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KIRSTEN SCHUBERT

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ATTORNEY OF THE MONTH

KIRSTEN



SCHUBERT

Diversity — Fundamental to Legal Excellence

BY H. K. WILSON

Attorney Kirsten Schubert, Partner at Dorsey & Whitney LLP and Recruiting Chair for the Firm, is a vital force inside a law firm dedicated to helping its clients succeed in a competitive world. Her multifaceted commercial practice encompasses securities class actions, shareholder disputes, ERISA litigation, FINRA actions, advisor fee litigation, internal investigations, and other disputes relating to the financial services and healthcare industries. Schubert's zealous advocacy extends well beyond her client roster to individuals and causes clamoring for justice. In 2018, she was recognized as National Advocate of the Year by the Immigrant Law Center of Minnesota for her work on behalf of a child refugee during the Trump Administration's first travel ban, and in 2019, she worked with a team of lawyers to vacate the death sentence of an intellectually disabled man. She is also a firm leader dedicated to the recruitment and advancement of diverse individuals within Dorsey and across the profession.

A Midwest native, Schubert grew up in Kansas City, attended high school in Rhinelander, Wisconsin and earned her undergraduate degree from the University of Wis-

consin, Eau Claire. She was selected for a summer associate clerkship at Dorsey while attending the University of Michigan Law School, and her positive experience at the firm led to her return as an associate attorney after graduation.

Schubert says that as a young lawyer, she quickly warmed to the clients and issues surrounding complex commercial litigation. "In my first week at Dorsey, I was assigned to some large, complex securities cases. I found immediately that I was attracted to sophisticated, high stakes litigation, where I could work with really smart, dedicated lawyers on ground-breaking issues that are of the utmost importance to my clients. I am very comfortable speaking in public and really enjoy the back-and-forth exchange of oral argument, and as a liberal arts major, it's no surprise that I enjoy the writing aspect of this practice, which is extremely important leading up to trial. I was fortunate early on to work with some great mentors, and I like the people who do this kind of work. They're fun, and we have a good group at this firm. I like the clients too, the people who sit on boards, the executives, the advisors, and the brokers who sell the products. I fit well with that client base."

“One of the cool things about Dorsey is that people here are authentic, we’re not afraid to be ourselves. There’s no Dorsey “mold,” we each bring something different to the table. We choose the most talented and skilled people, and we give them space to explore different practice areas, get to know our lawyers, and find what they want to do. We can do this because we’re a full-service firm, and have the resources to look at the long term. If we invest in you, we want you to stay, and we’ll do everything we can to support you and keep you, and meet you where you are.”

Schubert is bold, upbeat and energetic by nature, qualities that serve her well in a sector that is still governed primarily by men. “Women are underrepresented in executive positions. It has been important for me not to be intimidated by the men in those jobs. My outgoing and strident style has served me well, and I’m not afraid to engage with these individuals on their level. Eighty percent of the time, I’m the only woman in the room. While our teams here at Dorsey are well balanced and diverse, I don’t usually see that in the lawyers sitting across the table.”

In her role as recruiting chair, Schubert works closely with management and Dorsey’s recruiting and diversity professionals to promote diversity and inclusion across Dorsey’s offices. She and her colleagues are taking on a number of challenges relating to identifying, attracting, developing and retaining diverse legal talent. She says the first hurdle is seeing an increase in the number of underrepresented groups going to law school. “Our goal is to connect with students who may not have had exposure to or experience with the legal field. I am a great example of this. I did not have any lawyers in my family. My dad worked at a grocery store and my mom was a teacher, and the first time I ever thought about going to law school was when a justice on the Wisconsin Supreme Court came to speak at my high school. Before that day, it had never even occurred to me that becoming a lawyer was an option for me. So, we are thinking of ways to get in at the ground level like that here, like, for example, recruiting high school-age students of color for internships in our Minneapolis office.”

According to Schubert, once diverse students are in law school, there is a rush by firms to recruit them, so Dorsey is devising new methods for attracting diverse candidates. By way of example, the Minneapolis office recently finished this year’s on-campus interview recruitment for 2L students. More than 50 Dorsey attorneys participated in the process. Of the 12 students who were selected from nine law schools around the country, nearly 60 percent are women and 40 percent are students of color or LGBTQ.

Getting the desired result requires careful preparation. Dorsey’s attorney interviewers receive training on elimination of bias and are not privy to candidates’ grades. “We have interviewers ask specific behavioral questions designed to elicit the traits we want in our people, like resilience and accountability. It gives us a much broader picture of who our recruits are and their actual life experiences, so we are able to look at them as whole people. We can use that information to move past our biases toward traditionally privileged groups and find the best candidates, some of whom may have been overlooked in the past. I am confident that this year, we have a great group of students from diverse backgrounds who will be excellent attorneys.”

Once diverse candidates come into the firm, the next challenge is retention. “That’s the inclusion part of diversity and inclusion,” Schubert says. “We have mandated that all lawyers in management positions attend eight hours of inclusion training, and this year, we have implemented a new policy where associates can count 50 hours of diversity activities per year toward billable hours. That is on top of the 100 hours of billable pro bono credit that we already offer. Our commitment to diversity shows up in small things too. Our email signature blocks now offer optional pronoun identification as part of the signature. I think we’re on the cutting edge for firms across the country for many of these policies.”

She continues, “One of the cool things about Dorsey is that people here are authentic, we’re not afraid to be ourselves. There’s no Dorsey “mold,” we each bring something different to the table. We choose the most talented and skilled people, and we give them space to explore different practice areas, get to know our lawyers, and find what they want to do. We can do this because we’re a full-service firm, and have the resources to look at the long term. If we invest in you, we want you to stay, and we’ll do everything we can to support you and keep you, and meet you where you are. I also think because we have such supportive relationships internally, we can collaborate really well for our clients. For example, I was working with another partner (and good friend) to bring in a large, institutional client, and needed to resolve multiple conflicts over Fourth of July weekend. A dozen partners dropped what they were doing to help us get waivers and land the work. We’re a big firm, but intimate in that we really know each other, and our personal relationships help us serve our clients better.”

Many consider the law a caring profession, and Dorsey demonstrates care not only in the way that it serves clients and community, but also in the systems it has designed to support its family of professionals. From generous family leave policies, to flex scheduling, to health initiatives, to time off for personal endeavors, Dorsey honors the kaleidoscope of individuals responsible for creating its outstanding legal results. Schubert felt the value of this ethos when she faced a medical emergency shortly after becoming a firm partner. “I had to figure out how to hand off work, and when I called my trial group manager, he just took it off my plate. It took time for my hours to ramp back up, and that was really stressful for me, but everyone gave me the time I needed to get back on my feet. I’m not sure it would work like that everywhere, and I think it’s what keeps us all here.” Schubert also enjoys her time outside the office. She takes horseback-riding lessons twice a week with Dorsey’s chief marketing officer and general counsel, and she loves adventure travel. During her tenure, she has had the opportunity to visit destinations as far away as Antarctica.

Looking back on her early days at Dorsey, Schubert recalls the value she derived from the firm’s diverse leadership. “When I first started, the managing partner was a woman, which was a major draw. She was one of the first female managing partners at an AmLaw 100 firm and one of the few women partners in our trial group. She was a trailblazer, and I was fortunate to practice with her. She really pushed to advance women in the firm, and showed us that we could succeed in this field by producing the highest quality of work and being unafraid to assert ourselves. One of the things that has been most consistent about my experience is that nobody treated me differently because I am a “woman.” People care about my intelligence and skills, not about how I dress or “fit in.” As a young attorney, the partners trusted me with their work, shared their knowledge and experiences, and showed me what it is to be a truly great lawyer.”

Dorsey succeeds through the belief that diversity is a fundamental building block of legal excellence. Schubert sums up, “First and foremost, we do great work. We pride ourselves on our brand, and we’re proud to serve our clients. We understand that people in vulnerable communities matter, and that it is our responsibility as law firm citizens to effect social justice. We know that our internal people matter too, and that when we acknowledge them for who they are, we are better able to respond to our clients’ needs.”

At a Glance



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Education

Juris Doctor, University of Michigan
Law School
Bachelor of Arts University of
Wisconsin

Practice Areas

Banking & Financial Institutions
Benefits & Compensation
Class Action Litigation
Commercial Litigation
ERISA Litigation
Healthcare
Securities & Financial Services
Litigation & Enforcement
Trusts & Estates Litigation

Honors

Minnesota Super Lawyers, Rising
Star, 2014-2019
MSBA North Star Lawyer, 2012 and
2014-2018
Immigrant Law Center of Minnesota,
National Advocate of the Year,
2018
Dorsey & Whitney, Scales of Justice
Award, 2015