

LAWYERS JOURNAL

Where there's a WILL, there's a way

Women's Institute for Leadership in Law to launch in March

By Zandy Dudiak

Nationally, the number of women who are equity partners in law firms has remained relatively unchanged in the last decade – and the number in Pittsburgh is similar, hovering just below the national average.

The 2017 National Association of Women Lawyers annual survey report on the Promotion and Retention of Women in Law Firms found that, despite being hired in nearly equal numbers as men at the associate level, women account for only 19 percent of equity partnerships, a 3-percent increase over the last 10 years. Women of color accounted for just 2 percent of equity partners, the survey found.

“Women graduate law school at about the same percentage as men, are starting in firms at 50 percent, yet are ascending to partnership at 18 to 19 percent in Pittsburgh,” said Beverly Block, co-chair of the ACBA’s Gender Equality Committee. “Something is missing from an advancement standpoint – the profession is losing too many women.”

The Gender Equality Committee has been working for 18 months on an initiative to improve those numbers – and the result is the ACBA’s Women’s Institute for Leadership



PHOTO BY MARK HIGGS

Beverly Block, left, and Christie Tillapaugh – co-chairs of the ACBA Gender Equality Committee – are excited to help launch the Women’s Institute for Leadership in Law. WILL is intended to provide business-focused training so more women can earn equity partner positions.

in Law, which is to launch in March 2018.

The work to create WILL began under the leadership of former GEC co-chairs Krysia Kubiak and Judge Maureen Kelly and continues with new co-chairs Block and Christie Tillapaugh. Their efforts build

upon the successes of the Institute for Gender Equality and Women in Law Division programs and have a goal of providing a more-consistent learning experience for women.

“It is the hope of the committee that the establishment of the (Women’s Institute for

Leadership in Law) will provide an intensive and business-focused series of programs for women who have established themselves as attorneys and seek to succeed in their firms and the profession,” Kelly said.

A Nov. 1, 2017, *Law.com* article (“Lack of Gender

Diverse Partnership: Is It the Woman or the Firm?”) reported that nearly 20 percent of women reported feeling unprepared to become a partner compared to 10 percent of men. Citing research by ALM Intelligence, the article reported that fewer women – 59 percent, compared to 66 percent of men – reported having formal business development training before or after becoming partner and that “fewer women reported feeling very comfortable with partner tasks such as budgeting, creating alternative fee arrangements and staffing levels than men.”

The 2017 National Association of Women Lawyers survey found these inequities:

- Among equity partners, the client billings of women are 92 percent of those submitted by men, despite working as many hours.
- The median woman equity partner earns 94 percent of what her male counterpart makes in firms with more established women’s initiatives, compared to 82 percent in firms reporting relatively new initiatives.
- 97 percent of firms report their top earner is a man.
- Nearly 70 percent of firms have only one or no women in their top 10 earners.
- People of color make up about 6 percent of equity partners.
- LGBTQ people represent only 2 percent of equity partners.

Continued on page 6

Non-Profit Org.
U.S. Postage
PAID
Pittsburgh, PA
Permit # 1310

Rancosky provides necessary guidance to prove bad faith conduct by insurers

By Kenneth R. Behrend

In early 1990, the phone rang in my office, and to my surprise on the other end of the line was an attorney who was on the floor of the Pennsylvania Senate. The attorney explained that since I had worked on insurance consumer fraud cases, he wanted my thoughts on a proposed bill creating an insurance company bad faith statute for Pennsylvania. Also, he needed my thoughts right away, since it appeared there were enough votes to get the statute passed that day.

However, there was one “slight” problem: there was no definitional section, so the term “bad faith” was undefined. The conundrum was whether they should get the bill passed as it was drafted, or have the bill presented later – after there was sufficient time to develop a definitional section.

My first thought was to get it passed while the votes were there. The Legislature can be fickle. It was my thought they get the bill passed and then a subsequent amendment to add definitions, or, if amendment was not possible, leave it to the courts to

define insurance bad faith and provide the elements necessary to prove the statutory claim.

Never did it occur to me that, 27 years later, I would be arguing what elements are necessary to prove statutory insurer bad faith to the Pennsylvania Supreme Court.

The statute as passed, reads as follows:

§ 8371. Actions on insurance policies
In an action arising under an insurance policy, if the court finds

Continued on page 8

Allegheny County Bar Association
400 Koppers Building, 436 Seventh Avenue
Pittsburgh, PA 15219-1818
Address Service Requested



2016 - 2017 ACBF ANNUAL REPORT INSIDE

**ACBA membership benefit:
Receive 15% off all American Bar Association books every day**

Allegheny County Bar Association members save 15% off the general public price on every book available on the American Bar Association webstore ShopABA.org.

Don't delay! To start saving 15% on your ABA book purchases:

1. Visit ShopABA.org and use our special discount code **ACBAR**
2. Call **1-800-285-2221** between 8:30 a.m. - 6:00 p.m. ET and use our special discount code **ACBAR**

WHERE THERE'S A WILL
continued from front page

• People with disabilities represent less than 1 percent of equity partners. "We are focused on what the local and national data are telling us," Block said. "Women are feeling less prepared to be partners. There's not really an ambition gap."

Block said the ACBA formed the Institute for Gender Equality in 2008 as an offshoot of its 2005 survey, which showed little improvement in the partnership levels of women, the male-female wage gap and the enhancement of women and diverse members to build successful careers. The formation of the IGE was one of the recommendations of the ACBA's Gender Equality Task Force.

"Since it was founded, the focus of the Institute for Gender Equality has been to provide programs for women attorneys and law firm leaders relative to the professional advancement and equal treatment of women in the profession," Kelly said.

"The development of WILL is a logical next step in the work of the IGE," said Alysia Keating, ACBA director of Diversity and Gender Equality and director of the IGE. WILL is targeting women with five to eight years of professional experience. It will provide business-development skills and financial training to advance women and elevate them to partnership or the next leadership level within their organizations.

"We are hoping to have a diverse first cohort of women attorneys representing different backgrounds, experiences, practice areas and work environments," Keating said.

Interested in learning more?

Applications for the Women's Institute for Leadership in Law will be available online in late December. For more information about WILL or potential scholarship opportunities – or if you are interested in supporting an applicant through a scholarship contribution – email Alysia Keating at akeating@acba.org.

Tillapaugh, who is also chair of Talent Management at Cohen & Grigsby, said that five-to-eight-year point is a "sweet spot for women looking to be promoted and accelerate their career." Unlike larger firms, smaller firms and corporate law spaces may not have the resources to provide internal training that would prepare attorneys for career advancement. The ACBA is offering WILL at a cost of \$3,000 so that even small firms might be able to afford sending up-and-coming associates, though some attendees may have to pay their own way. Scholarships might be possible.

Plans call for cohorts of 20 to 25 people to receive training in several sessions during one calendar year. The first cohort will start in March 2018. WILL is accepting applications beginning in late December and will consider future cohorts if the demand is there.

The new institute will kick off with an overnight retreat guided by Leanne Meyer of Carnegie Mellon University's Tepper School. Subsequent sessions will focus on professional growth

areas such as self-assessment, resilience, finance, internal and external business relationships and effective leadership and team management. Sessions will be led by CMU professors, industry experts and local attorneys who have extensive subject matter expertise.

One consistent theme that women face is the lack of access to formal mentors within their firms. Instead, they seem to find mentors and sponsors by connecting outside their firms, Block said. The institute will require that women have a steward from their organization who can shadow them through the WILL process and assure that what they've learned is followed up with at the firm.

Keating said she is encouraged by some of the progress being made by women in Pittsburgh. She points to the success of firms, such as Cohen & Grigsby, in appointing more women partners in recent years. She also highlights the number of women in leadership positions in the ACBA. The majority of the ACBA Board of Governors is women – two of the five officers and 15 of the 23 remaining board members are women. One officer and six other board members are women of color.

Tillapaugh points to the change in the ACBA Board of Governors as a "very positive sign" that things are moving ahead locally.

"We know where Pittsburgh has been," Tillapaugh said. "The hopefulness of where we're going by building on our successes shows we're moving in the right direction. Our emphasis is getting us going faster. Where there is a WILL, there is a way." ■

PLUMMER SLADE, INC.
Computer Networking & IT Solutions

"Your single source for IT solutions"



endorsed
ACBA
Allegheny County Bar Association

Exclusively endorsed for IT solutions by the Allegheny County Bar Association (ACBA).
Serving over 100+ law firms in the Pittsburgh and surrounding area.

428 Forbes Avenue, Suite 2450, Pittsburgh, PA 15219
www.plummerslade.com 412-261-5600

IWANYSHYN & ASSOCIATES

FINANCIAL EXPERTISE JOINS FAMILY LAW
Deborah Luteran Iwanyshyn,
JD, CDFA, CPA, ASA

- Experienced in handling complex marital estates
- Dedicated and competent in finding hidden assets
- Educated regarding valuation of closely-held businesses
- Performs financial forecast to determine need for alimony
- Utilizes 20 year projections for financial planning
- More than 30 years as a Family Lawyer
- More than 40 years as a Forensic Accountant



Fellow of the American Bar Foundation
Chair of Taxation Committee, Family Law Section ABA
Former Senior Member of the American Society of Appraisers specializing in Business Valuation
Former Mediator for the Allegheny County Child Custody Program and the USPS
Certified Divorce Financial Analyst

412.848.9181 | www.iwanyshyn.com
Read her blog articles at pafamilylaw on www.tumblr.com.


CPA license and ASA Certification currently inactive