

MARK ROELLIG

Mark Roellig is the executive vice president and general counsel of Massachusetts Mutual Life Insurance Company (MassMutual). He is a champion for diversity and an avid follower of MCCA's general counsel survey.



You joined MassMutual in 2005. What are the biggest changes you have made or seen at the company in your time there?

I was asked to join MassMutual over seven years ago, following the appointment of a new CEO. Since the time I first joined the company, we have focused our strategy on our life and protection business, and reaffirmed our constant and consistent mission to help our customers and policyholders secure their future and protect the ones they love. From a board perspective, we have improved diversity and composition of the directors and put in place best-in-class governance. Right now, almost half of our board members are women or people of color. From a law department perspective, approximately 50 percent of the attorneys have joined the team since 2005, and over half the department is diverse. We have successfully transitioned our department to one that is extremely high-quality, efficient, proactive, and strategically business focused—we are dedicated to helping our clients meet their business objectives. All of this has contributed to making MassMutual's and our department's performance exceptional.

You are known for advocating for alternative fee arrangements. Why is it important for law firms to embrace new methods of billing?

I believe it is all about our aligning interests and getting the best results for a reasonable cost. Law firms generally are in the business of selling hours. I don't want to buy hours; I want to buy excellent results. In-house attorneys work on a

fixed fee—salary—basis so we have an incentive to continually look at how we can do more and better with less. If law firms worked on a similar arrangement, I believe they would also have the same incentives and both parties would be better positioned to accurately forecast future costs. I would also suggest that fixed fees are better for diversity. Diverse teams get exceptional results. If you don't focus on the hours and instead concentrate on the results, it should be easier for firms to allow for more work flexibility and diverse staffing.

As a white male, and a major proponent of diversity programs, do you ever get a surprised look from people when they find out you are very serious about diversity? What do you tell them?

Being a white male, some people are surprised at times. They shouldn't be. I tell them that I have social beliefs which drive me to support diversity and inclusion. My parents clearly taught me to think this way. But, in addition, and possibly as important, I have actually spent some time thinking about what makes me happy. Maybe you focus on these types of things as you get later in your life and career—we all should really think about it now regardless of our stage of career. To me, adding significant positive value to those who have put their love or trust in me is what drives me and makes me happy. In the business context, in order to get the best results for those who have put their trust in me, or have entrusted their assets with our company, I simply need the best team to help me. And the best teams are diverse and inclusive—great results are all about great talent and teams.

If you want the best talent, want to understand your customers, make better decisions, be creative, and develop a workplace where your employees are most engaged, it has to be diverse.

How would you encourage other white males to become involved in the diversity and inclusion movement?

I routinely communicate and demonstrate the importance of active engagement in our diversity and inclusion efforts to our entire team. It is in our best personal interest to do so. If you want the best talent, want to understand your customers, make better decisions, be creative, and develop a workplace where your employees are most engaged, it has to be diverse. Plus, we all recognize that our customer base is becoming more and more diverse, and our workforce and teams need to reflect that diversity in order to be successful. And, you know what? Diversity is fun too. I enjoy interacting with people who are different from me and have different backgrounds, thoughts, perspectives, and experiences, as I can continuously learn from them—and see things I would never see through my own lens.

You have a background in science—you worked at Thermo Fischer Scientific for years. One of the key findings of MCCA's general counsel survey was that women are making strides in traditionally male-dominated "hard hat industries." Can you give any insight into the way that the legal profession has changed over the years, espe-

cially in different industries?

Demographics are shifting fast. By the year 2042, whites will be a minority in this country—never to be reversed. Fifty-seven percent of undergraduates are now women, and law schools are essentially equal in gender makeup. America's Latino market is now the 11th largest economy in the world—just below France, Italy, and Mexico and larger than Korea, Spain, Indonesia, and Turkey. The world's center also clearly is shifting west—Asia is exploding. And I truly believe, when the 21st century is over, we will view it as the "century of the woman." Don't get me wrong, other diversity initiatives will advance too. But many of the leadership skills and attributes necessary to be successful in the 21st century are skills that many women possess. Smart companies, in all industries, will recognize that the makeup of the leadership and the law departments of the past—generally comprised of white males—will simply not allow you to be competitive in the future.

Over the years, the GC survey has found that there are more minority and women general counsel in the Fortune 1-500 than in the Fortune 501-1000. Why do you think there's more diversity at the largest, most profitable companies?

First, I would look at the statistics.

Over the last six years, the number of woman general counsels has increased by more than 25 percent and the number of woman of color general counsels has increased by more than 200 percent. I believe that this trend with gender and other diversity is just starting at the Fortune 500, but will accelerate across all of corporate America. I would be very worried if I were working at a major law firm—where equity partners are about 15 percent women and are in the low single digits for people of color. The diversity in the ranks of their clients' law departments and general counsel is changing faster than they are—it may take more than ten years to create a new equity partner while it may take only one day to place a new general counsel! I would be extremely concerned if I was a law firm that did not reflect the changing and diverse needs and makeup of the client base.

The GC survey also found that Asian American women are sorely underrepresented at the GC level. Why do you think one ethnic group has more trouble than others gaining representation?

A depressing fact and a good question. And I was not aware of these numbers, until I saw the results of your analysis. I really don't have data to support my answer and there may be many factors that have caused this result. But my speculation is unconscious bias has a lot to do with this. The combination of an Asian American stereotype plus the stereotypes many women professionals encounter is not just doubly difficult; it is logarithmically difficult to overcome. Both good leaders and leading companies are aware of their unconscious biases, take affirmative steps to overcome them and objectively consider experience and potential to make a merit-based decision when selecting a general counsel. **D&B**

Mark Roellig spoke with Diversity & the Bar Editor-in-Chief Joshua Shields for this interview.