma.cc/8S7C-6DQQ>.

¹² *Id.*

¹³ *Id.*

in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

In public statements and court filings, Perkins Coie has acknowledged that it has had a 1L Diversity Fellowship Program since 1991 and a similar 2L Diversity Fellowship Program since 2021. Perkins Coie also admitted in court filings that, at least until 2023, those hiring programs had a “requirement that participants belong to a group historically underrepresented in the legal profession” and appears to concede that those programs previously limited participation by race and “asked or required [applicants] to identify their race when applying.”¹⁴ Perkins Coie also has asserted in court filings that it changed the criteria for its diversity fellowship programs in 2023.¹⁵

1. Please describe the application and selection criteria used by Perkins Coie for its 1L Diversity Fellowship Program from: (a) 2015 to 2023; and (b) from 2023 to the present.
2. Please describe the application and selection criteria used by Perkins Coie for its 2L Diversity Fellowship Program from: (a) 2021 to 2023; and (b) from 2023 to the present.
3. Does Perkins Coie hire any 1L law students as summer associates other than participants in the firm’s 1L Diversity Fellowship Program?
4. At any point since 2015, did participation in either the 1L or 2L Diversity Fellowship Program provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. In court filings, Perkins Coie admitted that it engaged in disparate treatment in compensation between summer associates who solely participated in the firm’s regular summer associate program and summer associates who were admitted into the firm’s 1L and 2L Diversity Fellowship Program. The firm admitted that in addition to a “paid summer associate position,” in “recent years, Perkins Coie’s 1L and 2L diversity fellows received an additional stipend, both at the end of the summer and if they returned after graduation for full-time employment at the firm.”¹⁶ Please provide documents and information regarding compensation for the firm’s summer associate program as well as the two “additional stipends” received by all diversity fellows.

¹⁴ See *AAER v. Perkins Coie LLP*, Case No. 3:23-cv-01788 (N.D. Tex. 2023), Dkt. 1 at 7, 9.

¹⁵ *Id.*, Dkt. 1 at 9.

¹⁶ *Id.*, Dkt. 1 at 10.

6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 1L Diversity Fellowship Program (Y/N)

If selected:

- i. Compensation for 1L Diversity Fellowship Program
- j. Received offer for 2L Diversity Fellowship Program (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in Diversity Fellowship Program (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L Diversity Fellowship Program (Y/N)

If selected:

- i. Compensation for 2L Diversity Fellowship Program
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law’s SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).¹⁷ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that “[a]ll are invited to apply” for the the SEO Law Fellowship.¹⁸ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”¹⁹ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.²⁰ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”²¹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”²² “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”²³ If your firm had SEO Fellows placed at your firm at any point since 2019, please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?

¹⁷ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

¹⁸ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

¹⁹ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

²⁰ *Id.*

²¹ *See, e.g.*, Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

²² SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

²³ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?
13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting

personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, “diverse” candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm’s human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other “diverse” attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant’s race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant’s:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

- i. Date hired

- j. Date discharged (indicating voluntary or involuntary)
- k. Starting compensation
- l. Compensation as of the date of response
- m. Tuition repayment assistance
- n. Title
- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.

25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure
 - c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?²⁴ If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.

²⁴ See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.
32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)

- m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of a firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates / participated
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in a firm diversity internship or fellowship (Y/N)
 - l. Hired as lateral partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Cooley LLP
c/o Rachel Proffitt, Chief Executive Officer
3175 Hanover Street
Palo Alto, CA 94304-1130
rproffitt@cooley.com

Re: Review of Cooley LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. Proffitt:

Based on public statements¹ by Cooley LLP (Cooley), I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

Cooley has publicly touted its hiring goals, including “targets for greater representation of women in the partnership, diversity among lawyers and diversity in business professionals’ leadership.”⁵ According to your public website, Cooley’s board of director approved a Diversity, Equity and Inclusion Action Plan (“DEI Action Plan”) on August 18, 2020, and updated the DEI

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm’s public website; public statements by your firm and its leadership; and news reporting.

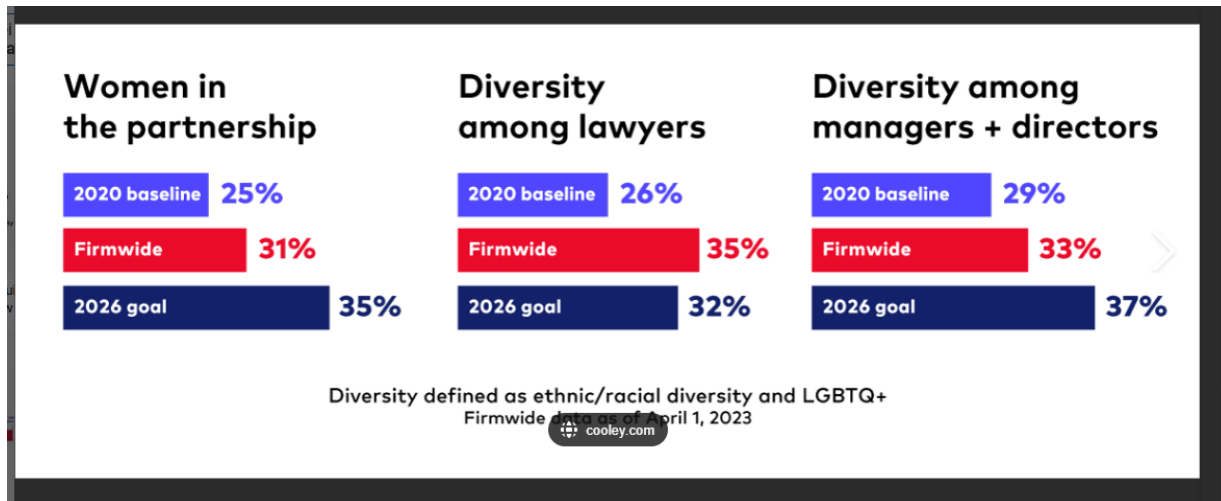
² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

⁵ Cooley LLP, *DEI Snapshot 2024*, dei-snapshot-2024.pdf (last accessed Mar. 14, 2025).

Action Plan on September 30, 2021.⁶ Your landing page on March 13, 2025 summarized the DEI Action Plan and outlined specific metrics such as “increase[ing] the percentage of ethnic, racial, and LGBTQ+ diversity among all lawyers to at least 32%” and “increase[ing] the percentage of ethnic, racial and LGBTQ+ diversity among all managers and directors to at least 37%” by January 1, 2026.⁷ Also on that page, Cooley defined “diversity” as “ethnic/racial diversity and LGBTQ+,” while celebrating its “progress” with the following graphic:⁸



However, as of March 14, 2025, Cooley’s DEI Action Plan landing page is no longer available to the public. Cooley’s sudden, overnight removal of its “board approved DEI plan” from its public facing landing page gives me pause.

The chair of Cooley’s diversity committee is “extremely proud that we continue to make meaningful strides toward achieving our *ambitious* representation goals,”⁹ goals that the Chicago Committee recognized with a 2024 Diversity Award for Commitment and Investment “based on the firm’s racially/ethnically diverse associate hiring, partnership ranks, diversification of client teams, and inclusive succession planning.”¹⁰

As reflected in the graphic above, in only approximately *two* years (from 2020 to April 2023), Cooley increased its percentage of “ethnic/racial diversity and LGBTQ+” “diversity among

⁶ Cooley LLP, *Diversity, Equity and Inclusion Action Plan*, cooley.com/diversity/dei-action-plan (This page was available on your website on March 13, 2025, but was no longer available on March 14, 2025). Please preserve this and any other records relevant to this inquiry.

⁷ *Id.*

⁸ *Id.*

⁹ Cooley LLP, “Cooley Welcomes New Chief Diversity Officer Kelly Batts,” Press Release, Oct. 10, 2023, <https://www.cooley.com/news/coverage/2023/2023-10-10-cooley-welcomes-new-chief-diversity-officer-kelly-batts> (last accessed Mar. 14, 2025) (emphasis added).

¹⁰ Chicago Committee on Minorities in Large Law Firms, 2024 Annual Report, <https://chicagocommittee.org/wp-content/uploads/2024/10/Chicago-Committee-Annual-Report-2024.pdf> (last accessed Mar. 14, 2025).

lawyers” by *nine* percentage points.¹¹ That rapid increase resulted in “diversity” representation that is three percentage points above even the firm’s own *six-year* goal for “diversity among lawyers.”¹² It is unclear how much more that representation percentage may have increased in the approximately two additional years since April 1, 2023, but it is reasonable to assume that this trend has continued, causing the firm to even further exceed its own “ambitious” 2026 goal.

Cooley directly (and likely significantly) financially benefited from the employment decisions the firm took that led to such a rapid increase in racial, ethnic, and LGBTQ+ representation in its lawyer ranks. In 2021 and 2022, Microsoft’s Law Firm Diversity Program recognized Cooley as one of five law firms meeting Microsoft’s diversity “goals,” “earning the full program bonus”¹³ of 3% of annual fees¹⁴ in 2021 and meeting “goals of increasing diversity on the teams that work on Microsoft matters” in 2022.¹⁵

In addition, a few months ago, Cooley announced it had “achieved Mansfield Rule Certification status” which “measures whether law firms have affirmatively considered women, underrepresented racial and ethnic groups, LGBTQ+ lawyers and lawyers with disabilities for leadership and governance roles, equity partner promotions, formal client pitch opportunities and senior lateral positions.”¹⁶ Diversity Lab has named Cooley an “Inclusion Blueprint Champion,” an honor Cooley achieved by showing “diversity representation based on average or above-average thresholds, year-over-year diversity representation progress,” and “diversity tracking.”¹⁷

In fact, since at least 2012, Cooley has been ranked by a third-party diversity scorecard that scores law firms based on their “percentile ranking of the representation of underrepresented racial and ethnic groups, gender and LBGTQ+ per level and the overall disclosure of DEI data versus

¹¹ Cooley LLP, “Diversity, Equity and Inclusion Action Plan, cooley.com/diversity/dei-action-plan”

¹² *Id.*

¹³ Hossein Nowbar, Recognizing Partner Law Firms for Furthering Diversity in the Legal Profession, Microsoft On the Issues, <https://blogs.microsoft.com/on-the-issues/2021/12/14/lfdp-law-firm-diversity-program-2021-results> (last accessed Mar. 14, 2025).

¹⁴ Microsoft, *Law Firm Diversity Program Overview and FAQ*, 4, https://aka.ms/LFDP_ProgramOverviewandFAQ (last accessed Mar. 14, 2025).

¹⁵ Hossein Nowbar, Microsoft’s Law Firm Diversity Program: Celebrating Top Performers in 2022, Microsoft On the Issues, <https://blogs.microsoft.com/on-the-issues/2022/12/08/microsoft-law-firm-diversity-program-lfdp-2022/> (last accessed Mar. 14, 2025).

¹⁶ Cooley LLP, “Cooley Achieves US, UK Mansfield Rule Certification Status,” Press Release, Oct. 28, 2024, <https://www.cooley.com/news/coverage/2024/2024-10-28-cooley-achieves-us-uk-mansfield-rule-certification-status> (last accessed Mar. 14, 2025).

¹⁷ Cooley LLP, “Diversity Lab Names Cooley an Inclusion Blueprint Champion,” Press Release, Dec. 17, 2021, <https://www.cooley.com/news/coverage/2021/2021-12-17-diversity-lab-names-cooley-an-inclusion-blueprint-champion> (last accessed Mar. 14, 2025).

firms of a similar size.”¹⁸ Last year, Cooley was ranked among the top three of all participating law firms.¹⁹

It appears likely that Cooley disparately provides access to certain privileges of employment (training and leadership development) based on its employees’ race or other protected characteristics. Cooley advertises that it is a member of the Leadership Council on Legal Diversity; that through its “membership in the program, we nominate a diverse set of lawyers for leadership development programs each year;” and that “Cooley is recognized as a key law firm partner by LCLD.”²⁰ Cooley has provided “diverse” lawyers access to these unique leadership development program and training since 2013.²¹ Cooley does not indicate how it defines “diverse” for purposes of selecting lawyers for access to these unique LCLD programs, but it is reasonable to assume that Cooley consistently defines “diversity” as “ethnic/racial diversity and LGBTQ+,” as it does in its DEI Action Plan.

In its press releases touting its lawyers’ participation in LCLD programs following their nomination by Cooley, Cooley describes the LCLD “Pathfinders Program [as] connect[ing] high-potential, early-career lawyers of diverse backgrounds and perspectives from LCLD member organizations with foundational leadership skills and relationship-building resources during a seven-month professional development program.”²² Cooley describes the LCLD “Fellows Program [as] prepar[ing] high-potential, mid-career lawyers of diverse backgrounds and perspectives at LCLD member organizations with professional and personal development opportunities, leadership training, relationship-building resources and access to LCLD members (including managing partners and general counsel).”²³ Cooley’s selection of a Cooley lawyer for the LCLD Pathfinders Program allows that lawyer to receive access to LCLD-provided “train[ing] . . . in critical career-development strategies including leadership and the building of professional networks,” and indicates that that Cooley lawyer is “recognized as emerging leaders within their organization,” that is, within Cooley.²⁴ Cooley’s selection of a Cooley lawyer for the LCLD Fellows Program is designed to “increase diversity at the [firm’s] leadership levels” and places that lawyer “on a trajectory towards leadership positions” at Cooley.²⁵

¹⁸ See MCCA Scorecard, 2022 Law Firm Diversity Survey Participants, <https://mccascorecard.com> (last visited Mar. 14, 2025).

¹⁹ MCCA Scorecard, 2024 Law Firm Diversity Survey Rankings, <https://mccascorecard.com> (last visited Mar. 14, 2025).

²⁰ Cooley LLP, Racial and Social Justice, <https://www.cooley.com/diversity/racial-and-social-justice>.

²¹ Cooley LLP, Press Release, Cooley Lawyers Join Leadership Council on Legal Diversity’s Fellows and Pathfinders Programs (Feb. 26, 2024), <https://www.cooley.com/news/coverage/2024/2024-02-26-cooley-lawyers-join-leadership-council-on-legal-diversitys-fellows-and-pathfinders-programs>.

²² *Id.*

²³ *Id.*

²⁴ Cooley LLP, Press Release, “Cooley Lawyers Set to Join LCLD Fellows + Pathfinders Programs” (March 11, 2021), <https://www.cooley.com/news/coverage/2021/2021-03-11-cooley-lawyers-set-to-join-lclld-fellows-pathfinders-programs>.

²⁵ *Id.*

Cooley also provides several “Affinity Groups,” divided on, among other bases, Title VII-protected bases, including race, color, religion, sex, and national origin. For example, Cooley’s “Black Business Professionals Affinity Group provides a safe space for engagement on various issues, including equity and inclusion, for members who self-identify as Black or of African descent.”²⁶ Similarly, the “Latinx Affinity Group” “The group is dedicated to recruiting, mentoring, supporting and retaining Latinx and other diverse business professionals, law students and lawyers throughout their careers. Further, it serves an integral role in advocating for all Latinx employees”²⁷

I am concerned that Cooley’s “diversity, equity, and inclusion” or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Cooley has publicly acknowledged that it has a 1L Diversity Fellowship Program²⁸ and a 2L Diversity Fellowship Program.²⁹

1. Please describe the application and selection criteria used by Cooley for its 1L Diversity Fellowship Program from 2019 to the present.
2. Please describe the application and selection criteria used by Cooley for its 2L Diversity Fellowship Program from 2019 to the present.
3. Does Cooley hire any 1L law students as summer associates other than participants in the firm’s 1L Diversity Fellowship Program?
4. At any point since 2019, did participation in either the 1L or 2L Diversity Fellowship Program provide participants with an accelerated interview, consideration, or selection

²⁶Cooley LLP, Black Business Professionals Affinity Group, <https://www.cooley.com/diversity/black-business-professionals-affinity-group>, [https://web.archive.org/web/20231001114916/https://www.cooley.com/diversity/black-business-professionals-affinity-group].

²⁷ Cooley LLP, Latinx Affinity Group, <https://www.cooley.com/diversity/latinx-affinity-group>, [https://web.archive.org/web/20231001121716/https://www.cooley.com/diversity/latinx-affinity-group].

²⁸ Cooley LLP, US 1L Diversity Fellowship (2025), <https://www.cooley.com/careers/law-students/us-1l-diversity-fellowship>.

²⁹ Cooley LLP, US 2L Diversity Fellowship (2025), <https://www.cooley.com/careers/law-students/us-2l-diversity-fellowship>.

process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.

5. On its website, Cooley admits that it engages in disparate treatment in compensation between summer associates who solely participate in the firm’s regular summer associate program and summer associates who were “recipients” of the firm’s “US Diversity Fellowship.” The firm admits that US 1L Diversity Fellowship “recipients will receive a paid 1L summer associate position and an award of up to \$50,000 to assist with law school tuition,”³⁰ and US 2L Diversity Fellowship “will receive a paid 2L summer associate position and an award of up to \$40,000 to assist with law school tuition.”³¹ Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all “US Diversity Fellowship recipients.”
6. From 2019 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L Diversity Fellowship Program:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Selected for 1L Diversity Fellowship Program (Y/N)

If selected:

 - i. Compensation for 1L Diversity Fellowship Program
 - j. Received offer for 2L Diversity Fellowship Program (Y/N)
 - k. Received offer for regular summer associate position (Y/N)
 - l. Received offer for full-time associate attorney position (Y/N)
 - m. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
 - n. Amount of additional funds
 - o. Reason for receipt of additional funds
 - p. Office location
7. From 2019 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

³⁰ Cooley LLP, US 1L Diversity Fellowship, <https://www.cooley.com/careers/law-students/us-1l-diversity-fellowship>; *see also* Cooley LLP, Racial and Social Justice, <https://www.cooley.com/diversity/racial-and-social-justice>.

³¹ Cooley LLP, US 2L Diversity Fellowship (2025), <https://www.cooley.com/careers/law-students/us-2l-diversity-fellowship>.

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L Diversity Fellowship Program (Y/N)

If selected:

- i. Compensation for 2L Diversity Fellowship Program
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law’s SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).³² The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that “[a]ll are invited to apply” for the the SEO Law Fellowship.³³ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”³⁴ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.³⁵ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused

³² SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

³³ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

³⁴ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

³⁵ *Id.*

on, or restricted to, “students of color.”³⁶ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”³⁷ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”³⁸

SEO Law’s website indicates that SEO Fellows were placed at four of Cooley LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?
13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm’s work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location

³⁶ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

³⁷ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

³⁸ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

- g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
- a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.

20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title
 - o. Date of promotion
 - p. Office location

Reduction in Force

23. In 2022, Cooley announced a Reduction in Force (RIF) for 150 employees ("2022 RIF"). Provide all documents and memorandum Cooley issued to its employees, shareholders, and partners regarding its decision to RIF employees or what criteria Cooley was considering when making its RIF decisions.
24. Provide all documents upon which Cooley relied to make its determination on whom to RIF, including any internal memorandums, data, metrics, directives, and responsive reports from managers.

25. Provide a copy of the form severance agreement issued to employees as result of the 2022 RIF.
26. In a searchable spreadsheet, for each employee discharged pursuant the to the 2022 RIF, provide the following:
 - a. Name
 - b. Sex
 - c. Race
 - d. Date of Birth
 - e. Phone number
 - f. Email address
 - g. Date hired
 - h. Hours billed for each year 2019, 2020, 2021, and 2022
 - i. Date hired
 - j. Title
 - k. Affinity group membership
 - l. Practice group
 - m. Office location

Other Terms, Conditions, and Privileges of Employment

27. Cooley touts that for the past 11 years, it has selected Cooley lawyers to receive access to the Leadership Council on Legal Diversity Pathfinders Program or Fellows Program. Provide the following information and all related documents:
 - a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The definition of “diverse” lawyers that Cooley used when selecting candidates for the programs and written documentation of that definition;
 - c. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - d. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)

- ix. Job position at time of consideration for LCLD program
- x. Current job position
- xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
- xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

- 28. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
- 29. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
 - a. The client
 - b. The date of disclosure
 - c. The client’s response
 - d. Whether the disclosure was client mandated/requested
- 30. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm’s annual fees) for achieving or exceeding representation goals?³⁹ If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

- 31. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm’s goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm’s own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
- 32. At any point since 2019, did your firm set race, sex, or other demographic or “diversity” representation goals for any employees, including with respect to hiring of summer

³⁹ See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.

33. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or “diversity” representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or “diversity” representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
35. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.
36. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

37. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
38. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
39. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.

40. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
41. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of a firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates / participated
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in a firm diversity internship or fellowship (Y/N)
 - l. Hired as lateral partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Andrea R. Lucas". The signature is written in black ink and is positioned above the typed name.

Andrea R. Lucas

Acting Chair

U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Reed Smith LLP
c/o Casey Ryan, Global Managing Partner
225 5th Ave., Ste 1200
Pittsburgh, PA 15222
cryan@reedsmith.com

Re: Review of Reed Smith’s Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. Ryan:

Based on public statements¹ by Reed Smith LLP (“Reed Smith”), I am seeking information about the firm’s employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

Reed Smith has publicly touted its commitment to diversity, equity, and inclusion in its annual reports, outlining the composition of this workforce and summer associates. In 2020, and in response to the George Floyd incident, Reed Smith created its “Race Equity Action Plan” (“REAP”).⁵ According its REAP, Reed Smith outlined the following “goals” for the firm to meet by 2024:

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm’s public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

⁵ Reed Smith LLP, ANNUAL REPORT 2021, *Diversity, Equity & Inclusion*, 6.

- Increase the number of Black lawyers across the firm by 50%;
- Improve Black lawyer and staff attrition rate to be consistent with the firmwide attrition rate by 2024;
- Increase the percentage of Black leadership by 30%; and
- Expand engagement with clients to uncover opportunities for Black lawyer development.⁶

Expanding on this initiative, Reed Smith created a series of YouTube videos, which have since been removed.⁷ An initiative with overt specific racial “goals,” coupled with the removal of related public facing documents, is concerning.

These concerns are amplified after reviewing Reed Smith’s reported REAP progress from 2021. In just one quarter, Reed Smith increased its Black lawyers on its Global Leadership Team from 4.76% to 7.41% — a 55% increase in 3 months.⁸ By the end of 2021, this figure grew to 8.64% — an 81% increase from 2020.

⁶ *Id.*

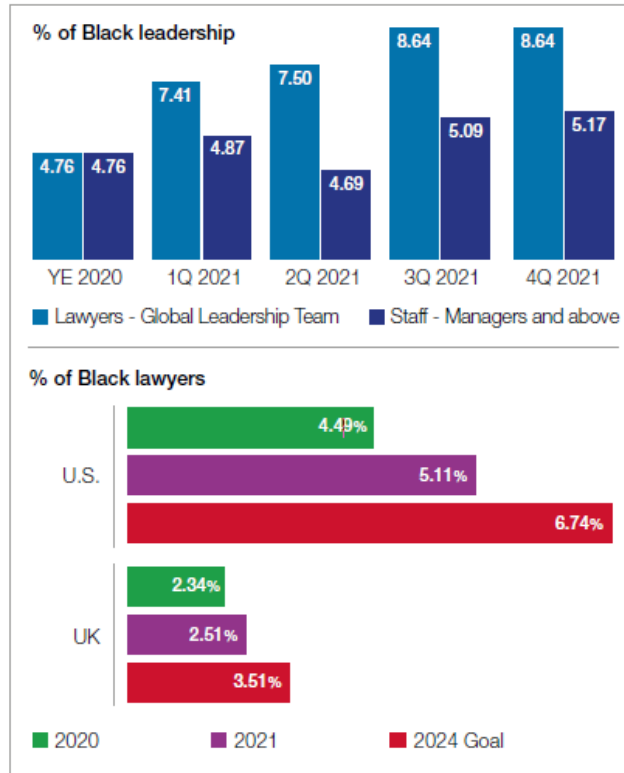
⁷ *See id.* (“View our REAP video series”)

<https://www.youtube.com/playlist?list=PLcdzLBBmHflwWalzjIcrC5CwZS4vEBG5A> (The playlist does not exist).

⁸ *Id.* at 7.

REAP progress -
Internal well-being and learning

REAP goal – leadership
(30 percent increase in Black leadership by 2024)



In 2024, 37.2% of Reed Smith’s workforce was “diverse,”⁹ compared to 35.4% in 2023.¹⁰ Similarly, in 2024 Reed Smith also announced that 84% of its summer associates were women or “diverse,”¹¹ a remarkable 2% increase from 2023’s 82%.¹² Currently, Reed Smith highlights that 74% of its new associates are “diverse.”¹³

These astonishing “gains” are likely attributable in part to employer required scorecards for practice group leaders and managing office partners. According to its 2021 Annual Report,

⁹ Reed Smith LLP, ANNUAL REPORT 2024, *Diversity, Equity & Inclusion*, 6, <https://www.reedsmith.com/-/media/documents/2025/deiannualreport2024.pdf> (last accessed Mar. 17, 2025).

¹⁰ Reed Smith LLP, ANNUAL REPORT 2023, *Diversity, Equity & Inclusion*, 3 <https://interactive.reedsmith.com/articulate/65b3cd9aed827d739320613e?pwd=Z0QBSEbuE9H215E1TyAQ5TLuktdO41X0-G7L5xT8Kb8> (last accessed March 16, 2025)

¹¹ Reed Smith, ANNUAL REPORT 2024, p. 6

¹² Reed Smith, ANNUAL REPORT 2023, p. 3

¹³ See, Reed Smith LLP, *Diversity, Equity & Inclusion*, <https://www.reedsmith.com/en/diversity> (“60 percent of the executive committee is diverse, 69% of our managing partners are diverse, and 74% of our new U.S. associates are diverse.”)

Reed Smith's score cards "aim to incentivize and motivate [its] leaders to focus on the recruitment, retention, and promotion of diverse lawyers within their office/group." Leaders are required "to create scorecards which measure diversity metrics for each group and office, including headcount by title, year to date attrition, year to date hires, and year to date promotions."¹⁴

Additionally, Reed Smith has initiated several DEI programs, including:

- "RISING": a facially race-restricted "program designed to support an inaugural cohort of 32 Black lawyers in accelerating progress toward their practice growth goals and prospective opportunities." Specifically, "each participant is matched with a 'connector,' who is a senior firm lawyer, and a Senior Management Team sponsor...Connectors work proactively to put their connectees into the path of opportunity,"¹⁵
- STAARS: "Sustaining and Training African Americans at Reed Smith," a facially race-restricted program that focuses on the development of "African Americans throughout the firm."¹⁶ Members are invited to attend career development conferences, retreats,¹⁷ and training such as the "Associate Academy" which provides "coaching, community building, and training;"¹⁸
- DEI Leadership Development Program: a program that "provides training and opportunities to [its] partners, counsel and senior professional staff. Of those who participated in the 2022/2023 program, 67% were eligible for promotion;"¹⁹and
- Various 1L and 2L Diversity Fellowship programs that historically required the candidate be "diverse."²⁰
 - **The Reed Smith / McKesson 1L Diversity Fellowship Program** provides "an award in the amount of \$5,000 and a summer associate position *to a diverse*, first-year law student;"
 - **The Reed Smith/Citizens Financial Group Diversity Fellowship Program** provides "an award in the amount of \$5,000 and a summer associate position *to a diverse*, first-year law student;"

¹⁴ Reed Smith, ANNUAL REPORT 2021, p. 16

¹⁵ Reed Smith, ANNUAL REPORT 2022, p. 17

¹⁶ YouTube, Reed Smith, *Driving Progress Through Diversity & Inclusion, featuring STAARS Chair Regina Speed-Bost*, <https://www.youtube.com/watch?v=oBk-c-TsLD0> (last visited March 16, 2025)

¹⁷ Reed Smith, ANNUAL REPORT 2022, p. 67

¹⁸ Reed Smith, ANNUAL REPORT 2023, p. 21

¹⁹ Reed Smith, ANNUAL REPORT 2023, p. 7

²⁰ Reed Smith, *Diversity Fellowship Programs*, <https://www.law.upenn.edu/live/files/11291-diversity-fellowship-document> (last visited March 16, 2025); *see also* Reed Smith, ANNUAL REPORT 2022, p. 35; Reed Smith, ANNUAL REPORT 2021, pp. 29-30

- **The Philadelphia Diversity Law Group (PDLG) Fellows Program** (formerly known as the PDLG Summer 1L Program) “*offers diverse* first year law students a route to summer employment at outstanding law firms and legal departments;”
- **The Reed Smith/BNY Mellon Diversity Fellowship Program** -- provides “an award in the amount of \$5,000 and a summer associate position *to a diverse*, second-year law student;”
- **Reed Smith 2L Managed Care Diversity Fellowship Program** – “provides an award in the amount of \$5,000 and a summer associate position *to a diverse*, second-year law student interested in pursuing a career in managed care litigation.”
- **1L Leadership Council on Legal Diversity (LCLD)** – “The 1L LCLD Scholars program is designed to strengthen the legal pipeline by expanding the number of opportunities for *diverse* first-year law students. The program offers students the opportunity to work side by side with [Reed Smith] lawyers as part of our summer associate program.” Notably, Reed Smith is a co-founder of LCLD.²¹

As a result of the totality its efforts, Reed Smith has proudly proclaimed numerous accolades:

- ***Mansfield Certified Plus* 7.0 status** – an award giving to firms “that have reached at least 30% diverse lawyer representation in a notable number of leadership roles and committees.”²²
- ***Leadership Council on Legal Diversity (LCLD)*** – a 2023 and 2024 top performer and compass award winner²³
- Moved to #26 from #43 in ***The America’s Lawyer 2023 Diversity Scorecard***²⁴
- Recognized by ***Bloomberg Law’s 2023 DEI Framework***²⁵

I am concerned that Reed Smith’s diversity, equity, and inclusion initiatives, including REAP, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

²¹ Reed Smith, ANNUAL REPORT 2021, p. 30

²² Reed Smith, ANNUAL REPORT 2024, p 11

²³ *Id.* at 12; see also Reed Smith, ANNUAL REPORT 2023, p. 5

²⁴ *Id.*

²⁵ *Id.*

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” In public statements, Reed Smith has acknowledged that it has 1L Diversity Fellowship Programs and 2L Diversity Fellowship Programs, and that these programs offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar. Please answer the following questions regarding those programs.

1. Please describe the application and selection criteria used by Reed Smith for each of its 1L Diversity Fellowship Program(s) from 2015 to the present. For each year, provide documentation reflecting the described criteria.
2. Please describe the application and selection criteria used by Reed Smith for each of its 2L Diversity Fellowship Program(s) from 2015 to the present. For each year, provide documentation reflecting the described criteria.
3. Does Reed Smith hire any 1L law students as summer associates other than participants in any of the firm’s Diversity Fellowship Programs?
4. At any point since 2015, did participation in either the 1L or 2L Diversity Fellowship Program(s) provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2015, did the firm provide participants in the 1L or 2L Diversity Fellowship Program(s) with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L Diversity Fellowship Program(s):
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Selected for 1L Diversity Fellowship Program (Y/N)

- i. Name of 1L Diversity Fellowship Program

If selected:

- j. Compensation for 1L Diversity Fellowship Program
- k. Received offer for a 2L Diversity Fellowship Program (Y/N)
- l. Received offer for regular summer associate position (Y/N)
- m. Received offer for full-time associate attorney position (Y/N)
- n. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- o. Amount of additional funds
- p. Reason for receipt of additional funds
- q. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program(s):

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L Diversity Fellowship Program (Y/N)
- i. Name of 2L Diversity Fellowship Program

If selected:

- j. Compensation for 2L Diversity Fellowship Program
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).²⁶ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that

²⁶ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

“[a]ll are invited to apply” for the the SEO Law Fellowship.²⁷ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”²⁸ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.²⁹ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”³⁰ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”³¹ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”³² If your firm had SEO Fellows placed at your firm at any point since 2019, please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

²⁷ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

²⁸ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

²⁹ *Id.*

³⁰ *See, e.g.*, Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

³¹ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

³² SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title
 - o. Date of promotion

- p. Office location

Other Terms, Conditions, and Privileges of Employment

- 23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
 - a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

- 24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
- 25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
 - a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?³³ If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
28. Provide all documentation related to the firm's "REAP" initiative, including how the firm's goals were decided upon, how each component of the plan would be effectuated, metrics to be measured each quarter, benchmarks since the initiative began, whether the firm has achieved any of the goals outlined, and any reports created related to REAP.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation, including all scorecards.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.
32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe

³³ See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:
 - a. Name
 - b. Sex
 - c. Race

- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

A & O Shearman
c/o Doreen Lilienfeld
599 Lexington Avenue
New York, NY 10022
dlilienfeld@aoshearman.com

Re: Review of A & O Shearman's Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. Lilienfeld:

Based on public statements¹ by A & O Shearman, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that A & O Shearman's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If A & O Shearman (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by A & O Shearman for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by A & O Shearman for its 2L diversity internship from 2019 to the present.
3. Does A & O Shearman hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at A & O Shearman’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Debevoise & Plimpton LLP
c/o Peter A. Furci
66 Hudson Boulevard
New York, NY 10001
pafurci@debevoise.com

Re: Review of Debevoise & Plimpton LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Furci:

Based on public statements¹ by Debevoise & Plimpton LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Debevoise & Plimpton LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Debevoise & Plimpton LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Debevoise & Plimpton LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Debevoise & Plimpton LLP for its 2L diversity internship from 2019 to the present.
3. Does Debevoise & Plimpton LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Debevoise & Plimpton LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Freshfields Bruckhaus Deringer LLP
c/o Sarah K. Solum
855 Main Street
Redwood City, CA
sarah.solum@freshfields.com

Re: Review of Freshfields Bruckhaus Deringer LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. Solum:

Based on public statements¹ by Freshfields Bruckhaus Deringer LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Freshfields Bruckhaus Deringer LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Freshfields Bruckhaus Deringer LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Freshfields Bruckhaus Deringer LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Freshfields Bruckhaus Deringer LLP for its 2L diversity internship from 2019 to the present.
3. Does Freshfields Bruckhaus Deringer LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Freshfields Bruckhaus Deringer LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas

Acting Chair

U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Goodwin Procter LLP
c/o Mark T. Bettencourt
100 Northern Avenue, Boston, MA 02210
mbettencourt@goodwinlaw.com

Re: Review of Goodwin Procter LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Bettencourt:

Based on public statements¹ by Goodwin Procter LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Goodwin Procter LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Goodwin Procter LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Goodwin Procter LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Goodwin Procter LLP for its 2L diversity internship from 2019 to the present.
3. Does Goodwin Procter LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Goodwin Procter LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Hogan Lovells LLP
c/o Miguel A. Zaldivar, Jr.
555 Thirteenth Street, NW, Washington, DC 20004
miguel.zaldivar@hoganlovells.com

Re: Review of Hogan Lovells LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Zaldivar:

Based on public statements¹ by Hogan Lovells LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Hogan Lovells LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Hogan Lovells LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Hogan Lovells LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Hogan Lovells LLP for its 2L diversity internship from 2019 to the present.
3. Does Hogan Lovells LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Hogan Lovells LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

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19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
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 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
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Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
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30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Kirkland & Ellis LLP
c/o Jon A. Ballis
333 West Wolf Point Plaza, Chicago, IL 60654
jon.ballis@kirkland.com

Re: Review of Kirkland & Ellis LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Ballis:

Based on public statements¹ by Kirkland & Ellis LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Kirkland & Ellis LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Kirkland & Ellis LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Kirkland & Ellis LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Kirkland & Ellis LLP for its 2L diversity internship from 2019 to the present.
3. Does Kirkland & Ellis LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Kirkland & Ellis LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Latham & Watkins LLP
c/o Richard M. Trobman
1271 Avenue of the Americas, New York, NY 10020
richard.trobman@lw.com

Re: Review of Latham & Watkins LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Trobman:

Based on public statements¹ by Latham & Watkins LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Latham & Watkins LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

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² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Latham & Watkins LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Latham & Watkins LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Latham & Watkins LLP for its 2L diversity internship from 2019 to the present.
3. Does Latham & Watkins LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

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invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Latham & Watkins LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

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13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

McDermott Will & Emery
c/o Ira J. Coleman
444 West Lake Street, Chicago, IL 60606-0029
icoleman@mwe.com

Re: Review of McDermott Will & Emery's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Coleman:

Based on public statements¹ by McDermott Will & Emery, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that McDermott Will & Emery's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If McDermott Will & Emery (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by McDermott Will & Emery for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by McDermott Will & Emery for its 2L diversity internship from 2019 to the present.
3. Does McDermott Will & Emery hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at McDermott Will & Emery’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
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 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
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- o. Date of promotion
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- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
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- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

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¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

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Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Milbank LLP
c/o Scott A. Edelman
55 Hudson Yards, New York, NY US 10001-2163
sedelman@milbank.com

Re: Review of Milbank LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Edelman:

Based on public statements¹ by Milbank LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Milbank LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Milbank LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Milbank LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Milbank LLP for its 2L diversity internship from 2019 to the present.
3. Does Milbank LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are invited to apply" for the the SEO Law Fellowship.⁶ However, the website emphasizes "SEO Law encourages applicants from underserved backgrounds, broadly defined, including but not limited

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Milbank LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?
13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm’s work?

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other

third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other “diverse” attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant’s race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant’s:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

- i. Date hired
- j. Date discharged (indicating voluntary or involuntary)
- k. Starting compensation
- l. Compensation as of the date of response
- m. Tuition repayment assistance
- n. Title
- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure
 - c. The client’s response
 - d. Whether the disclosure was client mandated/requested

26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.
32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:
 - a. Name
 - b. Sex
 - c. Race

- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Morgan, Lewis & Bockius LLP
c/o Jami McKeon
2222 Market St., Philadelphia, PA 19103-3007
jami.mckeon@morganlewis.com

Re: Review of Morgan, Lewis & Bockius LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. McKeon:

Based on public statements¹ by Morgan, Lewis & Bockius LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Morgan, Lewis & Bockius LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Morgan, Lewis & Bockius LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Morgan, Lewis & Bockius LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Morgan, Lewis & Bockius LLP for its 2L diversity internship from 2019 to the present.
3. Does Morgan, Lewis & Bockius LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Morgan, Lewis & Bockius LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Morrison & Foerster LLP
c/o Eric T. McCrath
425 Market Street, San Francisco, CA 94105-2482
emccrath@mofocom

Re: Review of Morrison & Foerster LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. McCrath:

Based on public statements¹ by Morrison & Foerster LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Morrison & Foerster LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Morrison & Foerster LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Morrison & Foerster LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Morrison & Foerster LLP for its 2L diversity internship from 2019 to the present.
3. Does Morrison & Foerster LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Morrison & Foerster LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Ropes & Gray LLP
c/o Julie H. Jones
800 Boylston Street, Boston, MA 02199-3600
Julie.Jones@ropesgray.com

Re: Review of Ropes & Gray LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. Jones:

Based on public statements¹ by Ropes & Gray LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Ropes & Gray LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Ropes & Gray LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Ropes & Gray LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Ropes & Gray LLP for its 2L diversity internship from 2019 to the present.
3. Does Ropes & Gray LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Ropes & Gray LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Sidley Austin LLP
c/o Michael J. Schmidtberger
One South Dearborn, Chicago, Illinois 60603
mschmidtberger@sidley.com

Re: Review of Sidley Austin LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Schmidtberger:

Based on public statements¹ by Sidley Austin LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Sidley Austin LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Sidley Austin LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Sidley Austin LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Sidley Austin LLP for its 2L diversity internship from 2019 to the present.
3. Does Sidley Austin LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are invited to apply" for the the SEO Law Fellowship.⁶ However, the website emphasizes "SEO Law encourages applicants from underserved backgrounds, broadly defined, including but not limited

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Sidley Austin LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?
13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm’s work?

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other

third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other “diverse” attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant’s race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant’s:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

- i. Date hired
- j. Date discharged (indicating voluntary or involuntary)
- k. Starting compensation
- l. Compensation as of the date of response
- m. Tuition repayment assistance
- n. Title
- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure
 - c. The client’s response
 - d. Whether the disclosure was client mandated/requested

26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.
32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:
 - a. Name
 - b. Sex
 - c. Race

- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Simpson Thacher & Bartlett LLP
c/o Alden Millard
425 Lexington Avenue, New York, NY 10017
jmillard@stblaw.com

Re: Review of Simpson Thacher & Bartlett LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Millard:

Based on public statements¹ by Simpson Thacher & Bartlett LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Simpson Thacher & Bartlett LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Simpson Thacher & Bartlett LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Simpson Thacher & Bartlett LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Simpson Thacher & Bartlett LLP for its 2L diversity internship from 2019 to the present.
3. Does Simpson Thacher & Bartlett LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Simpson Thacher & Bartlett LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
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31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

Skadden, Arps, Slate, Meagher & Flom LLP
c/o Jeremy D. London
One Manhattan West, New York, NY 10001
jeremy.london@skadden.com

Re: Review of Skadden, Arps, Slate, Meagher & Flom LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. London:

Based on public statements¹ by Skadden, Arps, Slate, Meagher & Flom LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that Skadden, Arps, Slate, Meagher & Flom LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If Skadden, Arps, Slate, Meagher & Flom LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by Skadden, Arps, Slate, Meagher & Flom LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by Skadden, Arps, Slate, Meagher & Flom LLP for its 2L diversity internship from 2019 to the present.
3. Does Skadden, Arps, Slate, Meagher & Flom LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at Skadden, Arps, Slate, Meagher & Flom LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
30. At any point since 2019, did your firm tie a component of partner or associate compensation to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

White & Case LLP
c/o Heather K. McDevitt
1221 Avenue of the Americas, New York, NY 10020-1095
hmcdevitt@whitecase.com

Re: Review of White & Case LLP's Compliance with Title VII of the Civil Rights Act of 1964

Dear Ms. McDevitt:

Based on public statements¹ by White & Case LLP, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that White & Case LLP's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If White & Case LLP (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by White & Case LLP for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by White & Case LLP for its 2L diversity internship from 2019 to the present.
3. Does White & Case LLP hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)

- h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

- 7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

invited to apply” for the the SEO Law Fellowship.⁶ However, the website emphasizes “SEO Law *encourages* applicants from underserved backgrounds, broadly defined, including but not limited to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at White & Case LLP’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm's work?
14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other "diverse" attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant's race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant's:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

 - i. Date hired
 - j. Date discharged (indicating voluntary or involuntary)
 - k. Starting compensation
 - l. Compensation as of the date of response
 - m. Tuition repayment assistance
 - n. Title

- o. Date of promotion
- p. Office location

Other Terms, Conditions, and Privileges of Employment

23. At any point since 2019, has your firm selected any of your lawyers for access to the Leadership Council on Legal Diversity “Pathfinders Program” or “Fellows Program”? If so, provide the following information and all related documents:
- a. The years on which your firm selected attorneys to participate in those training and leadership development programs;
 - b. The process by which your firm selected attorneys to participate, including but not limited to the selection criteria your firm used;
 - c. Information on all candidates that your firm considered selecting to receive access to these programs:
 - i. Name
 - ii. Sex
 - iii. Race
 - iv. Phone number
 - v. Email address
 - vi. Office location
 - vii. Year that candidate was considered for LCLD program
 - viii. Selected by your firm to participate in LCLD program (Y/N)
 - ix. Job position at time of consideration for LCLD program
 - x. Current job position
 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
 - xii. Whether individual currently holds a leadership position at your firm (Y/N)

Data Disclosures, Staffing Decisions, and Other Actions Taken in Response to Client Requests

24. Since 2019, fully identify all clients that have “diversity requirements,” “diversity preferences,” or any demographic-related requirements for matters, including but not limited to race or sex requirements for the employees staffed on their matters. Identify the clients, the respective clients’ specific requirements, and all actions you have taken in response to those requirements, including compliance certifications. Produce any related documents.
25. Since 2019, fully identify all times you provided the race or sex of your employees staffed on a matter to a client, including:
- a. The client
 - b. The date of disclosure

- c. The client's response
 - d. Whether the disclosure was client mandated/requested
26. Since 2019, have any of your clients provided an incentive-based program that provides bonuses or other monetary incentives to your firm (for example, calculated as percentage of your firm's annual fees) for achieving or exceeding representation goals?¹² If so, please provide information regarding (a) if the firm achieved or exceeding those representation goals; (b) if so, the amount of money received for achieving or exceeding those representation goals; and (c) all actions taken to achieve or exceed any such representation goals.

Other Policies and Processes Incentivizing Decisions Motivated by Protected Characteristics

27. At any point since 2019, did your firm have an annual report or plan (whether shared internally or externally) related to the firm's goals, policies, processes, practices, programs, or any action related to DEI, diversity, demographic representation, or other related topics as it relates to the firm's own workforce? For example, the type of reports, plans, or other documents encompassed by this request include, but are not limited to, documents framed as a diversity, equity, and inclusion (DEI) report; diversity, equity, and inclusion (DEI) action plan, etc. If so, produce all copies of such reports, plans, or documents.
28. At any point since 2019, did your firm set race, sex, or other demographic or "diversity" representation goals for any employees, including with respect to hiring of summer associates, associate attorneys, or lateral partner; elevation to partner or shareholder; associate attorney representation; partner representation; or retention of associates or partners? If so, please describe the policy or practice in detail and provide all related documentation.
29. At any point since 2019, did your firm tie a component of partner or associate performance reviews to DEI or diversity efforts, including but not limited to race, sex, or other demographic or "diversity" representation goals? If so, please describe the policy or practice in detail and provide all related documentation.
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31. Any point since 2019, for any process for hiring, promotion, or selection for management or leadership roles, did your firm use any form of a diverse slate policy (requiring a certain number or percentage of candidates to be candidates of a particular race, ethnicity, sex, or other protected characteristic)? If so, please describe the policy or practice in detail and provide all related documentation.

¹² See, e.g., MICROSOFT LAW FIRM DIVERSITY PROGRAM OVERVIEW AND FAQ, https://aka.ms/LFDP_ProgramOverviewandFAQ, (last visited Mar. 13, 2025).

32. At any point since 2019, has the firm provided recruitment bonuses to firm employees who refer an attorney candidate who subsequently is hired by the firm? If so, please describe the recruitment bonus policy and the amount of the bonuses, and provide all related documentation. Please indicate whether the availability or amount of any such bonuses varied depending on the race, sex, or any other protected characteristic of the referred candidate.

Partnership Decisions

33. At any point since 2019, have any partnership decisions been made motivated—in whole or in part—by a candidates’ race or sex? If so, please describe the policy or practice in detail and provide all related documentation.
34. At any point since 2019, did your firm include any DEI or diversity considerations in putting lawyers in your firm up for partner, or selecting any lawyers for partner? If so, describe in detail. If so, please describe the policy or practice in detail and provide all related documentation.
35. At any point since 2019, did a lawyer’s participation in a firm-sponsored or third-party affinity group (groups organized around a single race, ethnicity, sex, or other protected characteristics, or groups organized around multiple aspects of “diversity”) play any role in (a) whether that lawyer was eligible for or considered for elevation to partnership at your firm; or (b) whether that lawyer was selected for elevation to partnership at your firm? If so, please describe the policy or practice in detail and provide all related documentation.
36. For each year since 2019, please provide the following data for lawyers in your firm who were considered for elevation for partner:
- a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Member of firm affinity group (Y/N)
 - h. Name of affinity group(s) in which attorney participates
 - i. Previously participated in LCLD program (Y/N)
 - j. Previously was SEO Fellow (Y/N)
 - k. Previously participated in firm diversity internship or fellowship (Y/N)
 - l. Elevated to partner (Y/N)
 - m. Equity or non-equity partner (Equity / Non-Equity)
37. For each year since 2019, please provide the following data for lawyers in your firm who applied or were recruited as potential lateral partners:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Office location
- g. Member of a firm affinity group (Y/N)
- h. Name of affinity group(s) in which attorney participates / participated
- i. Previously participated in LCLD program (Y/N)
- j. Previously was SEO Fellow (Y/N)
- k. Previously participated in a firm diversity internship or fellowship (Y/N)
- l. Hired as lateral partner (Y/N)
- m. Equity or non-equity partner (Equity / Non-Equity)

Please submit your responses and any supporting documentation by **April 15, 2025**, to lawfirmDEI@eeoc.gov. If certain information is unavailable or requires additional time to compile, please indicate this in your response and provide an estimated timeline for submission.

Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C.

Office of the Chair
Andrea R. Lucas, Acting Chair

March 17, 2025

Via Electronic Mail

WilmerHale
c/o Anjan Sahni
7 World Trade Center, 250 Greenwich Street, New York, NY 10007
anjan.sahni@wilmerhale.com

Re: Review of WilmerHale's Compliance with Title VII of the Civil Rights Act of 1964

Dear Mr. Sahni:

Based on public statements¹ by WilmerHale, I am seeking information about the firm's employment practices. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (Title VII) prohibits an employer from discriminating against an individual because of race, color, religion, sex, or national origin.² Under Title VII, an employer initiative, policy, program, or practice may be unlawful if it involves an employer, or other covered entity, taking an employment action motivated—in whole or in part—by race, sex, or another protected characteristic.³ Title VII also bars employers from limiting, segregating, or classifying employees based on race, sex, or other protected characteristics in a way that affects their status or deprives them of employment opportunities, including in voluntary employee groups and activities which are employer sponsored.⁴ It is the responsibility of the EEOC to enforce the provisions of Title VII with respect to private employers.

I am concerned that WilmerHale's "diversity, equity, and inclusion," "DEI," diversity, or other employment programs, policies, and practices may entail unlawful disparate treatment in terms, conditions, and privileges of employment, or unlawful limiting, segregating, and classifying based—in whole or in part—on race, sex, or other protected characteristics, in violation of Title VII. I believe you can be of assistance in helping to identify all relevant information I might consider. As an initial request, please provide responses to the questions outlined below. Please also preserve all relevant records.

¹ This letter is exclusively based on publicly available information regarding your firm, including but not limited to documents and information published on your firm's public website; public statements by your firm and its leadership; and news reporting.

² 42 U.S.C. § 2000e-2.

³ 42 U.S.C. § 2000e-2(m).

⁴ 42 U.S.C. § 2000e-2(a)(2).

Internships, Fellowships, and Scholarships

Many major law firms operate 1L and 2L diversity internship or diversity fellowship programs, or provide certain summer associates with additional funds characterized as a diversity “scholarship,” “bonus,” “stipend,” or “award.” If WilmerHale (a) operated a diversity internship, diversity fellowship, or related diversity program (hereinafter “diversity internship”) for law students to work as summer associates at the firm, and/or (b) offered some form of additional funds to summer associates characterized as a scholarship, bonus, stipend, award, or something similar, please answer the following questions.

1. Please describe the application and selection criteria used by WilmerHale for its 1L diversity internship from 2019 to the present.
2. Please describe the application and selection criteria used by WilmerHale for its 2L diversity internship from 2019 to the present.
3. Does WilmerHale hire any 1L law students as summer associates other than participants in the firm’s 1L diversity internship?
4. At any point since 2019, did participation in either the 1L or 2L diversity internship provide participants with an accelerated interview, consideration, or selection process for the firm’s regular summer associate program or full-time associate attorney positions? If so, please describe the policy or practice in detail and provide all related documentation.
5. At any point since 2019, did the firm provide participants in the 1L or 2L diversity internship with additional funds beyond the regular compensation for the diversity fellowship programs or the firm’s regular summer associate program? For example, a bonus, stipend, diversity “scholarship,” or other additional monetary compensation. Please provide documents and information regarding compensation for the firm’s summer associate program as well as any additional funds received by all diversity fellows.
6. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 1L diversity internship:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Selected for 1L diversity internship (Y/N)

If selected:

- i. Compensation for 1L diversity internship
- j. Received offer for 2L diversity internship (Y/N)
- k. Received offer for regular summer associate position (Y/N)
- l. Received offer for full-time associate attorney position (Y/N)
- m. Received any additional funds related to, or following, participation in a diversity internship (Y/N)
- n. Amount of additional funds
- o. Reason for receipt of additional funds
- p. Office location

7. From 2015 to the present, in a searchable Excel spreadsheet, please provide the following respective sets of data for applicants to the 2L Diversity Fellowship Program:

- a. Name
- b. Sex
- c. Race
- d. Phone number
- e. Email address
- f. Law school
- g. Law school GPA (as of date of application)
- h. Selected for 2L diversity internship (Y/N)

If selected:

- i. Compensation for 2L diversity internship
- j. Received offer for regular summer associate position (Y/N)
- k. Received offer for full-time associate attorney position (Y/N)
- l. Received any additional funds related to, or following, participation in a Diversity Fellowship Program (Y/N)
- m. Amount of additional funds
- n. Reason for receipt of additional funds
- o. Office location

SEO Law Fellowship

Dozens of major law firms partner with Sponsors for Educational Opportunity (SEO) Law's SEO Law Fellowship and employ SEO Fellows at their firms for a 0L summer associate program for incoming law students (students who have been admitted but have not yet started law school).⁵ The SEO Law website for the SEO 2025 Law Fellowship Program currently claims that "[a]ll are invited to apply" for the the SEO Law Fellowship.⁶ However, the website emphasizes "SEO Law encourages applicants from underserved backgrounds, broadly defined, including but not limited

⁵ SEO Law, Partners, <https://www.seo-usa.org/law/partners/> (listing partner law firms at which SEO Law Fellows were placed in Summer 2024).

⁶ SEO Law, Apply to the SEO Law Fellowship, Frequently Asked Questions, <https://www.seo-usa.org/law/our-program/apply-to-fellowship/>.

to: race or ethnicity; gender identity or sexual orientation; immigration or veteran status; disability or first-generation status; socioeconomic background or experiences with the criminal justice/child welfare systems.”⁷ And, the website’s main photo displays a picture of 20 law students, at least 14 of whom are black students, one of whom is an Asian student, and 8 of whom are women.⁸ Moreover, certain law schools indicate that the SEO Law Fellowship effectively remains focused on, or restricted to, “students of color.”⁹ According to SEO Law, participants in this program receive an eight-week to ten-week “paid internship at a top law firm with a salary of up to \$1,625 per week” and “[a]lmost all of our partner firms actively recruit and regularly hire former SEO Law Fellows for future summer associate positions and full-time associate positions.”¹⁰ “While the SEO Law Fellows’ corporate law firm experiences may vary from firm to firm, Fellows can expect to work full-time during the 10-week internship alongside with other 1L and 2L summer associates.”¹¹

SEO Law’s website indicates that SEO Fellows were placed at WilmerHale’s offices in Summer 2024. Please answer the following questions:

8. Since 2019, in what years have SEO Fellows been placed at your firm for an internship?
9. The SEO Fellowship is a paid internship. Did your firm pay the SEO Fellows? If so, how much?
10. During their placement at your firm for their summer internship, at what location did the interns work? Did they work in your firms’ office(s) or other firm premises?
11. Did the SEO Fellows placed at your firm use computers and other technology provided by your firm during the internship?
12. Did your firm or its attorneys have the right to control when, where, and how the SEO Fellows performed their internship duties during their placement at your firm?
13. Did your firm or its attorneys assign projects, tasks, and other work duties to the SEO Fellows during their placement at your firm? Did those duties relate to your firm’s work?

⁷ *Id.* (emphasis added). “Generally, employers should not express a racial preference in job advertisements. Employers can indicate that they are “equal opportunity employers.”” EEOC, “Questions and Answers about Race and Color Discrimination in Employment,” EEOC-NVTA-2006-1 (Apr. 2006), <https://www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment>.

⁸ *Id.*

⁹ See, e.g., Columbia University, Undergraduate Research & Fellowships, SEO Law Fellowship Program (webpage dated 2025), <https://urf.columbia.edu/fellowship/seo-law-fellowship-program> (listing application deadline of February 28, 2025 for Summer 2025 program).

¹⁰ SEO Law, “Practice and Prep,” <https://www.seo-usa.org/law/our-program/practice-and-prep/>.

¹¹ SEO Law, “Fast-Track Your Legal Career with the SEO Law Fellowship,” <https://www.seo-usa.org/law/our-program/fellowship/>.

14. Does your firm hire any 0L summer associates other than SEO Fellows?
15. For each year in which SEO Fellows were placed at your firm, provide the following information about all SEO Fellows placed at your firm:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Office location
 - g. Total compensation paid to SEO Fellow for internship at your firm
 - h. Applied for 1L summer associate program (Y/N)
 - i. Selected for 1L summer associate program (Y/N)
 - j. Applied for 2L summer associate program (Y/N)
 - k. Selected for 2L summer associate program (Y/N)
 - l. Applied for full-time associate attorney position (Y/N)
 - m. Selected for full-time associate attorney position (Y/N)
16. For each year since 2019 in which your firm had any summer associate programs:
 - a. What was the total number of law students or pre-law students who were summer associates nationwide in the United States in any category of summer associate program operated by your firm?
 - b. How many of the 0L participants in your firm's summer associate programs were SEO Fellows?
 - c. How many of the 1L participants in your firm's summer associate programs previously had been SEO Fellows?
 - d. How many of the 2L participants in your firm's summer associate programs previously had been SEO Fellows?
 - e. How many of the incoming class of associate attorneys previously had been SEO Fellows?

Other Hiring and Compensation Practices

17. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other third-party organization sourcing attorney candidates for the firm, that the firm was seeking black, Hispanic, or female candidates, "diverse" candidates, or candidates of another particular race(s), ethnicities, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
18. At any point since 2019, did any member of the firm indicate, orally or in writing, to any firm employee (including the firm's human resources personnel, attorney recruiting personnel, and attorneys), to any recruiter working with or for the firm, or to any other

third-party organization sourcing attorney candidates for the firm, that the firm was not seeking male or white candidates or candidates of any other particular race, ethnicity, sex, or another protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.

19. At any point since 2019, did the firm provide retention bonuses or other bonuses to black, Hispanic, or other “diverse” attorneys at the firm that were not provided to other similarly situated attorneys, or were a higher amount than bonuses provided to other similarly situated attorneys? If so, please describe the policy or practice in detail and provide all related documentation.
20. At any point since 2019, did the firm use GPA cutoffs or ranges for considering attorney applicants (including but not limited to applicants for the diversity fellowship programs, the regular summer associate program, and full-time associate attorney hiring)? If so, please describe the policy or practice in detail and provide all related documentation.
21. If the firm used GPA cutoffs or ranges, did these GPA cutoffs or ranges for similarly situated applicants (e.g., applicants from the same law school) differ based on an applicant’s race, sex, or other protected characteristic? If so, please describe the policy or practice in detail and provide all related documentation.
22. In a searchable Excel spreadsheet, fully identify all law students or attorneys who applied to be hired by the firm (including as a regular summer associate, associate attorney, of counsel, or partner) since 2019. A complete response to this answer will include the applicant’s:
 - a. Name
 - b. Sex
 - c. Race
 - d. Phone number
 - e. Email address
 - f. Law school
 - g. Law school GPA (as of date of application)
 - h. Hired (Y/N)

If hired:

- i. Date hired
- j. Date discharged (indicating voluntary or involuntary)
- k. Starting compensation
- l. Compensation as of the date of response
- m. Tuition repayment assistance
- n. Title
- o. Date of promotion
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 - xi. Whether, at the time of consideration for LCLD program, candidate held a leadership position at your firm (Y/N)
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 - i. Previously participated in LCLD program (Y/N)
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 - c. Race

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Thank you in advance for your cooperation.

Sincerely,



Andrea R. Lucas
Acting Chair
U.S. Equal Employment Opportunity Commission