

Women lawyers JOURNAL



Vol. 88 No. 2

WINTER 2003

SUMMIT ON KEEPING HER IN HER PLACE:

NEW CHALLENGES TO THE
INTEGRATION OF WOMEN
IN THE PROFESSION

Featuring articles by:

Charna Sherman
Christine Lagarde
Sheila Wellington
Hope Ferguson

Joan Williams
James Sandman
Ida Abbott
Deborah Rhode

Plus details about the next ABA Summit on Women

Save the Date: Women's Summit II

Sunday, August 10, 2003

Last year's first-ever ABA Summit on the Challenges of Integrating Women Into the Profession not only drew hundreds of attendees, but also overwhelming support from national organizations, women's bar associations and the

Women's Summit II: Practical Steps for Keeping Women on the Success Track

profession's top leadership, both male and female. Join all of them and more this year when Women's Summit II features the nation's foremost experts on key nuts-and-bolts strategies for success.

9:00-11:00 a.m. - Presidential CLE Center

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Women Lawyers Journal

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About NAWL

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From the Editor

by Elizabeth Bransdorfer, Editor

Each of us has the opportunity to learn something new every day - from our clients, opponents, colleagues, partners, families, friends and experiences. We grow in knowledge, skill and judgment from each lesson learned and that growth is enhanced if we learn from broader and more diverse sources. One of the most important functions of the National Association of Women Lawyers® is its role as an educational forum for women in the profession and NAWL members appreciate that all of us benefit from learning about the experiences of women attorneys in other parts of the country.

From our youths, generous people have tried to help us learn from their experiences, so we don't have to repeat their mistakes. Our parents, an older cousin or grandparent, that special teacher or summer boss or dormitory floor advisor have given of themselves and their experiences to help each of us avoid or solve a problem. In our professional lives, we have learned most from those in our own firms and communities - from those who are senior to us, who have faced situations we will face, who have tried possible solutions that may or



A standing room only crowd filled the room at the first ABA Summit on Keeping Her in Her Place.

may not have worked and whose efforts can help us make good decisions when we are faced with a similar situation. Those from whom we learn most have mostly learned from each other and from the people who came before them. Expanding this exchange to people outside of our everyday communities can give us a better perspective on our problems, solutions and practices.

It is always surprising when we find that the circumstances we deal with in our professional lives, perceived to be parochial and isolated, are actually common problems around the country. We may have accepted unacceptable situations, assuming that it is "just the way it has to be," without realizing that the circumstances are problems that can be solved and situations that can be improved. Given the competitive

nature of our profession, and the sensitivity that many of our colleagues have to perceived deprecatory comments about our own firms and communities, the best source for "reality testing" is often to talk with and listen to lawyers outside our communities. The news isn't invariably bad. Sometimes our firms realize that they have found solutions to situations that are almost insurmountable problems in many other places. It is a shame not to congratulate ourselves for our successes and to share the ideas that have made a difference.

The 2002 Summit on Keeping Her In Her Place was a great beginning. It increased the exchange of ideas regarding women's places in the profession. NAWL is proud to help keep the dialogue going by publishing the comments submitted by the speakers in this special edition of the Journal. As an organizations whose goals include promoting the advancement and welfare of women in the legal profession and serving the practical interests of women lawyers, NAWL hopes to continue to work with the ABA Section of Litigation's Woman Advocate Committee, the ABA Commission on Women in the Profession and the other sponsoring entities to disseminate information and share perspectives on the systemic and/or common problems that women lawyers face. When we address the problems together, it will be easier to find solutions to allow us to fully participate at all levels of our profession for the greater good of our clients, our firms, our society and ourselves.



Elizabeth Bransdorfer is the Editor of the Women Lawyers Journal and the Immediate Past President of NAWL. She practices commercial and real estate litigation and family law at Mika, Meyers, Beckett & Jones, PLC in Grand Rapids, MI.

Keeping Her In Her Place: The ABA Summit on Women

by Charna Sherman
Co-chair, Woman Advocate Committee, ABA Section of Litigation

What better testament to the pressing nature of the challenges women face in our profession than a standing-room-only crowd at the first-ever American Bar Association *Summit on Keeping Her in Her Place: New Challenges to the Integration of Women in the Profession*. This program, held at the ABA Annual Meeting on August 11, 2002, in Washington, D.C., featured the nation's foremost experts in the field, and drew hundreds of attendees, as well as unprecedented support from women's bars across the country, many of the most prominent leaders in our profession – both female and male – and an impressive list of national organizations, including the co-sponsorship of the National Association of Women Lawyers®. The extraordinary success of the *Summit* has only has launched a myriad of new programs and publications, but has helped raise the profile of this issue within the ABA and the profession at large.

The Genesis of the Summit

The idea for the *Summit* was a brainstorm of the Woman Advocate Committee (WAC) of the ABA Section of Litigation, charged with addressing the needs and concerns of female trial lawyers. The WAC was alarmed by recent studies documenting widespread professional dissatisfaction among female lawyers, particularly litigators and, worse, the departure of so many from the profession altogether. Indeed, even though enrollment of women at our nation's most elite law schools has risen to almost 50 percent for many years, the numbers of women at the top of our profession account only for a mere fraction of that initial percentage.

Because of the compelling nature of the issue, the WAC conceived the idea of holding a full-fledged summit and created an august Organizing Committee, which I had the honor of chairing. Its members included former ABA Presidents Martha Barnett and Roberta Ramo; Federal District Judges Nancy Atlas, Ellen Segal Huvelle and Barbara Lynn; Margaret Brent Award Winner Laurel Bellows; Carolyn Lamm; Robert Liebenberg; Charisse Lillie; Sara Lipscomb; Barbara Mayden; Lee Stapleton Milford; D. Jean Veta; Andrea Zopp and Tina Tchen. The Committee members, in turn, applied their time, their talents – particularly their powers of persuasion – and their clout to convince the two largest Sections of the ABA – Litigation and Business Law – as well as the ABA's Commission on

Women in the Profession, Commission on Racial and Ethnic Diversity in the Profession and the Women's Caucus to sponsor the *Summit* as a plenary program in the Presidential CLE Center in August 2002.

With such strong ABA support, the Committee reached out for national co-sponsors. One of the first on board was the National Association of Women Lawyers®, who readily embraced the *Summit*. NAWL immediately understood the significance of this unprecedented event and offered to dedicate this issue of the *Women Lawyers Journal* to memorialize and commemorate this historic moment for women in the law. NAWL's support was joined, in turn, by that from Catalyst, Minority Corporate Counsel Association, National Association of Women Judges, National Conference of Women's Bar Associations and the Women Lawyers Division of the National Bar Association. A special benefactor, National Association for Law Placement, made a significant financial contribution and another, NCR Corporation, agreed to fund extra copies of this issue of the *NAWL Journal* to ensure that the reach of the *Summit* would extend well beyond those who attended.

In addition, over 28 women's bars across the country also agreed to co-sponsor the *Summit*. They included the Association of Black Women Lawyers of New Jersey, Inc.; Bar Association of Metropolitan St. Louis, Women in the Legal Profession Section; California Women Lawyers Association; Cleveland Bar Association, Women in the Law Section; Fayette County Women Lawyers Association; Florida Association of Women Lawyers; Georgia Association for Women Lawyers; Hawaii Women Lawyers; New Jersey State Bar Association, Women in the Profession Section; New York Women's Bar Association; North Carolina Association of Women Attorneys; Ohio Women's Bar Association; Pennsylvania Bar Association, Commission on Women in the Profession; Philadelphia Bar Association, Women in the Profession Committee; Philadelphia Chapter of the Women Lawyers Division of the National Bar Association; South Carolina Women Lawyers Association; Texas Women Lawyers; Toledo Women's Bar Association; Travis County Women Lawyers Association; Vermont Bar Association, Women's Section; Virginia Women Attorneys Association; Women's Bar Association of the District of Columbia; Women's Bar Association of Illinois; Women's Bar Association of the State of New York; Women's Bar Association of Western Pennsylvania; Women Lawyers' Association of

The most
basic
challenge is
figuring out
how to keep
women in
their place—
that is, as
lawyers.

Greater St. Louis; Women Lawyers Association of Los Angeles and the Women's Section of the Alabama State Bar. Women leaders across the country also joined our efforts, including Judith Areen, Dean of Georgetown University Law Center, and many of the National Law Journal's Top Women Litigators, including Elizabeth Ainslie, Kathleen Behan, Dale Cendali, Cynthia Chapman, Patricia Glaser, Patricia Hynes, Maureen Mahoney, Janet McDavid, Dianne Nast, Suzelle Smith, Audrey Strauss, Maria Vullo, Mary Kay Vyskocil and Sylvia Walbolt.

Paramount to the Organizing Committee, however, was the recognition that women themselves cannot solve the issue at hand; rather, it is a challenge to the whole profession. Critical, therefore, was the support from men of influence in our profession, who proved not to be the least bit reluctant about our cause. They included no less than seven former and future ABA Presidents: Philip S. Anderson, N. Lee Cooper, R. William Ide, III, J. Michael McWilliams, William G. Paul, Jerome J. Shestack, and Dennis W. Archer, President Elect Nominee of the ABA 2003-04. In addition, our ranks were joined by the following top male leaders in the profession: Scott J. Atlas of Vinson & Elkins LLP, Chair of the ABA Section of Litigation; John Beisner, Managing Partner of the D.C. Office of O'Melveny & Myers LLP; John T. ("Jack") Boese, Managing Partner of Fried, Frank, Harris, Shriver & Jacobson; Benjamin R. Civiletti of Venable, Baetjer, Howard & Civiletti, LLP, former United States Attorney General; Robert A. Clifford, Principle Partner of Clifford Law Offices; Joseph C. Dilg, Managing Partner of Vinson & Elkins LLP; Marc L. Fleischaker, Managing Partner of Arent Fox Kintner Plotkin & Kahn PLLC; William Kovacic, General Counsel of the Federal Trade Commission; Andrew H. Marks of Crowell & Moring LLP, former President of the District of Columbia Bar; J. Roger Mentz, Executive Partner, Washington, D.C. Office, White & Case; Caryl A. Potter, III, Managing Partner of D.C. Office, Sonnenschein Nath & Rosenthal; James J. Sandman, Managing Partner of Arnold & Porter; Stuart C. Stock, Managing Partner of Covington & Burling; Mark H. Tuohey, Vinson & Elkins, Former President of the District of Columbia Bar Association; David C. Weiner, Chairman of the Board of Hahn Loeser & Parks LLP, former Chair of the ABA Section of Litigation; Robert Weiner of Arnold & Porter, Former President of the District of Columbia Bar; Richard A. Weis, Managing Partner, Foley & Lardner; and Paul M. Wolff, member of the Executive Committee of Williams & Connolly LLP.

With such overwhelming support, the Organizing Committee's only real struggle was giving the

Summit a title. "Keeping Her in Her Place" was chosen because it literally embraced all of our concerns and objectives. At its root, the problem at hand is an historical one of keeping women in a second-class place. Over more recent years, however, the problem has manifested itself by the departure of women from the profession. Thus, the most basic challenge is figuring out how to keep women in their place – that is, as lawyers. And finally, as complex as the answers are, the goal is truly simple: keeping women in their rightful place!

The Summit Program

The upbeat tone of the *Summit* was set right at the outset by the inspiring remarks of our Opening Speaker, perhaps the most successful woman lawyer in the world: Christine Lagarde, Chairman of the largest law firm in the world, Baker & McKenzie, who flew in from her office in Paris to share her story. She was eloquent and charming. And more, she told a story of hope . . . of men from whom she learned and mentors who helped her over the challenges and bumps that stood in her way. Her success is testament to the real possibility of a true partnership among all lawyers, whatever their gender.

Our Keynote Speaker followed with the hard facts. Sheila Wellington is the President of Catalyst, an organization that promotes women in careers and is dedicated to sophisticated and scientific research and analysis about "what we all know" about professional women. Her organization reduces the anecdotes to real figures, so that they can no longer be ignored or, worse, brushed aside as insignificant or non-existent. Catalyst's findings were recently published in a groundbreaking study of 1400 law school graduates nationwide. The study found these women far less satisfied with their advancement in their legal careers than their male colleagues. Among the data that establishes such dissatisfaction is the disproportionately small percentage – only 15.6 percent – of women partners in law firms nationwide and the even smaller percentage – 13.7 percent – of female general counsels of Fortune 500 companies. Comparative compensation figures demonstrate an equally disturbing disparity. Consistent with these numbers, women plan on leaving their current employer three years before their male colleagues. Most dissatisfied are women of color, who anticipate leaving their employer four years earlier than men. In conjunction with the *Summit*, Catalyst released its newest report, *Making Change Guide: Women in the Law*. This guide is currently available directly from Catalyst and offers concrete direction on how to effectuate real change. Following Sheila Wellington's remarks, a panel detailed the extensive research the ABA has conducted on women in the profession. Deborah L. Rhode, Chair of the ABA Commission on Women, summarized the results of their recent publication

The Unfinished Agenda: Women and the Legal Profession. Charisse R. Lillie, Chair of the ABA Commission on Racial and Ethnic Diversity in the Profession, also addressed the far greater challenges the Commission has studied which women of color face.

Two panels then proactively addressed the problem. The first focused on making the economic case for change, moderated by a former President of the ABA, Martha Barnett. Catherine Lamboley, Vice General Counsel and Corporate Secretary of Shell Oil Company, and Susan Hackett, Senior Vice President and General Counsel of the American Corporate Counsel Association, spoke to changing expectations of “the client.” Their bottom line was simple: sheer economics have driven corporate America to include women and minorities in their ranks and, soon enough, lawyers will recognize that if they want corporate America’s business, they too will need to do the same.

Mary B. Cranston, Chair of Pillsbury Winthrop, addressed the sobering data compiled by the National Association of Law Placement on the real financial costs to firms associated with losing – and having to replace – women lawyers. James J. Sandman, Managing Partner of Arnold & Porter, a law firm that has led the way with respect to the advancement of women, shared insights about the economic incentives for, advantages of and goals for proactive efforts towards addressing the advancement of women in the profession. He was particularly passionate about why employing part-time lawyers makes economic sense not only for his firm, but more importantly, for their clients.

Anne Weisberg of Catalyst then moderated a panel on proven ideas for change. American University Professor Joan C. Williams, author of *Unbending Gender: Why Family and Work Conflict and What to Do About It*, addressed methods to make part-time schedules work. One of the foremost corporate pioneers on advancing women has been DuPont DeNemours & Company, E.I., and Hinton J. Lucas, Jr., its Associate General Counsel, spoke to the specific and demanding requirements they impose on their outside counsel to ensure diversity. Joseph C. Dilg, Managing Partner of Vinson & Elkins, reported on a pioneering Advisory Committee his firm founded – which notably included clients – to oversee and verify the firm’s progress in this effort. Veta T. Richardson, Executive Director of the Minority Corporate Counsel Association, reported on the matrix analysis they have used to assess best and worst practices. Ida O. Abbott, a lawyer and consultant, imparted the key advice rendered in her many publications: the importance of having a mentor and champion.

The *Summit* was capped off by a reception on the rooftop of one of the nation’s foremost law firms, Covington & Burling, to celebrate the day’s exhilarating event. As the sun set over the Nation’s capitol, hundreds of attendees were abuzz with talk of change and plans for more and future events. It was truly a momentous step on the road to truly integrating women in the profession. We can all face the challenge with the confidence that not only are there answers, but we are not alone in our efforts.

Indeed, shortly after the *Summit* we learned it already made a difference in at least one woman’s life. A high-ranking male partner at a major New Jersey law firm reported to us that the *Summit* had inspired him to take a stand in support of a woman up for partner at his firm. Although her hours had failed to meet their expectations after she returned from maternity leave for the birth of her first child, he spoke about how the *Summit* had changed his perspective . . . and his new convictions convinced the others!

Charna Sherman focuses her practice as a Partner at the Cleveland Law Firm of Squire, Sanders and Dempsey L.L.P. on litigation matters. She represents numerous corporate and individual clients as both plaintiffs and defendants in a broad range of cases in federal and state courts, including complex commercial and other civil litigation, as well as white collar criminal defense. She is a member of the American Bar Association, where she serves on the Section of Litigation Leadership as Co-Chair of the Woman Advocate Committee. She is also a member of the Cleveland Bar Association. In 1999, she also served by appointment on the U.S. Magistrate Selection Panel for the U.S. District Court for the Northern District of Ohio.



Opening Remarks

By Christine Lagarde
Chairman, Baker McKenzie

It is a great pleasure for me to be in Washington, D.C. today with all of you. Washington, D.C. is the city in the United States where I experienced my first international cultural shock and learned one more lesson of humility, tolerance, respect and diversity. Nearly 30 years ago, as a young AFS scholar, I left a liberal co-ed education in France, where walking and meeting friends at café terraces to redesign the world was the rule of the game. I joined a girls-only, rigorous private educational system. No matter how often or how far I could walk or bike, I could never find the town center – and redesigning the world was seen as a bit alternative. The forty other AFSers and I learned about and from each other. With our different backgrounds, languages, educations and colors, we could understand each other and enrich our communities. It was for the same reasons and for the same values (humility, tolerance, respect and diversity), that I chose Baker & McKenzie some eight years later.

Today I will not venture into the realm of figures and statistics, which may be depressing (and I am not particularly figures-oriented anyway). I will try to convey a more uplifting message, because I strongly believe in the positive versus the negative, in encouraging rather than blaming and in inventing more than regretting. I will set the scene and describe where I see opportunities, then I will tell you more about what and who has helped me.

The current scene is bleak, but it is also good compost from which many flowers can blossom. We are moving from terror to potential war, from unity to unilateralism and from fraud to rigor. Just in

the business community, we have all read and heard about Enron, Andersen, WorldCom, Tyco, Adelphia and others. The list will only get longer. These disastrous events (which have caused many people to lose their jobs and to see their pension funds fade and melt like ice under the sun) were caused by the collapse of the basic principles — ignoring ethics and forgetting values. The Sarbanes and Oxley Act will apply and criminal sanctions will be imposed. Corporate social responsibility will become the buzzword for the next few months. This is not entirely new and I cannot resist quoting the French philosopher Montaigne who, in Chapter 13, Book 3 of his Essays wrote, “Comme autrefois, par les scandales, c’est maintenant par les lois que nous sommes accablés”, which translates approximately as “Like before by scandals, it is now by laws and statutes that we will be burdened.” Tacitus before him had written virtually the same thing.

I believe that women have something to say in this context. Because of the role historically assigned to women, rather than men, of bringing up children and instilling basic principles, we learned to distinguish the good from the bad, the right from the wrong, and we had to explain these distinctions to our children. We must continue doing so.

Corporate governance and corporate social responsibility agendas must be priorities, not just in the next six months, not just until Wall Street picks up again, but always. We have a moral obligation, we should stand for it as “Auxiliaires de Justice,” men and women, just as humans really. We should constantly remind ourselves, and remind our

clients, as well as our colleagues, of the cardinal virtues of our profession – which in my country, France, are “dignity, ethics, independence, probity and humanity.”

This is certainly a mission that I embarked on many years ago and one I now continue with more vigor and passion.

Since I was asked, I thought I would describe for you who and what I believe has helped me in my professional life as



NAWL Member Virginia Mueller(right) greets Christine Lagarde, Chairman of Baker McKenzie (center), and Mme. Dominique de la Garanderie, Ancien Batonnier of the Ordre des Avocats a la Cour de Paris (Paris Bar Association)(left).

a lawyer, as a partner and as the Chairman of the most global law firm in the world:

In addition to my husband, a number of inspiring women have helped me tremendously.

My grandmother was a nurse during the first World War and a head nurse during the second World War, a woman of dignity and strength and a very caring person as well.

My mother, an academic, who brought up our a family of four after my father died when she was only 41. She was

very strong, very independent, and to this day she teaches me lessons of strength and independence.

The partner at Baker & McKenzie in the Paris office who hired me in 1980 and who was my mentor until she passed away in 1999. She also was a very strong character, a leader and someone who cared for young associates and for young women. She was a tremendous mentor for me. She taught me how to dress, address and redress. I challenge anyone who says today that mentoring and role models do not work. This is simply not true.

Baker & McKenzie recently conducted a survey of our three thousand associates around the world. Forty percent of them responded and all of them, whether junior or senior associates, have said that they need mentoring, that they want role models and that there are never enough of either.

Hard work and good timing also assisted me. I believe that sheer luck or pure bragging may take us somewhere, but will not keep us there. Hard work is a necessary evil in our profession, but it is also

a pleasure. Those who do not enjoy working hard should not embrace the legal profession. I have worked hard, I am working hard and I will keep working hard. There is no escape from it.

The timing was not really planned, but I had my two sons just before and just after I became a partner. This timing probably made things a bit easier for me. Monique, my mentor, had said to me (and I happen to agree with her) that having given birth was the most important thing in life. I believe that the miracle of life helped me be, if not a better lawyer, then certainly a better mentor myself and a better manager.

I challenge anyone who says today that mentoring and role models do not work. This is simply not true.

In my experience, patience and resilience can triumph over the most solid obstacles.

Technology assists me a lot. Technology, applied to our profession, gives us the ability to work remotely from home, from hotels, from anywhere in the world. Technology helps us store and access precedents, manage files and keep whole libraries up to date. More importantly, it helps us share knowledge within clusters of practitioners or practice group members. It forms networks and networks within the networks. It encourages dialogue and improves communication. It promotes interacting with clients and colleagues on-line in deal rooms using the extranet as the working environment. It overcomes distance and time differences, as well as reduces time spent on matters. Just as the washing machine in the 1940's and early 1950's liberated women around the world from the time consuming and exhausting task of washing, technology liberates and will liberate us from certain time consuming tasks, such as laborious and obscure research, endless drafting, checking and reinventing the wheel every time we do a new transaction or draft new briefs. This will only be the case if we are empowered and master technology.

In that regard, training is essential and we need to force ourselves and engage young women in the training and ownership of technology. This is true because technology is definitely more familiar to young boys than to young girls and we need to redress this lack of balance.

If we make intelligent use of technology, I submit that time (billable hours) will not forever be the measurement of value and that efficiency will be measured in a different way where the interest of the client in obtaining a fast and efficient service will be aligned with the interest of the lawyers in determining the actual value contributed by providing the service.

Finally, I believe that some moral values have sustained me throughout my life. Patience and resilience. We should not

expect that everything can happen overnight. We cannot always aspire to be Antigone. In my experience, patience and resilience can triumph over the most solid obstacles. Vigilance and solidarity are key today. One of your co-patriots, John Philpot Curran, in 1790 wrote that the price of liberty is eternal vigilance. In my mind, the price of liberty, which to me is the right to choose the place where we want to be, is a factor of both eternal vigilance and constant solidarity. This will determine and measure our success in choosing the path where we can each best achieve our talent.

Christine Lagarde was elected Chairman of the Executive Committee of Baker & McKenzie in October 1999.

An accomplished lawyer specializing in

antitrust and labor law, Ms. Lagarde has been a Partner of the firm's Paris office since 1987.

From 1991, she served as Managing Partner of the Paris office, before being

elected to join the Executive Committee of the international firm in 1995. In addition, Ms. Lagarde chaired the firm's European Regional Council and the Professional Development Committee from 1995 until 1998.

Christine Lagarde is married and is the mother of two sons, 16 and 14.



Women in Law: Making the Case

By Sheila Wellington¹
President, Catalyst

Women have comprised at least 40 percent of law students since 1985 and were half of all students entering law schools in 2001. Yet, in 2000, slightly less than 16 percent of law firm partners were women and slightly less than 14 percent of general counsel in the Fortune 500 companies were women.² Clearly, time alone has not – and will not – result in women being represented at the top of the profession in numbers commensurate with their representation in the profession generally.³

The Catalyst study, *Women in Law: Making the Case*, is the first national study to look at the reasons for women's lack of advancement in the legal profession. The study is based on over 1400 responses from men and women graduates of the classes of 1970 through 1999 from five of the top law schools in the country. Our respondents were fairly evenly distributed across the country and across generations. The majority of men and women are married with children, although twice as many women as men have a spouse who works full time. *Women in Law: Making the Case* is unique because it takes a comprehensive look at men's and women's career paths, satisfaction, advancement, barriers and work/life balance — and the connections among them. It is unusual also because it looks across legal sectors — and compares law firms to corporate legal departments — and because it acknowledges that women of color and white women are not the same.

This article focuses on the findings from *Women in Law: Making the Case* most relevant to law firms.

Career Paths and Satisfaction

One key finding is that men and women

go to law school for the same reasons—for intellectual challenge, professional credibility, and financial security. Most of the respondents (over 70 percent of each gender) begin their legal careers in law firms.⁴ Men and women also use the same factors in choosing their first law firm, with reputation being the number one sought characteristic of a potential firm.

However, over time men's and women's career paths diverge. Of the over 1400 respondents, only 40 percent of the women are still in firms as opposed to 50 percent of the men. When we look at the graduates from the 1970s, we see that 30 percent of women are still in firms versus 51 percent of men — an even greater disparity.

The reason for the leaky pipeline in law firms has to do, in large part, with how women perceive advancement opportunities. Across the profession, while 51 percent of white men are satisfied with their advancement opportunities, only 41 percent of white women, and 30 percent of women of color, are satisfied with their advancement opportunities. In law firms the spread is wider, with 59 percent of the men satisfied with advancement compared to 45 percent of the women. Women associates report the lowest levels of satisfaction: while nearly 51 percent of men associates are satisfied, only 38 percent of women associates are satisfied with advancement.

This gender gap is particularly problematic because most law firms advance associates in lock step with their class. The gap, therefore, most likely reflects a gap in perceptions of men and women regarding their opportunities as they look ahead to making partner.

10 percent of women, compared to 5 percent of men, intend to leave within the year. Without advancement opportunities, they are saying, why should we stay?

Given the low satisfaction rates, it is not surprising that women plan to leave their current job sooner than men. Overall, women plan to leave their jobs three years sooner than men. Ten percent of women associates, compared to 5 percent of men, intend to leave within the year. Without advancement opportunities, they are saying, why should we stay?

Advancement

Women in Law: Making the Case reports on advancement strategies and barriers. Men and women generally agree on what it takes to advance in law firms, ranking initiative as the number one success strategy. However, when asked how they view barriers to women's advancement, they responded very differently.

Men and women in law firms both say commitment to family and personal responsibilities is the number one factor holding women back.

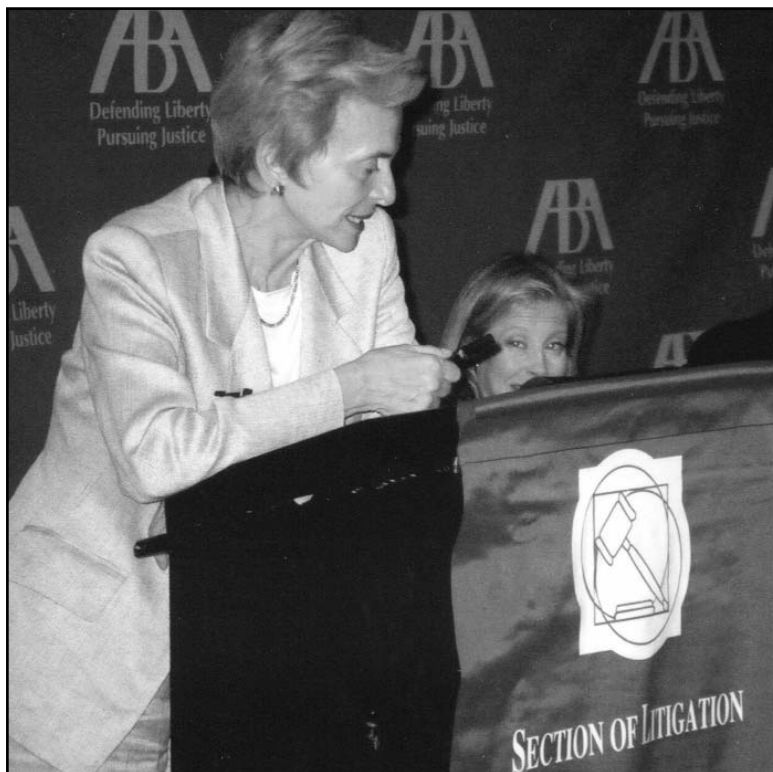
Three-quarters of women and 58 percent of men in firms identified this as a barrier to women's advancement, making it the top barrier. In all our Catalyst studies, including *Women in Financial Services* and *Women in Corporate Leadership*, this is the first time this barrier shows up as the number one barrier.

The perception gap between the genders widens after this first barrier.

Clearly, even after over 15 years of women entering the profession in large numbers, women don't really feel included in law firm culture. And that, they say, is holding them back. According to this study, men just don't see it. Catalyst has learned that this perception gap is *itself* a barrier to women's advancement.

Work/life

Given the prominence of work/life issues for advancement, it's useful to take a closer look at this. It is important to understand that just as many men as women report difficulty balancing work and personal life — 71 percent of both genders report work/life conflict. While those with children report the highest lev-



Sheila Wellington, President of Catalyst, speaks from the Summit podium as former ABA President Roberta Ramo listens from the panel table.

els, even 62 percent of women and 56 percent of men without children report work/life conflict as a barrier.

Despite the similar response from both genders regarding perceived difficulty with work/life balance, women's career paths are affected by the issue in a way that men's professional lives are not. Women lawyers in our study made career choices to reduce work/life conflict. Forty-five percent of women chose their *current* employer for work/life balance, making it the number one factor in job choice for women. (It's number three for men.) While 34 percent of all our women respondents have worked part-time at some point in their careers, only 9 per-

cent of the men have. Working part time slows women down in their careers. The best case scenario for women with part-time careers is that her advancement will be deferred in a way that is proportional to her reduced schedule, but, in practice, many firms take part-time lawyers off the partner track completely.

The Business Case for Women's Retention and Advancement

While most law firm leaders know that the pipeline to partnership leaks women, they also believe that this is the result of individual choices and there is nothing they can do. They are wrong. Losing women is not a foregone conclusion. *Women in Law: Making the Case* identifies five key retention factors for women: advancement opportunities, mentors, better management, professional development opportunities and control over their work.

Losing women is not a foregone conclusion if it is understood as an organizational issue, rather than a personal choice. To make women's advancement in firms an organizational goal, it must be linked to law firm profitability and growth – to the business. The business case for women's advancement in law firms has three prongs: (1) the demographics; (2) the cost of turnover and (3) the clients.

The demographics: women are an increasing proportion of a shrinking talent

pool. Not only are women roughly half of all law students, but also the total pool of people aged 25 to 34, from which law firms and corporations draw their new talent, is shrinking. "Firms that can't hold on to their good women will have an inferior product. It is a stark demographic reality," said Joel Henning, Senior Vice President of Hildebrandt International.⁵

The cost of turnover: The gender gap in attrition is hugely expensive. Given the significant investment in training that firms make, turnover can cost as much as 200 percent of annual salary. Firms that reduce the gender gap in attrition will capture literally millions of dollars. It is important to remember that the hidden cost of the gender gap in attrition is a long-term problem and should not be confused with many firm's current short-term posture of welcoming voluntary departures.

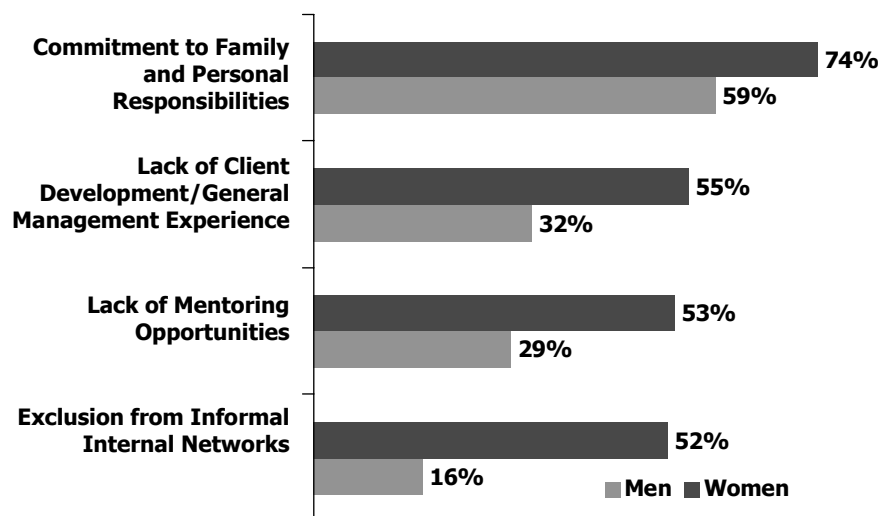
The clients: Clients are placing greater emphasis on the need for diversity in their professional advisors. To begin with, the face of the client is changing. In 2000, there were 42 women general counsel of the Fortune 500; in 2001, there were 62. But client pressure to diversify is being felt not just from women general counsel. As more and more companies view diversity as a strategic business imperative, they will demand that their law firms do too. For example, General Electric is now requiring its major

law firms to break out their bills by race and gender because they see their outside law firms as extensions of the company. More and more companies raise diversity as a factor when they bid out work.

In order to make change, you will need

Losing women is not a foregone conclusion if it is understood as an organizational issue, rather than a personal choice.

Top Five Barriers to Women's Advancement Identified by Women in Law Firms, and Men's Response (Strongly Agree/Disagree)



Given the significant investment in training that firms make, turnover can cost as much as 200 percent of annual salary.

to know more than the components of the business case, however. In law firms, Catalyst recommends a step-by-step approach for building the kind of environment that will retain more women. First, understand what is going on in your own firm. What does the pipeline to partnership look like? Where along it is there a gender gap? How much is this costing the firm? What are the barriers that women in your firm identify? What are your competitors doing?

Once you have fully assessed the current conditions, then set up systems and training to address the issues identified in the assessment. Any initiatives that you set up will need a formal structure and that is the third step. Identify accountable leaders and create an infrastructure of people and resources to implement the action steps. Action steps may include a formal mentoring program, for example, but a program alone does not change make. You will need leaders to create visibility for and lend credibility to the program, as well as someone to monitor the program and assess its results. The same is true for a good flexible work program. It must address core issues such as advancement, compensation and benefits and, especially, scheduling. The program must have the support of senior leadership, as well as the support of a person or small group of people charged with consistently implementing the policy across the firm.

Ultimately, what must be understood is that attracting and retaining talent - both male and female - is a major challenge facing the profession. Law firm leaders cannot afford to lose sight of this challenge, even during the current temporary downturn. The responses to *Women in Law: Making the Case* and the Catalyst study of Generation X, called *The Next Generation of Leaders*, make clear that women are like canaries in the coal mine - they are voicing the concerns of a growing number of men. So, if you want to keep women from leaving, make women's retention and advancement a strategic goal. And if you want to keep men from following then out the door, act now.

¹ Sheila Wellington is President of Catalyst, a nonprofit organization dedicated to advancing women in business and the professions. Anne Weisberg, who directed the Catalyst study *Women in Law: Making the Case*, assisted in the preparation of this article. To learn more about Catalyst, visit www.catalystwomen.org.

² *Women in Law: Making the Case* (Catalyst 2001), at 10.

³ Women are roughly 30 percent of the legal profession as a whole, because even though they have been 40 percent of law students since 1985, there were very few women lawyers before that point.

⁴ This number is higher than the national average, which is closer to 50 percent, according to the National Association of Law Placement; one reason may be that the Catalyst respondents are graduates of elite law schools and, therefore, had more offers from law firms than the national average.

⁵ Quoted in Charles Keenan, "Firms Find Few Female Attorneys are Law-abiding," *Craine's New York Business*, 30 October 2000.

⁶ See *Making Change: Advancing Women in Law Firms* (Catalyst, 2002) for a more detailed discussion of action steps.

Sheila Wellington is the President of Catalyst, the premier non-profit focused on women's leadership in the private sector. Ms. Wellington was the second woman officer of Yale University, serving as Secretary for six years. Previously, she worked in the public health arena for over 20 years, serving on the faculty of Yale Medical School and as director of two major mental health facilities. She is the author of "Be Your Own Mentor," published in 2001.



Women and the Profession: Defining the Challenges

By Deborah Rhode

Past Chair, ABA Commission on Women in the Profession

It is a great honor and pleasure to be here at an event that marks our partial progress towards gender equality. Such topics rarely received even a walk-on role when I entered the profession. I graduated from law school in the late 1970s without having a single course by or about women. Most of us didn't perceive the absence of women or women's issues as a problem. It was just how law, and life, were.

Today, we have a different version, of what I've called the "no problem problem."¹ Women's increasing representation and visibility in the profession is taken as evidence that "the woman problem" has been solved. A widespread assumption is that barriers have been coming down, women have been moving up and any remaining disparities are a function of women's different choices, capabilities and concerns. In a recent survey by the *ABA Journal*, only a quarter of female lawyers and three percent of male lawyers thought that prospects for advancement were greater for men than for women.² But these perceptions are hard to square with the facts, which are summarized in dispiriting detail in the Commission on Women's recently published reports, *Unfinished Agenda* and *Balanced Lives* and the forthcoming Stanford Press collection, *The Difference Difference Makes: Women and Leadership*.³ Women remain underrepresented at the top and overrepresented at the bottom, even controlling for relevant differences in qualifications and experience.⁴

In accounting for these persistent and pervasive disparities, a wide array of

research reveals that opportunities are limited in three crucial ways: by traditional gender stereotypes, by inadequate access to mentors and informal networks of support and by inflexible workplace structures. Let me say a few words about each.

Gender Stereotypes

Every woman in this room probably has faced some variation of this long standing double standard and double bind. We risk appearing too "soft" or too "strident," too "aggressive" or not "aggressive" enough. A related obstacle is that women often do not receive the same presumption of competence as men. Even in experimental situations where male and female performance is objectively equal, women are judged more critically and their competence is rated lower.⁵ The problems are compounded for women of color.⁶

Networks

A second, equally persistent and pervasive problem is the lack of access to informal networks of mentoring, contacts and client development.⁷ Many men who endorse equal opportunity in principle fall short in practice and there are not enough senior women to go around to make up the difference. And there are costs to those women willing to do their bit. They may get "typed as a woman" for favoritism toward younger women and they are forced to put in even more "free" time they don't have, given their already overloaded work/family schedules.

Workplace Structures

A final obstacle involves workplace structures that fail to accommodate personal needs and commitments, particularly family responsibili-

Continued on page 21

The Business Case for Effective Part-Time Programs

By James J. Sandman
Managing Partner, Arnold & Porter

I believe there is a strong business case for effective, successful part-time work programs in law firms.

I start from the proposition that law firms compete in two markets: the market for talent and the market for clients. An accessible, workable part-time program, I believe, benefits a law firm in competing in both of those markets.

In the market of talent, the benefits to a law firm of a good part-time program are — or should be — clear.

For a number of years, surveys have documented the unusually high levels of career dissatisfaction among lawyers. There are a number of reasons for this, but from everything I have seen—not only in surveys, but also in the scores of exit interviews I have conducted over seven years as a managing partner—the *single biggest source of dissatisfaction in our profession is the inability to achieve work/life balance*. And the cause of that inability is the hours lawyers are expected to work. To paraphrase James Carville, “It’s the hours, stupid!”

The inability to achieve work/life balance affects men as well as women. It is not, and increasingly will not be, only an issue for women. But its impact is manifested disproportionately among women, especially among women with families. This is because the age at which most women are on the partnership track in law firms so often coincides with their child-bearing and young child-rearing years. The inability to achieve work/life balance is a major cause of female attrition in law

firms. It is a significant explanation for why there are not more women partners in law firms.

Any law firm that can help its lawyers achieve real work/life balance is going to have a huge competitive advantage in the market for talent. Any firm that can help its lawyers achieve work/life balance will have talented people knocking the doors down to work there and will have much better success than the competition in retaining talented women through the partnership decision and beyond.

I also believe that a successful part-time program is an advantage to a firm in competing in the market for clients.

That proposition, though, runs headlong into the assumption of many law firm partners—and managing partners—that part-time lawyering is inconsistent with client service demands, inconsistent with the expectation of clients that their high-priced lawyers will be available 24/7.

Whenever I have heard this issue—the issue of the alleged incompatibility of part-time work with good client service—discussed among lawyers, whether at managing partner roundtables or at bar conferences or elsewhere, I am always struck by the fact that there is not a single client in the room. Not one.

I believe that the assumptions so many lawyers make about the negative impact of reduced hours on client service are uninformed and simply wrong. I would suggest that when this issue (or any client service issue is discussed) clients be

included in the dialog, and I am glad to see the client community represented here at this summit.

My own conversations with our firm's clients are *uniformly* at odds with the common assumption about the incompatibility of reduced hours with good client service. Some of the most passionate advocates of our firm's part-time policy are *clients who are working with part-time lawyers*. Do you know why? There are two reasons.

The first is that these clients have an investment in the lawyer working a reduced schedule. That lawyer knows the client's business and knows the client's legal problems. The client has a self-interest in retaining that lawyer, and often realizes that if the lawyer were not working part-time he or she would not be working full-time, but instead would leave the firm to do something else. Smart clients know that reduced-hour schedules are an important tool in retaining people of value to them, and they are happy to help make those schedules work.

The second reason why clients are supportive of part-time lawyers is that they do, in fact, get good service from those lawyers. Part-time lawyers, in my experience, are every bit as professional as full-time lawyers. They do not somehow lose their sense of responsibility or commitment to their clients because they are not working full-time. They communicate with their clients about their schedules and they work with their clients to be sure each client's needs are met. They are flexible when the client's needs require it. I have never had one client complain about poor service from a part-time lawyer and I have had a number volunteer their appreciation for our part-time lawyers.

In short, talk to clients about part-time arrangements. You will find that the

assumptions about their dissatisfaction with those arrangements are dead wrong.

I would like to offer a few specific suggestions for making the business case for reduced-hour programs within law firms and to dispel what I think are some of the myths about the costs of such programs.

First, try to make your business case on your law firm's facts—not on abstract arguments. In saying this, I recognize that in some firms, the most compelling facts might be in the hands of firm management and not accessible to those trying to make the case. Two examples are attrition statistics and exit interviews. Some firms guard their attrition statistics jealously, but if your firm won't share the data, keep track of it yourself. Most departures are not secret.

Second, recognize that the arguments you make need to be relevant to the times. Two years ago, the high cost of replacing a lawyer was a powerful argument for getting law firms to act to reduce associate attrition by introducing or improving reduced-hours programs. I would be very careful about making that particular argument in 2002. Many law firms today believe they have overcapacity. Attrition is something they pray for, not something they dread. They will not replace the lawyer who departs, so the replacement-cost argument will fall on deaf ears. For firms in that position, I would make a different argument: that part-time arrangements can be useful in aligning capacity with demand, and that at a time when a number of so-called full-time lawyers may in fact be working part-time at full-time compensation, part-time lawyers should be thanked, not stigmatized, for taking reduced compensation for reduced hours.

Third, try to get access to hard numbers to rebut assumptions about the costs of part-time programs. For example, I have

I have never had one client complain about poor service from a part-time lawyer and I have had a number volunteer their appreciation for our part-time lawyers.

I believe that to make a lawyer reducing his or her hours by 25 percent take a 40 percent pay cut is unfair. I think it's punitive.

often heard it said that part-time lawyers require the same overhead expenditures as full-time lawyers but generate less revenue than full-time lawyers, so the economics won't work. Well, what overhead expenditures are we talking about and how much are they? The two items I hear mentioned most often are occupancy expense—rent — and malpractice insurance, neither of which is reduced for a part-time lawyer. How much money are we talking about? In 2001, according to a survey of law firm economics I saw recently, average occupancy cost per lawyer in large law firms was \$41,000, and the average malpractice premium per lawyer was \$4,000. If we assume a part-time lawyer working 75 percent of the hours of a full-time lawyer, that means the part-time lawyer is incurring \$10,000 in occupancy cost and \$1,000 in malpractice insurance expense more than would be the case if it were possible to reduce those costs pro rata with the lawyer's reduced schedule. But what revenue is that lawyer generating, and how does this \$11,000 in "excess" cost compare to that revenue? The same survey showed that average revenue per lawyer at large firms last year was \$533,000. Using that figure, a lawyer working a 75 percent schedule would, on average, generate \$400,000 in revenue. The \$11,000 in so-called additional cost looks immaterial to me when other relevant numbers are known.

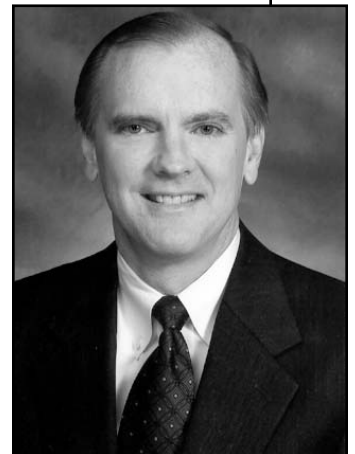
A previous speaker referred to a part-time lawyer working a 75 percent schedule who was paid only 60 percent of the compensation of a full-time lawyer, ostensibly to cover overhead costs. I believe that to make a lawyer reducing his or her hours by 25 percent take a 40 percent pay cut is unfair. I think it's punitive. And I think anyone who claims to the contrary is practicing voodoo economics.

Fourth, find an advocate in your firm's management to help you assemble the facts. Then, after you have persuaded

your firm's management of the business case for reduced hours schedules, enlist management's help in making the case to the partners—all of them—because the success of part-time schedules in law firms ultimately depends on the support of the individual partners with whom a part-time lawyer works. If those partners suffer from the common unconscious bias that "the way for you to succeed is the way I succeeded," and if I succeeded by working killer hours then so must you, then the support of firm management will be inadequate, and your part-time policy will not be worth the paper it is written on.

Ultimately, the success of reduced-hours programs depends on employers' recognition that it is in their self-interest to have them and make them work. I believe the business case is a compelling one, if only you know the facts.

Jim Sandman has been Managing Partner of Arnold & Porter since 1995. Arnold & Porter has more than 700 lawyers in Washington, New York, Los Angeles, Denver, Northern Virginia, and London. Arnold & Porter has made Working Mother magazine's annual list of the 100 Best Employers for working mothers four times, most recently in 2002; the firm is one of only two law firms ever to be included on the Working Mother list. The firm is also on Fortune's 2003 list of "The 100 Best Companies to Work For."



Jim is a member of the Board of Overseers of the University of Pennsylvania Law School and Chair of the District of Columbia Bar's Committee on Multijurisdictional Practice.

Bringing Your Part Time Policy Up to PAR

By Professor Joan Williams
American University

If the integration of women into the legal profession interests you, you need to start with two stark statistics. First, nearly ninety-two percent of mothers work less than fifty hours per week year round in the key years of career advancement. This means that if you define the ideal worker as someone available virtually 24/7, then you exclude roughly three-fourths of women from the labor pool.

If you are serious about having women lawyers advance up the career ladder, you need to get serious about work/life issues — because without progress on these issues, women will remain slotted in restricted roles. Traditionally, interest in the progress of women in the profession has focused on the glass ceiling. Recent work suggests that we need to add a focus as well on the maternal wall.

The Report of the Project on Attorney Retention (PAR), financed by the Alfred P. Sloan Foundation, documents the maternal wall and provides some tested tools for surmounting it. PAR found that although most firms have part-time policies, few lawyers use them. Part of the problem is the stigma often associated with part-time work: if a lawyer decides to work part-time, often she is seen as less committed and competent. That initial mis-assessment begins a destructive cycle: when stigma attaches to part-time lawyers, women will often choose to leave a firm rather than go part-time. A second crucial problem with existing part-time policies is schedule creep, which occurs when part-time workers find their schedules gradually increasing to close to full-time hours. Some firms, though not all, compensate for the extra

time. That certainly is better than not doing so. Yet, at some level, it is unresponsive to the part-time attorney's concerns, given that she already has demonstrated her preference for more time rather than more pay by requesting a part-time schedule.

A third problem with many existing part-time policies is what PAR has called the “communication gap”: a gap between managing partners, who often feel they have effectively addressed the demand for part-time, and part-time lawyers themselves, who often feel that existing policies are neither usable nor effective. To alleviate this conflict, PAR has developed a simple, objective test to help a firm determine if it needs to take further steps to bring its part-time policy up to par.

The PAR Usability Test uses six key metrics to ascertain whether an existing policy is usable and effective: 1) usage rate, broken down by gender, 2) median number of hours worked and duration of part-time schedule, 3) schedule creep, 4) comparative promotion rates between full-time and part-time lawyers, 5) comparative attrition rates between full-time and part-time lawyers and 6) whether part-time attorneys are given the same quality of assignments as full-time attorneys.

PAR also has developed a model “balanced hours” policy that reflects the best practices currently in use by law and accounting firms. Two key elements of any effective balanced hours policy are effective implementation and what PAR calls the principle of proportionality.

Usable and effective part-time policies are a key prerequisite for the advancement of women in the profession.

The principle of proportionality requires that attorneys with balanced schedules receive proportional pay, benefits, training, and advancement opportunities.

Thus, an attorney with a 65% schedule would receive 65% of the pay, a benefits package worth at least 65% as much as a full-time attorney and would proceed to partnership at a rate that is 65% the rate of a full-time lawyer. Implementing the principle of proportionality may require redesign of existing bonus systems.

Currently, many firms either automatically disqualify balanced hours attorneys from the bonus pool, or base bonuses on the number of billable hours worked in excess of the firm's target level, a formula that means that few, if any, part-time lawyers will get bonuses.

A final aspect of the principle of proportionality is that part-time attorneys should be given credit not only for billable hours but also for other aspects of the job, including bar activities, client development and service on firm committees. If part-time attorneys (unlike full-time attorneys) have to do all of these activities on their own time, few part-timers will make partner even if they have the theoretical right to do so.

PAR's second set of recommendations focuses on effective implementation. Top management needs to lend clear and consistent support for the policy and to establish effective benchmarks. In addition, supervisors need to be accountable for successful implementation of part-time policies. Some firms already do so, notably Pillsbury Winthrop LLP, which holds practice group managers accountable for regretted losses as a factor in calculating compensation.

Finally, part-time programs should be carefully designed to avoid a backlash effect that may occur due to resentment by full-time attorneys (associates as well as partners). To avoid a backlash, bal-

anced hours programs need to be viable, usable and used not only by mothers of young children, but also by others who seek a balance of work commitments and other goals and dreams. A backlash may also signal unvoiced dissatisfaction with firm policies that are unrelated to work/life issues (particularly when the basic benefits package is too heavily weighted in favor of parents).

In conclusion, usable and effective part-time policies are a key prerequisite for the advancement of women in the profession. Half or more of today's law students are women and our society places more emphasis on gaining work/life balance. Firms that learn to offer a balance without career penalties will be able not only to attract top talent, but will also retain it. Further details are available at www.pardc.org.

Joan C. Williams is a prize-winning author and expert on work/family issues. She is the author of Unbending Gender: Why Family and Work Conflict and What To Do About It (Oxford

University Press, 2000), which was named a Gustavus Myers Outstanding Book for the Study of Bigotry and Human Rights.

Currently a professor at American University, Washington College of Law, she is Executive Director of the Program on Gender, Work & Family (www.wcl.american.edu/gender/workfamily) and Co-Director of the Project for Attorney Retention.



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ties. The good news is that the profession has awakened to the fact that this is a problem. The bad news is that we are still so far from a solution. With the sweat shop hours increasingly common in legal workplaces, women report finding it “difficult to have a cat much less a family.”⁸ Although some 90 percent of firms allow part-time schedules, only about three percent of lawyers feel free to use them).⁹ Less than a fifth of surveyed lawyers are well satisfied by the balance between their personal and professional lives.

There is, in short, progress yet to be made. But I want to close by also reminding us of the enormous advances that those of us here have witnessed and assisted. That point came home to me again at this year’s awards luncheon for the National Association of Women Lawyers. One of the law firms honored for its commitment to women’s equality was Jenner and Block. A quarter of a century ago I interviewed for a summer associate position at that firm. During my first interview, I learned from a senior partner that there was no “woman problem” at his firm. The firm partnership actually included one — out of some 70 lawyers — and she just had no difficulty reconciling her personal and professional life. During this past year, she had given birth to her first child. That happened on a Friday. She was back in the office the following Monday.

These faster than a speeding bullet maternity leaves were, of course, by no means unique to Jenner and Block. Nor are they entirely historical relics. A more recent example involves a woman lawyer drafting answers to interrogatories while in the hospital delivery room timing her contractions. Her theory, apparently, was that if you are billing at 6 minute intervals, why waste one.¹⁰

Now, at least, most lawyers and law firms recognize that these coping strategies are part of the problem not the solution. The

challenge remaining is to institutionalize alternatives that work.

I am grateful for the opportunity to be here reminding us all of the distance still to be traveled.

1. Deborah L. Rhode, *Speaking of Sex: The Denial of Gender Inequality* 3-4 (1998).
2. Hope Viner Samborn, *Higher Hurdles for Women*, *ABA J.*, Sep. 2000, at 30, 33.
3. ABA Commission on Women in the Profession, *The Unfinished Agenda: Women and the Legal Profession* (2002) [hereinafter *Unfinished Agenda*]; ABA Commission on Women in the Profession, *Balanced Lives: Changing the Culture of Legal Practice* (2001) [hereinafter *Balanced Lives*]; *The Difference Difference Makes: Women and Leadership* (Deborah L. Rhode, ed. 2003).
4. See sources cited in note 3.
5. See sources cited in Deborah L. Rhode, *The Interests of Justice: Reforming the Legal Profession* 40-41 (2001); Rhode, *supra* note 1, at 145; *Unfinished Agenda*, *supra* note 3, at 15.
6. Rhode, *supra* note 5 at 40-44; *Unfinished Agenda*, *supra* note 3, at 15; Elizabeth Chambliss, *Miles to Go: Progress of Minorities in the Legal Profession* 5-7 (ABA Commission on Racial and Ethnic Diversity, 2000).
7. See sources cited in notes 3 and 5.
8. Suzanne Nossell and Elizabeth Westfall, *Presumed Equal: What America’s Top Women Lawyers Really Think About Their Firms* 295 (1998).
9. See the data compiled by the National Association for Law Placement, discussed in *Balanced Lives*, *supra* note 3 at 2, 26, n. 16.
10. Deborah L. Rhode, *Balanced Lives for Lawyers*, 70 *Fordham L. Rev.* 2207, 2214 (2002). For further examples, see *Balanced Lives*, *supra* note 3 at 17; Su-Jin Yim, *Laboring Through Maternity Leave*, *Oregonian*, July 9, 2001, at C1.

Deborah L. Rhode is the Ernest W. McFarland Professor of Law and Director of the Keck Center on Legal Ethics and the Legal Profession at Stanford University School of Law. She is the former Chair of the American Bar Association's Commission on Women in the Profession and former president of the Association of American Law Schools. She is a former director of Stanford's Institute for Research on Women and Gender and writes primarily in the area of legal ethics and gender discrimination. She is currently a columnist for the National Law Journal and Vice Chair of the Board of the NOW Legal Defense Fund.



With the sweat shop hours increasingly common in legal workplaces, women report finding it “difficult to have a cat, much less a family.”

Women As Champions

By Ida Abbott
Ida Abbott Consulting

Women now make up such a large proportion of lawyers that many people believe the struggle for equality has been won and that to call attention to gender differences would set women back. Deborah Rhode has labeled this the “no problem problem” because women’s increasing representation in the profession masks — and therefore perpetuates — the harsher reality of practice. While equality has been achieved at the entry level, research and experience show that conditions are not equal for women and men in the legal workplace. Studies have documented many remaining barriers to gender equality.¹ One barrier is that getting to the top of the profession requires the backing of others in positions of power and influence and women still have a harder time than men finding those people to sponsor them.

The 2002 ABA Summit on Women highlighted some of the steps that legal employers are taking to retain and advance women in the profession. One of the key and often-cited measures is adoption of a formal mentoring program. In law firms, these mentoring programs typically target new and junior associates. While laudable for what they do achieve, most of these programs do not provide the kind of mentors that experienced women lawyers need in order to become partners or to move into leadership roles within the partnership. These women need more than assigned mentors; they need champions.

Champions have influence and power and are willing to use it to move your career forward. They act quietly in the background, lobbying on your behalf with other partners; they vigorously promote you for partnership or for important positions with-

in the partnership; they introduce you to community contacts and sponsor you for memberships; they direct clients and business your way. A champion believes in you, wants you to succeed and takes steps to make sure that you do. There is no question that having a champion can make acceptance, advancement and career success easier and more likely. To make legal practice more conducive to advancement, women must find champions, act as champions for each other and mobilize the legal community to champion their cause.

Find champions. The first step for women is to identify and reach out to people who are potential champions. They need to show these potential champions that they are worthy of trust and support and take every opportunity to establish professional relationships built on mutual respect. These efforts must start early and go on continuously. In order to help a woman move up the ladder, some of these champions must be in the same firm or organization: partners and managers who prize her talents and support her career, or mentors who are in positions to be effective champions. But potential champions can also be found in clients, bar associations, nonprofit agencies and community groups— wherever lawyers work with influential people who can further their career ambitions. Having a client or community leader advocate on her behalf can be as powerful as having a partner do so.

Women have to find their own champions, but law firms can make the process easier by implementing mentoring programs specifically for experienced lawyers. Whether for women alone or for both men and women, this kind of program increases

the likelihood that women will find a champion. Unlike the typical mentoring program, which targets junior associates, a mentoring program for experienced lawyers is intended to prepare and promote lawyers who have proven their talents and value to the firm. This type of mentoring program can be designed for various objectives, e.g., to prepare senior associates to become partners, as part of a leadership development initiative or for succession planning within the partnership.

warning signal if experienced lawyers cannot identify such mentors. Lawyers who become senior associates, or even junior or non-equity partners, without at least one evident mentor have little chance of progressing further in the firm. A lack of identifiable mentors for experienced lawyers also indicates that something is amiss in the firm's culture and professional development efforts, especially if the lawyers without mentors are disproportionately women or people of color. Firms should take steps to ensure that mentors are found for these

lawyers – and act promptly to prevent the situation from recurring for lawyers who subsequently become eligible for the program.

Be a champion. In addition to finding champions for themselves, it is important that women serve as champions for each other. Sponsoring other women and speaking up on their behalf is critical to keeping and advancing women in the legal profession. Women partners can pull up

those behind them; women associates can push up those who are ahead. The sheer number of women lawyers in legal practice today can create a powerful chorus of women's voices, especially when united with those of men who share their concerns.

One of the critical areas where this support is needed is the creation and acceptance of alternative career paths. One of the foremost challenges that women lawyers face is how to change the profession's narrow definitions of commitment and success to accommodate more varied career options than the conventional, all-consuming partnership track. Not every woman wants (or is able) to make the personal sacrifices necessary to achieve this kind of professional

The sheer number of women lawyers in practice today can create a powerful chorus of women's voices.



Former ABA President Martha Barnett introduces Ida Abbott during the panel discussing ways to proactively advance change for women in the profession. (Shown L-R, Martha Barnett, Ida Abbott, and panel member Joseph Dilg of Vinson & Elkins.)

Keep in mind, however, that while a program can assign partners to act as mentors who provide guidance and encouragement, it cannot require them to act as *champions*. To be a champion, mentors must know and trust the ability of the lawyers they sponsor for partnership, advancement or leadership positions and be willing to lay their reputation on the line in doing so. The firm can increase the likelihood of mentors becoming champions through careful matching. Associates and junior partners should be able to identify one or more partners who would be interested in being their mentors. In this type of program, mentors are partners who *want* to sponsor particular associates or junior partners and who take their roles as mentors seriously. It is a serious

success. There are many intermediate levels of success and many different paths that can lead to the top. Before large numbers of women can succeed in law firms, women have to redefine the values of the workplace while meeting the demands of the marketplace. To do this, women must champion both those lawyers who want to pursue the traditional road and those who seek alternative routes.

Enlist the community to champion the cause. In addition to finding their own champions and being a champion for women within their firms, it is also important to rally the broader legal community to champion women's advancement within the profession. Trying to change the culture of legal practice firm by firm takes too long and does not have enough impact to make a real difference. Institutional and profession-wide change requires broad-based attention, understanding, support and action. When law firms throughout a local community unite in a public commitment to specific goals for the advancement of women, individual firms feel "peer pressure" to follow suit. In order to compete for talented women lawyers, they have to sign on to the goals.

A good example of how this can be done is the recent initiative undertaken by the Bar Association of San Francisco (BASF). In December 2001, BASF President Angela Bradstreet appointed a "No Glass Ceiling" Task Force, headed by Mary Cranston, Chair of Pillsbury Winthrop LLP. In April 2002, the Task Force issued its "No Glass Ceiling Commitments," a seven-point plan to ensure women's full and equal participation in the leadership of law firms, corporate law departments, public agencies, and the profession. These Commitments (a copy of which is found on page 25) list concrete goals, actions and timetables for legal employers to achieve this outcome. Fifty-seven Bay Area legal employers have accepted and signed on to these Commitments.

The BASF Commitments are important not just for what they endorse and promise, but also for legitimizing a public dialogue about the place of women in the legal profession. They help people understand why women remain at a disadvantage in the profession and propose meaningful remedies for this troubling situation. This kind of examination, dialogue and commitment are essential to making any significant, favorable change for women in the legal profession.

¹See, e.g., Deborah L. Rhode, "Gender and the Profession: The No Problem Problem," 30 Hofstra Law Review 1001 (2002); Catalyst, *Women in the Law: Making the Case*, 2001.

Ida O. Abbott is a principle in the consulting firm of Ida Abbott Consulting. Her firm specializes in helping clients build and maintain successful firms, improve productivity and workplace relations, increase attorney retention, and build strong professional relationships.

Before starting Ida Abbott Consulting in 1995, Ida practiced law at Heller Ehrman White & McAuliffe, where she specialized in complex



litigation and directed the firm's training and pro bono programs. She has authored many articles and resource materials and three highly acclaimed books: Lawyers' Professional Development: The Legal Employer's Comprehensive Guide; The Lawyer's Guide to Mentoring; and Developing Legal Talent: Best Practices in Professional Development for Law Firms.

Breaking the Glass Ceiling 2002 Commitments

Researched and developed by the San Francisco Bar Association
Glass Ceiling Task Force

On behalf of my law firm/legal department, I commit to taking concrete action to achieve the following objectives:

1. At least a 25% representation of women at the partnership level¹ in law firms by year-end 2004, with an approximate pro-rata percentage in management² which reflects the proportion of women partners. At least an approximate 25% representation of women at the experienced attorney level (10 years or more) in corporate and public sector legal departments by year-end 2004, with an approximate pro-rata percentage in management which reflects the proportion of experienced women attorneys in such departments. Develop and implement objective and unbiased criteria and procedures for evaluation and promotion to management positions, as illustrated in Fair Measure: Toward Effective Attorney Evaluations.³
2. Law firms will have had at least one female chairperson or managing partner, either firm wide or in a branch office, by year-end 2005. Corporations and public agencies will have had at least one female in senior management by 2005.
3. Approximately equal retention rates for both men and women attorneys for 2004 and beyond.
4. Obtain feedback from employees on their assessment of gender issues in the workplace. Senior management will be responsible for addressing unconscious stereotypes and perceptions of gender bias.
5. Get the message out that senior management of the organization embraces these Commitments. Provide information to National Association for Law Placement and The Bar Association of San Francisco regarding the numbers of women attorneys serving in management positions, and the number and gender of part-time partners.
6. a. Offer formal or informal networking opportunities, client development activities and mentoring programs that include women attorneys at all levels, to help women to establish their professional profiles and to develop client bases.
b. Identify and promote opportunities to participate in challenging projects, organizational committees, practice groups and management training that include women at all levels to help enable women to assume significant management roles within their law firms or law departments.

Embrace the concept of part-time partners and flexible work schedules, including making efforts to ensure that alternative schedules are an equitable and viable option.

Signature _____

¹ Partnership level includes equity and income partners.

² Management in law firms is defined as membership of management/executive committees, membership of compensation/finance committees and practice group heads.

³ American Bar Association Commission on Women in the Profession, Fair Measure: Toward Effective Attorney Evaluations (1997).

Breaking the Glass Ceiling

by the San Francisco Bar Association Glass Ceiling Task Force

Studies show that women have made great strides in the legal profession. The number of women federal judges, large law firm partners and general counsel has more than doubled since 1987.¹ Until the early 1960s, women constituted no more than 3% of the legal profession. Today, women now constitute almost 30% of the legal profession.²

At the turn of the 21st century, two women sit on the Supreme Court and women have served as Attorney General, President of the American Bar Association and President of the National Conference of Bar Presidents.³ Today, about half of entering law school students are women.⁴

Leadership:

Women remain grossly underrepresented in management positions. Only 5% of the managing partners at large law firms are women.⁵ 75% of women attorneys feel they are being held to a higher standard than their male counterparts and only 24% of women attorneys feel their chances for advancement are equal to those of their male counterparts.⁶ Over 50% of women law graduates at major law schools view exclusion from informal networks within their organizations as a barrier to their advancement, while only 21% of men law graduates believe it is a barrier to women's career advancement.⁷ 85% of women attorneys believe it is more difficult for women to generate new business than their male colleagues.⁸

Facing the Double-Bind and the Double Standard:

The two most common reasons why women have left law firms have been to find more challenging work and better chances for advancement.⁹ This is not surprising in light of research indicating that women experience gender stereotyping and bias at every phase of their careers.¹⁰ For example:

- Women are perceived as being less emotionally stable than men.
- Women are perceived as being too aggressive or not aggressive enough. "The range of acceptable behavior is much narrower for women (and minorities) than for white men."¹¹

- "It is still assumed that a woman will not be as committed to her profession as a man and that she will either leave or ask for 'special treatment.'"¹² As a result, some organizations are reluctant to give women key assignments that will advance their careers for fear that the women will not be as effective or will "play it safe" and, consequently, offer less support or mentoring to women. Women overwhelmingly believe that they face higher standards of review and scrutiny."¹³

Exclusion from informal networking, mentoring and client development opportunities makes it more difficult for women to acquire necessary skills and to develop business.

Women often face the attitude of those in leadership positions, both men and women, that "I had to give up a lot. You [should] too," and many women feel they need to "play by the rules of the men's game" in order to succeed.¹⁴

Women of Color:

The numbers are far worse for women attorneys of color. Almost 86% of women of color leave law firms before their seventh year of practice.¹⁵ Their attrition rate after eight years of practice is almost 100%.¹⁶ Today minority women hold fewer than 1% of equity partnerships in law firms.¹⁷ Organizations that are committed to diversity are better able to recruit and retain the most qualified attorneys.¹⁸

Women in Law Firms:

While the percentage of women entering law school has continued to rise from under five percent in the 1960s to over fifty percent in 2001, women continue to leave law firms at a much higher rate than men.¹⁹ Of the surveyed women who graduated from law school in the 1990s, only 51% are still in firms; only 35% of the women who graduated from law school in the 1980s are still in firms; and only 30% of the women who graduated from law school in the 1970s are still in firms today. The percentage of men who are still in law firms, however, has remained relatively constant, at approximately 50%.²⁰ In addition, women represent only 15.6% of the partners in law firms²¹ and only 13.7% of general counsel of Fortune 500 companies are women.²²

Attrition:

The glass ceiling is a business problem, not just a metaphor. The high attrition rate for women attorneys adversely affects an organization's bottom line. It generally costs at least 150% of an employee's annual salary to recruit and train a replacement.²³ Representation of women in leadership roles results in improved performance, including organizational growth, increased market share and return on investment.²⁴ Accommodating balance in attorneys' lives reduces absenteeism and attrition, and increases loyalty, goodwill and recruiting.²⁵ The direct costs of providing alternative schedules are overstated.²⁶

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¹ American Bar Association Commission on Women in the Profession, *The Unfinished Agenda: Women and the Legal Profession*, p. 13 (2001).

² *Id.* at p. 27.

³ *Id.* at p. 13.

⁴ *Id.*

⁵ *Id.* at p. 14.

⁶ American Bar Association Commission on Women in the Profession, *Fair Measure: Toward Effective Attorney Evaluations*, p. 14 (1997).

⁷ *Id.* at p. 10.

⁸ *Fair Measure*, *supra* at p. 17.

⁹ American Bar Association Commission on Women in the Profession, *The Difference "Difference" Makes: Women and Leadership*, p. 12 (2001).

¹⁰ *Fair Measure*, *supra* at pp. 8-13.

¹¹ Minority Corporate Counsel Association, *Creating Pathways to Diversity: A Set of Recommended Practices for Law Firms*, p. 14 (2001).

¹² *Id.* at p. 10.

¹³ *Fair Measure*, *supra* at p. 14.

¹⁴ *The Difference "Difference" Makes*, *supra* at p. 18.

¹⁵ American Bar Association Commission for Minorities in the Profession, *Miles to Go: Progress of Minorities in the Legal Profession*, p. 15 (1998).

¹⁶ *The Unfinished Agenda*, *supra* at p. 8.

¹⁷ *Id.*

¹⁸ *The Difference "Difference" Makes*, *supra* at p. 19.

¹⁹ *The Unfinished Agenda*, *supra* at p. 9.

²⁰ *Women in Law*, *supra* at p. 2.

²¹ *Id.*

²² *Id.*

²³ American Bar Association Commission on Women in the Profession, *Balanced Lives: Changing the Culture of Legal Practice*, p. 21 (2001).

²⁴ *The Difference "Difference" Makes*, *supra* at p. 19.

²⁵ *The Unfinished Agenda*, *supra* at p. 7.

²⁶ *Id.* at p. 19; *Balanced Lives*, *supra* at p. 21.

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Women General Counsel: Beyond the Glass Ceiling

by Hope Ferguson

State University of New York, Empire State College

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There have been stunning gains in the ranks of female attorneys over the past two decades. But within the past five years, one of the most notable advancements for women lawyers has taken place within the walls of the nation's leading corporations. Today, 62 women have broken the glass ceiling to capture the coveted position of chief legal officer of a Fortune 500® corporation, which translates to 12.4 percent of all Fortune 500® general counsel.

When this elite circle was last examined (see the May 2000 issue of *Diversity & The Bar* magazine), women general counsel numbered 42 or 8.4 percent. Within a two-year span, the club's gender diversity has climbed by 50 percent, with a full 84 percent of the current Fortune 500® women general counsel having joined the ranks only within the five-year span of 1996 through 2001.

Although the numbers are improving, it has only been in recent years that women lawyers have really started to ascend the ranks. In every category of the legal profession—whether in-house, in law firms, or the public sector—studies have shown that women generally fill the mid- to lower-level jobs and continue to earn less than their male counterparts.

This trend can be attributed to a number of factors, including crushing work schedules that force women to choose between active motherhood and their careers; limited networking opportunities for women; and a dearth of female mentors. There is also the perception that higher expectations are placed upon female attorneys who have the same qualifications as their male counterparts.

Despite such obstacles, more women are breaking the storied glass ceiling, although not without struggle or personal costs. Ceiling-

breakers like Linda Madrid, Diana Daniels, Maud Mater, and Catherine Lamboley, all general counsel at top corporations, are part of the first wave of women who came of age and began careers in the post-women's movement world.

These women learned to remain undaunted when their contributions to meetings were overlooked, only to be heralded as great ideas when echoed by male colleagues. They learned not to complain when Saturday night found them laboring at the office, rather than enjoying personal time. Early in their careers, they set high standards for themselves, staked out their own values and management styles, and are now reaping the rewards. Of the generation that not only defined, but defied the glass ceiling, these four women have stories that can instruct younger women who choose to follow in their paths.

Today, as the managing director, general counsel and secretary of CarrAmerica Realty Corporation, Linda Madrid is at the top of her game. But in 1994, her life was in a state of flux. Her mother had just passed away, and the general counsel of Riggs National Corp., where she served as litigation manager, had resigned. He had been her mentor and she felt uncertain about the future.

Her brother, a chief financial officer for a shipping company, viewed the change as a challenge.

"He said, does this create an opportunity for you? Could you do the job? Would you do the job? He told me to ask for it. It never dawned on me to ask."

Madrid made the call to the president of Riggs, and although it didn't happen immedi-

Mentoring has to be the biggest difference... When teams were being put together to work on matters, I don't know that there was someone looking out for me.

~Linda Madrid

ately, “ultimately, I got the job.” From this experience, Madrid learned that it never hurts to ask for what you want.

Based in Washington, D.C., CarrAmerica is one of the nation’s leading owners, developers, and operators of commercial office properties, operating in six markets from coast to coast.

A mother of a five-year-old, Madrid, 42, oversees a legal staff she helped build, and is responsible for directing the company’s legal affairs and corporate governance. Like the other female attorneys profiled here, Madrid credits her success to high standards set by her parents, to the role model of a working mother (hers was a nurse), and a willingness to sacrifice time, especially during the early years of her career. She also cited the ability to plan, organize, and juggle multiple tasks.

Madrid is a graduate of the Georgetown University Law Center and served as an editor of its law journal. She cut her teeth at two Washington, D.C. law firms, Sidley & Austin and Colton & Boykin.

Young women attorneys today have it a bit easier than she did, Madrid believes. “Mentoring has to be the biggest difference. In the law firm I joined after school, there was one woman partner in the Washington, D.C. office. There weren’t the same mentoring options that there are today. When teams were put together to work on matters, I don’t know that there was someone looking out for me. I think that was the toughest part.”

However, she was able to find her own mentors, such as Marna Tucker, a high-powered Washington attorney.

“I went down to the Superior Court to watch her during a trial. I was so impressed by her presence; she really had confidence and poise.”

CarrAmerica relies heavily on outside counsel. What Madrid brings to her job are her legal experience and intimate knowledge of the company. “It would be hard to describe a typical day. Because we are a very small department (three attorneys, one paralegal, and two administrative assistants), we have to

be proactive in determining how to spend time where the client gets the greatest value. Very often I am doing something for the first time. For example, our largest shareholder, who owned over 40 percent of the company, sold out in August. It happened very quickly. You don’t often know when something like that is going to happen, so you clear the decks and go full throttle. You’re managing a process as well as carrying out the tasks.”

“Being a general counsel is like being a quarterback,” Madrid says. “You often have to figure out the plays, and then determine who the right people are to execute them.”

Diana Daniels, 52, was an undergraduate at Cornell University at the height of the Vietnam War and civil rights movement. She remembers when black student activists took over a campus building and were later photographed coming out with guns hoisted in the air. “During my time on campus, there was a lot of unrest and concern about the war and other national issues facing the country,” Daniels recalls. This early exposure to social issues propelled her into her law career.

Daniels was initially interested in urban planning, and won an internship her senior year working in city government in New York City under Mayor John Lindsey. She hadn’t been there long when “it occurred to me that most policy and decision makers seemingly were not planners, accountants, or other professionals; they were lawyers.”

So Daniels earned both a Juris Doctor degree from Harvard Law School and a master’s degree in city planning from the Massachusetts Institute of Technology in 1974.

At first, she had to strive to be taken as seriously as her male colleagues, even during after-hours events. As a young associate, she recalls a co-ed softball game with a rival law firm, in which, “the captains of the teams agreed that they could make substitutions to the batting order in the ninth inning. Come the ninth inning, the two leadoff batters were women. Guess who got substituted off? I couldn’t believe my fellow associates would do that!”

Daniels started at the “white shoe” law firm of Cravath, Swaine & Moore in New York City, doing big financing deals and working with high-profile clients.

When The Washington Post newspaper began looking for an attorney—preferably a woman—“there weren’t many to ask.” After 11 months as assistant general counsel with the newspaper, she was, at 29, named general counsel at Newsweek, a subsidiary of The Washington Post Company. “Becoming a general counsel at a fairly early age meant that I spent a good amount of my time proving myself.” She often spent 12 hours a day in the office and labored late Saturday nights when the magazine went to press.

In 1988, Daniels assumed her present position as vice president, general counsel and secretary of The Washington Post Company, where she is responsible for overseeing 17 attorneys dispersed throughout its various divisions.

Now the mother of two young daughters, ages three and six, Daniels has earned some flexibility in her schedule, slipping out of the office for ballet recitals and school plays.

Today, The Washington Post Company owns a major daily newspaper, a number of smaller newspapers, six TV stations, *Newsweek*, cable systems in the south and midwest, an online publishing division, and Kaplan, Inc., which focuses on education.

“The media business has changed quite a lot over the past few years. We didn’t have the internet in 1978, and were barely using computers. Computers have changed the workplace, and that includes the practice of law.”

There isn’t much Daniels would change about her life’s work. “I’m in an ever-challenging and engaging position in a company I am proud to be associated with, and I enjoy what I do. If you enjoy what you do, you’ll do it well.”

Maud Mater also has tenure at the top, as executive vice president, general counsel and secretary for Freddie Mac. Mater joined the Fortune 50 financial institution in 1976 as assistant general counsel after working for the U.S. government for four years.

She was named general counsel in 1982. She reached where she is by “working harder, being (or at least trying to be) smarter, and by being in the right place at the right time.” Becoming general counsel at a relatively young age meant that it was sometimes difficult to be taken seriously—but Mater hopes women general counsel have it somewhat easier today.

Mater, 54, is the general counsel of a large, highly visible public company and oversees a relatively large legal department of 140 employees, with 80 attorneys. But this was not always so. In 1982, when she became general counsel of Freddie Mac it was a very small, relatively invisible company with a very small legal department—and it was wholly controlled by the U.S. government. One of her many challenges has been to help transform Freddie Mac into what it is today—both legally and as a business entity. This transformation necessitated both comfort and competency in addressing change, complexity and risk, and Mater believes that these characteristics are essential for all successful general counsel.

The basic legal questions are simple, she says: “What does the company need today; how does the lawyer fulfill what is in the corporation’s best interest; and what will the company need tomorrow?”

And the basic business questions also are simple: “What are the risks, how are they being managed, and how does the company make money?”

Mater believes general counsel are paid to know the law, the business, the people, and the external environment—and to integrate these disparate elements in the company’s interest. And she also believes that the importance of a commitment to excellence cannot be overstated. “I think you have to be willing to push and not be satisfied with what you did yesterday—to be willing to come in the next day and try a different approach if it might produce a superior result. You can’t rest on your laurels.”

Mater credits her boss, Freddie Mac CEO Leland C. Brendsel, as being her most important mentor.

“Know who you are and what you stand for and work hard to learn your substantive legal work. Over time, you get experience, good judgement, and hopefully, wisdom.” Catherine Lamboley

Catherine Lamboley, 51, vice president, general counsel and corporate secretary of the Houston-based Shell Oil Company, taught school and worked in insurance before enrolling in law school, seeking an intellectual challenge. She interviewed with Shell her third year of law school, making the decision to go with a corporate department “because I didn’t want to do any rainmaking.”

Although she wasn’t rainmaking, Lamboley quickly found out about the rigors of her new career. After she’d been at Shell for five years, “my boss told me he asked a client group if they would please agree to have a woman for their lawyer. Then he told me that I had better not make any mistakes. To me, it sounded like he was saying I had to be perfect.”

So she worked night and day for the client, and yes, the client was satisfied. “But that was too much to ask for— perfection.” That was the only time she ever seriously considered quitting Shell. Yet, that marked a transformation in Lamboley. She still held the highest professional standards, but on her own terms.

After 22 years at Shell, whose reported earnings for the year 2000 were \$29.7 billion, Lamboley was promoted to the position of vice president, general counsel and corporate secretary, overseeing 73 attorneys.

Six years ago at a diversity conference, Lamboley realized that all of her career she had been behaving like a white male. She would read up on things that she knew male colleagues would want to talk about and try not to show emotion. “I was two people, and I wanted to change that.” Instead of showing her warm social side with friends and family, and her cool professional persona at work, Lamboley’s work and private selves melded.

This has been a key to success for the University of Texas Law School graduate. “Know who you are and what you stand for and work hard to learn your substantive legal work. Over time, you get experience, good judgment, and hopefully, wisdom. Also, know your environment and be politically aware.”

All of the women noted that possessing integrity and instilling trust are indispensable

to their jobs. If they make a promise, their clients, colleagues, and subordinates must know they will follow through.

Understanding how a business works is also crucial. Lamboley spent three years as vice president of Commercial Marketing and Services at a Shell company.

Lamboley recalls a business leader saying that he will know he’s succeeded when his staff run red lights to get to work, instead of to get away from work.

“That’s the kind of place I want to create,” explains Lamboley. “Challenging work, excellence not only in work quality, but in behavior, and a sense of community where we support each other and celebrate each others’ successes.”

MCCA celebrates these four outstanding women role models!

Hope E. Ferguson is a public relations writer for the State University of New York’s Empire State College. She was a correspondent for The Post-Star, Glens Falls, New York, a daily newspaper serving the Adirondack Mountain region, for more than a decade. She is the recipient of the 1996 Print Media Award for excellence in coverage of mental health issues from The Alliance for the Mentally Ill of New York State and three internal awards from The Post-Star. She has



worked as a freelance writer, including for Diversity & the Bar. Ferguson studied at Oberlin College in Ohio, and received a bachelor’s degree in U.S. History from Howard University in Washington, DC.

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