



EMPOWERMENT AND LEADERSHIP

Tried and True Methods for Women Lawyers

American Bar Association

The Commission on Women in the Profession

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INTRODUCTION

In 1987, the Commission on Women was formed to assess the status of women in the legal profession and to identify barriers to advancement. Over the years, its mission has been to secure the full and equal participation of women in the American Bar Association, the legal profession, and the justice system. The Commission has focused on many issues, including helping women overcome barriers to getting into law firms and becoming partners.

During the last two decades, progress has been made in overcoming these barriers: women have entered the legal profession in steadily increasing numbers and have risen to the highest levels, becoming partners, judges, and civic leaders. Today, over 16 percent of all partners nationwide are women compared to 6 percent 25 years ago. However, despite these gains, women continue to lag behind men in compensation and participation in firm governance and business management. This phenomenon, described as a “second glass ceiling,” prevents women from attaining positions of leadership in both law firms and corporations. In order to assess how women have broken through this second glass ceiling, the Commission initiated a “Best Practices” study to identify effective practices, not just policies on paper, that have facilitated women’s elevation to influential leadership positions within law firms and corporations.

To determine these best practices, nineteen focus groups were conducted around the country and in Toronto, Canada. Women from a variety of backgrounds participated in the focus groups, including corporate general counsels, judges, professors, and partners from small, medium, and large firms. Women who serve on their firms’ executive committees, management committees, compensation committees, and hiring committees and those who head various legal departments also joined in the focus group discussions.

Why was the focus group approach used? Although law firms and corporations may have policies that sound progressive on paper, the reality is frequently far different. Often, lawyers do not take advantage of such policies because there is an unspoken message that doing so will derail their advancement in the firm or corporation. The goal, then, was to talk directly with women lawyers to determine which practices—both institutional and personal ones—were effective in helping women break through the second glass ceiling.

The focus groups looked at seven main areas that impact women's advancement: firm and corporate culture, marketing practices, internal women's groups, networking, work assignments, management participation, and compensation. The women described the problems and challenges that they faced in each of these areas as follows:

- **Culture.** An organization's culture has a critical impact on attorney retention and whether leadership opportunities are available to women. In many organizations, men have traditionally occupied positions of power, and women have made few inroads. In addition, many lawyers perceive their firm's culture as not being accommodating enough to their family and other outside commitments, and feel devalued as a lawyer if they choose alternative work schedules. The result is that more and more lawyers are leaving firms, which ultimately affects the number of women eligible for partnership and leadership positions.
- **Marketing.** Generating business is widely perceived as perhaps the most important means of attaining power and leadership positions within an organization. Traditionally, men have benefited from established networks in which business is conducted in forums where women are typically excluded. Within firms, business is often handed down from one male partner to another, without regard for the female attorneys who may also service the client.
- **Internal women's groups.** The lack of an organized effort to promote women and address their needs has led many attorneys to form internal women's groups in their organizations. However, many groups have experienced some backlash from men who feel that it is unfair for women to have internal organizations to create business development and mentoring opportunities when no similar groups exist for them.
- **Networking.** Women still have not gained much access to the traditional male-dominated social and business networks that are of critical importance to generating business. Women also have a harder time finding and developing mentor relationships, which can play an important role in developing client relationships. In addition, employer apathy toward the need, particularly of

women, to balance work and family responsibilities combined with increasing billable hours requirements limits the ability of women to network effectively.

- **Work assignments.** One of the most important ways to attain visibility within an organization is to work for important clients and to handle high-profile cases. However, many organizations have no formalized policies for handing out work assignments to either associates or partners. As a result, getting the opportunity to work on career-enhancing projects is often simply a matter of chance or of having the right mentor to hand off such work.
- **Management participation.** At most firms and corporations, men dominate the important committees that are responsible for determining management issues, promotions, and compensation. Women are often relegated to the less powerful committees such as public relations, diversity, and training. In addition, in many organizations the management committees have failed to make systematic efforts to integrate women into the upper tier of management or to ensure that they have an equal voice in management elections.
- **Compensation.** At most firms, compensation is based on the amount of business generated and hours billed. However, such compensation structures fail to recognize the other ways in which attorneys add value to firms, such as by expanding work for existing clients, doing committee work, training associates, and participating in bar activities. Compensation committees also are composed largely of men, with little input from female partners, and often lack formal procedures for allocating credit for bringing in and developing business.

The focus group discussions highlighted the fact that law firm and corporate policies vary considerably across the country. What follows is a summary of the best practices noted by women lawyers. Some of the institutional practices help retain women in an organization. All of the practices, whether institutional or personal, are concrete examples of what works to enable women to move into positions of power and leadership within their organizations.

Best Practices Summary

Chapter 1—Culture

1. Ensure that there is a female-friendly person in top management who will focus attention on promoting women and creating an organizational culture that is hospitable for women.
2. Women in key roles within an organization must use their clout to advocate for changes to the organization's culture that will help the next generation of women.
3. Adopt a recruiting and promotion philosophy of bringing women in, promoting them, and building a critical mass of women within the organization.
4. Implement policies that allow both men and women to balance work and family. Best practices include supporting flexible work arrangements without penalizing attorneys who use such arrangements and providing attorneys with home office equipment, back-up child care services, and extended maternity and paternity leave.
5. Adopt a diversity statement showing the organization's commitment toward the advancement of women and minorities. Consultants can also analyze the particular organization and determine the types of practices that would work best. Diversity committees, which include both men and women, are also recommended.
6. Conduct a quality audit of offices to ensure that practices put in place by the organization to improve firm culture and to promote women are being carried out.
7. Conduct firm-wide surveys to assess the organization's culture, and use the results to make any necessary changes.
8. Identify factors that drive attorneys away from laws firms by conducting exit interviews, and implement policies that will change the firm culture to alleviate these problems.

Chapter 2—Marketing

1. Determine the type of marketing approach that feels most comfortable to you and be assertive about asking for business.
2. Employ cross-marketing, which involves targeting current clients to develop business in other areas. Highlight attorneys' areas of expertise within the organization so that appropriate referrals can be made.

3. Use a client-team approach to servicing clients and expanding existing relationships.
4. Employ educational marketing, which involves client-focused rather than lawyer-focused marketing efforts.
5. Keep track of the people with whom you have worked over the years, and keep in touch with them as much as possible.
6. Develop a list of female attorneys in various practice areas to whom business can be referred in the event of a conflict.
7. Make your practice a personal service by being accessible and responsive, which will help build a book of business.
8. Sponsor programs to improve women's leadership and business-generating abilities, such as rainmaking and leadership development seminars.
9. Sponsor women-only networking and marketing events in order to build relationships, especially among partners and general counsels.
10. Build a profile outside the organization by participating in bar association activities, speaking at seminars, writing articles, doing legal commentaries on radio and television, and being involved in charitable organizations and civic groups.
11. Build a profile internally by taking assignments from other practice areas and by finding a mentor who will encourage your advancement.
12. Encourage associates to start thinking about business development early in their careers rather than after becoming partner. Partners need to be mindful of including associates as they develop their own business.

Chapter 3—Internal Women's Groups

1. Highlight the business development efforts of women within the firm at annual firm meetings and throughout the year.
2. Prepare part-time policies and flexible work arrangements to present to management that will help men and women find an effective balance between work and family.
3. Start mentoring programs, both formal and informal, to coach less experienced lawyers about how to attain partnership and generate business.
4. As a group, target women for specific leadership positions within the organization and present the group's recommendations to management. Working as a group provides strength in numbers

so that, collectively, women have more clout in advocating for changes.

5. Meet on an informal basis for brown-bag lunches, breakfasts, and dinners, which enable women to get to know their female colleagues in other departments. Allow senior associates to run the meetings to develop their leadership and organizational skills.
6. Sponsor yearly retreats for partners from every office, and have partners make the presentations, which allows women's talents to be showcased.
7. Create lists of women-oriented organizations for attorneys to become involved in, such as trade groups, in order to improve their visibility and networking.

Chapter 4—Networking

1. Identify what has a special value to your organization, whether it is scholarship, pro bono work, or membership in certain groups, and become actively involved in such activities.
2. Promote yourself internally so that others recognize your value and contributions to the organization.
3. Take projects with groups outside your department to increase your visibility within the organization and to get experience in the business side of the organization, which is critical for in-house attorneys.
4. Find the right mentor to help you navigate through the organization.
5. Initiate a mentor training program to give mentors guidelines about the types of practices that are helpful in furthering associates' and young partners' career development.
6. Sponsor women's group functions such as monthly lunches, retreats, and conferences, and invite women clients to participate.
7. Network with professionals outside the legal profession by becoming involved in organizations such as trade groups, civic organizations, and non-profit boards.
8. Follow up with people you have met at conferences by writing letters afterward and staying in touch.
9. Make an effort to network on a continuous basis rather than in rainmaking spurts.
10. Make referrals to other women professionals, which will increase external networking opportunities and help women advance in their professions.

Chapter 5—Work Assignments

1. Create a formal work assignment system to ensure the fair distribution of work to associates and partners. Designate specific persons or committees to assign work to younger attorneys.
2. Hold group heads who assign work accountable to both the firm and the group for the career paths of the young lawyers, and make this an expressed part of the group head's compensation.
3. Assign partners to associates for a one- or two-year period during which the partner is responsible for training the associate, directing business and assignments to them, introducing them around, and getting them involved in bar work, among other things.
4. Identify the types of assignments that you want and ask for them. Be proactive in obtaining desirable work assignments.
5. Women business generators need to be aware of the attorneys to whom they give work assignments. When possible, assign women to high-profile projects to help further their career development.
6. Adopt an evaluation system that focuses on career development. Associates should be encouraged to tell partners about their work interests and the types of assignments they want to be given.

Chapter 6—Management Participation

1. Create a succession development plan to identify the key positions within a company or firm and the people who are currently ready or will be ready to fill those positions in the future. For each targeted individual, create a development plan listing their current strengths as well as the attributes they must develop in order to advance.
2. Participate in committee work, even if it involves less important committees, and use the experience as a springboard to more important committee assignments and leadership positions.
3. Participate in firm committees as early in your career and as often as possible in order to understand how the firm is run and to help shape the firm's policies.
4. Encourage associates to start thinking about participating in management early in their careers so that they can develop the necessary skills to do so.

5. Become involved in outside activities that offer opportunities to develop or demonstrate leadership potential.
6. Identify the leadership position you want and be assertive in asking for it.
7. Adopt a management election system that helps promote women into leadership positions.
8. Continue to do billable work while serving in managerial positions to ensure that your client base will still exist when the management role ends.

Chapter 7—Compensation

1. Adopt a compensation plan that recognizes and rewards activities other than just business generation and billable hours.
2. Adopt a shared billing approach to giving credit for business development.
3. Implement clear procedures for allocating credit when business is brought in and developed, and ensure that attorneys understand the system to be used. An ombudsman, who negotiates how credit is to be allocated in the event of a dispute, is also recommended.
4. Ensure that there is gender balance on evaluation committees so that women are treated fairly in compensation decisions.
5. Negotiate flexible schedules upfront to ensure that compensation and advancement opportunities will not be affected.
6. Be assertive, and ask for the compensation that you feel you deserve.
7. At the state, local or national bar level, take surveys of firms to gather information on compensation and salaries to help women determine whether their compensation is appropriate.

CHAPTER 1. CULTURE

An organization's workplace environment is largely shaped by the policies and practices that the partnership or CEO endorses. These practices—both formal and informal—have a critical impact on the organization's overall culture. By encouraging and supporting policies that promote women in the organization, management has the ability to change or bypass entrenched attitudes and to ensure that women are included in the decision-making processes. In addition, adopting practices that are “people-friendly” ultimately improves the morale and loyalty among attorneys, which in turn affects the retention rate and number of women eligible for partnership and leadership positions.

Best Practices

1. Ensure that there is a female-friendly person in top management who will focus attention on promoting women and creating a firm culture that is hospitable for women. A general counsel at a corporation in Chicago stated that the impetus for women to move ahead must come from the top down. At her company, “It was because of the tone that was set from the very top and having a day care center, encouraging people to take advantage of that . . . I think if you don't have the support of senior management—and I don't mean the token support of the name on the policy—it won't happen.”
2. Women who have attained key roles within their organization must use their clout to advocate for changes to the organization's culture that will help the next generation of women following in their footsteps. According to an attorney at the Toronto focus group: “I think that unless the women who use that kind of position are willing to keep plowing through and trying to make opportunities, it is very easy to backslide. I don't know a lot of male partners . . . that want to take as their charge and their mantra that we need a more diverse work force. Until there is a bottom-line consequence to it, clients are demanding it, then I think that it is up to the women who are in the positions in the first place.”

A general counsel in Chicago also observed that women in her position “. . . have the power to help set the example within your organization and to help sort of wean your clients off of this old boys’ network. . . . You have the opportunity to show them how effective and how easy it is to work with someone who is of a different gender.”

3. Adopt a recruitment and promotion philosophy of bringing women in, promoting them, and building a critical mass of women within the organization. Many women noted that this practice provides “strength in numbers” and gives women more leverage in pushing for changes to the organization’s compensation system and management structure. Having a critical mass of women in the same place can positively impact an organization’s culture because:
 - There is less of a sense of alienation and isolation when there are large numbers of other women in the organization; and
 - There are more female role models and mentors for younger attorneys.
 - It brings a diversity of views that lead to better decision making.

4. Implement policies that allow both men and women to balance work and family. By creating a more hospitable work environment, lawyer retention rates will improve, which in turn impacts the number of women eligible for partner or general counsel, and ultimately the number of women who achieve leadership roles in an organization. As a partner at a large Chicago law firm put it: “Retention is the issue of the next decade.” Best practices include:
 - Provide support for flexible work arrangements, including part-time arrangements for both associates and partners. Although many firms and corporations already have such policies in place on a formal or informal basis, the key to such programs is ensuring that lawyers can take advantage of these policies without putting their careers in jeopardy. This entails allowing associates to work part-time while still being eligible for partnership, albeit on a slower sched-

ule. Thus, if an attorney is working on a three-quarters schedule, then three-quarters of every year they work is considered toward partnership. Similarly, partners who work part-time must still be accorded the appropriate levels of compensation and benefits for such positions, and should not have their part-time status held against them when committee assignments and other appointments are made.

- Organizations must also make successful part-time arrangements visible to the entire firm to show that law can in fact be practiced well on a part-time basis. Other attorneys who want to work part-time or create a flexible schedule will then have role models and will know whom to seek out for advice and mentoring. Perhaps even more important, highlighting such attorneys rather than keeping them invisible will demonstrate the organization's commitment to part-time work and will help eliminate the stigma attached to part-time lawyering.
- Provide attorneys with home office equipment so that telecommuting remains a viable alternative for those who want to continue working full- or part-time but whose family or other obligations limit their ability to do so.
- Offer services such as back-up child care. A partner at a large Chicago law firm noted that this practice helps the overall attitude among women at the firm, including the staff. The services have a sliding scale so that the staff, associates, and partners each pay different rates.
- Allow both men and women to take extended parental leave, which may be unpaid. Attorneys who take additional leave should not be penalized when it comes time for partnership consideration.

Adopting and supporting flexible work arrangements ultimately becomes an investment in the future. As a partner at a large Washington, D.C., firm noted, “. . . You are going to have some light years, but then when the woman rejoins the work force, you've got an experienced woman ready to go. . . . That will pay back dividends in the long term.”

5. Adopt a diversity statement showing the organization's commitment toward the advancement of women and minorities. While diversity may sound great in theory, nothing may be done about it unless it is defined in the organization as a good thing and is supported by management.

Some firms have brought in consultants to help analyze their particular organization and to determine the types of practices that might work best. Diversity training has also been instituted, and many organizations have formed diversity committees to address issues that may arise. When creating a diversity committee, lawyers recommend:

- Including men who will be supportive of changing the organizational culture;
- Publishing newsletters several times a year to keep attorneys apprised of the organization's diversity efforts;
- Communicating the organization's efforts toward promoting diversity over and over again to emphasize that this is an issue the organization takes seriously; and
- Involving partners from every office—whether in person or via conference call—in diversity committee meetings to ensure that there is firm-wide support for such initiatives.

Promoting diversity has also become an important issue to many clients. Several general counsels stated that they always ask about firm demographics when interviewing firms they may hire, which they hope will send a message that this matter is important and of interest to them. A partner in a Philadelphia law firm noted that the insistence on diversity in law firms is already having an impact; firms understand that their bottom line may be affected if they do not promote and demonstrate a commitment to a diverse work force.

6. Conduct a quality audit of offices to ensure that practices put in place by the organization to improve firm culture and to promote women are being carried out. Audits show that the firm does more than just have policies on the books to help women; instead, they demonstrate the firm's commitment to ensuring that these policies are actually being implemented.

7. Conduct firm-wide surveys to assess the organization's culture, and use the results to make any necessary changes. For example, a Toronto law firm implemented a task force to study gender-related issues with respect to professional development and career opportunities at the firm. The task force looked at such things as work allocation, client relations, client inheritance, hiring and advancement, participation in firm management, and workplace atmosphere and attitudes. A questionnaire was circulated to all of the attorneys, the data was analyzed, and appropriate recommendations made. According to the partner, ". . . All of the research that we did into the firm and the firm's history and all of this information that we had collected, in many ways it told the story. It was perhaps the best way of getting the point across as opposed to simply saying . . . this isn't fair or that isn't fair. . . . We actually had the evidence to . . . give to the firm and say, why don't we do something about this?"
8. Identify factors that are driving people, especially women, away from practicing at law firms, and implement policies that will change the firm culture to alleviate these problems. Many partners noted that one of the biggest issues facing law firms is retention and cited the major investments initially made in recruiting and paying high starting salaries. Then, several years down the road, firms find that they are unable to keep more than a handful of the attorneys initially hired. A St. Louis attorney notes that ". . . it's so much cheaper to do things to keep the people you have instead of casting them off like a leased car, and starting all over again." One way for a firm to gather information about problems with its culture is to conduct confidential exit interviews when a lawyer leaves. Such interviews can help a firm identify areas of particular concern and can show patterns of dissatisfaction that warrant remedial action.

CHAPTER 2. MARKETING

According to the vast majority of women in the focus groups, the most important factor in achieving positions of power and leadership within an organization is how much business they generate. One partner at a large Boston firm observed, “. . . I continue to think the difference between obtaining leadership positions and not obtaining leadership positions in the profession relates to how much money you earn for the firm and what your professional status is in the firm. . . . If I were to give anyone advice, I say consider how to develop your career in a way that maximizes your economic potential, because if you really want to be a leader as compared to being a partner, the difference is economics. . . .”

How can women generate business? As a partner in a large Washington, D.C., firm noted, “. . . I think we’ve got to do the same thing that men do. . . . They learn an area and they network and they become active in the bar. And they write an article and they get known within the firm. I think we have to do the same thing.”

Best Practices

1. Determine what type of marketing approach feels most comfortable. Some people may naturally gravitate toward one marketing style versus another, such as writing articles instead of public speaking. No matter what marketing style is used, however, it is necessary to be assertive about asking for business from both existing and potential clients.
2. Employ cross-marketing, which involves targeting current clients to develop business in other areas. A partner in a Los Angeles law firm observed that “. . . if you represent a corporation and you do litigation for that corporation, then they probably have other issues as well. They may have transactional issues. If you’ve got transactional practitioners in your firm, you can sell their expertise to your client. And I have had success in doing that, and that gives you a little bit of respect with some of your male partners, too.”

A litigator from a Kansas City firm also noted her litigation department’s practice of publicizing successful cases within the

firm. As a result, the other partners have become aware of these attorneys' areas of expertise and have successfully referred business to them when their clients have needs outside their own practice area

3. Use a client-team approach to servicing clients and expanding existing relationships. For example, a large national law firm that has embraced the client-team approach includes attorneys from several different practice areas on each team, which often results in the cross-selling of the firm's services. This marketing approach also involves:
 - Holding regular monthly meetings to ensure that each member stays up-to-date on the work that the firm is currently doing for the client and to discuss any new developments. Clients often attend the meetings in order to brief the team on new matters as well. An attorney heads each team and serves as the primary point of contact for the client;
 - Determining how the client could benefit from the services the firm provides in other practice areas;
 - Developing Web pages for each client and keeping attorneys apprised of client matters via an e-mail distribution list;
 - Holding team leaders accountable for servicing the client. Team leaders must submit reports on how often group meetings are held and the results achieved. Compensation is affected by the level of the team's effectiveness; ineffective leaders can be replaced; and
 - Rewarding rainmakers for teamwork and team results.
4. Employ educational marketing, which involves client-focused rather than lawyer-focused marketing efforts. A general counsel from a Chicago firm feels that most lawyers that she has encountered generally have the same type of substantive knowledge and technical expertise. As a result, what sets one firm apart from another is when outside counsel demonstrates that they really know the company and then tailor their marketing approach to the specific company. A proactive attorney who calls or sends articles about matters that might affect the company, such as pending legislation or industry developments, is sought and valued by general counsels.

5. Keep track of the people with whom you have worked over the years, and keep in touch with them as much as possible. A managing partner at a San Francisco firm stated that networking and developing personal relationships have been very important keys to her success. She recommends keeping resumes and track records polished and up-to-date so that when an opportunity arises, you “look like the dream team.” Also important is the “. . . need to be respectful, to realize that every single human being is of significance, and to treat everybody very well.” She also added that throughout her career, she has found that you never know how a person may be connected.
6. Develop a list of female attorneys in various practice areas to whom business can be referred in the event there is a conflict. Making the right referral is also critical to maintaining an existing client relationship. Creating a system of referrals:
 - Helps generate business for other women;
 - Builds a women-to-women network;
 - Increases goodwill among lawyers; and
 - Increases the likelihood that business will eventually be referred back to you.
7. Understand that building a book of business requires making your practice a personal service. A partner at a Los Angeles firm explains it this way: “You have to make it a personal service. . . . My clients have my home phone number; they can call me any time. . . . You need to have the flexibility and the willingness to do that.” When clients find that you are accessible and responsive, they will go to you over and over again, and will ultimately refer others to you as well.
8. Sponsor programs to improve women’s leadership and business-generating abilities. At many firms, the women’s groups provide training sessions to help attorneys acquire the skills needed to become better leaders and effective attorneys. For example, firms have sponsored:
 - Seminars where general counsel talk about career paths, what they look for in their outside counsel, and how to network, among other things;

- Rainmaking programs where the best women rainmakers in the area are invited to talk about business development; and
 - Leadership development programs.
9. Sponsor women-only networking and marketing events in order to build relationships, especially among partners and general counsels. As an increasing number of women are becoming general counsel, more women are in a position to give out business, and a growing number of firm clients are now women. Sponsoring events tailored to women clients has therefore become an important means of building these business relationships. A partner in a San Francisco firm noted that sponsoring these events “. . . sends a signal to the women clients that the firm cares about them as a group and recognizes the importance of the female networks that are somewhat equivalent to the old-boy networks that have been so prevalent in business. . . .”

Successful women-only functions include:

- Dinner and theatre outings;
- Family-related events such as zoo outings and children’s plays;
- Golf clinics;
- Retreats;
- Spa outings;
- Wine tastings;
- Estate planning seminars; and
- Investment and financial planning seminars geared to women.

The benefits of such events are twofold: not only do attorneys get to spend one-on-one time with their clients, the clients often talk to each other about the attorneys’ work, which may eventually lead to additional business. Such events also provide a good marketing opportunity, as firms can showcase partners who participate in panel discussions and demonstrate their expertise to potential clients.

A New Orleans attorney stated that in her firm, “. . . we have had tremendous success in that regard, actually partners handing over for functions the woman client contact that maybe I don’t or other women in the firm don’t have any contact with whatso-

ever on a business basis in the beginning. And they hand over those women to meet us and to do something with us, and then it ends up in cross-selling and things.”

10. Build a profile outside the firm or company. Participating in outside activities such as bar association committees also helps women obtain leadership experience and get their name and the firm’s name out in the community. Organizations can promote participation in civic and bar activities by paying for attorney memberships and by not penalizing lawyers for the time spent on such activities when it comes to compensation.

To build a profile externally, women recommend:

- Speaking at seminars;
- Writing articles;
- Appearing on local radio or television shows to do legal commentaries;
- Becoming involved in bar activities;
- Joining networking groups tailored to their specialty area; and
- Becoming involved in charitable organizations and civic groups.

11. Build a profile within the firm or company. Many lawyers cited the importance of taking assignments from other practice groups so that they could become known outside of their practice area. This may be particularly important in large firms with many clients, and is perceived as being an easier method of building a client base than selling yourself outside the firm. Similarly, many in-house attorneys stated that it is necessary to work with people outside the legal department to gain a better understanding of the business side of things so that they could eventually move into higher positions in other departments.

Building a profile internally also entails finding a mentor within the organization who will encourage your advancement and introduce you to clients. A partner in a large New York law firm felt that, often, when it comes to getting clients, “. . . what you get is handed on to you by someone else or because someone else in your firm is willing to make that introduction.” A

mentor can pave the way by making the introductions and recommending your work to clients.

12. Encourage associates to start thinking about business development early in their careers rather than after becoming partner. Many partners do not include associates in the business development process, which means that many associates have no idea what to do once they get to the point where they need to be concerned with client development. It is therefore important for partners to be mindful of including senior associates as they do their own business development. In firms that have charitable and other civic commitments, partners can also involve associates in these events in order to expose them to business development possibilities.

CHAPTER 3.
INTERNAL WOMEN'S GROUPS

At many law firms and corporations, the driving force behind creating a women's group was the need to have a collective voice to address issues of concern to women. By joining together, women have become a powerful force within many organizations, and have been able to shape firm policies and help women advance into leadership positions.

Women's groups have focused on the following topics, among others:

1. **Business development.** The primary goal of most women's initiatives is to increase the number of new clients and amount of business generated. A partner at a large national law firm stated that ". . . the purpose of the women's initiative is, very simply, practice development, building books of business. It includes associates and partners . . . and we actually have called it 'women mean business.'" The group created a list of all the clients that women had brought in during the past year and listed the names of the 400 new clients on a sign. According to the partner, when this sign was hung at the firm's annual meeting, ". . . you could hear a shock in the room when it went up."
2. **Work/life balance issues.** One of the biggest issues that many lawyers—both male and female—struggle with is finding an effective balance between work and family. Noting the high attrition rate among associates and young partners, many women's groups have worked to create solutions to this problem. Most notably, many have helped draft part-time policies and flexible work arrangements. The key, however, is not just to offer part-time opportunities; rather, firms must be committed to accommodating quality of life concerns without requiring their lawyers to sacrifice career development.
3. **Mentoring programs.** Several women's groups were responsible for starting formal mentoring programs within their law firms and corporations. Through women's groups, many senior attorneys coach less experienced lawyers about what it takes to become a partner, and provide feedback, guidance, and advice on how to build credentials, which facilitates advancement to

leadership positions. Women's groups also can provide a forum for teaching legal tactics and business development techniques to women collectively, without focusing remedial efforts on those individuals whose skills need improvement.

4. **Targeting women for leadership positions.** Many women's groups have been instrumental in pointing out the need to get women appointed to management committees because the men in charge simply did not see the need for representation. In-house counsel also use "succession planning," which involves targeting promising women and men to fill key positions within the organization.

Benefits of Women's Groups

Women's groups provide a number of benefits, including:

- Ability to help associates move through the ranks to become partners. A partner at a Philadelphia law firm made the following observation about their women's group: ". . . The women in our firm meet every other month or so . . . and we sit down and talk to the associates about policies. They can ask us questions if they don't have the opportunity to with anybody else, whether it is a personnel policy that is affecting them or concern about billable hours. . . . We can then, as partners, impart to them the knowledge they need to come up the ranks and to become partner. It opens up our lines of communication to them in ways I don't even think we could do on a one-to-one basis." Her group has also gotten together to coach associates about how to become partner, and notes that, ". . . in a group kind of a way, we have made great inroads in our goal to elect part-time associates to the partnership."
- Provides a sense of community and support. Having a women's group has helped women within an organization feel more united and realize that other women are dealing with many of the same issues they are facing.
- Provides a forum for women to discuss leadership issues. A partner at the Atlanta focus group noted that the women in her firm have gotten together and have ". . . worked on our own internal attitudes about power and about taking charge, and even about

dealing with the fears that people have . . . about being too far out in front as women because we are at the edge of a culture change. Our culture has had men running big business and men running big law firms, and the first women who push through it have to deal with some issues. So, we put it right out there on the table. We talk about it.”

- Creates networking opportunities for women in the organization. Especially in large corporations or national law firms, many women may know of one another but may not know one another’s specialties. Creating a women’s group provides an opportunity for women in different offices to network among themselves, which may increase the amount of business referrals to other women in the firm.
- Provides a way for women to put certain issues before the organization’s management. Many women noted that such groups provide “strength in numbers” so that, collectively, they have more clout in advocating for changes. For example, a partner in a mid-sized Washington, D.C., firm stated that their women’s group was largely responsible for reshaping the firm from a very traditional male operation to one where women are now routinely considered for management positions. As the firm management was shifting to the next generation, the women’s group met with the firm chairman and wrote a memorandum about how to move women into management at both the section level and the firm management level. Specific suggestions were made regarding suitable candidates for these positions, and the group met with members of the executive committee to discuss and implement these ideas.
- Women’s groups send an important signal to potential clients. Several general counsels stated that one criterion they look at when placing business is whether a law firm has a women’s group. To them, it shows that the firm recognizes some of the obstacles facing women and is committed to providing mentoring opportunities.

Best Practices: Methods Used

1. Meet on an informal basis for brown-bag lunches, breakfasts, and dinners, which helps women get to know their female colleagues, especially those in other departments. Some firms also

have an organized monthly lunch for partners and associates where speakers are often featured, although sometimes the lunch is more of a roundtable discussion. Women from certain practice groups also meet separately to discuss issues of concern to that specific group. In some firms, the senior associates run the monthly meetings to develop their leadership and organizational skills.

2. Sponsor yearly retreats for partners from every office. At one Washington, D.C., law firm, the partners do not hire outside firms to do presentations but instead run the retreats themselves. This offers women in the firm an opportunity to speak and to be show-cased.

A partner from a large New York law firm felt that her firm's retreat allowed all of the women to be together and to see that they do have common issues. She explained, "We got to know each other. We had some substantive topics. We also had a lot of time just to talk. And a lot of people had issues relating to . . . how did the more senior women who had families balance that and all kinds of issues like that. So I think that it was very good experience more from a bonding issue than anything else."

3. Support women-only marketing events with clients, such as family outings (e.g., the zoo, children's theatre), spa outings, women-focused seminars (e.g., estate planning or investing for women), cocktail parties, and other events.
4. Create lists of women-oriented organizations for attorneys to become involved in to improve their visibility and networking. Many groups target organizations and trade groups geared toward their particular practice group, including organizations that are not gender-based.

CHAPTER 4. NETWORKING

In order to move into leadership positions and the upper tiers of management, attorneys must be attuned to the inner workings of their organization and must build a strong reputation both within and outside it. Mentors can play a critical role in this process by helping attorneys build client relationships and obtain high-profile projects. External networking is equally important, as it provides an effective way to generate business and obtain visibility in the community.

Best Practices

1. Identify what has a special value to your organization, whether it is scholarship, pro bono work, or membership in certain groups, and become involved in such activities. For example, a partner at a New York firm specializing in maritime law stated that because membership in the Maritime Law Association of the United States was a highly valued activity at her firm, she became a member. She recommends doing more than just peripheral involvement in an activity. Instead, it is necessary to “. . . actively involve yourself in that activity. . . . It’s certainly another burden. But if your goal really is to become a leader within your firm or outside of your firm, you have to get yourself really meaningfully involved in the selected activity.”

Participating in these activities also provides networking opportunities. Being involved in a valued firm activity increases the perception of attorneys as team players and provides the opportunity to network with senior attorneys who are also involved in the organization. Women can also meet other attorneys in their field, which may be especially important if there are no powerful women in their firm in the same practice area. Many women have also found mentors outside their own organization through such activities.

2. Promote yourself internally so that other attorneys recognize your value and contributions to the organization. A partner from a small St. Louis firm noted, “When clients think you are really special, you have to let your partners know that. This client is a five hundred thousand dollar client and wherever I go, he’ll go with me.

Those are the ways that you make yourself, you put yourself in positions of power.”

Successful internal networking activities include:

- Publicize your activities when you participate in panels, speak at seminars, and write articles by sending e-mails or memos to partners about the activities.
 - Organize monthly meetings within a practice area to discuss projects and case results. Successful results can be communicated to attorneys in other practice areas, who can make referrals when clients need help in matters outside their area of expertise.
 - Be assertive in developing relationships with other lawyers in the organization by inviting them to lunch, participating in women’s group functions, and being involved in firm activities, among other things.
 - Attend training sessions within the organization. An in-house attorney at a Chicago company noted that participating in leadership training programs has been helpful, not so much for the substantive content of the program, but more for the interaction and recognition as a peer within the organization.
3. Take projects with groups outside your department to increase your visibility within the organization. A partner in a San Francisco law firm tries to make associates “. . . aware of the kinds of relationships that develop in a big law firm. I urge them to get to know other attorneys and other groups, to take on assignments with . . . a partner in another group so that they get to be known within the firm as well. That’s what worked very well for me, . . . working with different attorneys who then called on me to be their corporate attorney of choice.”

Working with people outside the legal department is particularly important for in-house attorneys who want to move into the executive arena. Often, attorneys may become pigeonholed in a corporation and valued solely for their legal expertise. Many corporate executives have difficulty envisioning lawyers bringing value to other areas of the company. Several in-house attorneys noted that by working with other departments and getting experience on the business side of the organization, more opportunities are available for advancement.

4. Of critical importance in navigating through an organization to reach the top levels is having the right mentor. Women from almost every focus group noted that the one factor that was critical in helping them attain leadership roles was having a strong mentor to push and encourage them. According to a judge in the Midwest, “When you have a strong mentor, you grow and develop and you’re encouraged; somebody is your voice in the firm and encourages your advancement. As that happens you become stronger and more confident, and as you become more confident, then things happen.”

Some of the different types of mentoring approaches include:

- Formal mentor programs where associates are assigned to partners for a specific period after which a new mentor is assigned. The idea is that the associate will continue to have a close relationship with his or her first mentor, and will continue developing new relationships within the firm. Mentors are not necessarily assigned on a gender basis, and attorneys have input regarding who they would like as a mentor. However, because it is not possible to force someone to develop a close mentor-mentee relationship, formal mentor systems may sometimes not work. As a result, many firms also encourage attorneys to seek out other mentors on an informal basis.
- Informal, ad hoc systems where associates choose their own mentors based on personality fit. Associates can select the people they admire and look up to as mentors, and can choose new mentors as their needs change throughout their careers.

Many partners noted that they take it upon themselves to informally mentor a number of associates and young partners by giving advice on an as-needed basis. Other partners stated that they do not actually pick out one person to mentor but instead try to be accessible to younger attorneys by having an “open door.”

- Mixed-gender mentoring systems where both men and women act as mentors. A partner in a small Washington, D.C., law firm observed, “Women have to be mentors for other women but they have to be mentors for men as well. And that’s the true strength that will ultimately make women equal in the practice of law, that they are perceived as people who can teach anybody regardless of gender how to get business, how to keep business and provide equal opportunity to people.”

Several attorneys noted the importance of having more than one mentor, and added that men and women bring different skills and values to the relationship. For example, a partner at the Atlanta focus group noted, “If what you need the mentoring help in is business development skills, then certainly a man can help you with that. If you need mentoring in how am I going to keep all the balls in the air without committing malpractice or having my children wander off into the woods, then maybe you ought to be talking to a woman because . . . most of the time the person who’s doing the most amount of balancing is going to be the woman.”

- A team mentoring approach where several attorneys from a practice area are assigned to an associate. Advocates of the team concept note that when there is only one mentor, the associate may be neglected if the mentor is very busy or on the road much of the time. The team approach ensures that someone will always be present to help guide the associate. For example, at a large San Francisco firm, attorneys are divided up into small groups to work together. This practice emphasizes personal relationships and training and ensures that everyone gets mentoring within the group.

Women’s groups have also used the team mentoring approach to coach associates about their career paths and to make recommendations without singling out individuals who may need remedial action. For example, a partner at a large San Francisco firm noted that she uses these meetings to teach senior women certain “tricks of the trade” that otherwise might take them years to learn.

- Finding a mentor outside your practice area or in another part of the corporation. To help women establish these relationships, a corporation in North Carolina started a women’s mentoring group that includes people from the legal department and other areas of the company. The goal is to give people exposure not only to senior women in the legal department but also to people from other areas as well.
- Going outside the organization to find a mentor when necessary. In some specialty practice areas, there may be few women who have achieved any degree of success or visibility within the organization. There also may not be any potential mentors simply because there is not the right

personality fit. To find a mentor, attorneys may therefore need to be flexible by searching outside the organization.

A partner at a Minneapolis law firm also noted that having a mentor and network outside the place where you work is important because “. . . many times there are issues that you need to deal with that you can’t really talk about to anybody, whether it’s man or woman, within the firm . . . [Y]ou really need someone outside . . . to use as a sounding board.”

5. Initiate a mentor training program to give mentors general guidelines about the types of practices that are helpful in furthering associates’ and young partners’ career development. Specific practices include:
 - Introduce associates and young partners to clients so that they can start developing these relationships early in their careers.
 - Show respect and confidence in attorneys in front of clients. The clients will pick up on this, which will help develop the relationship.
 - Help attorneys develop an annual plan setting forth their goals for the year, including the types of work assignments they want and the types of activities in which they will be involved, and monitor whether the goals are met.
 - Examine the direction of the company and assign attorneys to projects with high visibility throughout the organization.
 - Create opportunities for professional development by encouraging participation in outside organizations related to their practice area.
 - Give credit for a job well done, and acknowledge attorneys’ work to clients. Clients will feel comfortable knowing that there are other people in the organization who, although they are less senior, are quite capable of doing the work in the partner’s absence.
6. Promote internal and external networking by sponsoring women’s group functions, such as monthly lunches, retreats, and conferences, and by inviting women clients. These events provide an important means of building and strengthening attorney-client relationships and offer networking opportunities. For firms with offices across the country, women from different geographical

areas can network with one another at women's group functions and learn about their areas of expertise.

7. Network with professionals outside of the legal profession by being involved in organizations such as trade groups, civic organizations, and non-profit boards. These types of activities help attorneys connect with women in other professional circles and provide a way to meet women in the business world who may one day need legal counsel. Local bar groups can also promote networking among women from different fields by sponsoring programs with other groups of professional women.
8. When attending conferences, follow up with the people you have met by writing letters afterwards and staying in touch. A partner at a New Orleans law firm recommends going to conferences alone because it forces you to seek out others to network with during conference functions. Another partner from a Minneapolis firm recommends making a conscious effort to work the room at conferences and to talk to people other than those you already know.
9. Make an effort to network on a continuous basis. A partner at a Washington, D.C., law firm noted that “. . . I think we go in spurts on rainmaking, on networking, on getting out. Some of these guys see each other constantly. Some guys in my firm are out there . . . pressing the flesh with these guys all the time so you are really in the forefront of their mind, whereas a lot of the women seem to go in spurts. . . .”
10. Make referrals to other women professionals to increase networking and to help women advance in their professions. A partner at a boutique firm in Cincinnati observed, “We refer only to women accountants. We refer everybody to women doctors. . . . We try always to only give other women's names because that's real important for women to support groups all the way around.” Several other attorneys noted the importance of developing a list of female attorneys in other practice areas to whom business can be referred if there is a conflict or if a client matter is outside their expertise.

CHAPTER 5. WORK ASSIGNMENTS

One of the most important ways to achieve visibility within an organization is to handle high-profile cases and to work for important clients. This is particularly important at the associate level, where such internal visibility is critical to attaining partnership. However, handling quality work assignments is also vital to the career development of junior partners, who may not yet have their own books of business and may rely instead on servicing other partners' clients. When associates and young partners do not receive important assignments or enough work, they often do not feel valued and eventually leave. Getting high-level work to both associates and partners therefore enhances retention rates, which ultimately affects the number of women eligible for leadership positions.

Best Practices

1. Create a formal work assignment system to ensure the fair distribution of work to associates and partners. A partner at a New York firm stated that "people have to affirmatively think about how they are assigning people," as it is ". . . very easy to sort of put the people who scream the loudest on the most interesting cases." To ensure that associates and young partners get the types of work assignments they need to further their careers, a Washington, D.C., firm has assignment committees in each practice area that meet monthly to review partner and associate billable hours to determine who needs work. A designated person is responsible for assigning work to associates while another gives work to junior partners. This type of system may be especially important in firms that hire lateral partners who may not always have a full book of business and for younger partners who do not yet have their own clients.

A partner at a Washington, D.C., firm noted that having a central assignment committee also helps when there is a lot of work in an area that people do not like. She often finds that she has to ". . . do my most pushing and cajoling and convincing to say . . . this is short-term. Your practice area where you were doing great for a long time is sort of slow right now, so just do this for a while. . . . It's a great opportunity. It will keep your hours up. You can still do your business development in what is

your area.” At a Los Angeles law firm, if the assignment committee determines that associates and partners need work but the firm is slow in that area, the committee will contact other firm offices to see if additional work can be transferred to their office.

2. Hold group heads that assign work accountable to both the firm and the group for the career paths of the young lawyers, and make this an expressed part of the group head’s compensation. A partner at a national law firm stated that this is particularly important when there are more men than women in a practice area because if no natural mentoring is occurring, it can be difficult for young women lawyers to get the right types of assignments. When group heads are held accountable for managing associates’ hours and handing out assignments, the problem of low hours and unequal project assignments can be avoided.
3. Assign partners to associates for a one- or two-year period during which the partner is responsible for training the associate, directing business and assignments to them, helping establish a sense of ethics and professionalism, introducing them around, and getting them involved in bar work, among other things. At a Los Angeles firm where this system is used, the associates are not required to work exclusively with the assigned partner during this period; instead, they are encouraged to work with other partners as well.
4. Identify the types of assignments that you want and ask for them. Many women noted that while male associates and junior partners typically have no problem asking to work on certain cases, women frequently do not speak up about such matters. As a result, they often get less desirable projects. Many partners therefore make a point of counseling associates and young partners that they should not wait for desirable work assignments to get handed to them; instead, they need to be proactive in going after the assignments they want.
5. Women who are successful business generators must pay conscious attention to whom they give work assignments. Because the majority of partners at firms are still male, informal mentoring or work assignment practices may favor male associates. Women

partners can attempt to even out the inequity in work distribution by striving to assign projects to other female attorneys.

General counsels are also in a unique position to showcase women by giving them high-profile projects. Many in-house attorneys noted that they got to know the heads of other departments, the board of directors, and other top executives simply because of the assignments they were given by their general counsels.

6. Adopt an evaluation system that focuses on career development. Often, evaluation systems only assess whether associates have performed adequately in the assignments they have been asked to do. However, it is also necessary to determine whether associates have had the types of work experiences that they need to be promoted. For example, at a mid-sized Chicago law firm, each department lists a set of goals that associates must achieve, including the type of work experience needed to attain partnership. The partners in each department then monitor whether the associates are getting the assignments needed to meet these goals and to further their career. The evaluation process can also serve as a forum for associates to tell partners about their interests and the types of assignments they want to be given.

CHAPTER 6.
MANAGEMENT PARTICIPATION

In many law firms, partners with the biggest books of business often assume the managerial functions and leadership roles. For many women who are not rainmakers, advancing within the partnership level therefore becomes an insurmountable task. However, with a more egalitarian management election system, women have a much greater chance of moving into management and executive committee roles. Many attorneys also advocate using succession planning, which involves targeting women for key positions within the organization and training them to fill the roles. Being involved in firm committees as well as in outside activities also provides opportunities for women to develop or demonstrate their leadership potential.

Best Practices

1. Create a succession development plan to identify the key positions within a company or firm and the people who are currently ready or will be ready to fill those positions in the future. Such plans require:
 - Identifying individuals who could be placed in the top jobs today, or who could do the jobs within the next several years, provided they have additional training, mentoring, and the right types of assignments.
 - Having very broad-based input mechanisms within the organization to identify the individuals to be targeted. A general counsel at a large Chicago corporation observed that “. . . if you have a succession development plan where the input mechanisms are very high-level, it will not end up working to achieve diversity because your top-level people tend not to know people deep in the organization.” Because many of the top-level people generally know and recommend other males, it is necessary to include mid-level people in the recommendation process to ensure that a broader pool of individuals, including women, will be represented.
 - Creating a development plan for targeted individuals, which entails identifying their current strengths as well as the attributes they must develop in order to advance. For in-house attorneys, this requires ensuring that they are sufficiently cross-

trained to handle non-legal jobs as well. The development plan should identify:

- The types of work assignments needed to expand their knowledge base and to give them exposure to other lawyers and clients outside their department;
 - Whether the individuals should be paired up with mentors in their work group or outside their practice area; and
 - The types of training programs that could help develop their career potential.
2. Participate in committee work, even if it involves less important committees, and make what the committee is doing important enough to have it lead to a more managerial role within the organization. For example, a partner at a large New York firm stated that the important thing when assigned to lesser committees is how you handle the job; doing a good job will get your name around and publicize your management skills. She also noted, “If you ask the three most important partners in your firm to participate in a diversity effort that the human relations committee is embarked on, and they say yes, then suddenly that committee has become a committee that gets important things done.”

A partner at a Minneapolis law firm observed that it is important to take whatever opportunity for committee work you are given, even if the committee is not considered powerful or prestigious. Once you have proven yourself on the committee, you can use the experience to springboard to more important committee assignments and leadership positions. Women can help themselves get on committees by volunteering for such positions and by becoming involved in practice area meetings and other activities where leadership abilities can be showcased.

3. Participate in firm committees as early and as often as possible. One large law firm with offices nationwide includes associates on committees so that they can understand how the firm is run and help shape the firm’s policies. According to a partner in Houston, being on committees is “. . . a great opportunity for women to learn the collaborative decision-making process, to learn how to communicate in groups, to learn how to effectively sell an idea, and to begin to make themselves known as someone who would be a valuable participant in management, ultimately.”

4. Encourage associates to start thinking about participating in management early in their careers so that they can develop the necessary skills to do so. A partner at the Houston focus group noted that entering management “. . . may be a path that they want. It may be something that women need to be encouraged from the beginning to pursue if they choose. . . . It is something that, when you walk out of law school, you don’t think about. It’s so far down the track, and . . . we don’t have that focus. . . .” She recommends encouraging women to start thinking about management roles at the beginning of their careers, and providing mentoring to help attorneys attain such positions.
5. Become involved in outside activities that offer opportunities to develop or demonstrate leadership potential. For example, a partner from a Minneapolis law firm noted that she gained a great deal of publicity when she became president of a national women’s organization, which provided visibility for both herself and her firm and groomed her for a leadership position on her firm’s executive committee. She stated, “. . . I think I have more to offer now than I would have before because I’ve had to run boards and I’ve had to do budgets. . . . I’ve had to find out what you do at the end of the year when you have a million-plus budget and you don’t have that much revenue coming in as a nonprofit. I learned a lot about leadership and management and thinking about running a business that we lawyers don’t learn.”
6. Identify the position you want and ask for it. A general counsel of a large corporation stated that when she was at a law firm, “I had an internal clock as to when I was going to make partner and when I was going to be on that management committee . . . I didn’t wait to be asked. I told the management committee when I thought it was time to put me on . . . and it created a little bit of a ruckus, but ultimately, they saw the wisdom of doing it as opposed to having me leave.”

Several lawyers stated that asking for what you want is important because women often assume that their work will speak for itself, and that they will be promoted as a matter of course. However, moving into leadership positions “. . . really does require you to stand up and say, ‘This is what I want,’” according to an in-house attorney in Washington, D.C.

7. Adopt a management election system that helps promote women into leadership positions. At many firms, partners with the largest books of business often have the most input into the election of management team members. However, having a more egalitarian system in which all voices are heard equally has a tremendous impact on women's advancement opportunities. Best practices include:
 - Management committee members are selected from different groups within the firm. For example, a New Orleans firm has representatives from each major practice section as well as a young lawyer representative and a former managing partner position on their management committee. At a Los Angeles firm, the partnership is divided into three groups based on seniority: senior partners, mid-level partners, and younger partners. Two attorneys are selected from each group for the management committee as well as a managing partner.
 - A one-partner, one-vote system ensures that partners are not accorded more weight based on their seniority or books of business. Instead, each partner's vote carries the same weight in management committee elections.
 - A certain number of seats on the management committee are guaranteed for partners earning in the bottom half while the remaining seats are reserved for partners in the upper tier of earnings. Because more women are concentrated in the bottom half of the earnings pool, this type of election system helps many women get onto the management committee.
 - A larger management committee can ensure a more diversified representation of partners. At a Los Angeles law firm, when the management committee had nine members versus three, more women served on the committee, and varying levels of experience were represented in management.
8. Continue to do billable work while serving in managerial positions to ensure that your client base will still exist when the management role ends. A managing partner at a large Toronto law firm noted that it is also important to keep doing billable work because "it is key to know what your partners are experiencing on a day-to-day basis. You know what is happening in the marketplace. If you are not doing legal work and you are not close to it, then you can't identify with the partners and clients."

CHAPTER 7. COMPENSATION

While business generation and billable hours are often the most important component of an attorney's compensation, there are numerous other ways in which attorneys can bring value to their organizations, such as by expanding service for existing clients, doing committee work, and participating in bar activities. Firms must be willing to acknowledge the value of these activities, which often provide leadership experience and visibility, and must compensate attorneys accordingly. Firms must also be mindful of including women on compensation committees to ensure the fair assessment of women's contributions when making compensation decisions.

Best Practices

1. Adopt a compensation system that recognizes and rewards activities other than just business generation and billable hours. Firms must recognize that not everyone has the same business-generating skills. People bring different strengths to the table and can add value in many other ways. Compensating partners for such contributions ensures that those who are not business generators are still seen as valued firm members. According to a managing partner at a national law firm, "If you have a system where essentially you're saying what's your book of business and what can you do for the firm, just purely in terms of revenues that you can bring or take away, then who are you going to have as a leader? If you have a more open compensation structure that says we, the firm, want people to contribute to the firm in different ways, then you might have leaders who are doing those things." Another partner from the same firm added that ". . . if you have an atmosphere of valuing those things, then women . . . who perform very well at taking care of people or dealing with problems can be elevated because . . . the qualities that they bring are also valued."

Successful practices include:

- Awarding extra points for doing administrative work, serving on firm committees, doing pro bono work, and participating in civic activities and bar associations.

- Awarding merit bonuses for going above and beyond the call of duty on behalf of the firm. For example, a partner who spent a significant amount of time negotiating a lease for the firm and whose practice was affected as a result received a merit bonus at year-end.
 - Creating goals for partners to meet in certain enumerated areas or compensation is affected. For example, a large national law firm plans to make group heads significantly more accountable, both to the firm and to the group, for the career paths of the young lawyers and to make that an expressed part of the group head's compensation as well.
 - Giving credit for supervising projects and associates' hours. At one large national law firm, credit is given to both the attorney who brings in the business and the person supervising the work.
2. Adopt a shared billing approach to giving credit for business development. Credit is given to everyone in a group that expands service to an existing client rather than just to the person who made the first contact with the client. This approach encourages attorneys to develop client relationships collaboratively and gives greater credit within a firm to the people actually doing the work rather than only to those who generate new business.

A general counsel at a large Chicago-based corporation insists that the attorneys who do the work be given billing credit in the firm. She feels that this approach motivates the attorneys who work harder because they have ownership responsibility to their client.

3. Implement clear procedures for allocating credit when business is brought in and developed, and ensure that attorneys understand the system to be used. A partner at a large national law firm noted that under their old system, “. . . if someone brought the client in the door and with the help of some younger partners expanded the business, that partner—the originating partner—would still be grabbing most of the originating credit. . . . I realized that that was going to really hurt the younger partners and especially women, who are dealing with some very well-established, senior, male partners, and that if we didn't have clarity in

at least the ground rules, they didn't have something to negotiate with." As a result, the firm developed guidelines regarding how credit is to be allocated among partners and adopted a system that rewards teamwork. It also selected an ombudsman to negotiate how credit is to be allocated when there is a dispute, which often helps younger partners.

4. Ensure that there is gender balance on evaluation committees so that women are treated fairly in compensation decisions. A managing partner of a national law firm stated that when placing attorneys on such committees, ". . . it is helpful to have . . . a significant number of women so they don't get talked over in the group, to make sure that there is someone there who knows how to assess women's contributions perhaps a little more evenhandedly." She recommends that ". . . the comp committee and the associate review committee and other committees that have significant evaluative roles and functions should be about a third women at least." It is also important to have women on compensation committees because they are more likely to be sensitive to gender bias or discrimination, and will point it out if it occurs.
5. Negotiate flexible schedules upfront to ensure that compensation and advancement opportunities will not be affected. For example, a partner in a Philadelphia law firm stated that when she initially joined her firm, she negotiated a flexible schedule due to her outside commitments to the state bar and to several corporate boards. As a result, even though her billable hours were lower than other partners', it did not affect the way she was viewed at the firm or her compensation, and she was eventually asked to join the firm's executive committee.

It is also important to negotiate a reduced billable hours schedule before taking on management and other administrative work to ensure that compensation is not affected. At many firms, serving on firm committees is a valued contribution, and compensation will not be affected if fewer billable hours are worked. However, a partner at a Los Angeles firm noted that several senior women in her firm declined to take administrative positions because they felt that the time spent on such work would not be adequately recognized in terms of compensation.

6. Be assertive, and ask for the compensation that you feel you deserve. According to an attorney at the Atlanta focus group, “A lot of women . . . aren’t that forceful, and so they may feel they’re being underpaid, but they never say anything about it. They may feel that they’re not being valued. They don’t say anything. . . . Women in particular tend to think that people will see their quality, they will see their accomplishments, because it’s so clear to them the value they’re adding.”
7. At the state, local, or national bar level, take surveys of firms to gather information on compensation and salaries. While starting salaries at large firms may be well known, many women partners do not know what other similarly situated attorneys are making, given the same practice area and years of experience. When there is no comparable data, women are unable to determine whether their compensation is appropriate or not. Having data on other attorneys’ salaries can therefore be used to negotiate better compensation packages.

Conclusion

Women constitute over 50 percent of today’s law students. It is essential that the profession find ways to tap their full potential. Intelligence, creativity, and good decision making are sacrificed when women are kept, purposely or not, out of leadership and power structures. The ABA Commission on Women in the Profession hopes that the best practices listed in this book contribute to the advancement of women to a full and equal participation in the profession, wherever they choose to practice.

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