

## Minority Powerbrokers Q&A: Mayer Brown's Marcus Christian

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Marcus A. Christian is a Washington, D.C.-based partner in Mayer Brown LLP's litigation & dispute resolution practice and white collar defense & compliance group. Previously, he was the executive assistant United States attorney at the U.S. Attorney's Office for the Southern District of Florida, the third-highest ranking position at the office. While at the U.S. Attorney's Office, Christian held several roles including serving as a deputy section chief and leading an Identify Theft and Economic Crimes Task Force.

Before joining the U.S. Attorney's Office, Christian was the chief of staff for U.S. Representative Peter Deutsch of Florida's 20th Congressional District. He joined the congressman after leading a statewide nonprofit organization that provides full-tuition, four-year college scholarships to low-income schoolchildren. Earlier in his career, Christian was selected by the Attorney General's Honors Program to work as an attorney in the Appellate Section of the Tax Division of the U.S. Department of Justice in Washington D.C. He also clerked for Judge H. Robert Mayer of the U.S. Court of Appeals for the Federal Circuit.



Marcus A. Christian

As a participant in Law360's Minority Powerbrokers Q&A series, Christian shared his perspective on five questions:

### **Q: How did you break the glass ceiling in the legal industry?**

A: I never have thought of myself as having broken a glass ceiling. Where I grew up, people did not talk about breaking glass ceilings; they spoke about getting up off of the ground — and staying above it. I am the grandson of a fruit picker, a maid, a tomato packer, and a man who died in prison. When I was born, few imagined that I would attend college, let alone become an attorney. However, from a young age, I was blessed with a wealth of caring people, character-building experiences, and job responsibilities that helped prepare me for a future of opportunity.

My mother never attended college, but she taught me lessons in faith and commitment that no professor could convey. Although she suffered from poor health and wore mostly second-hand clothes, my mother made sure that we never left the house in the morning without a hot breakfast and an encouraging word. It

was not always easy for her to bear her daily burdens, but she overcame them to care for us and was never too discouraged to dream that her sons would finish high school and pursue higher education. My mother accomplished her goal of seeing all of her sons graduate from high school, but she passed away one day after my younger brother received his diploma.

My mother left us no material wealth, but she did bequeath to me an abiding determination. She also instilled in me a commitment to serving others. As a result, I have devoted much of my career to public service, which provided unique opportunities for professional development. During my first four years after law school, I not only gained extensive writing experience; I also argued a case before a federal appellate court, made presentations before CEOs and senior government officials, and assumed a leadership role in a statewide nonprofit organization. With that job came many challenges, including the need to learn how to “supervise” some colleagues who were old enough to be my parent, and quite willing to tell me so.

Later came an opportunity to manage the offices of the ranking member of the Oversight and Investigations Subcommittee of the House Energy and Commerce Committee. That was a tremendous chance to learn about how the political process works. When I left the Hill, I decided to pursue my long-term interest in becoming a federal prosecutor. After spending several years responsible for bringing out the best in others, I sought to focus on developing my skills as a courtroom advocate. At the time, I did not know that prosecutors in the Southern District of Florida collectively tried more federal criminal cases annually before juries than their peers in any other district. I also knew little about the flood of fraud, narcotics, identity and data crimes committed by domestic and international criminal organizations that the office prosecuted.

From my earliest days at the office, I was fortunate to work with seasoned and experienced attorneys who were eager to provide me with growth opportunities and candid feedback. They made certain that I was well prepared to lead grand jury investigations, conduct hearings and try cases before juries. In 2010, after I had served as a deputy chief of the Major Crimes Section, the incoming U.S. attorney invited me to join his leadership team. I accepted. Over the next three years, I had the privilege of working with a team dedicated to practicing law at the highest levels, despite budgetary constraints, and committed to recruiting and hiring a diverse group of capable attorneys with stellar credentials.

Last year, I left public service to join Mayer Brown as a partner. At the firm, I have relied heavily on the skills and networks that I have developed throughout my career.

**Q: What are the challenges of being a lawyer of color at a senior level?**

A: When I was 18 years old, a college president told me that I had a special responsibility. He said that it would not be enough for me to “just” be a chemist, physician, or attorney; I would have to do more. According to him, I was the benefactor of the priceless inheritance of opportunity born of others’ struggles and therefore must give to others in a meaningful way. Many attorneys of color greatly value helping people in under-resourced communities, but expanding job and family responsibilities make it difficult to find time to give back.

Although I would like to offer an easy solution to this challenge, I have not found one. Supporting educational achievement is one of my passions, and if I commit to an effort or organization, I simply must make the time for it — during the day, at night, and/or on weekends. In addition, whenever possible, I take advantage of opportunities to participate in workplace initiatives. At Mayer Brown, I volunteer with the firm’s “Making the Case for Kids” initiative.

**Q: Describe a time you encountered discrimination in your career and tell us how you handled it.**

A: Some time ago, a group of community leaders in another state contacted me about a senior governmental position that was about to become vacant. The group's members wanted to encourage a diverse group of current and former federal prosecutors to apply for the vacancy, and they had received my name as a potential candidate. During my communications with the group, I learned that a superbly qualified woman who already lived in the city of the upcoming vacancy was likely to apply for the job. When I asked the group about whether it would be supporting her candidacy, the members expressed their preference for a male candidate.

I did not pursue the opportunity.

**Q: What advice would you give to a lawyer of color?**

A: The most successful people I know embrace hard work to exceed expectations, identify sponsors and mentors to serve as role models, and use others' feedback to improve themselves. Too often, young professionals fall into the trap of thinking that success is primarily a function of whether or not you have some singular trait or benefit, such as intelligence or charisma. Certainly, some strengths are valuable assets. But the problem with the "have it or not" mentality is that it often leads to complacency for those who believe themselves to be "haves" and giving up for those who see themselves as "have nots." Success is not a hard-wired byproduct of who you are or what you have. It is the result of what you do — consistently, passionately and strategically — and hard work, mentors and feedback are three critical ingredients.

**Q: What advice would you give to a law firm looking to increase diversity in its partner ranks?**

A: The demographics of the University of Alabama's football team today provide little hint that for most of the team's 122-year history, it did not recruit African-American players. By many accounts, the team was quite successful before an African-American player ever wore an Alabama uniform. It claimed eight national championships by 1965. But, in 1970, an integrated team from the University of Southern California soundly defeated Alabama 42-21. During the next season, Alabama began its diversity program, and the first African-American player started for the Crimson Tide in the rematch against USC. What changed? Before Alabama's loss, any honest statistician could have told the coach that he could find more talent by expanding the universe of possible players, but nothing changed. However, after a crushing defeat, Alabama's legendary coach, Bear Bryant, was able to make a clear and compelling business case for diversity.

Many believe that the business case for investing in law firm diversity is self-evident. Yet, by many measures, law firms' diversity efforts have sputtered. The first step for law firms strategizing to increase the diversity of their partners significantly is to demonstrate and articulate a compelling business case for doing so. Among other questions, a firm's partners must ask themselves: what business opportunities have they lost because of its lack of diversity, what promising law students have they failed to recruit, and how might the number and impact of lost opportunities grow over time?

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