

Improving Diversity in South Florida Legal Industry— And Elsewhere

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To incentivize minority law students to stay and practice in South Florida, Alan Kluger, a partner at Kluger Kaplan in Miami, and H.T. Smith, the founding director of the trial advocacy program at Florida International University College of Law, spearheaded a scholarship program at the firm to offer money, mentoring, and job opportunity. They discuss the program and how other firms can create similar programs to improve diversity in the legal profession.

The 2021 summer associate classes in law firms nationwide saw the largest ever improvement in representation of people of color, but the number of Black attorneys has still experienced slow growth in the legal industry. The number of Black partners has increased only by half a percentage point since 2009.

Achieving racial diversity has been a historical challenge in the legal community, and particularly in South Florida. As partners in a Miami law firm, we recently saw first hand how very good Black law students were leaving Miami because they do not feel they have opportunity here to reach their full potential.

We made offers to four Black summer associates, but three said they were going to other cities like New York, Washington, D.C., and Los Angeles because they believed there were more opportunities at law firms in those cities than there were for Black lawyers in Miami.

That's when we decided to do something that is going to be an incentive for minority students to stay here. We needed to be proactive. As a Miami firm with deep, long-standing roots in the community, we decided to use our visibility to improve minority retention in our hometown.

Legal Studies Scholarship Created

In 2021, the firm created a scholarship program for minority law students. The goal is to not only support minority students, but to create a more diverse workforce and encourage other law firms to create similar initiatives to bring visible changes to the makeup of the South Florida legal community.

The H.T. Smith Legal Studies Scholarship is awarded annually to one minority law school student. Scholarship recipients earn \$10,000 in financial assistance to attend an eligible law school in Florida, work in a summer clerkship at Kluger Kaplan, and are considered for an attorney position following their law school graduation and passage of the Florida Bar exam.

Kluger Kaplan awarded Briana Harris, a second-year student at FIU College of Law in Miami, with the scholarship for the 2021-2022 academic year. We're also excited to welcome her as a summer associate this year.

Inspiring Other Law Firms to Create Similar Programs

While we are incredibly proud of the firm's initiative, its impact will be much greater when other firms launch similar programs to encourage diversity not just at large firms, but at the small and mid-sized firms that make up the majority of the legal community.

For the South Florida legal profession to make a measurable improvement in diversity, access, and inclusion, small and mid-size law firms will need to undertake active and meaningful participation in these type of programs. It is the cumulative results that will have the greatest impact on increasing diversity in the legal profession.

As more is written about these types of diversity programs, it is our hope that more small and mid-sized firms will build programs of their own, either offering scholarship money, mentorship opportunities, and/or opportunities to observe attorneys in action when they are attending hearings, meetings, and participating in networking.

With regard to the needs of minority legal students, you can give a scholarship, but we find that many Black law students are yearning for mentorship. Entering the legal profession can be very

daunting. There is a sense that others have it “figured out” and that new lawyers “don’t know what they are doing.” A good mentor can vet ideas, provide advice, and make relevant introductions to new attorneys as they find their way in the profession. Pairing scholarship dollars with a mentor can make a significant difference in a young lawyer’s career trajectory.

Likewise, creating opportunities for law students to observe live events such as meetings, depositions, and court appearances provides them with insight into how the skills taught in law school transfer into real life words and actions.

Networking is also a critical piece of the legal profession that is often left out of the basic law school curriculum. Through the scholarship program, we intend to offer all three of these components in addition to financial support. The financial support can be important, but it is not the only way that local firms can begin to support minority students.

Once you create a program, it is also important to publicize the initiative—especially with law schools and legal periodicals in your area—to reach qualified candidates and to encourage other firms to establish their own initiatives.

Intentional Actions Can Lead to Diversity Success

Since launching the scholarship, we’ve already seen other South Florida law firms joining the effort to improve diversity in various ways, including funding scholarships and mentorship programs.

One of the greatest lessons we’ve learned is that talent and accomplishment are not sufficient in an environment where people are not intentionally providing equal opportunities for everybody. To make diversity meaningful, we need to have White allies who commit to providing opportunities with intentionality. We also need an infrastructure of Black professionals who make people feel comfortable outside of the workplace.

The legal profession has been behind in this, but you don’t need a whole lot of action to change the metrics. If just 10 small and mid-sized firms created similar initiatives, you would have a dynamic that truly changes diversity in the industry.

Improving diversity in our community requires intentional, coordinated, positive, action and the feeling of belonging. There is no lack of good will, there’s just inaction. But they both get you to the same place.

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