

**Remarks at Southern Arizona Chapter Holiday Luncheon,
December 7, 2016**

I'm honored to serve as President of the Southern Arizona Chapter of the Arizona Women Lawyers Association. As I stand here, I am keenly aware that I walk in the footsteps of a series of incredibly impressive women, many of whom sit in this room today –Ann Lyons-Cabrera, Elizabeth Fella, Carolyn Nedder, Deanna Conn, Ana Perez-Arrieta, Veronique Pardee, Merle Turchik, Carrie Rednour, Ronna Fickbohm, Anne Graham-Bergin, Megan Miller, Dee-Dee Samet, and today's honoree Jean Gage. And I know that many future presidents sit in the audience today as well.

I'm also keenly aware that I am here today—like I'm sure most of you are--because another woman or women invited me to join AWLA and to become more involved. And that's part of what I want to spend my few minutes up here talking to you about today.

Look, there's no question that there has been great news for women in the law over the sixteen years I've been practicing. We have three female justices on the US Supreme Court. That's fabulous. What's not so fabulous? Only 18-20% of the attorneys arguing before those three justices are women.

Women have made a lot of progress in the legal profession over the last fifty years. But over the last twenty years, that progress has slowed to a trickle. Although women have made up more than 40% of law-school graduates since the mid-1980s, women make up a mere 16.8% of equity partners in law firms (that's only up a little over a percentage point since 2000). Now that's troubling, but here's what troubles me more: where women do attain equity partnership, they earn 32% of what their male counterparts earn, despite billing comparable hours and generating comparable business. Firms not infrequently give male attorneys origination credit for business that was actually brought in, at least in part but sometimes entirely, by women. And, in defiance of their own economic self-interest, on average, firms bill out their female attorneys' work at an average of \$47 per hour less than they do that of a male attorney of equivalent skill and seniority. Unsurprisingly, in a

recent survey by the National Association of Women Lawyers, a significant majority of firms refused to report compensation by gender.

This problem isn't just a law-firm problem. As of 2012, only a little over 27% of state and federal judges were women. Only a little over 20% of law school deans are women. Only 22.6% of general counsel at Fortune 50 companies are women.

If the statistics are less-than-sunny for women in general, they are even bleaker for women of color. 50% of lawyers of color leave their law firms within their first three years, and 75% leave within the first four. That's dramatically more than the average. Over the past ten to twenty years, we have made almost no progress in increasing the number of law-firm partners of color.

Especially concerning to me, we're having trouble drawing talented female law students to our state. At one point, over half of the incoming classes at the law schools in this state were women. Now we hover down around 40%. It's hard to increase the numbers of women leaders in the profession when the flow isn't entering the pipeline.

Look – it's a fact: things are better for women entering the profession today than they ever have been, largely due to the efforts of women like the ones in this room, women who broke barriers, who went to law school when they didn't even have women's bathrooms in the law building, who, like this year's Truman Award Winner Jean Gage, were the first women their legal employers hired and the first women to ascend to leadership positions in those offices. And the fact that progress has slowed really should come as no shock. Law as a profession is peculiarly resistant to change, just by the nature of what we do. Law is precedent driven; our primary reason for doing things is that someone else did those same things before.

And the reasons that we're not seeing as many women in those equity partnerships, arguing before the USSC, leading law schools, and heading those general counsel's offices are no doubt as diverse and complex as are the women in the profession. But there's no question in my mind that there remain things that we can do to move the dial a little bit

faster. Many of you do them already, but it helps to put them in the forefront of our minds.

First, consider whether there may be moments when we define what makes a good lawyer too narrowly and in a way that excludes other women. We need to help create a legal culture where women in all their diversity, with all their intersecting identities and roles can see limitless possibilities for themselves in the profession. Women of color, women with disabilities, women of different faiths, LGBTQ women, women with and without spouses, women with and without children, should all see a path, a space to ascend. When we are mentoring young female lawyers, are we perpetuating old ideas of what a lawyer must look, sound, dress, or act like? When we're sitting on compensation committees, when we're writing letters of recommendation, when we're racking our brains for candidates for new opportunities...Are we unconsciously buying into a system that values a female attorney's contributions—or certain female attorneys contributions--less?

Here in AWLA at our monthly CLE luncheons, we've had a number of provocative presentations on these issues this year – in April, Dr. Laura Hunter talked about the challenges that continue to face women in the professional sphere, and in August, Dr. Amanda Kraus challenged us to reexamine the way we think about disability. In March, our own incoming chapter Vice-President Laine Sklar gave a thought-provoking CLE about implicit bias and its effect on the profession and our system of justice, and her presentation spurred me to go to Harvard's Project Implicit website and take the implicit bias test. I encourage you to do it too. The results may surprise you. I know that my results gave me some food for thought: like many of us, I harbored some biases I wasn't conscious of, including biases that affected how I viewed myself and other women. This doesn't mean that I am a horrible bigoted person, but it does give me the opportunity to be more aware of when those biases may be influencing the advice I give to a student or mentee or the language I use in a letter of recommendation or how I assess another attorney.

Second, help other women raise themselves up. One thing that struck me when I was reading the different testimonials about Jean Gage was how frequently people mentioned how much she encouraged other

women lawyers and spurred them to reach for career and volunteer opportunities that may have seemed out of reach or premature. This is hugely important. The research tells us that women, in particular, need that extra push to reach for that promotion or raise or leadership opportunity or seat on the bench. Although we are powerful and effective advocates for our clients, we fall short in advocating for ourselves. And we undervalue our skills and experience; whereas men will apply for a job if they possess only 60% of the written qualifications, most women will only apply if they possess 100% of those qualifications. Even where women possess 110% of the qualifications, they are more likely not to apply if they think they will fail, and they consistently underestimate how they rate against the competition.

So what can we do about it? Be like Jean Gage. Push that woman to apply for that promotion, and advocate for her when she does. Let that talented female attorney in your network know about leadership opportunities. Each of us in this room knows a woman who would make a fabulous judge. Coach her on how to build her resume and frame her skills and experience. Encourage her to apply for one of the many openings coming up this year. And, of course, tell her to join AWLA and take advantage of our mock interview program and the other services this chapter provides to our members who apply for judicial openings.

That leads me to #3. AWLA. OUR MISSION is to support and encourage the success of women in the law. That's what we do. That is why we exist. Why wouldn't every woman lawyer in Southern Arizona want to be in this room? Encourage the other women attorneys in your circles and your offices and your networks to join, attend events, and get involved. Attend our annual judicial reception. Attend the convention. Attend the monthly lunches at the YWCA, another organization committed to raising women up. Bring guests to the luncheons. Sponsor law students to attend. Propose a CLE topic or speaker for one of our monthly lunches. Better yet, apply to present a CLE at one of our monthly lunches. Is AWLA not doing everything it can to promote its mission or to meet the needs of all its members? Let me know. Let someone else on the steering committee know. Better yet: get involved on a committee, and be the change.

In our current climate, AWLA is more relevant than ever. We need to connect, to band together to make sure that we keep moving in a direction of open doors and shattered glass ceilings and opportunity for all women lawyers to thrive in this profession. Not just because that creates opportunity for all of us and our daughters and sisters and spouses and nieces and friends. But because this profession, this legal system, and this country NEED all these great female minds and talents reaching their highest potential.

Thank you for coming today. Thank you for being pioneers and leaders and advocates and mentors and inspirations. Thank you for your commitment to AWLA and for supporting and encouraging the success of women in the law.