

Arent Fox Partner On Program Fostering New Firm Leaders

By Anna Sanders

Law360 (November 17, 2021, 4:50 PM EST) -- Scott Peeler of Arent Fox LLP knows that law firm leaders aren't made just by doling out fancy titles like partner or practice group head.

While heading up the firm's enforcement and white collar group and the complex litigation department in New York, Peeler also wants Arent Fox to empower young lawyers and actively train the next generation of law firm leaders. With that goal in mind, Peeler created and leads the AF Fellows Program, a three-year leadership development course where a small group of attorneys can learn how to be pillars in the law firm and in the community beyond. Launched in 2017 for mid- and senior-level associates, counsel and partners in the first two years following their elevation, the first class of 10 fellows completed their cycle this year after pandemic delays.



Scott Peeler

Peeler spoke to Law360 Pulse about his goals for the program, why the legal profession needs more attorneys who inspire and guide their communities like Atticus Finch, and how law firms can develop leaders before they make partner.

This interview was conducted on Nov. 10 and has been edited for length and clarity.

The Arent Fox Fellows Program just completed its first full cycle this year with a 'graduation' after launching in 2017. Do you think the fellowship has accomplished what you intended when you first created the program?

It's accomplished more. There were three pillars we wanted to focus on that were encompassed by diversity, inclusion and empowerment and the role that it must play in leadership. In law firms, the concept of partnership and leadership have become conflated. There are partners who happen to be great leaders and there are partners who are not. And there are associates and other staff who are great leaders. We wanted to try to untie the concept that just because you have a title or position, you're automatically a leader. We wanted to actually reverse that idea.

If we create more great leaders along the way and we empower people to lead from where they are, we will have more leaders in different roles as they progress in their career, which protects and enhances the culture of our firm. The hope is to have more people who are great leaders who understand what leadership is, understand the concept of service leadership and the significance of diversity, inclusion

and empowerment in the culture at the firm, because it protects and it enhances what's great about us and makes sure that we stay unique and protected in the generation to come.

I joined the firm 21 years ago as a fourth year associate after three years at the Manhattan [District Attorney]'s office, and I had the benefit, over time, of having some phenomenal mentors in the firm who helped me and empowered me. I realized how lucky I had been to be in an office next to so-and-so, or to have had that person I worked with on a pro bono matter. So the Fellows Program was an attempt to create that without the happenstance and serendipity of where you happen to sit or whether you run into somebody who's a great mentor. Let's do this more programmatically and let's make the impact significant, which is why it's a three-year program and that's unique in the legal industry. Lots of law firms will talk about leadership development, but I have not found a single law firm or any legal entity out there dedicate the resources, the time in this way. It's a big thing and that's why it's a three-year program.

The program specifically focuses on leadership — why is that an important quality for attorneys?

It perhaps has been romanticized with things like "To Kill a Mockingbird" and Atticus Finch, but there was in fact a time when the lawyer in town wasn't just somebody who drafted your contract and gave you legal advice by the hour. The lawyer was actually a sort of de facto leader, a person who helped the community, the town, if you will, deal with a lot of stuff that goes on. That person was a leader. They were a lawyer and a leader, and I think the profession has gotten away from that. We've become a lot more of the 'we're gonna draft your contract, we're gonna draft it better than the next guy, we'll do it for cheaper, faster, more efficient.' Although that's important, it's an abdication of the opportunity to realize that as lawyers, we have a toolbox to help people.

One of the things I tell every law school student I teach is when you graduate, you have a toolbox by which you could change the world. You can write laws, you can change laws, you can interpret law — all this is within your power to affect everything around you. I challenge them to think what they're going to do with that toolbox to build something bigger, better and make a positive difference in the world for the people they care about. I'm trying to get us back to this concept of lawyer and leader.

How exactly can you foster leadership skills in young lawyers?

A lot of people still believe that leadership is innate. The expression "he or she's a born leader" still exists. This is something that I abhor. It's a very dangerous concept that allows for implicit bias. There was a study where people from all cultures, genders, and backgrounds were asked to draw a leader. And you know what they drew almost universally? Me, a white guy in a suit, usually with glasses, pocket square, the works.

I believe in the concept that leadership can be taught, it can be studied, and it can be fostered. By the time you get a title or position, you'd better be ready to lead. But the title is not what makes you a leader. Leadership is knowing you're a part of a community, and understanding the needs of that community, the problems it's having and having ideas on how to make it better. To put solutions into effect, to step forward, that takes the ability to not be afraid. The legal profession does, unfortunately, a really good job of saying, "Hey, you're just an associate" or "Hey, you're not an equity partner." That enhances this idea that, until I have a title, I don't have a voice. That's nonsense.

My firm's culture allowed the Fellows Program to flourish. It was an idea that I had that was untested and unique in the world. I just believed in it strongly, put together a proposal, and my firm said that's a

good idea, run with it. If everybody feels empowered, it's extraordinary. Because then you feel heard, then you feel value and, with that, the culture grows and people's comfort level grows.

What kinds of events, activities or assignments do fellows participate in during the first two years of the program?

We have a three-day retreat when people are selected and at the end of that, fellows are given their first year project. It's called the "mitzvah project." The concept of mitzvah is really a selfless act, something done for the benefit of another. So what I ask each of them to do between the middle of October and Dec. 31 of that year is to take someone in their life that they're not related to by blood or marriage and do something to make their life better without spending money. I tell them, don't try to cure cancer, don't try to do something huge, just focus on someone in your life and something you can do right now to help them make it better for them.

A concept that I often talk about is a servant leader who is here to make the difference in people's lives. One of the fellows in the earlier classes, she realized that her secretary — this is pre-pandemic — was somebody that she didn't really know and she saw every day. So she decided to really start to get to know that person better and she found out her secretary danced an enormous amount and was having a recital coming up. So she and her significant other went to the recital, brought the secretary some roses and just shared in that moment that was important to her life. From that, a relationship was deepened, and the truth is a lot of wonderful things happened between the two of them in the intervening years.

I had another fellow who noticed that at a recent "OutFox" program for the LGBTQ+ community, a new first year associate was entirely quiet, didn't say a word and was in the virtual room corner. So he picked up the phone and called her and welcomed her and tried to make her feel more comfortable about the firm. She wrote him the next day the most extraordinary email and just said what a difference that had made to her and that it had made her feel so much more at home and cared for and welcomed — that's leadership. People may not define that as leadership, but I sure as hell do.

For the second year project, I ask them to think of someone in their life who they're not related to, who was a mentor or who took an active interest in their development, and write down three ways that that person has really made a difference and then to thank them. After they do all that, I ask them to think of someone else in the firm or in their life who would name them if asked the same question. This is much harder because a lot of people haven't yet gotten to the stage of mentoring other people ... And the whole point of this is, what are we waiting for?

In the third year, fellows must come up with a workable plan to improve or address a major problem or issue facing Arent Fox and present their findings to the entire firm. Are there any ideas fellows came up with that surprised you?

I have a pretty good pulse on the issues at the firm, so I don't steer the conversation at all. After the fellows spend hours talking about different ideas or issues, then they choose their project. Every class has been able to actually solve or do something positive to make a huge difference. One of the success stories right now just actually came to fruition in the last few months.

The class of 2018, when they were talking about this, they thought there should be additional levels of leadership development for people who are in leadership positions now. The fellows in this program are mid-level, senior-level associates and recently promoted counsel and partners. So the group thought it

would also be great if we help people who are the practice group leaders and who are in certain positions of leadership gain some of the same insights and skills that we're learning now, as opposed to the firm waiting for 10 to 15 years when we take those positions. What about the generation that's in the seats now? They began to talk about ways to do that and it became known as the Executive Fellows Program. So through those conversations and their deliberations — which did come to a halt at the beginning of the pandemic, but continued again starting a few months ago — we have instituted and we're about to announce an Executive Fellows Program that will accomplish some of the same goals they set out to accomplish in their own program, and their work and their input was invaluable to that process.

What does the firm look for in program fellows?

It's quite an extensive process. There are 10 questions in an application in which they can choose eight to respond to, all of which are vehicles to tell us about themselves on a deeper level. Things like, what book, movie, play, work of art moved you recently, and why? I like to think of a fellows class of 10 as a table at a wedding, no one's going to know each other when they sit down. When we choose a class of 10, we're looking for diversity in every sense of the word and we're looking for the most diversity we can get — personality types, experiences, life experiences, ideas, new points to bring to the table — so that when you leave that wedding you say, "Damn, I'm glad I was at table number seven, because that conversation, those people, that was fascinating."

Of the 40 people who've been selected so far, half of them are men and half of them are women, 45% of them are racially diverse, 8% are in the LGBTQ+ community. They come from all of our offices and practice groups. We have a retention rate of approximately 85% in the program. Fellows who were up for elevation were in fact elevated and all of them were elevated to partner, except one who was elevated to counsel. We want to choose the folks who can represent all that level of diversity and help them maximize their potential, be all they can be. Does that help them become better partners, better elevation candidates? It does, but I'm focused on them being better spouses, friends, colleagues, too.

Has the pandemic had any impact on how the program is run?

There was a gap in the process. We're going to be holding a "graduation ceremony" for the first class this year after it was delayed by the pandemic. But technically it's a three-year program and the first class was in 2017. We did not pick a class last year because of the pandemic.

It was crushing because the world was collapsing around in so many different ways. I'm on the firm's executive committee, so we were literally meeting minute by minute, hour by hour, day by day, and it didn't take long to realize that certain programs are going to need to be halted while we focused on making sure that we manage the firm through this crisis. But the group of 30 people in the program at the time, we became a think tank and we sat down and we came up with specific ideas on what we thought were the issues that people were going to be facing at the firm for the foreseeable future and what we could specifically do to address those concerns. We wanted to try to come up with ways to make people feel more connected at a time when none of us were.

We came up with a series of initiatives that we call "quaranteam." There are different channels and we created different ways for people to communicate. So we would have a fox-themed baking challenge. And we had other contests. From top to bottom, the participation rate was over 90% of people at the firm who engaged through this process throughout the quarantine. It brought people together and a lot

of people got to know each other in ways that they had never done before. That was a perfect example of leading.

What do you see as the future of the program?

Obviously to continue making people feel empowered to lead from where they are, and to create more partners and people who are elevating through the law firm and in the legal profession who are better leaders. I want more people who really understand the value of diversity, inclusion and empowerment, who really understand that leadership is about making a difference for other people.

This is what I'm about, and this is what I spend most of my time doing. And the new Executive Fellows Program is going to multiply that impact on folks that I haven't reached because they had already gotten too senior by the time I launched the program, so I'm trying to catch as many people as I can. And I would love it if it's spread in the profession in general.