

## 'This Is Where Our Compass Points Us': Reed Smith Partners Outline Plan to Make a Difference in Racial Equity

Reed Smith global managing partner Alexander "Sandy" Thomas and litigation and dispute resolution department global chair Peter Ellis said the events of 2020 led them to create a Racial Equity Action Plan to help the firm, its communities and clients heal and make a lasting impact.

By **Katheryn Tucker**

Reed Smith's decision to partner with civil rights attorney S. Lee Merritt in a [lawsuit filed in the U.S. District Court for the Southern District of Georgia on behalf of Ahmaud Arbery's mother](#) last month is only part of a Racial Equity Action Plan the firm developed in response to the social unease of 2020.

One after another, the killings of Black men and women by white police officers—or people acting as police officers—stunned, grieved and outraged the country.

"Our communities were hurting," recalled Reed Smith partner Peter Ellis, global chair of the firm's litigation and dispute resolution department who now leads the [Racial Equity Action Plan](#) along with global managing partner, commercial litigator and antitrust counselor Alexander "Sandy" Thomas. They talked about their work in a recent interview together with Law.com.

"I know we can all look back to the summertime when there was just a lot of pain," Ellis said. "And that's across communities. Not just the Black community. Our nation and our world was wondering where we go next. As lawyers, we know that we play a very substantial role in helping to steer what that next looks like."



Courtesy photos

Alexander Y. Thomas, left, and Peter M. Ellis, right, of Reed Smith.

So, Ellis and Thomas said, the firm made a commitment to community action in response: increasing an already robust pro bono effort, expanding partnerships with firms and non-profit organizations such as the NAACP Legal Defense Fund, and even signing on with plaintiffs lawyers like Merritt for a small fraction of a contingency fee agreement to work on civil rights cases such as the one for Arbery's mother, Wanda Cooper. The partners said if the firm ever does collect from such a contingency fee arrangement, they will

reinvest the proceeds in their pro bono work. The Arbery case was one where the firm saw a chance to "move the needle," Ellis said.

"If we want to address systemic issues in our country, which includes in our criminal justice system, I think corporate America needs to put their money where their mouth is," said Reed Smith partner Rizwan Qureshi, a former prosecutor with the U.S. attorney for the District of Columbia who is leading the firm's work on the Arbery case. "We talk about being in a COVID-19 pandemic. But the

epidemic that's plagued our country for so long is racial inequity and how that manifests itself in the criminal justice system. And it's deadly. It kills Black men and women."

Arbery was killed in February 2020, shot while jogging near his home in Brunswick, Georgia. No one was arrested for nearly three months—until after video of the shooting surfaced in May. After that, three white men were charged with his murder. Two of them said they were chasing him because they suspected him of burglary and wanted to make a citizen's arrest. In March of that year, Breonna Taylor died in her bed when police broke into her Louisville, Kentucky, apartment and shot her six times. Later in May, George Floyd died in a Minneapolis street with a police officer kneeling on his neck. Protests and riots broke out in cities across the country.

"That's the historical frame for Reed Smith confronting what the United States and the world confronted last summer," Thomas said. He noted the firm already had a decades-long commitment to diversity, equity and inclusion and to a women's initiative. The firm also had a long-standing pro bono practice group that, among other things, represents death-row inmates in Alabama—even though Reed Smith, which is based in Pittsburgh, is not a Southern firm. Thomas said he had worked on some of those dating back to starting his career with the firm. They involve cases where white judges have sentenced Black people to be executed even after juries have voted against the death penalty.

#### **Then came 2020.**

"All of us were really shaken by the events of last summer stacked on top of the uncertainty of a pandemic," Ellis said. "While we were sensitive to how we were navigating in an uncertain

time, something really really shocking happened."

Thomas took the lead, with the senior management team on board. They created a three-part plan, starting with a wellbeing check on their own people, followed by increased pro bono and community engagement, then client engagement and collaboration.

The internal part of the work came first by design.

"We knew that as an Am Law 100 law firm, we could make a big difference in the market by making whatever splash that we could. And we will. But there would be some hypocrisy in that activity if we didn't first look in our own backyard to determine what needed to be done at home and to make sure our people were OK," Thomas said.

"We took the opportunity to first and foremost check in with our people. All of our people. Certainly for those like myself," Ellis said. "I'm Black and have lived through some of this all of my life. This was yet another instance of some of the contradiction of the American dream. But for others it was an awakening."

But checking in presented its own challenges with COVID-19 surging. They decided on a virtual forum for the firm's 3,000 people—first as a whole and then with smaller regional gatherings.

"We wanted to create an opportunity for our people to feel heard, to feel comfortable, to share and to heal—all together, while pulled apart by a pandemic," Ellis said. "We did that through a town hall setting where we could first and foremost hear some experiences about how we got to where we are."

He noted the firm "made some very bold proclamations at that time." Those included goals of increasing the number of Black partners by 50% and increasing the number of Black team members in leadership by 30%—all by 2024.

But listening was also a key part of the strategy.

"One of the main purposes of the town halls and the office sessions has been to invite uncomfortable discussions among our people about what it's like to be a Black person in the legal industry today; what it's like to be a Black person working at Reed Smith; what it's like to be a Black person interacting with client teams," Thomas said. "It takes a lot of courage on the part of the people that were willing to answer those questions. I was struck by how wide open our team of 3,000 was to those experiences."

Likewise, he said the firm has found clients eager to partner in the work of building racial equity.

"We always want to be the firm that's running towards our clients on the field of shared values around diversity and inclusion," Thomas said. "What we notice, more and more, we're running towards our clients and our clients are running towards us. That's the kind of collisions that are going to make the industry better."

As the conversation came to a close, Thomas and Ellis were preparing for a Racial Equity Action Plan training session, part of a continuing series.

"We have an obligation to do something—we as individuals and as a law firm," Ellis said. "This is where our compass points us."

*Katheryn Hayes Tucker is an Atlanta-based reporter covering legal news for the Daily Report and other ALM publications.*

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through diversity, equity & inclusion