

# ACHIEVING LONG-TERM CAREERS FOR WOMEN IN LAW

In 2017 and 2018, the American Bar Association, under the leadership of President Hilarie Bass, is undertaking a groundbreaking Presidential Initiative focused on increasing the number of women lawyers who pursue successful long-term careers in the law. The Initiative includes:

- ▶ A set of innovative applied research projects for honing best practices to stem the steady loss over time of experienced women lawyers in private practice.
- ▶ Two invitation-only National Summits in 2017 and 2018 for Chief Legal Officers, General Counsel, senior leaders in law firms, government and not-for profit organizations, judges, academics, and bar organization leaders.

The Initiative is being supported by a national array of major law firms and corporations that have pledged their commitment to the goal of promoting the advancement and retention of women lawyers (see attached list).

## Need For This Presidential Initiative

The need is pressing. Although women have been graduating from law school in roughly equal numbers to men for almost 30 years, their career paths over time are quite different. Some 20 years after graduating from law school – a time when lawyers should be in their most productive years – far too many women

have not reached the same success as men, or have left the profession entirely. Thus, even though women comprise 45% of law firm associates, they account for only 19% of equity partners in private firms and that number has barely increased over the past 10 years. Similarly, in corporations, male Chief Legal Officers and General Counsels greatly outnumber women.

We know that the profession is suffering a tremendous talent drain when almost half of law school graduates are women yet most of them do not reach senior levels of the profession. The gender gap at senior levels impacts law firm finances, client relationships, and the basics of recruiting and retaining the best talent in the profession. Law firms devote substantial resources to hiring and training their lawyers, and the attrition of senior women lawyers causes them incalculable damage. The research takes on special urgency in this time of declining numbers of people entering the legal profession, the advent of technology and globalization, and changing models for the structure of legal employment.

Ultimately, clients bear the brunt of the gender gap. When senior women lawyers leave the profession, there is a reduced range of legal talent to offer clients, a narrower base for firms and businesses to develop robust client relationships, a limited ability to recruit and retain skilled women lawyers at all levels and, ultimately, serious challenges to an organization's future growth and revenue.



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## The Goal of the Initiative

As a profession, we lack broad-based, reliable information about the reasons why there is a marked gender gap. Of course, there are theories: some believe that women have a greater need for work/life balance, or have less focus on getting the business that big law expects of their partners, or lack senior role models, or are discouraged by bias or discrimination. In the past ten years, and with the encouragement of some vocal corporate clients, a number of firms have worked hard on changes in their policies in order to retain women lawyers. But the results have been much weaker than was expected or hoped for. The American Lawyer has predicted that at the current glacial rate of progress, we will not reach gender parity at senior levels of the profession until 2181. This Initiative will provide critical data and proposed solutions to this urgent problem.

## National Summits on Women in the Legal Profession

The Presidential Initiative will host two invitation-only National Summits in Fall, 2017, and Spring, 2018, at nationally recognized law schools. Summit attendees will draw from national leaders in the profession including Chief Legal Officers, General Counsels, managing partners and chairs of firms, judges, academics, consultants, practicing lawyers at various levels, and lawyers who have pursued non-legal professions.

The Summits will have a highly interactive format as participants discuss best policies and practices in law firms, corporate law departments, and other employers, in conjunction with thought leadership from specialists in legal careers and strategic law firm and law department management.

The schedule includes plenary sessions as well as small group sessions with discussion and reporting back.

## Applied Research and Recommendations

The Presidential Initiative will fund innovative research on legal careers of women lawyers, using life cycle models borrowed from the fields of sociology, social psychology and economics. The overall goal is to make empirically based recommendations for what law firms, corporations, bar associations, and individual lawyers can do to enhance the prospects for women to reach the highest levels of practice and remain in the profession.

The research will be guided by an Advisory Council, consisting of distinguished lawyers and specialists in legal careers. The research modules planned for the Initiative may include, as examples:

- ▶ Surveys of law firms and surveys of female and male lawyers in practice from 20 to 40 years after law school to get a data-defined view of compensation, practice activities, and roles that women and men play at those stages of their careers. All data would be confidential.
- ▶ Focus group analyses, to obtain more in-depth perspectives on the personal and structural factors that enhance or impede legal careers.
- ▶ Study of the long-term career trajectories of women lawyers; the factors that move them in one career direction versus another; and the personal, social and organizational factors that impact staying or leaving a particular work setting.
- ▶ Study of the particular challenges that women of color face, techniques to overcome obstacles, and what employers can do to even the pathways.
- ▶ Study of women lawyers who change career direction after age 55, exploring the nature of the changes, characteristics, reasons why, and the rewards and challenges of taking a different direction.

These first-time studies will be used to help legal employers form the policies, practices and structures to promote retention of senior women lawyers and eliminate the attrition gender gap.

The research will be conducted in collaboration with the American Bar Foundation and other organizations. We anticipate that one or more ABA conferences and reports will be based on this important cutting-edge research.

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