

Minority Powerbrokers Q&A: Alex Romain

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Alex G. Romain is a trial lawyer in the Washington, D.C., office of Williams & Connolly LLP, where he has been a partner since 2007. He has had leading roles in several high-profile civil and criminal cases, including the successful defense of the late Senator Ted Stevens. The American Lawyer has described the firm's work in that case as "one of the best criminal defense performances in memory. ..." Romain also successfully represented the former CEO of Fannie Mae against securities fraud claims, where the court awarded his client summary judgment on all counts. In 2010, Alex was named to The National Law Journal's "Appellate Hot List."

Romain has been a member of the firm's ethics committee since 2007. He served on the District of Columbia Bar's Legal Ethics Committee from 2009 to 2014, and has been an adjunct faculty member at American University's Washington College of Law. He also has served as pro bono counsel to the Sitar Arts Center and is a Board Member of the Duke Ellington School of the Arts.



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

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

A: If one defines the glass ceiling as partnership, then I became a partner at Williams & Connolly in large part because several people cared enough to sponsor my professional development.

My journey began in Boston, where I grew up as the son of Haitian immigrants. My parents explained that life is not fair; that I would have to work harder than others; that some people would tell me what I could not do; and that I likely would not get the benefit of any doubt. They also taught me that I could achieve whatever I wanted, by the grace of God, and that they expected nothing short of excellence. I have always carried those principles with me, including during the past 15 years at my law firm.

At Williams & Connolly, I was fortunate to find three partners who sponsored me. These partners, all of whom are white, expected the same quality of work from me as they did from my white colleagues; they offered blunt advice about life at the firm; they supported me when I stumbled; they granted me

opportunities to lead and space to shine; and then they told their colleagues about me and my work. In the process, I learned to focus on the opportunities I was granted rather than on those that I was denied.

Throughout my career, I have also been fueled by the memory of my father's struggles as an accountant in Boston: the slights and deliberate humiliation that deeply affected him. I also remind myself of my good fortune: in my office, I have a painting of a marketplace in downtown Port-au-Prince. The painting faces my desk and reminds me every day of the profound difference that mere opportunity can make in someone's life. In light of the sacrifices and support of many people — my parents, my family, my sponsors, among others — I work hard to create and take advantage of every opportunity.

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

A: The challenges in law are the same as in life. There is often an assumption that lawyers of color are not as smart and capable as their white colleagues, and so we operate under a presumption — albeit rebuttable — that we are less competent. Overcoming this threshold obstacle requires strength of mind and mastery of one's craft. After having proven yourself, however, it is frustrating to confront the same presumption from those who already know your work. I recall one case in which I had conducted numerous hearings and arguments on a central issue, and with tremendous success. In preparation for our ultimate hearing, one of my co-counsel admonished me, in front of a large group of counsel, on the basic principles of addressing a judge. I was perplexed, so I gently reminded him that I had a seven-year track record in this litigation, one to which he had had a front-row seat. He acknowledged that fact and we all moved on.

Another challenge is that lawyers of color must often do more to establish the same level of authority and respect that is routinely afforded to their white colleagues merely by virtue of their seniority. This is a difficult problem to identify and address. In many instances, however, this disrespect further inspires lawyers of color to prepare to excel: complacency is not an option, and one's laurels provide no refuge.

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

A: At the beginning of a major arbitration that I helped to bring in to the firm, our co-counsel expressed some dismay that I would be leading the litigation because he thought that the arbitrator, the company's executives, and the witnesses would be more "comfortable" with my white colleague, who was three years my junior. I ignored the statement and the attitude it betrayed. At the end of the arbitration, which we won, the same counsel acknowledged my superb relationship with the company's top executives and the quality of my written and oral advocacy. Finally, he asserted that my performance on the case was a "revelation." I ignored that comment, too.

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

A: Remember who you were before you became known primarily as a "lawyer of color." It is sometimes too easy to allow others to define you narrowly, to suggest that your interests — legal and otherwise — are exclusively "ethnic," when that may not be the case. Just be who you are, and remember who you were.

Maintain balance in your life. Do the stuff (in law and in life) that makes you happy, and find ways to fellowship and renew yourself. I have played the piano for most of my life; in fact, I wanted to be a concert pianist. That dream now awaits my retirement, but every morning I practice with my seven-

year-old son, and it brings me great joy to combine my love of music and family.

Be the most prepared person in the room. Be brutally honest with yourself about your weaknesses and work hard to address them while emphasizing your strengths.

Take stock of slights and then let them go. Lawyers of color are routinely subjected to various indignations, subtle and overt. There is little point in denying that they happen, but there is absolutely no value in allowing them to consume you. I am not suggesting that you should forget them — they might fuel your efforts — but do not allow them to diminish your spirit.

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

A: Take the long view: First, take good care of the folks you have, and then work to expand the number of potential partners. It may be easier to make (or recruit) partners than it is to keep them. Firms should demonstrate that those who stay as partners will receive the sponsorship necessary to succeed. Diverse partners, like all partners, need support with respect to business and professional development, including leadership roles within the firm. Give diverse attorneys meaningful roles on committees that manage the firm, not just the committees that provide some public relations benefits to the firm. Diverse associates will likely consider a law firm's support of its diverse partners as a reasonable predictor of the support they can expect.

To expand the crop of potential partners, I think it is helpful to have a broad group of individuals personally invested in the recruitment of diverse candidates. Law students of color, like everyone else, are more likely to join a law firm that wants them and is not afraid to say so. It is not enough for a firm to assign to attorneys of color all the recruitment of additional attorneys of color. Finally, the firm's commitment to diversity and inclusion needs loud and steady support from the firm's leadership.

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