New York City Bar 2016 Diversity Questionnaire
Frequently Asked Questions

Questions related to navigating the system and managing technical issues

- ***What should I do if I have a technical question or am having trouble completing the survey online?*** Please send an email to deloittedex@deloitte.com. Your question will be answered within 24 hours but usually much sooner than that. This email is checked regularly by the SPSS project manager for the NYC Bar survey project. In the **subject line** of your email, please put New York City Bar survey.

- ***Can multiple people input data into the survey from my firm?*** No, only one participant can access the survey. The original recipient can assign a different point person by clicking "transfer survey" on the first page of the survey.

- ***What should I do if I realize I made a mistake after I submit the data for my firm?*** If you pressed the **save & exit** button, then when you reenter the survey you will be able to rewrite over any erroneous data.

- ***Can I print a copy of the data I've entered for our diversity survey?*** At any point while you are inputting data, you can print a copy of the report. It will display the data you've provided while leaving blanks for information still yet to be entered.

- ***How can I get a printable version of the survey in Word?*** A Word version of the survey was sent as an attachment with the link to the survey. In addition, you can email Monica Parks at mparks@nycbar.org for a copy.

- ***Can I get an extension for completing the survey?*** Unfortunately, we are unable to grant extensions to the 2016 Benchmarking Survey.

Questions related to the background section of the survey

- ***For the question about the size of the firm, as of what date should we report this information and does it include international offices?*** The data should be as of 12/31/16 and should include attorneys working across all of your offices, both domestic and overseas.

- ***How do we account for attorneys who are in a particular category – such as gay or disabled attorneys – if they do not self identify as such?*** We are looking for data that is collected through a process such as an anonymous and voluntary survey sent to all attorneys asking them to self identify in a category such as gay or disabled. If you do not have a process through which

you collect this information, as we hope many firms do, then you should not input the data. We are not looking for anecdotal data collected in an informal way – such as someone in your human resource function knowing an attorney to be in a particular category. We realize that this information is underreported because not all attorneys will be comfortable disclosing information on certain characteristics.

- ***How do you determine the categories on which you collect data throughout the survey?*** We use the categories and terminology employed by the National Association of Law Placement (NALP). The categories include Women, Men, American Indian, Asian American/ Pacific Islander, Black, Hispanic, Multi-Racial, Openly Gay and Attorneys with Disabilities.

- ***Why is there a question that says Is there anything else you would like to tell us?*** We've found in previous years that firms had specific information on which they wanted to elaborate - such as their explanation of who they included in the special counsel category or their approach to collecting data on gay attorneys or their approach to classifying attorneys on flexible schedules. This question is a placeholder for any information that you want to share that cannot be answered by the close ended questions throughout the survey.

Questions related to representation data

- ***Does the data represent all attorneys at the firm?*** Generally, the data DOES NOT represent all attorneys; it represents only attorneys working in your New York City offices. The exceptions are the question asking for data on the representation by level *in firm leadership roles* and the background question asking for *firm size*. Data for these questions should be firm-wide.

- ***What do you mean by total attorneys?*** Total attorneys are one of the calculated fields in the survey. We define total attorneys to mean *total associates + total special counsel + total partners*. Promotions to partner are not counted in that total because they are assumed to be encompassed in the partner numbers.

- ***What do you mean by total partners?*** Total partners is a calculated field representing income partners + equity partners. If your firm does not have a two-tier partner structure, you will only enter data for equity partners.

- ***Who is represented in your categorization for special counsel attorneys?*** Different firms have different names for how they classify these attorneys but we are seeking to identify attorneys who are in more senior roles – and typically have developed a specialized expertise - but are not classified as either associates or partners. Some of the terms firms use to describe these employees include counsel, of counsel, senior counsel, supervising attorneys and managing attorneys. Senior associates who may also be referred to as counsel at your firm should be included in the associate and NOT the special counsel category. Staff attorneys should also NOT be included in this classification.

- ***In the question asking about associates by class year, where should I include attorneys returning from clerkships?*** You should include attorneys returning from clerkships wherever

your firm will recognize them going forward. For example, if a third year attorney previously working at your firm left to complete a state clerkship for one year and subsequently a federal clerkship during a second year, one firm may slot that attorney into a sixth year class while another firm may recognize that attorney as a fifth year upon returning. Your response depends on how you will treat that associate when they return.

- ***In the category promotions to partner, over which time frame should an attorney been promoted?*** They should have been promoted between 1/01/2016 and 12/31/2016.

- ***What is the difference between leaving something blank and entering zero in the survey?*** We want to make a clear distinction about how to input data depending on whether or not your firm tracks particular types of information. If you do not track data in a particular category – such as attorneys on flexible schedules, then simply leave that cell blank (DO NOT input 0). Alternatively if your firm does collect information on that category of attorneys but you have no attorneys fitting that category, then the response should be 0. For instance you may in fact collect data on attorneys on flex schedules but currently have no partners working on part-time flexible arrangements. In that case, the response should be 0 for partners on part-time flexible schedules.

Questions related to attrition/ turnover data

- ***How do you calculate turnover?*** There are multiple ways to calculate turnover. The New York City Bar defines turnover as the attorneys who voluntarily left the firm during a particular period – in this case the 2016 calendar year - divided by the number of attorneys at the firm as of the beginning of that period – or in this case December 31, 2015.

- ***Does the attrition data include attorneys who were asked to leave the firm either for performance reasons or for layoffs?*** No, our turnover calculation includes only attorneys who voluntarily left the firm.

- ***What should I do if an attorney who left started the year in 2016 in one category, say as a junior associate, but had moved up to be a mid-level associate by the time s/he left late in calendar year 2016?*** You should include attorneys in the category they were in when they left the firm so in this case mid-level associate would be the right place.

- ***Should summer associates be included in the attrition data?*** No, summer associates are not included in the turnover data.

- ***Should attorneys who left for clerk courtships be included in the junior associate data as well as the data for one-year clerkships?*** No, those leaving for one-year clerkships should be included in the column for one-year clerkships and NOT in the attrition data for junior associates.

Questions related to hiring data

- ***Who should we classify in new hires at the associate level?*** New hires from the most recent graduating class should be classified in the incoming class column while any other associate level attorney joining the firm should be categorized as a lateral associate.