

Voluntary Bars Can Play a Critical Role in Building Career Pipelines for Diverse Law Students

By Rudy Brioché and Natalie Roisman

In the summer of 2021, 19 rising second-year law students from groups historically underrepresented in the legal profession and the technology/media/telecommunications (TMT) sector joined D.C.-based employers – including large and mid-size law firms, Fortune 100 companies, major industry associations, and high-profile non-profit advocacy organizations – for paid internship positions. This was the inaugural class of the Diversity Pipeline Program (DPP) of the Federal Communications Bar Association – The Tech Bar (FCBA).

In addition to the opportunity to learn from and network with highly skilled TMT lawyers and policy professionals, the DPP interns and other DPP applicants had access in the spring to more than 35 hours of academic coursework, skills training, and mentoring offered by practitioners. Twenty-seven students attended a sufficient number of classes to meet the requirements of the newly-established TMT Law and Policy Certificate Program.

The DPP and the TMT Certificate Program together constitute a groundbreaking legal internship and skills development initiative designed to engage diverse law students and support them with curriculum and ongoing mentoring to empower them for successful legal and policy careers. It is a competitive and rigorous program that will build on itself year over year, with students who complete one or both programs helping to mentor current students and ultimately rising to leadership positions in the bar and the TMT field.

Why and how did the FCBA create this initiative?

The FCBA is an 1,800-member organization for attorneys, engineers, and policy professionals involved in the development and practice of TMT law and policy. The association's leadership has long committed to the imperative that the legal profession in general, and the tech bar in particular, reflect the full spectrum of talents, perspectives, and experiences represented in the broader population. And while FCBA members may have divergent views on how to achieve national public policy goals, such as universal broadband, there is universal agreement about our industry's significant influence and responsibility to promote meaningful diversity, inclusion, and equity. We understood that our bar was not growing in its diversity and that it would not grow unless we made an institutional, intentional, and impactful effort to do so at the student and entry-level lawyer stage. We also understood that increasing diversity without bolstering meaningful inclusion would be only a short-lived success. And finally, we knew that unless we could ensure that students were compensated commensurate with the salary of other private sector summer internships in TMT law, barriers would remain to employment, and we would be failing to tackle the crucial economic aspect of diversity, equity, and inclusion work.

We designed the innovative and highly customized DPP to leverage the scale of our association and the scope of our membership, which comprise a D.C. base and 11 chapters around the country, as well as public sector, private sector, and NGO practitioners engaged in areas of traditional communications and media regulation and emerging technologies. We started with a small group brainstorming the concept of a pipeline program, presented it to the FCBA Executive Committee, which created a task force and established a standing committee. We lined up tangible early support from tech bar luminaries and key influencers who have historically been champions of both the FCBA and corporate diversity and inclusion efforts, including former FCC Chairman Michael K. Powell, President and CEO of NCTA, and Kathleen Grillo, SVP of Public Policy and Government Affairs at Verizon. We connected with current and former government officials, partnered with law schools including HBCUs, and enlisted the help of practitioner members who serve or have served as adjunct law school faculty.

Within the FCBA, we coordinated closely with the Young Lawyers Committee, Diversity Committee, and the organization's sister FCBA Foundation. A dedicated team of committed co-chairs met weekly – often multiple times per week – to work on attracting employers and students, developing the application, determining selection criteria and the interview process, creating the curriculum, lining up faculty, and generally learning from A to Z how to build a diversity internship program.

Ultimately, we rolled out the inaugural year of the DPP in fall/winter of 2020-21, amid a national reckoning of racial injustice in America, a highly divisive presidential election, and the attack on the U.S. Capitol, all during a pandemic when many employers, schools, and students were unsure what the spring and summer would bring. But because of the shared recognition of the importance of diversity in America, the legal profession, and the tech bar, we were able to build trust with those involved in the program to withstand the uncertainty. We had 100 applicants representing 28 different law schools, and we conducted 55 panel interviews. The committee worked closely with employers and students to establish successful pairings. While we wish we could have found an internship match for every qualified student, we know the 19 internships from this summer are setting each of these students on a path to long-term success in our bar.

The FCBA is already hard at work tweaking and strengthening the DPP for the summer of 2022, and we currently are piloting a fall internship program with one law firm. Importantly, we believe our work is not limited to continuing to create opportunities for students in the TMT sector. Our success building a diversity internship program as a voluntary bar demonstrates that other voluntary bars and organizations can also explore ways of promoting diversity and meaningful, lasting inclusion – creating pipelines not just to jobs, but to careers and leadership positions. While it may seem daunting to build a program from scratch, look no further than the unique qualities of your area of practice and the people and institutions who are engaged. Whoever is already part of your bar is just who you need to lead this effort! If you launch a program that creates five new internship opportunities for diverse students, that is five more than previously existed. It's about moving in the right direction and building on small successes.

In a year when our bar held zero in-person events due to COVID-19, we nevertheless celebrated one of the most significant accomplishments in the history of our organization: an internship program that created nearly 20 new positions in summer 2021 and an academic enrichment program that trained nearly 30 students in the fundamentals of TMT law and policy. We will build on this success in the years ahead – in just five years, we could have more than 100 alumni of the program, each of whom will uniquely contribute to the betterment of our bar.

While your organization's program might look different, you can embrace the unique facets of the organization and leverage them for the program's success. Building greater diversity in the legal profession and many industries is not just an opportunity but a responsibility. The FCBA is doing it, and you can, too.

Rudy Brioché is a founding co-chair of the FCBA Diversity Pipeline Committee and a former FCBA Executive Committee member. He is Vice President and Policy Counsel at Comcast NBCUniversal.

Natalie Roisman is a founding co-chair of the FCBA Diversity Pipeline Committee and the immediate past president of the FCBA. She is a partner and Director of Social Responsibility at the law firm of Wilkinson Barker Knauer, LLP.