

Fashion Forward: Has Women's Professional Attire Really Changed?

By: Ashley Rutherford Starling

Fashion and law are two of my passions. I am passionate about serving my clients, and my clothing is often a form of self-expression. Over the years, I've written several articles on the dress code for attorneys. As a new lawyer, I wrote a monthly article on how to create a professional wardrobe on an entry-level budget. My advice was basic: invest in classic pieces (e.g., a black skirt suit, a gray suit, a nice crisp white shirt), choose neutrals that go well together so that suits could be broken up and worn as separates, and find colorful statement accessories on clearance. I later revisited the topic in 2011 for the ABA Tort Trial & Insurance Practice Newsletter where my advice still included wearing nude pantyhose. When these articles were published, little had changed over the past thirty years as to what was considered professionally appropriate. Now, Millennials have established themselves as players in the legal world; casual Fridays and color are more commonplace. But has the dress code really progressed?

In February 2018, the ABA Journal published an article entitled "Lawyer fashion evolves to reflect personality and tradition." The article implies that when it comes to women, sheath dresses and "color and flair" are in. Nude pantyhose is obsolete, and there is now an entire generation practicing law that has never worn them. Michelle Obama gave women permission to show off their arms and bolder elegance in more formal settings.¹ While a jacket is still a courtroom staple, women may brighten it up with an accessory or two. And it's not just our profession. Recently in banking, an equally conservative bunch, Goldman Sachs advised bankers to loosen their ties in favor of a more casual attire.² By observation, it seems our conservative career paths are the last to evolve.

So, with the shifts in the workforce, generation, culture, and attitude toward fashion, I am revisiting this topic to explore what practicing female attorneys really believe it means to "put your best foot forward." To do so, I created an anonymous survey collecting results from a diverse group of women lawyers. In those twenty-four hours, I collected 160 responses from women in all areas of practice.

The survey asked ten questions on their thoughts about trial wardrobe, office attire, whether their work style has changed throughout the years of practice, whether they judge other attorneys based upon styling choices, and what attire faux-pas they see on a regular basis.

Not surprisingly, nearly every respondent believed attorneys judge opposing counsel (whether male or female) by their professional attire. The most apparent theme was that regardless of personal styling choices, a polished appearance implies polished, organized work. One respondent, an attorney that had practiced 15-20 years noted, "the more polished one looks, the more organized they appear." Her favorite look was a sheath dress because of its versatility. For trial, she still sticks with the conservative trial uniform. Another 15- to 20-year attorney said, "if your suit is ill-fitting, many attorneys will associate that with sloppy work. If you do not have attention to detail in your clothing, then many assume the same applies to your work product." An attorney with 5 to 10 years' experience commented, "bad clothing choices show poor judgment." Suits are for court; a nice blouse or sweater is acceptable for the office. An attorney with 20 to 25 years' experience noted, "sloppy dress conveys a message of sloppy

¹ Liane Jackson, *Lawyer fashion evolves to reflect personality and tradition*, ABA Journal (February 2018), www.abajournal.com/magazine/article/lawyer_fashion_reflects_personality_tradition

² Alexandra Olson, Associated Press, *Wall Street's new dress code raises the question: What should I wear to work?*, USA Today, www.usatoday.com/story/money/2019/03/08/workplace-dress-code-whats-appropriate-now/

preparation.” For trial, she didn’t want to come across as too uptight or too casual. She aimed at conveying professional that isn’t stuck in a time warp by wearing outdated clothes. “It’s okay to be conscientious about your fashion.” Another attorney practicing for 20 to 25 years agreed: “Worn out or really out of date style is a huge mistake. There’s a classic look, and then there is something you bought in 2005 that was on trend but now just looks out of date.” A new lawyer wrote, “we are competitive by nature. Therefore it is easy to believe that an attorney wearing cheap, ill-fitted, or an inappropriate outfit to court is either inexperienced or unsuccessful.” That same lawyer, however, had many interesting comments on color. One of her favorite pieces was a hot pink dress.

When it comes to color, nearly all respondents agreed that it was welcomed. Outside of trial, all colors were considered generally acceptable. An attorney in the 10 to 15 years’ experience remarked, “I wore a bright yellow suit to an administrative hearing. The opposing counsel made a comment on the records that if he wore a yellow suit, he would have been asked to leave or laughed at. The hearing examiner smiled. I don’t think men can have as much fun with their clothing. Is that fair to a man? Probably not. You can be polished in hot pink and lavender.”

For trial, many respondents considered what the color of their clothing may convey. One respondent stated, “I often try to wear blue, because it is the color of honesty.” Another attorney prefers white blouses at trial because “the good guys wear white.” When it came to options in the courtroom, skirt suits still scored the highest, with pant suits in second. Most all respondents agreed to “ditch the nude pantyhose.”

Other considerations for trial attire included whom the opposing counsel was and their style, the venue, and comfort. “Comfort is a major factor. I would rather focus on the case than be concerned about what I am wearing.”

The survey concluded that the most consistently-marked “mistake” for professional attire was being too casual. A 5- to 10-year attorney wrote, “sometimes when I am more casual they assume that I am a paralegal, etc.” A 15- 20-year attorney added, “when I am in business casual – dress slacks and a sweater – I get confused for being a staffer.” Another 5- to 10-year attorney noted, “I should never be confused for the client. My attire should let everyone know that I am the lawyer.” Another attorney noted, “too casual of attire suggests the attorney does not take their job seriously.”

When asked about professional attire, Franklin County Domestic Court Judge Terri Jamison stated, “if you represent someone, your professional attire is part of the package. You are their voice, and if you aren’t taken seriously, neither is the client.” The Industrial Commission of Ohio agrees. Their website mandates business attire that demonstrates “good judgment and professional taste.”³ It states that casual clothing is disrespectful to the important role of the Industrial Commission, and it condemns business casual and golf attire.

In conclusion, has the professional dress code changed in the past ten years? Yes and no. For the office, sheath dresses and vibrant colors really are in. It is okay to be a bit bold. While nude pantyhose is outdated, the classic trial wardrobe remains. Business casual received mixed reviews. And when in doubt, be overdressed and overly conservative.

³ *Industrial Commission Online Network*, Ohio Industrial Commission, <https://www.ic.ohio.gov/icon/relogin.jsp>

Regardless of whether you are fashion forward or classically conservative, keep your wardrobe polished and up-to-date. This conveys preparation, solid judgment, and conscientiousness. Knowing your venue, the occasion, and your audience, will serve you greatly while you serve your clients.