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Sandra Phillips Rogers
Toyota Motor North America

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No More Business As Usual

A conversation with Toyota GC Sandra Phillips Rogers on diversity and inclusion in the legal industry

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The first time I met Sandra Phillips Rogers, she said, "I want to know about your diversity and inclusion efforts. Would you tell me who you report to?" I told her that to the extent I have any sort of direct report, it's to our firm's managing partner. And Sandra said, "Good. Because if you said anything else, I would have known that you weren't that serious as an organization."

That directness struck me: not only interpersonally (I, too, prize directness), but as a reflection of Sandra's aggressive drive toward change in the legal profession.

In addition to serving as Vice President, General Counsel and Chief Legal Officer of Toyota Motors of North America, Inc., Sandra Phillips Rogers serves as an adviser to the company's Executive Committee and is a member of its global leadership team. In December 2018, she added the role of Chief Diversity Officer to her plate. Sandra is also the founding member of The Center for Women in Law and recipient of numerous awards. In 2017, for example, Black Enterprise recognized her as one of the 75 most powerful women in business; in 2018, she was named one of the 300 most powerful executives in corporate America. (Her full bio can be found [here](#).)

I was so thrilled to have the privilege to speak with her again for Barnes & Thornburg's [new Diversity Matters podcast](#), a condensed version of which

follows.

— Dawn Rosemond, Firm Diversity Partner at Barnes & Thornburg

BARNES & THORNBURG: These names: Breonna Taylor, Ahmaud Arbery, Rashard Brooks, Robbie Tolan, Philando Castile, George Floyd...we would take up our entire time if I continued to list all their names. Though I want to start by asking: How has everything that's gone on these past few months impacted you?

Rogers: Well, I think that what we've witnessed in the last months, if not in the last many years, is just a culmination of what's been building. It's an inflection point, a call to action.

And so even while I'm feeling devastated and heartbroken, I'm actually more hopeful than I've ever been, because I think this time has come to shake us and move us toward sustainable change. If we don't, this period will, like the '60s, just be another unfulfilled dream. And I think as a society and a country, we can't let that happen. So I'm motivated and energized.

I'm trying to do my part at Toyota. You've mentioned taking a moment of silence, Dawn, and the importance of speaking names. We've done these things as a company, as a family, and I think it's brought us closer than we've ever been. There's power in speaking names and recognizing people in their individual humanity.

It's times like these where we have to lean on what makes us a great company and use it for good, and to continue to build on the incredible work that we've been doing over the years, but with more purpose and intention and commitment to make sure that this change sticks.

So this is where you find me on this particular day. I've been focused on this in my CDO [Chief Diversity Officer] role for the last month. It's been exhilarating, it's been exhausting, but I'm so glad to be in a position where I can help affect change.

BARNES & THORNBURG: You've got this illustrious history and career in the legal profession, but what compels you to drive so aggressively toward change wherever you are, wherever you land, wherever you have the chance to lead?

Rogers: I think I'm driven because I fundamentally believe that we're not at our best as an organization, as a profession, as a society, when we have underrepresented aspects of our community that are not fully engaged – either because they've been excluded, or they don't feel welcome, or they don't have access to the various tools and opportunities that could bring them down that path.

It's amazing to me that the legal profession has managed this long with such a lack of diversity, especially among people of color and African Americans. We need those voices. We need that thinking, we need that intelligence, we need all that we bring to the table to help create laws and enforce laws and seek justice. We really can't govern as a full legal profession without it.

When it comes to corporate America, I believe that we make our best decisions on products and strategies when we have diversity around the table. Especially in the automotive business, you've got to have diversity

and inclusion in order to meet the needs of a diverse customer base.

I've been at this professionally since the '90s. I remember back then it was a conversation around doing the right thing, the moral thing. And then I remember saying a few months ago that I think it's about winning. It was about being competitive and staying viable as a company. But now I'm back to where I started in the '90s.

It is about doing the right thing. I realize that now. It was always about it, but I thought it had transcended that. But George Floyd has made me understand that it really is about doing what's right. It's about making sure that we all live up to the ideals upon which this great country was founded. And as lawyers, we have a unique role to play.

So that's why I am so passionate. I firmly believe in the promise of what a diverse and inclusive society can give us. If life is a three-legged stool, I feel like we've tried to maneuver ourselves to do it all on two legs. And I think the times now are calling for us to be on three legs and looking for a fourth.

There's power in speaking names and recognizing people in their individual humanity.

BARNES & THORNBURG: I want to hear more about this shift.

This idea that for those who couldn't get their arms around doing the right thing, we had to give them a business case to want to champion this or deploy resources. But then we watched someone being choked for eight minutes and 46 seconds. And something changes, I think, in you as a human, where you're like, "No, no, no, no, no. I don't care if any money is tied to this or not. That's not okay as a human."

Rogers: Yeah. But understand one is about diversity and inclusion and another is about racism. The two may not be mutually exclusive, but I think that the same fundamentals are there. George Floyd wanted equality. He wanted inclusion. He wanted to be treated with respect and dignity. And in a way that's really all diversity and inclusion is. So they are related, but they also have some very stark differences.

What I like about what's happening now is everyone's awakening to the fact that, while no one wants to be called racist and no one wants to call someone racist, we've moved to a society where we have to call it by its name. We have to acknowledge it because otherwise the change may only work for a year. Or maybe it'll work for 10 years, but eventually – like on May 25th, 2020 – it's going to come tumbling down.

And so that's been the reality and the revelation for me from this – that we as a country have to reckon with our past, and until we do it, we're going to keep making progress, but then keep moving back. And I've got to tell you, based on what I'm seeing, I don't know how many more opportunities we're going to have to get it right.

BARNES & THORNBURG: You're doing some atypical things through Toyota to push these efforts through. For instance, you have the D&I Diversity Inclusion Thought Leadership Series for your relationship

partners. [Toyota has written guidelines to encourage diversity in all of its outside professional service relationships.] When I saw those, I was blown away. I haven't seen anybody go to those lengths to insist that their relationship partners care and pay attention to what you care about. Where did that come from?

Rogers: We know that diversity and inclusion is very much like a living organism. It has to have sun on it. It has to eat, it has to be watered. And so I have never been a fan of sending down edicts and just seeing what people come back with. We set up a program where yes, we're going to make asks of outside counsel, but we're also going to partner with you and give you tools for your D&I journey.

It's about keeping the commitment going. And education is so key, especially in this moment. We've got to have folks sharing what they know and given a forum to ask questions. Again, my adage is I'm not going to ask anything of you that I won't then give in kind. That's what a partnership is, right?

BARNES & THORNBURG: Absolutely. It's a nice segue to a recent article I wanted to talk to you about by Don Prophete: "Call to GCs: What Are You Prepared to Do to Prevent the Endemic Asphyxiation of Black Legal Careers?"

In the piece, Don is talking about being interested in change versus being committed to change. As in, "Are you going to continue to just put statements out or are you going to meaningfully contribute to repairing the system?" He challenges GCs to be courageous in this fight. Can you talk just a bit about what opportunities exists for your fellow GCs in this respect?

Rogers: I agree with Don that we can't let law firms off the hook. But it's not just that you grab the diverse talent and put them in positions of power. It's that plus trying to find ways to change the firm's culture. Sometimes that requires the type of thing that we just discussed, the diversity education series. We have report cards for our relationship partners every year. We throw challenges at them. They tell us how they've done. It is extremely interactive and comprehensive.

In some instances, firms may even have to change their business models. I get calls around origination credit and why it's going one place and not another. So even though you have made changes in bringing the diverse talent onto your team, they're on an island and not getting the support and opportunities they need. It's a systemic issue that has to be rooted out. If it's left there, it's just going to keep popping back up.

We all need to look at our organizations and figure out why aren't there more African Americans on my team. Why aren't there more African Americans in partner roles or in equity partner roles? We've got to look at the whole thing. I subscribe to a holistic approach because I believe it's the one that actually gets you the sustainable change.

BARNES & THORNBURG: Yes, I think you're right. I think at its core, Don is like, "Everybody's got to have skin in this game and we've got to do our part and come at this from all sides to get to the solution, the result that we all say we desire."

Before we go, any last words you want to leave us with?

Rogers: We can no longer be silent or complacent or middle of the road. We've got to stand for something. I also challenge everyone to think about what you are going to do differently in this moment that you have not done before.

Law firms and lawyers in particular have got to figure out what their value proposition is in this new space. It's not continuing to just bill and expect to be paid by the hour. It's not having a model of origination credit. It's not having a model of compensation that's eat-what-you-kill. It's a model that's going to be altogether different because company stakeholders are focused on environmental, social and governance issues. Now the social piece has shown up with a loud and resounding noise and we've got to answer that call.

I've got a stepson, he's not in the law, but your son might be a lawyer one day, Dawn. And I want him to grow up and still have a profession that he's proud of. The way we do that is to use our skills to help eradicate some of the structures that have held us back as a country – and to advance us into a brave new future.