Women in the Profession: Power, Perceptions, and Practices

National Equal Employment Opportunity Conference – March 2017
Women in the Legal Profession

Percentages

Women: 36%
Men: 64%
Women in Other Professions

- Women comprise 47% of the U.S. workforce.

<table>
<thead>
<tr>
<th>Profession</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Registered Nurses</td>
<td>91%</td>
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<tr>
<td>Mental Health Counselors</td>
<td>71%</td>
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<tr>
<td>Accountants &amp; Auditors</td>
<td>60%</td>
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<tr>
<td>Physicians &amp; Surgeons</td>
<td>36%</td>
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<tr>
<td>Personal Financial Advisors</td>
<td>31%</td>
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<tr>
<td>Software Developers, Systems Software</td>
<td>22%</td>
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The Pre-2015 Statistics

Women Who Graduate - 50%
Women Equity Partners – 15%
Women Chief Legal Officers – 15%
Women Tenured Professors – 15%
The 2017 Outcome

Women Who Graduate – 48%

Women Equity Partners – 18%

Women Chief Legal Officers – 23%

Women Tenured Professors – 37.5%
The Law School Pipeline

• NYT reported (12/16/16) that overall Law School Enrollment has dropped by 30% since 2010

• NYT predicted (12/16/16) that 2017 would be the year that overall women enrollment tops 50%
Law School Deans

Percentages

Men 69%

Women 31%
Women as General Counsel

Fortune 500 Companies

- Percentage
  - Men: 75%
  - Women: 25%

Fortune 501-1000 Companies

- Percentage
  - Men: 80%
  - Women: 20%
Women in Private Practice

<table>
<thead>
<tr>
<th>Category</th>
<th>Women</th>
<th>Minority Women</th>
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<tbody>
<tr>
<td>Summer Associates</td>
<td>48.7%</td>
<td>18.05%</td>
</tr>
<tr>
<td>Associates</td>
<td>45%</td>
<td>12.42%</td>
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<tr>
<td>Partners</td>
<td>22.1%</td>
<td>2.76%</td>
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<tr>
<td>Equity Partners</td>
<td>18%</td>
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Minority Women in Private Practice

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<td>Minority Women</td>
<td>12.42%</td>
<td>2.76%</td>
</tr>
<tr>
<td>African American Women</td>
<td>2.32%</td>
<td>0.64%</td>
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<tr>
<td>Hispanic Women</td>
<td>2.15%</td>
<td>0.68%</td>
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## Compensation

### Weekly Salary Men vs. Women Lawyers

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<tbody>
<tr>
<td>Men</td>
<td>$1748</td>
<td>$1891</td>
<td>$1783</td>
<td>$1875</td>
<td>$1934</td>
<td>$1895</td>
<td>$1884</td>
<td>$2055</td>
<td>$1986</td>
<td>$1915</td>
<td>$1914</td>
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<tr>
<td>Women</td>
<td>$1354</td>
<td>$1333</td>
<td>$1381</td>
<td>$1509</td>
<td>$1449</td>
<td>$1461</td>
<td>$1631</td>
<td>$1636</td>
<td>$1566</td>
<td>$1590</td>
<td>$1717</td>
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### Women lawyers’ weekly salary as a percentage of male lawyers’ weekly salary.

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<tr>
<td></td>
<td>77.5%</td>
<td>70.5%</td>
<td>77.5%</td>
<td>80.5%</td>
<td>74.9%</td>
<td>77.1%</td>
<td>86.6%</td>
<td>79.6%</td>
<td>78.9%</td>
<td>83%</td>
<td>89.7%</td>
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Women Equity Partners

• As of 2015, at the median, the typical female equity partner in the 200 largest firms earns 80% of the compensation earned by the typical male partner.
Women in the Federal Judiciary

- Federal District Court Judges (Active) in the U.S.: 33%
- Circuit Court of Appeals (Active): 35.9%
- United States Supreme Court: 37.5%

Legend:
- Minority Women
- Women
Women in the State Court Judiciary

Women

- All State Court Judges in U.S.: 31.1%
- State Limited & Special Jurisdiction Courts: 33.3%
- State General Jurisdiction Court: 29.7%
- State Intermediate Appellate Jurisdiction Courts: 34.7%
- State Final Appellate Jurisdiction Courts: 34.6%
Federal & State Judgeships - Total Representation

Percentage

Men 73%

Women 27%
Women’s Initiative Programs
Women’s Initiative Programs

- NAWL Foundation found that 97 percent of larger firms have some sort of women-specific development program.
- Yet, women account for only 15 percent of equity partners and only 4 percent of managing partners.
- Reasons for disparity?
  - Is time necessary to “catch up”?
  - Are “women’s initiatives” working?
Beware of “Second Generation Bias”

- **First-generation bias**: which is deliberate and intentional exclusion of women and minorities.

- **Second-generation bias**: Practices that may appear neutral or non-biased, in that they apply to everyone, but which discriminate against women and minorities *because they reflect the values of the white men (and a small cadre of women) who created the setting based on their experiences.*
Generations in the Profession

1. Veterans (1925-1945)
2. Baby Boomers (1946-1964)
We Are Making History

For the first time in U.S. history, 4 generations are in the workforce and practicing side by side today. Each generation has different:

- Communication Styles
- Management Styles
- Work Habits
- Perspectives
- Expectations
- Motivations/Reward Mechanisms
- Views of Success
Is This Still Accurate?
“Lean In?”

My generation fought so hard to give all of you choices. We believe in choices. But choosing to leave the workforce was not the choice we thought so many of you would make.
“Lean In”

• Make your own opportunities
• Timidity is NOT rewarded
• Have the “will” to lead
• Embrace ambition
• Don’t make decisions based on what the future may hold

Career progression often depends upon taking risks and advocating for oneself - traits that girls are discouraged from exhibiting.
“Lean in” Considerations

- Until social attitudes radically shift, **women may have to be more strategic about their negotiating** in order to avoid negative backlash.
  1) Providing an explanation for demands that will be persuasive for a particular person
  2) Signal concern for larger organization
“Leaning Over the Edge”

One of the conflicts inherent in having choice is that we all make different ones. There is always an opportunity cost, and I don’t know any woman who feels comfortable with all her decisions. As a result, we inadvertently hold that discomfort against those who remind us of the path not taken. Guilt and insecurity make us second-guess ourselves and, in turn, resent one another.
“Leaning Over the Edge”

We have to ask ourselves if we have become so focused on supporting personal choices that we’re failing to encourage women to aspire to leadership. It is time to cheer on girls and women who want to sit at the table, seek challenges, and lean in to their careers.
"Leaning Alone"

Research suggests that once a woman achieves success, particularly in a gender-biased context, her capacity to see gender discrimination is reduced.
Business Schools Weigh in: “Women Are Poor Negotiators!”
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- Success v. Likeability
  - Fear of “backlash”
- Negotiating for oneself
  v. negotiating on behalf of others
  - Frame negotiation in terms of benefit to others
- Combine “niceness with insistence”
  - Express concern & appreciation
  - Draw on common interests
  - Approach negotiation as a problem-solving task
WOMEN
Like men, only cheaper.
Let’s End This!

1) Educate women AND men about second generation bias
2) Create “identity workplaces” to support transitions to bigger roles
3) Anchor women’s development efforts in a sense or purpose rather than how women are perceived
4) Celebrate the generational differences
How to Tell a Businessman from a Businesswoman

He makes things happen. He thinks before he acts. He's a family man. She has too many outside distractions. She can't make up her mind. She's lucky.

I know they want a quick answer, but I have to go through these numbers first.

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