

Minority Powerbrokers Q&A: WilmerHale's Debo Adegbile

Law360, New York (November 05, 2014, 1:17 PM ET) --

Debo P. Adegbile is a partner in Wilmer Cutler Pickering Hale and Dorr LLP's New York office. He has experience in appellate, government-facing litigation and strategic counseling in high-stakes cases, internal civil rights investigations and commercial litigation.



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Most recently, Adegbile served as senior counsel for the Senate Judiciary Committee, in which he advised on a range of issues, including Supreme Court jurisprudence and litigation, First Amendment, voting rights, national security, intellectual property and nominations. Previously, Adegbile spent more than a decade working for the NAACP Legal Defense and Educational Fund Inc., where he served in several leadership roles.

In February 2013, Adegbile argued his second U.S. Supreme Court case: *Shelby County v. Holder*. Previously, he argued *Northwest Austin Municipal Utility District Number One v. Holder* in the U.S. Supreme Court. In March 2014, his nomination by President Obama for assistant attorney general for the U.S. Department of Justice Civil Rights Division was blocked in a controversial vote by the Senate.

Adegbile has litigated a range of complex commercial cases involving contracts, international arbitration, antitrust, patents, employment, civil rights, zoning and real estate interests. He also handled multiple internal and regulatory investigations. He is a frequent speaker on Supreme Court and anti-discrimination law topics and has testified before Congress on multiple occasions.

As a participant in Law360's Minority Powerbrokers Q&A series, Adegbile shared his perspective on five questions:

Q: How did you break the glass ceiling in the legal industry?

A: My path to partnership was circuitous. I began my career at a major New York law firm, spent several years there and then went to the NAACP Legal Defense Fund Inc. (LDF), where I litigated a variety of complex civil rights cases for 12 years. Ultimately, I served LDF as director of litigation and acting president and director-counsel, and then moved to the Senate Judiciary Committee, where I served Chairman Sen. Patrick Leahy as senior counsel. It is an unusual path to partnership in many ways but there are several factors that made it possible. First, my early training in commercial litigation was a foundational experience for me. My whole career can be traced to those early experiences and the relationships that I made as a law firm associate. Second, my time at LDF provided many opportunities for me to serve as a "first chair" in trials, Supreme Court and appellate arguments, to orchestrate and deliver congressional testimony and lead meetings with the attorney general and the solicitor general, among other government regulators.

What is less obvious but just as important is that my LDF years also brought me in contact with leaders of business and the bar who support LDF's mission: Ken Chenault of American Express, Vernon Jordan and William Lewis Jr. of Lazard and Ted Wells of Paul Weiss Rifkind Wharton & Garrison are important mentors. Finally, I picked a firm that understands the value that an eclectic career path can bring to business clients. WilmerHale thrives, in part, because it is comprised of attorneys who have been battle tested through government or other service. The model works and our clients recognize it.

Q: What are the challenges of being a lawyer of color at a senior level?

A: Some of those challenges are the very same challenges that all lawyers at large firms face: effective business development, building a “go to” practice, keeping legal fees competitive, and balancing the travel and other demands of work with commitments to family. But the challenges are also different, as one of a relatively small number of partners of color at a large firm, a common experience for partners of color in large firms, I feel an obligation to spend time thinking about the pipeline, retention and promotion issues for younger lawyers of color. These issues have proven very challenging over a long period of time and require focused attention.

In addition, business development can be a significant challenge for lawyers of color who on average are less likely to have access to a large number of C-suite decision makers who choose the company's counsel. Interestingly, because corporate America increasingly recognizes the business case for diversity, many companies consider law firm diversity as they think about who to retain as counsel. So having a diverse team at the law firm is also important for cultivating good client relationships.

Q: Describe a time you encountered discrimination in your career and tell us how you handled it.

A: A federal marshal once referred to me as “boy” as I entered a courthouse for a trial in Shreveport, Louisiana — it was not intended as a term of appreciation for my relative youth. I calmly offered my name to the marshal for future reference. Later, at LDF we wrote an amicus brief in a case before a federal appellate court explaining that calling an adult African-American male “boy” is racially derogatory. Because the appellate court in an earlier ruling had failed to appreciate that historical context, it overturned a jury verdict for an African-American male who had sued for employment discrimination based, in part, on his white supervisor's use of the term. The case went to the U.S. Supreme Court, the New York Times covered the case and the LDF amicus brief, and the appellate court ultimately reversed itself. The brief was filed on behalf of a number of civil rights luminaries, some of whom have since passed away, who did not need case citations to know what the term “boy” connotes in certain circumstances. Elise Boddie, now a constitutional law professor, was the principal author of the brief — she's a superb lawyer.

For many lawyers of color, however, the problem of career advancement has less to do with racially inappropriate comments (though they still happen), and more I think to do with unspoken perceptions and unacknowledged barriers to opportunity.

Q: What advice would you give to a lawyer of color?

A: Young lawyers should keep in mind several things as they chart their path: Tend to your reputation for excellence and to your professional relationships because people matter in the short run and in the long run. Additionally, seek

opportunities for filling your “skills” toolbox. Positions that allow young lawyers to develop their skills and to grow professionally are good opportunities because you take that tool box of skills with you. Two other things — one obvious, the other less so — are important. Finding a strong mentor who will share his or her experience, guidance and insight is extremely valuable. Ken Chenault once told me that I should not let any job define me. I have had occasion to reflect on his wise counsel recently.

Finally, resilience is a career skill. We live in a time in which people will have many jobs, work in different capacities and industries, suffer disappointments and be faced with unanticipated and sometimes even unimaginable opportunities. Bending but not breaking can take you far.

Q: What advice would you give to a law firm looking to increase diversity in its partner ranks?

A: Commit to it at the law firm leadership level. Diversity committees and initiatives are important ingredients but law firms today are businesses. In business if leaders set goals and ask their teams to become accountable for outcomes they are often achieved. I have hired and worked with many diverse teams of lawyers over the years, and what I can say without any equivocation is that neither race, nor gender, nor sexual orientation determines who will or will not succeed as a lawyer. In the end, we all benefit by creating a path that welcomes and embraces everybody.

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