

# Success Strategies for Women Lawyers

LAUREN STILLER RIKLEEN



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## Success Strategies for Women Lawyers

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## About the author

LAUREN STILLER Rikleen is the founder and Executive Director of the Bowditch Institute for Women's Success, where she combines her unique qualifications and expertise to help law firms and other business organizations create an environment for success. Lauren is frequently requested to appear as a keynote speaker and to lead programs and workshops addressing gender and diversity, workplace issues, generational issues, and the topic of unexamined bias.

Lauren is the author of *Ending the Gauntlet: Removing Barriers to Women's Success in the Law*, a book which is highly acclaimed for its thoughtful insights about the management of today's law firms and the related institutional impediments to the retention and advancement of women in the legal profession. She is currently working on a book about the Millennial generation and its impact on a multi-generational workplace.

Lauren's background includes an extraordinary focus on issues relating to the legal profession. In August 2008, Lauren began a three-year term as a member of the American Bar Association Board of Governors, having completed a three-year term as one of twelve members of the ABA Commission on Women in the Profession. *She is also an appointee to the New York State Bar Association's Task Force on the Future of the Legal Profession.* As the former President of the Boston Bar Association, Lauren established the Task-Force on Professional Challenges and Family Needs, which produced a nationally recognized report entitled: *Facing the Grail – Confronting the Costs of Work/Family Imbalance.*

As part of her commitment to the advancement of women in public leadership, she serves as a member of the Board of Directors of the Massachusetts Women's Political Caucus, a founding member of the Council for Women of Boston College, and a founding member of the Massachusetts Equality Commission.

Lauren has been listed in *The Best Lawyers in America*, *Chambers USA America's Leading Business Lawyers*, and *Massachusetts Super Lawyers*. Among her many honors, Lauren has been selected as a Leading Women honoree by the Girl Scouts of Eastern Massachusetts, and was recognized as one of the 2009 Women of Justice honorees by the *Massachusetts Lawyers Weekly*. She is also the recipient of the 2007 'Barbara Gray Humanitarian Award' from Voices Against Violence, the Boston College 2004 'Alumni Award for Excellence in Law', the Boston College Law School '75<sup>th</sup> Anniversary Alumni Award Medal', the 2005 'Lelia J. Robinson Award' from the Women's Bar Association of Massachusetts, and the 'Athena Award' in 2001.

Within her community, Lauren is the first woman to have served as chair of the MetroWest Chamber of Commerce. In 1997, the Chamber named her 'Business Leader of the Year.'

Lauren is a former chair and member of the Board of Directors of the Environmental League of Massachusetts and serves on the Board of Trustees of the Boston Bar Foundation. She is also a Fellow of the American Bar Foundation and a Trustee of the Middlesex Savings Bank. Lauren also served ten years as a member of the Board of Trustees of Clark University in Worcester, Massachusetts.

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# Introduction: Women's advancement is our profession's imperative

FOR THE past decade, I have been exploring issues relating to women's retention and advancement in the legal profession. My interest initially followed my own sense of isolation that emerged from watching many female colleagues and friends leave their law firms. Some left to go to different work environments, others left the profession entirely.

In almost all instances, these departures came after years of trying to succeed, to fit in, and to act in a way that would maximize the possibility of assimilation into a male-dominated work environment. Each and every departure had a story, and underlying most of the stories were efforts to achieve equality in a work environment where that goal remained elusive, despite years of dedicated and excellent client service. And, in most instances, the stories were not shared with the firms they left behind.

As attrition soared and advancement lagged, questions emerged without answers. And these questions only grew along with the number of women entering the profession. How could it be that women were attending law school in increasing numbers, yet the traditional measures of success – equity partnership, appointment or election to key committees, and even longevity in the workplace – showed minimal improvements over the years? Why were women leaving law firms in significantly higher numbers than their male colleagues? How is it that the gender-compensation gap widened, becoming an impassable gulf

as compensation decisions became more discretionary with seniority?

And the questions continued unanswered over more than two decades of dramatic changes in the profession. Law firms grew significantly in size, as they frantically responded to the demands – or, at least, how they perceived those demands – of a globalized economy. Law firms rushed into mergers, competing to keep pace with everyone else's perceived growth, but often did so without an appropriate degree of due diligence to determine whether there would be a cultural fit among the merged entities.

At the same time, profits per partner became the metric by which success was measured and the yardstick by which firms compared themselves to each other. That meant firms focused on profitability above most other variables to define success. And they were aided by the growing numbers of publications which ranked firms by their profitability statistics, further driving an intensely competitive culture to improve these published metrics without paying sufficient attention to other critical attributes, which also make institutions strong.

This heightened focus on profits per partner has contributed to a chain reaction that has significantly impacted the profession overall. The more law firms focus on increased profits, the more they push to increase revenues even further. Over the past decade, expected annual growth rates for law firms have far exceeded budgeted profitability in many other corporate sectors.

Profits per partner have become the gold standard of the legal industry and the basis for rampant lateral movement. Billable hours have become the primary measure by which associates are evaluated and promoted. With time measured in six-minute increments, notions of quality and quantity become intermingled, with insufficient attention paid to untangling the impacts of these evolving professional norms.

And as the pressures on the profession intensified, so too, did the gendered impacts of those pressures. By the turn of the 21<sup>st</sup> century, women were approximately half of the first-year law school population. And for the nearly two decades leading to the turn of this century, women were graduating in sufficient numbers in the pipeline to warrant a proportional increase in women partners. But this has not happened.<sup>1</sup>

Over time, these statistics caused increasing concern among a number of key stakeholders in the legal profession. For example, female law students questioned whether they would have equal opportunities to succeed, once they graduated and entered a profession where the statistics did not bode well. And clients began to recognize that, in a global economy, diverse voices at the table ensured better outcomes.

As a result, diversity became a ‘hot topic’ in the profession, and a deluge of articles and books followed. Many of these offered a variety of best practices and offered detailed recommendations for firms to implement to advance women and minorities towards partnership.

Even with the increased attention to diversity in the profession, however, there has been little appreciable impact on women’s advancement. For example, women comprise only approximately 18 percent of law firm partners – less than a three percent increase since 2002. The percentage of

women equity partners is even smaller. Moreover, women comprise only 15 per cent of the highest governing committee members in law firms, and that percentage has not changed over the past four years.<sup>2</sup>

Yet, even as the numbers show too little progress, there are reasons to be optimistic about the future of the legal profession. There is a growing awareness that the business case for creating a workplace, where women can succeed is real and compelling, and more stakeholders are using their leverage to develop specific and practical action items to drive change. In particular, in-house counsel and law students are becoming more engaged in these issues – which means that critical constituencies are being heard.

When I wrote *Ending the Gauntlet: Removing Barriers to Women’s Success in the Law*, I interviewed a Managing Partner of a global law firm who stated that the statistics would not change much for women until someone “cracked the code” and figured out “the answer”. The code, however, has long been cracked, and the answers have been available to all of us.

These answers lie in the experiences, the articles and the books which have long made clear that the blueprint for developing an inclusive workplace where everyone can succeed requires concentrated efforts from both the institution and the individual. Only with the focused commitment and attention of both will we see significant progress.

### **Contributing factors to an individual’s success**

From the institutional perspective, the most important thing for law firms to do is recognize in a sophisticated and meaningful way, that they are not, nor have they ever been, true meritocracies. Rather, they are organizations in which numerous factors – subtle and otherwise

– contribute to an individual’s success. These include, for example:

- The quality of assignments and degree of oversight provided to associates;
- The internal power and authority of the attorneys giving those assignments;
- The opportunities for associates to be exposed to different lawyers;
- The relative importance and profitability of the practice group to which associates are assigned;
- The internal networks which contribute to the development of informal relationships;
- The opportunities for young lawyers to develop mentors and champions;
- Whether associates have opportunities to work directly with clients, or are relegated solely to research projects or document reviews;
- The commitment of a firm to implement stigma-free, transparent, and fully-accessible policies and practices that enable both men and women to meet their work responsibilities and family needs;
- The types of messages sent by the firm regarding the interplay between billable hours and business development;
- The extent to which the firm meaningfully encourages professional growth and development by recognizing the time spent on such activities and encouraging ongoing participation;
- Whether the firm has articulated core competencies which mark important stages of a young attorney’s career development; and
- Whether the firm has transparent guidelines which articulate a path to advancement.

These are only some of the ways in which the internal culture of a firm impacts a

young attorney’s path to success. Merit matters, to be sure. You will not achieve any of your goals without excellence in your craft. But a large number of other factors wield tremendous influence. Understanding and then addressing these factors is a key part of cracking the code.

Another key aspect of cracking the code includes the need for women to take ownership of their own career success. That means developing clear goals and then implementing a strategy to achieve those goals.

The research on this topic is clear. Women too often believe that if they work hard at their desks each day, their merit will be appropriately recognized and rewarded. As the above list of factors indicate, advancement in the profession does not operate so simply. Working hard and producing excellent results is but one aspect of a complex equation that results in advancement and leadership.

This publication provides valuable tips from successful women around the world – women who have achieved leadership roles in their workplaces, in their communities and in their profession. Their accomplishments are significant, but their varied paths to success are accessible ones. And that is the most important lesson: every woman can achieve her goals.

It is also important to acknowledge that no woman has ever achieved her goals without anxiety, insecurity and worry. Nor, for that matter, has any man. The question, however, is whether these moments of doubt become messages to ignore or barriers to success.

The advice and guidance provided in this report are designated to show how to ignore those insecurities and discomforts and, instead, triumph beyond them. Each of us has more power and control than we think to crack the code on behalf of our own success. And when we work collectively, those opportunities will increase even more.

It is important to stress that the road to career success frequently offers detours. The road will be lined with unexpected opportunities and delightful encounters along the way. Do not hesitate to linger at those for a while. A single-minded preoccupation with achieving one's goal means that other opportunities may be missed. The reality is, life is a continuum of experiences, some planned and some not so much.

It is, therefore, important to be open to all of life's opportunities. We should all strive to achieve the success and fulfillment that we want for ourselves, rather than respond only to the expectations of others. This requires that each of us take the time to know and understand our own definition of career success as well as career fulfillment. Only then can a realistic plan be developed to achieve these goals.

The following chapters provide helpful tips from wise women. Their words are frequently inspirational as they remind us of the positive aspects of building a career in this still noble profession.

I am deeply grateful to these women who took the time and effort to offer their tips for success, their stories and their insights into the practice of law. Their contributions are invaluable. Their profiles can be found in the appendix of this report.

I also wish to thank Laura M. Faulkner, a candidate for a Master's of Public Administration at Clark University, for her detailed organizational assistance and dedication to this project. Her hard work demonstrates why we should all be excited about the talents which the 'Millennials' are bringing into the workplace.

#### References

1. See, for example, data in Rikleen, Lauren Stiller, *Ending the Gauntlet: Removing Barriers to Women's Success in the Law*, Thompson/

Legalworks, 2006. See also, Henry, Deborah Epstein, *Law & Reorder: Legal Industry Solutions for Work/Life Balance, Retention Promotion & Restructure*, American Bar Association, 2010.

2. Report of the Fourth Annual National Survey on Retention and Promotion of Women in Law Firms, The National Association of Women Lawyers® and the NAWL Foundation®, October 2009, pp2 and 5.