

# Submissions, DEI, Referees, and Competitiveness – Your Chambers Questions Answered

A big part of what we do at Jaffe is rankings and awards for law firms, and one of the most prestigious legal directories is Chambers USA. It also has one of the most in-depth submission and research processes, gathering more than 47,000 market responses last year alone via phone interviews and surveys.

Chambers North America Research Director Kush Cheema sat down for a chat to answer some of our clients' biggest questions and demystify the process.

We talked about how Chambers uses the diversity survey in the submission, best practices for choosing references (or referees, as Chambers puts it), what practice areas are the most challenging to break into, tips for writing submissions, and more.

## **Can law firms submit one or two individuals to Chambers, or does it always have to be a practice group?**

Lots of law firms don't know you can send in a submission for an individual lawyer if you don't want to submit an entire practice. Say, for example, you have one lawyer doing employee benefits in Delaware when the majority of the practice is in New York. You can fill in just the relevant parts of the submission form with a few work highlights and the attorney biography, and provide a few referees. It's totally fine to submit for an individual.

## **How does Chambers use demographic information? How important is DEI for rankings consideration? Is it better to have more diversity? Are less diverse firms penalized?**

We ask for some statistics and track industry information to get a gauge of what the demographics look like across the practice area in the market. We want to know what the demography of this industry looks like. We also talk to diversity-focused associations, such as NAMWOLF, the Hispanic National Bar Association and Diversity Lab.

We do not want to overlook anyone or underrepresent any groups in our tables, so we ask for the information to make sure we don't get feedback in a closed loop. If Big Law tells us there are 25% female equity partners and my guide only has 10%, we have work to do. We don't want to speak to the same people year after year who are going to recommend people who look exactly like them.



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For example, we have an internal directive that 50% of our interview requests go to female or underrepresented groups, and we encourage firms to provide 50% female referees.

We do not penalize firms for their demographics, but we do weigh diversity stats if a swath of client referees tells us they regularly turn to a firm because of their diverse team – that would be a strong recommendation in our view.

## **What's the best way to write submissions to Chambers?**

When it comes to the firm overview section, there is a temptation to copy and paste your "About Us" page from your website. But those pages are designed to show your firm as being all things for all people. They often say a firm can do every aspect of energy, private equity, litigation, and so forth.

We know that's not the case. We know that law firms have tailored specialties. Tell us that. Let us know that you have a particular expertise in aviation finance or private equity in the healthcare space. That information is useful to us.

There are times when we will open a submission for private equity, for example, and the firm will tell us they can do everything in that space – fund formation, buyouts, minority investments – in every single sector. But then we speak to 20 referees and the only thing they talk about is healthcare. We want the submission to match up with what the referees say about your specific practice.

## **What's the best way to write matter summaries?**

In terms of work highlights, be concise. A corporate mergers and acquisitions matter can be very straightforward, and summarized in two sentences: "We advised this company on the acquisition of this company. It was significant because X."

We understand that matters can get more complicated in other areas. For example, for international arbitration, you want to describe the dispute, the underlying rules, the parties, the arbitrators, and the outcome.

For more complicated matters, my advice is to think of a New York Times article. The first sentence in the article succinctly summarizes what happened. Then there's more detail about why it's important.

There's no need to pump your submission up with six links about your corporate M&A matter unless it's a truly groundbreaking matter.

## **Who are the best referees to submit?**

We can and do enjoy speaking with general counsel, chief legal officers and C-suite members, but often they're harder to pin down for a bigger company. Also, they'll often have 20 or 30 different firms or groups referring them.

A step down is perfectly fine, such as submitting corporate counsel or heads of litigation. Whether we talk to the general counsel or to antitrust counsel at Amazon, we will say,

"This is the feedback from Amazon."

Feel free to refer other co-counsel, judges, mediators, or arbitrators – in other words, third parties who are informed and had a firsthand view of the technical expertise on offer – as long as they are comfortable with the ethics of the referral.

## **We've been enjoying your new referee tracking feature on the back end. Why did Chambers create that?**

We want to be quite transparent about what we are doing – that goes for the diversity stats and everything else, too. The referee tracking in the back end has been useful to break the cycle where emails to referees go into spam or we realize there's a misplaced .com or .org and they're not going through.

Now firms can see whether we are getting in contact and collecting information, and we won't have to chase the referees every month. Also, we try to streamline the referee interview process so we are not organizing six different calls with the GC of Spirit Airlines, who is going to have 20 different firms referring them this year. Referee tracking helps demystify the contacting process, while preserving our guarantee of anonymity.

## **We advise our clients, especially smaller and boutique firms, that it takes three to five years to get ranked – longer for more competitive areas. What are the jurisdictions and practice areas that are toughest to break into?**

New York, California and Washington, D.C. are the most competitive, obviously. In New York and California, the corporate sections and litigation. In Washington, everything regulatory. There are fewer people coming out of the Biden administration and there's been a trend of law firms poaching from each other, so it's less common to see top-class expertise going to boutiques and there's less of a pathway for new firms to break into that market. There are a few exceptions, such as lawyers from established firms breaking off and forming their own boutiques, which we saw happen recently.

As far as how long it takes for firms to get ranked, practice areas that touch on very confidential work can take longer, such as government contracts, white collar litigation, or corporate crime. These are areas where it takes time to build confidence from the clients themselves. We would like to see evidence of a track record in, say, top-class regulatory defense investigations work, which is harder for law firms because so much is confidential. It takes time to build that portfolio.

## **Kush, you recently moved to the United States from the UK. How has that helped you get a better sense of cultural nuances in the legal field here?**

Chambers opened its New York office in January 2020 and I've been traveling a lot. The

culture of firms is a big interest of mine currently – seeing regional differences between, say, Texas versus D.C. I can tell a researcher, "This law firm historically has a progressive culture and this is why they are saying this about other law firms." It's been a real benefit.

## **That's helpful. It's good for a researcher out of the UK to know why Delaware is a bankruptcy mecca, for example.**

When it comes to our researchers, we hold kick-off meetings with someone who has covered the practice area for a long time. All our researchers work in partnership with a senior member of the team, who provides quality assurance. The deeper understanding comes from speaking to the experts.

I've been covering private equity and appellate law for years, and there is a new researcher now who does this work. I'll review it and assess how things have developed based on a decade of looking after it. That's echoed across the practice areas.

## **Final question. Has Chambers considered breaking out some of the practice areas – for example, intellectual property in Texas or Tennessee – into a patent table and a trademark table?**

We've considered it, but concluded that a better approach is having a bigger umbrella and improving search functionality, such as having tags in the code so that general counsel will be able to search for patent work in Tennessee, not just IP work. That's a work in progress. We hope that clients will be able to find more niche expertise even when it's part of a bigger table.

We learned this lesson because we have experience with new break-out tables quickly becoming obsolete. We had included a SPACs table and it became obsolete after three years. We could have just included SPAC in private equity work and broadened the definition of that practice area. We saw something similar happen with outsourcing, which has significantly quieted down. Having a wide-open IP table allows us to focus on the whole hog.

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Thank you, Kush, for opening the hood and letting us take a peek at the engine at Chambers. If there's any takeaway, it's that Chambers wants to be transparent, and is open to further questions from firms. Go to [Chambers.com](https://www.chambers.com) for more resources and contact information.

If you want more guidance about Chambers and rankings strategy, or need help with your submissions, reach out to Eryan O'Keefe at [eokeefe@jaffepr.com](mailto:eokeefe@jaffepr.com) or Mary Smith at [mbsmith@jaffepr.com](mailto:mbsmith@jaffepr.com).