

WORST OF BOTH WORLDS

Women of Color in the Legal Profession Face Double Whammy of Discrimination

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EVEN THOUGH WOMEN AND MINORITIES are gradually carving out a bigger place for themselves in the legal profession, they continue to face enormous barriers to advancement, especially at law firms, whose leadership ranks still are largely dominated by white men.

No group of lawyers feels the brunt of that reality more than minority women, who struggle against a double whammy of gender and race discrimination.

A study conducted in the late 1990s by the National Association for Law Placement found that more than 75 percent of minority female associates left jobs in private law firms within five years of being hired. A follow-up study in 2005 determined that the problem had gotten

even worse, with 81 percent of minority female associates leaving firms within five years of being hired.

Now the ABA Commission on Women in the Profession has released a report that gives voice to those numbers. The report, titled *Visible Invisibility: Women of Color in Law Firms*, is based on a survey that compared the career experiences of minority and majority lawyers, both male and female, as well as focus groups composed only of women of color.

"We're not even talking about trying to get up through a glass ceiling," said Paulette Brown, one of the research project co-chairs. "We're talking about trying to stay above ground."

Brown summarized the report at a program held during the ABA Annual Meeting in Honolulu. Some of the key findings, based on responses from lawyers who participated in the survey, are:

- Nearly two-thirds of women of color said they had been excluded from networking opportunities, compared with 4 percent of white men.
- Nearly half of women of color said they had experienced demeaning comments or harassment, compared with 3 percent of white men.
- Forty-four percent of women of color said they had been denied desirable assignments, compared to 2 percent of white men.
- Nearly a third of women of color said they had received unfair performance evaluations; for white men, that number was less than 1 percent.
- Fifty-three percent of women of color chose to continue practicing in law firms, compared to 72 percent of white men.

BEYOND STEREOTYPES

AS DISTURBING AS THE RAW NUMBERS WERE THE COMMENTS of some survey respondents and focus group participants, Brown said. "What the findings of this study really demonstrate is that the combination of being a racial and a gender minority has a particularly devastating effect on women of color's personal and professional lives, and we, as a profession, have to step up to understand this situation better and do something about it," wrote Brown and her project co-chair, Arin N. Reeves, in their introduction to the report.

Brown, a partner at Edwards Angell Palmer & Dodge in Short Hills, N.J., and Reeves, a business consultant on diversity issues for the Athens Group in Chicago, are members of the Commission on Women in the Profession. The full report will be available at www.abanet.org/women. (For more on this topic, see "Early Exits," August *ABA Journal*, page 32.)

"We hope law firms will use [the report] as a tool to bolster their efforts to develop, promote and retain women lawyers of color," said the commission chair, Pamela J. Roberts of Columbia, S.C.

But at least one program attendee wasn't so sure the white men who head up law firms will get the point. "They'll read the report and think, 'This is not about us; it's about the firm down the street,'" she said. ■



Paulette Brown: Being a racial and gender minority presents many obstacles.