

By GLENN COOK

# A Career Built By Opening Doors for Others

## Welcome



Minority Corporate Counsel Association Reception Honoring Thomas L. Sager

MCCA  
MINORITY CORPORATE COUNSEL ASSOCIATION

Smart in your world  
Arent Fox

**T**HOMAS L. SAGER is an attorney who opens doors for others. Standing beside a stranger in an elevator, he says, “after you” and waits to leave. He enjoys being a mentor to younger attorneys, often taking the initiative to invite them to lunch to discuss their careers.

The small gestures speak volumes about his leadership style—he thinks of other people first.

As the long-time corporate and general counsel for DuPont Co., Sager placed a priority on ensuring that the law firms that worked for the chemical giant reflected the nation’s racial, ethnic and gender diversity. He helped develop the DuPont Legal Model, an industry benchmark and process for law firms to promote diverse and inclusive cultures while redefining how they measure success.

“Diversity in your law firm is not something you can check off in a day, a week, a month or even a year,” says Sager, a founding board member of the Minority Corporate Counsel Association (MCCA). “It’s a journey that needs to be discussed

or talked about often. It’s a day-to-day commitment that needs to be in place, and it needs to be personal.”

Sager retired from DuPont last summer after spending his entire 37-year legal career with the company. Three months later, at age 64, he joined Ballard Spahr as a partner in the firm’s Philadelphia, Pa. and Wilmington, Del., offices. The move from the corporate world to private practice means he no longer is on the MCCA board of directors, but he plans to remain involved with the association.

“MCCA has evolved beyond my wildest expectations,” Sager says. “It has become the premier diversity organization in the legal community. It is very gratifying to see how it has grown.”



L-R: Veta T. Richardson, former executive director of MCCA and current president and CEO, Association of Corporate Counsel; Tom Sager, partner, Ballard Spahr LLP; and Joseph K. West, president and CEO, MCCA.



L-R: MCCA board member Carlos Rincon, partner at Rincon Law Group PC; MCCA board member Don H. Liu, executive vice president, general counsel and secretary, Xerox Corporation; MCCA board member Robbie E.B. Narcisse, vice president of global ethics and business practices, Pitney Bowes Inc.; Tom Sager, partner, Ballard Spahr LLP; MCCA board Chairperson Simone Wu, senior vice president, general counsel, corporate secretary and chief compliance officer, Choice Hotels International Inc.; MCCA board member Anthony K. Green, executive vice president, Jamison Insurance Group; MCCA board member Samuel M. Reeves, senior vice president, general counsel, Walmart U.S. Legal; and Joseph K. West, president and CEO, MCCA.

### Thoughtful, Humble and Generous

Sager's resume includes a laundry list of awards and honors befitting his illustrious career, which started when he joined DuPont after graduating from law school in 1976. But MCCA colleagues, past and present, point to a host of other intangibles that go beyond his ability to interpret the law or lead a legal team.

"Tom is the salt of the earth," says Darrell Gay, a founding board member of MCCA and a partner at Arent Fox. "He is an absolutely wonderful person to be around and a consummate gentleman with a gentle soul. At the same time, he is a wise, wise man who doesn't do things because of emotion. He knows what's necessary to do, what's important to do, why it's important and what's the goal to be achieved. And that's the way he goes about it."

Joseph West, president and CEO of MCCA, says Sager is a constant "source of advice and counsel."

“He really draws people in and really focuses on you, and he brings out the best in other people that way.”

“In our profession, there are a lot of people who are extremely capable, well-respected and accomplished attorneys,” West says. “Few people in our profession are utterly decent human beings who are thoughtful, humble and generous. You often don’t see that combination of characteristics rolled into one person, but you get that with Tom.”

West, who is the association’s third executive director, met Sager at an MCCA function in 2007. Two years later, the two appeared together on a panel at an American Bar Association meeting in Atlanta, and West “spent the entire time trying to work up the courage to ask him to lunch.”

“You can imagine how surprised I was when he came over and invited me to lunch instead,” West recalled at a reception honoring Sager for his work with MCCA. “He told me he had heard about my work, what I was doing and how he was impressed. He instantly became a mentor to me.”

Simone Wu, senior vice president, general counsel and corporate secretary for Choice Hotels International, met Sager when she joined the MCCA board in 2007-08. She calls him “very inspirational” and “extremely passionate about the issues that really matter to him.”

“One thing I truly admire about him is his personal touch,” says Wu, who now chairs the MCCA board. “Tom really has an ability when you’re speaking with him to make you feel like you are the most important person he could speak with at that moment. He really draws people in and really focuses on you, and he brings out the best in other people that way.”

Wu also points to Sager’s sense of humor. “He has a very dry delivery, and you’re not sure until a few seconds after he says something that you think, ‘oh my God, that’s hilarious,’” she says.

True to form, when asked to talk about the MCCA award that bears his name, Sager jokes. “When they said, ‘We want to name the award after you,’ I thought you had to be dead,” he says of the Thomas L. Sager Award, which honors law firms that have demonstrated sustained commitment to improve the hiring, retention and promotion of minority attorneys. “But I agreed to support it because it gave us a means to recognize the firms for outstanding work and advancements in the field and recognize the corporations that support this type of work through their in-house counsel.”

### “We Needed a Far More Diverse Team Than We Had”

Sager was born in Rhode Island and went to college and law school in North Carolina but has spent the majority of his life in Wilmington, Del. Right after college, he was hired by DuPont and rose through the ranks there.

His interest in diversity issues was sparked, he says, by DuPont’s progressive policies and approach. In 1990, the company sent its senior executives for a week of training to help them understand the challenges employees faced in discriminatory work environments.

“It was less about analyzing race and gender and more

about understanding how biases can undermine the effectiveness of the company,” Sager says. “It was the most impactful training I had, and it stuck with me.”

As Sager took on more responsibility for litigation and the hiring of law firms that worked on DuPont’s cases, he saw the need for more diversity among legal teams. That was the start of the company’s convergence process, in which DuPont cut the number of firms it worked with from 350 to 34. “I could see that the demographics in our country were changing rapidly,” he says. “We were a large chemical company, and many people didn’t know about DuPont or looked unfavorably on DuPont, so we needed to have a highly energized team that could engage with judges, juries and politicians with a credible story. We needed a far more diverse team than we had.”

As part of the convergence process, Sager’s team required firms to have a “demonstrated commitment to the hiring, retention and use of minorities and women in our matters.” That commitment, combined with the demands for increased technology use, strategic partnering and alternative billing arrangements, formed the foundation of the DuPont Legal Model.

“Our vision was to focus on sending our business to a much smaller group of law firms that would work as an effective team to achieve mutually beneficial goals,” Sager says. “Meanwhile, our in-house lawyers needed to understand the business and its needs so they could more strategically collaborate with outside lawyers. The in-house lawyer took on a far more strategic and leadership role than they previously had.”

### A Trailblazer for Minority Attorneys

In 1997, Lloyd Johnson was living in New York City and searching for a way to get corporations to hire more minorities for their legal teams. As the plan to launch MCCA started, one of the first people he reached out to was Sager.

“Because of his work and his reputation, Tom brought credibility to a good idea,” Johnson says. “In 2014, when people think about the idea of a national nonprofit that focuses on diversity and the lawyers who work in corporate America, it all makes sense. That wasn’t the case in 1997.”

Sager’s involvement, along with that of Gay and others, helped the fledgling organization get off the ground. Johnson and his wife maxed out their credit cards trying to keep MCCA afloat, and Sager says creditors “were chasing us almost every

other day. When they couldn't find Lloyd they would come after me."

Gay, the Arent Fox partner, says Sager's calm and professional demeanor was critical during the organization's early days. "No corporation is ever going to fire a law firm strictly because it doesn't have a minority lawyer, but Tom was one of the people who helped corporations see the importance of that through his work with DuPont and MCCA," Gay says. "In many ways, Tom has been a trailblazer and an important trailblazer for minority attorneys in our field."

Johnson says MCCA's first board recognized that it needed to do three things: establish an industry standard for the hiring of minorities to represent corporations; develop resources, information and best practices for how to do so; and put together a network that was focused solely on minorities in corporate counsel positions.

"Those times were wild and crazy," Johnson says. "But Tom was an understated, highly impactful leader. He is amazing in that he consistently puts the cause, the idea or the movement first and is highly adroit at bringing people together to have a discussion so they can hear each other. And then he marshals all of that conversation into action."

Establishing the award that bears Sager's name was a huge step forward, says Johnson, who left MCCA as executive director in 2001 but served on the board of directors until 2004. "It's more carrot than stick because it gives us an opportunity to lift up best practices and recognize corporations that make a positive difference in the areas of diversity," Sager says. "We have a means to recognize the firms for outstanding work and advances in the field."

### Career Change but Still Helping

Sager decided to leave DuPont last summer because the company is spinning off its performance chemicals division into a separate entity, and the two will have separate legal departments. With only 18 months left in his DuPont career—employees must retire at the end of the year they turn 65—he says the timing was right.

"The legal department as I once knew it and led it is going to be radically different, and the spinoff will create a wealth of new challenges," he says. "It was the most appropriate time to leave so they can form another legal team and another legal department under fresh leadership."

Ballard Spahr, which has received DuPont's "Meeting the Challenge" award 10 times for its commitment to community outreach, diversity and resourceful work, quickly snapped up Sager, who started his new role last September.

"I'm enjoying it," he says, noting his primary focus is on business development. "I believe in this firm, and anywhere I can go to advance their presence by sharing my experience as a general counsel, I'm happy to do it."

While Sager did not work directly with Ballard Spahr until



L-R: Darrell S. Gay, partner, Arent Fox LLP; Tom Sager, partner, Ballard Spahr LLP; Simone Wu, MCCA board chairperson and senior vice president, general counsel, corporate secretary and chief compliance officer, Choice Hotels International Inc.; and Joseph K. West, president and CEO, MCCA.

after he retired, he says his views about the firm were shaped by its dealings with DuPont and by a mock trial it sponsored involving students and Sandra Day O'Connor at a Philadelphia high school.

"I was blown away by the students' talent, and that's one reason why I feel so strongly about this firm and what it can offer the next generation," says Sager, who served as one of the trial's jurors. "The investment you make in young people is your greatest legacy; not awards, positions won or money. They are doing things the right way in developing lawyers for the future."

Over the past two decades, Sager says he has seen slow but steady progress in the hiring of minority attorneys. "It's positive but incremental at best," he says. "The recession did not help, and the famous economic crash did not help either. ... Only certain visionary firms look at this as an opportunity to help talented women and minorities and give them a career path that is exciting."

Sager believes MCCA provides the vehicle for firms to do just that. Even though his formal tenure on the board is complete, he says he remains committed to the organization he helped found. Typical of his nature, he talks about any future role in an understated manner. "I don't want to get in the way," he says, "but I do want to help." [D&B](#)

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**GLENN COOK** ([glenncook117@gmail.com](mailto:glenncook117@gmail.com)) is a freelance writer, photographer and publications consultant who lives in Northern Virginia.