

WOMEN IN THE LAW

More Than *Just Talk*

Law firms seek to equip women with tools for career advancement.



Timothy Goodell

At White & Case, 100 senior female associates were invited to spend a weekend in Miami last fall to network with each other and members of the firm's senior leadership team. "It was a day and a half that recognized people's personal and professional time commitments," said Kelly Hoey, manager of professional development at the firm. "The opportunity to meet with, talk to and interact with management is key to success."

The two-day retreat and other women's diversity initiatives at the firm were born out of a series of focus groups held in 2004 in response to one law partner's call for a "more diverse workplace," Ms. Hoey explained. The partner was Timothy Goodell, global co-head of the firm's mergers & acquisitions practice group and a member of its management board. Mr. Goodell announced that he wanted to see that his three daughters "come into a different work environment" than the one he grew up in.

"I'm one of five boys and I have three daughters. It was an eye-opening experience for me to view the world from a different point of view," said Mr. Goodell.

The revelation started Mr. Goodell thinking about the women in his law school class and where they might be today. "I looked around and realized that 90 percent weren't in a law firm environment," he recalled. "At this stage, you would think there would be many more women in management positions."

Concerned for the career futures of his daughters, Mr. Goodell went to Duane Wall, the firm's managing partner, in the fall of 2003 to speak about "the most important issue in law today." He walked out of their meeting with Mr. Wall's blessing and a new role—head of the women's initiative program at White & Case.

Whether via networking programs, courses in business development or new mentoring policies, law firms throughout the country are making efforts to devise initiatives designed to encourage women to remain at firms and seek promotion to partnership.

BY LISA PULTIZER
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They create opportunities for casual networking, mentoring and all-around assistance in navigating law firm life. Many of the law firms have incorporated special initiatives for women as part of their diversity programs. Some of the more recent additions include flexible and part-time work programs, maternity leave policies and off-site seminars and retreats.

While heartened by the recent surge in women's initiatives at the large law firms, Holly English, president-elect of the National Association of Women Lawyers (NAWL) and author of "Gender on Trial: Sexual Stereotypes and Work/Life Balance in the Legal Workplace," said the key question is how these firms intend to measure the success of their programs. She cautioned that without a measurement plan in place, management could view many of the programs as failures.

"It's hard to look at any outcome measures without looking at how the initiative was planned and what assessments were done of a firm's needs and goals," said Ellen Ostrow, a psychologist and executive coach who specializes in personal and career coaching for women lawyers. "The women's initiatives at firms vary to such an extreme degree in terms of their stated goals—and their unstated goals. Given the reason that women within law firms pushed for women's initiatives, you would expect that the goal would be the promotion and advancement to the women within the firm."

"Look for promotions from income to equity partner, and look at subjective measures like the quality of assignments the women are receiving and mentoring and networking opportunities," Ms. Ostrow suggested. "One of the things that always concerns me is that there are two different agendas. There's the women's agenda and the firm's agenda. Sometimes they are the same, and sometimes they are not."

Mentoring And Networking

The female attorneys at Katten Muchin Rosenman's Chicago office gather once a month for the "morning mingle"—a breakfast meeting for lawyers to talk about their cases, or other issues on their minds.

"Olderwomen, I think, have a responsibility to try to bring along younger women—

to show them, here's how you can build your informal network," said firm partner Tara Kamradt, co-chair of the firm's Women's Leadership Forum. "If I'm talking to a woman that I meet at that morning breakfast session, and she's telling me about some area of expertise that she's developing, I will refer her to a male partner that's doing something similar."

Women in the firm's New York branch, meanwhile, are planning to hold a luncheon for businesswomen in the community to discuss estate planning. And the Los Angeles office recently arranged a wine tasting for women partners, inviting friends of the firm and clients (and some male partners, who showed up as well).

Many large law firms emphasize mentoring in their initiatives. Weil Gotshal & Manges, for one, revamped its mentoring program last year. Now, all first-year attorneys are assigned a mentor; then, as second-years, they pick their own partner-mentors. The only limit is that no partner can have more than three mentees, said partner Andrea Bernstein, chair of the firm's diversity committee.

Other firms also are devoting efforts to help women develop business, by creating networking opportunities aimed at women, with events like parties at art galleries.

"There's always been informal mentoring, but I don't think it's been as accessible to women," added Elizabeth Moore, a partner at Nixon Peabody, who co-chairs the firm's Diversity Action Committee. "People tend to mentor people who are like them." Nixon Peabody also has recently implemented a formal mentoring program designed to insure that all lawyers at the firm have at least one older colleague assigned to help them, said Ms. Moore, who was tapped by New York Governor Eliot Spitzer soon after the November election to serve as one of six co-chairs on the transition team.

Business Development

Some law firms also are attempting to teach business development skills. At Nixon Peabody, for instance,

the firm brought in a communications coach to discuss business development efforts for women—and how such efforts might be different for women than men. “Oftentimes you’re the only woman in a room, or one of a few women in a room,” Ms. Moore said. “You have to insure that you can handle yourself in a conversation in a room full of men, that you know what the boundaries are when it comes to those kinds of situations.”

For example, Ms. Moore said, conversation can devolve into locker room banter, which might make some women feel uncomfortable.

Sandra DuBoff, a partner at Phillips Nizer, a mid-sized firm, pointed out another reason why women might find it difficult to become rainmakers. Many potential clients already have lawyers—often male lawyers—and are reluctant to add to their roster of existing attorneys. “I’m not shy about asking for business,” she said. “When I ask people and they say we’re not adding to the list, I say, ‘How many women and minorities are on the list?’”

“I don’t have those deep-seated networking contacts,” she added. “I don’t play golf with those people giving out business and I wasn’t in the fraternities with the people giving out business, so that makes it a lot harder.”

Some initiatives address these subtle differences. At the White & Case retreat, in addition to spa treatments, yoga classes and power walks, participants were offered a choice of a wine tasting seminar or a golf clinic at the Jim McLean Golf School at the Doral Resort and Spa. Those activities are eminently sensible nowadays, when women attorneys are increasingly hosting client dinners and being asked to join in on weekend golf outings. In fact, the idea for the golf clinic came after a female colleague told Ms. Hoey she had signed up for golf lessons at Chelsea Piers. When Ms. Hoey had asked why, the colleague explained that one of her clients insisted she participate in a charity golf tournament.

“It’s those situations where you say, I’ve got to suck it up and do it,” said Ms. Hoey, who noted that a good deal of networking occurs on the golf course and in restaurants. Ms. Hoey recalled how her own mentor at a prior job insisted she learn to golf because it was “what everyone does in our practice” and an important way to “network.”

“Having these skills is only going to help you engage and interact with a greater variety of people, which can only help you expand and develop your career,” she added. “If the power-brokers are all men and that’s what they’re doing... you need to be doing whatever it takes to be next to the power—whether they like to play golf, or eat steak and drink red wine at a restaurant; you have to act interested and get engaged with those people however you can.”

She noted that White & Case was not advocating that women attorneys play golf when she added the golf clinic to the list of offerings at the 2006 retreat, and advised that women lawyers can and should steer their outside networking activities in other, more mutually pleasurable directions once a rapport is established.

Overall, explained Ms. Hoey, the firm’s retreat last fall covered many areas. “It was a combination of lectures, seminars and focus groups, concentrating on what they [senior associates] can do to further their careers not only on a professional level, but on a social level as well,” said Ms. Hoey.

Proskauer Rose’s two-day Women’s Law Forum held last October at Long Island’s Garden City Hotel, included 30 of the firm’s women attorneys as well as 100 of its female clients and prospective clients. In addition to networking sessions and CLE-related seminars, women attorneys indulged in spa treatments, took golf lessons, learned how to order the “right” wine when entertaining clients, and heard “Sex and the City” author Candace Bushnell, the keynote speaker, present “Success and Sensibility: Women’s Issues in Relationships and the Workplace—the Good, the Annoying and the Really Funny.”

Elise Bloom, a partner in the labor and employment law department of Proskauer, organized the event. “The goal is obviously to provide an opportunity for women in-house counsel to get to know each other, and to meet the female partners at Proskauer. And it gave us, the partners, an opportunity to network and get to know each other better.”

Ms. Bloom said putting on and attending the conference was the single best thing she has done as a lawyer because it enabled her to become friends with other women partners and associates—effectively making her work environment a more desirable and friendly place.

Maternity Leave And Flexible Scheduling

Ms. Hoey, at White & Case, also touted the firm’s most recent initiative—a new flexible work arrangement policy open to both male and female employees. “It is not a check-the-box policy, it is gender and reason blind,” Ms. Hoey explained. “The firm doesn’t care if you are a male in your fourth year who wants to spend four months mountain climbing, a new mother, or someone with an aging parent who needs care. The merits are evaluated on what it is you do, how you are going to get your work done, and how your proposed arrangement is going to affect your clients and co-workers.”

“We’ve done a lot of research within White & Case and there are a lot of push and pull factors,” said Mr. Goodell. “The big law firm life isn’t for everyone.”

According to White & Case’s findings, men and women stay and leave at the same rate in the first three years at a big firm. But in years four through seven, more women are leaving, perhaps in pursuit of a greater work/life balance.

“We are trying to figure out ways to help retain them in those critical years where they have a stronger pool for partnership,” Mr. Goodell added.

Skadden, Arps, Slate, Meagher & Flom recently rolled out a new maternity leave policy to help new mothers return to work on a more moderate time schedule than previously possible. Flexible Return from Maternity, or FRM, “allows attorneys to come back on a reduced schedule for some period of time as a way to ease back into the work force,” said Skadden’s Associate Development Director Jodie Garfinkel, noting it has been requested by 99 percent of those who have gone out on maternity leave since its inception.

Under the policy, new mothers can work shorter days or fewer hours per day for up to 12 months, as long as they create a schedule that works within the confines of the practice. In addition, they can ease the separation under a program that allows new mothers to leave their infants in an on-premise child care center

for a period of time up to three months.

Returning mothers, as well as male attorneys who request a scaled back or flexible schedule, also have the option for a part-time program if they decide not to return full time.

“I think a unique thing about our program is that we don’t want to get into why they want to get into the program,” Ms. Garfinkel noted. “We currently have a male litigator who has five children and he works on a part-time schedule because I think his wife needs him to.”

“We really have two goals, one is to retain talented attorneys, and another is to assist attorneys, especially women, in managing their lives and careers,” said Kayalyn Marafioti, a partner at the firm and co-chair of its diversity committee. “That is our motivation... it is our absolute hope and our expectation.”

Another new program at Skadden, “Sidebar,” allows new mothers who want to stay home with their children for a longer period to remain in touch with the firm with the hope they will eventually return to work. Candidates are assigned a mentor and receive invitations to programs to keep them current. When they are ready, they can also make themselves available for ad hoc work.

“Part of the criteria is that you have to be somebody in good standing,” said Ms. Marafioti. “There is an expectation that they’re interested in returning, and we would expect to be able to find a place for them.”

At Dickstein Shapiro, the firm implemented a more user-friendly part-time policy almost 10 years ago in hopes of increasing the ranks of women. At the firm, lawyers can choose to work reduced hours—generally 50 percent to 80 percent (or 2.5 to four days) of a regular week, based on a 1,950-billable hour year. Pay also is prorated based on the proportion of time worked. When those lawyers are on trial, or are closing a deal, they might work longer hours, but they are then able to compensate for that by working fewer hours later.

“It was just common sense,” said chairman Michael Nannes, adding that other partners viewed the part-time program as an opportunity to both make a statement and lure women to the firm. The Women’s Bar Association of the District of Columbia recognized Mr. Nannes’ efforts last year, bestowing upon him the 2006 “Star of the Bar” award for helping the advancement of women attorneys. Mr. Nannes said the effort has helped the firm recruit women.

As for Mr. Goodell, he said he is aware that some at his firm may be skeptical of having a man leading the women’s initiatives program. For that reason, he regularly polls the company’s female lawyers for feedback, offering to turn over the reins if need be. One reason why he hasn’t done so is that women have told him that having a member of the firm’s management board on their side adds credibility to the push for equal opportunities.

“A great goal is to have a higher percentage of women partners, but even more important is to build a better, more inclusive work environment so everyone feels they have equal opportunities to build their own careers,” said Mr. Goodell. “I want more people to feel they are happy coming to a place like White & Case to work.” •