

Minority Powerbrokers Q&A: WilmerHale's Danielle Conley

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Danielle Conley is a partner in WilmerHale's Washington, D.C., office. She has a general litigation practice with a particular focus on government litigation and strategy. She represents major corporations, educational institutions, nonprofit entities and quasi-governmental entities before federal and state courts and in arbitrations. Conley has represented clients at all stages of litigation, including discovery, dispositive motion practice, trial and appeal.



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Conley's litigation practice has included a variety of disputes that involve complex statutory and/or constitutional issues. She has represented clients in civil litigation and government investigations involving regulatory regimes such as the Fair Housing Act, the Equal Credit Opportunity Act, Title IX and the False Claims Act. Conley also provides strategic advice and counseling on issues before Congress and federal agencies.

Conley has an active pro bono practice. She routinely represents clients on a pro bono basis in cases involving complex issues of constitutional law, as well as in actions brought under Title VII of the Civil Rights Act, the Voting Rights Act and the Fair Housing Act. Most recently, Conley was one of the lead trial lawyers in *Veasey v. Perry*, a case successfully challenging Texas's photo ID law under section 2 of the Voting Rights Act and the United States Constitution.

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

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

A: Well, I'm not sure that I've "broken" the glass ceiling, as there are still very real challenges that women of color continue to face in this profession, even once they've made partner or achieved other measures of success. But I know that one of the primary reasons I've been able to attain many of my professional goals is because I have had unbelievable mentors along the way who made my success one of their top priorities. Jeh Johnson, the late John Payton, David Ogden, Craig Goldblatt and Juanita Crowley, among many others, all took an interest in me and were instrumental to my career development. And while clerking on the United States District Court for the District of Columbia, I developed a very close relationship with my judge, the Honorable Rosemary M. Collyer, who, prior to being appointed to the bench, was the managing partner of a D.C. law firm. She knew that I loved practicing law and she made me believe that I had what it takes to be successful at a large law firm. On my last day in chambers, she wrote me a very sweet note that ended with, "I'll dance when you make partner." And she did! I still call her when I'm facing a tough decision or need someone to guide me through a difficult situation.

I know that making partner isn't something that just happened to me because I'm smart, committed, and I worked very hard. While I believe those things to be true, the key was having influential people around me who believed it too.

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

A: It's tough to generalize here, as different lawyers of color will face different challenges, and these challenges will likely vary over the course of a career. But one of the challenges I think that we all have faced is feeling like we do not have any room to make mistakes. Earlier this year, Nextions did a very interesting study that found that law firm partners demonstrated an unconscious or implicit bias when evaluating the writing of African-American associates. I remember discussing the study with many lawyers of color, and the prevailing sentiment was that it had confirmed something we already knew — mistakes we make may be perceived as incompetence as opposed to just a mistake. This can be extremely stressful.

Another challenge that many senior lawyers of color face is with respect to business development. I know that business development isn't necessarily easy for anyone, but lawyers of color often do not have the same connections and access to potential clients. That's why it's particularly important for us to network, and to maintain connections with former classmates, colleagues, and people we meet at conferences and other events. One of my mentors once told me that I should be having lunch with someone outside the firm at least once a week. I can't say that I make it happen every week, but I try.

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

A: I was a young associate about to defend a deposition for the first time, and my client had not yet arrived. When I walked into the room, the lawyer taking the deposition looked up at me and said, "Oh great, you're here. You can go set up your equipment right over there." He assumed I was the court reporter. I just smiled and told him that I'd rather sit across from him and next to my client. At this point, this has happened to me more times than I can count. There have also been several instances when I've met a client for the first time and I could tell that they were shocked that I am a lawyer (e.g., "You're a lawyer? Really?"). But I've learned to take situations like this in stride. Every professional woman of color I know has had similar experiences. Some instances are more egregious than others. But if you focus on it and let it define you, it will paralyze you.

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

A: There are few pieces of advice that I have received along the way that have stuck with me. First, as simple as it may seem, you need to always do your very best work and you should always be professional. Your reputation is everything, and it will define you.

Second, I truly believe that "goal chasing" is the wrong way to approach this profession. If you don't like practicing in a law firm, why are you pushing to make partner? That is setting yourself up for misery. Now, you don't have to love what you are doing every day out of the year, but if

you find yourself complaining about work more than enjoying it, it might be time for a change. I think I'm very fortunate because I can honestly say I love what I do. And given the demands of this profession, and the personal sacrifices my family and I have made for me to be able to do this, I view this love as a necessity.

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

A: I'm an active member of our firm's diversity committee and we discuss this issue constantly. It's not easy. I think the key is that firms have to be deliberate about retention. It is not enough for a firm to heavily recruit and hire the best and brightest diverse law students. What are you going to do to keep them? I think that law firms need to develop and implement programs with the goal of ensuring that talented associates are paired with mentors and sponsors who will help guide them, integrate them into the firm, and actively promote them internally and externally. And most important, it cannot be the case that the only people in the law firm who are focused on these issues are people of color. In order for a firm to achieve diverse representation among its partnership and associate ranks, the commitment must come from the top down, and nonminority lawyers must also make it a priority.

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