

By: Dutton

H.C.R. No. 243

CONCURRENT RESOLUTION

1 WHEREAS, The State of Texas promotes diversity throughout its
2 workforce by encouraging state agencies to recruit and retain
3 African Americans and members of other minority racial and ethnic
4 groups; as a result, the civil rights division of the Texas
5 Workforce Commission reports that, in state fiscal year 2006,
6 racial and ethnic minorities made up more than 37 percent of the
7 workforce at state agencies, with African American employees
8 accounting for over 17 percent of the total state agency workforce;
9 and

10 WHEREAS, The State of Texas also advocates diversity by
11 requiring agencies to make a good faith effort to use
12 minority-owned businesses when issuing contracts for certain types
13 of goods and services, including legal services that may be
14 required for an agency to meet its responsibilities; and

15 WHEREAS, In recent years, many Texas law firms have increased
16 their efforts to recruit, retain, and promote African American and
17 other minority attorneys, while other firms have limited
18 opportunities for those attorneys; and

19 WHEREAS, To ascertain the racial and ethnic diversity of
20 attorneys in Texas firms, minority attorney associations in some of
21 the state's major cities survey large and medium-sized law firms in
22 those areas and rank the firms based on the diversity of their
23 attorneys; for example, a January 2007 report issued by the Houston
24 Multi-Bar Diversity Committee gave its highest rankings to two

1 Texas-based law firms--Akin, Gump, Strauss, Hauer & Feld, and
2 Winstead Sechrest & Minick--each with African Americans comprising
3 slightly more than nine percent of their attorneys; in contrast,
4 King & Spalding received the committee's lowest ranking, with
5 African Americans accounting for only 1.3 percent of the firm's
6 attorneys; and

7 WHEREAS, An annual list produced by *Texas Lawyer* of the 25
8 largest firms in Texas based on the number of their minority
9 attorneys, and a "diversity scorecard" of large and medium-sized
10 law firms nationwide issued each year by *Minority Law Journal*, also
11 provide information that state agencies can use to determine the
12 racial and ethnic diversity of Texas law firms; now, therefore, be
13 it

14 RESOLVED, That the 80th Legislature of the State of Texas
15 encourage state agency and university administrators who contract
16 with outside counsel to include in their decision-making process
17 the diversity rankings of private law firms, giving more favorable
18 consideration to high-ranking firms and less favorable
19 consideration to low-ranking firms; and, be it further

20 RESOLVED, That the secretary of state forward an official
21 copy of this resolution to the executive director of each state
22 agency and the general counsel of each state university for
23 distribution to personnel directly involved with the selection of
24 outside counsel for those entities.