

Collaboration Is Key: How Women Help Women Succeed

By Hope Viner Samborn

*W*hen a young associate submitted her resignation to Wendy Krincek, managing shareholder of the Las Vegas and Reno, Nevada, offices of Littler Mendelson, P.C., she refused to accept it. Instead, Krincek, the mother of a two- and four-year-old, suggested they find a work arrangement benefiting the associate and the firm.

“She was a stellar associate,” says Krincek, who wanted to retain that talent. At first, the associate, who wanted to balance her work and home life, worked part time with a part-time salary. “But she was the kind of associate that never said ‘no,’ so her salary went on a part-time basis, but she was still working full time,” Krincek points out. Krincek wasn’t satisfied. “We ended up compensating her on an hourly basis,” she notes. And this arrangement is still working.

Flexible Work Arrangements

Fostering flexible work arrangements is just one way women in leadership roles are helping other women grow and succeed in the legal profession.

Whether women help and support each other depends on the law firm environment. Traditional law firms encourage competition and individual success. Many still have what experts call “ambivalent sexism”—an environment in which women who adhere to traditional female roles are rewarded

and those who don’t are ridiculed, says Joan C. Williams, co-director of the Project for Attorney Retention for WorkLife Law at University of California Hastings College of the Law, based in San Francisco.

“By and large, the majority of women want to help each other,” according to Karen B. Kahn, principal of KM Advisors, LLC, New York and Chicago, a firm that works with lawyers and law firms to develop leadership skills. “But there is a group of women in their mid 40s and 50s who believe ‘I worked hard to get here. Nobody helped me, so I am not going to help you,’” she explains.

Williams says some older women lawyers have this mindset because of law firm cultures that teach them the only way to be a successful lawyer is to work 24/7 and not take time off to have children.

This mindset is in sharp contrast to that of “mommy lawyers” who want a part-time schedule and flexible hours, Kahn says.

However, younger women must “recognize the shoulders they are standing on,” says Ellen Ostrow, principal of Lawyers Life Coach LLC in the metropolitan Washington, D.C., area. She adds that older women must reach down and mentor younger women and create a collaborative environment.

To this end, many experienced women are creating women’s initiatives

and networking opportunities and are even hosting networking gatherings within their own homes. “There aren’t enough of them,” Kahn says.

Carolyn J. Vardi, an eight-year mergers and acquisition associate at White & Case LLP in New York, has benefited from her firm’s women’s initiative—a program started by both men and women and headed by a male partner, Timothy B. Goodell. As a result of the initiative, the firm

developed a flex-time work arrangement for her.

Vardi works full time on a transaction and then takes time off before beginning another assignment. “Some weeks, I work around the clock,” she says. “This system has allowed me to continue to succeed here, learn and grow as a lawyer, and at the same time have my daughter recognize me.”

To keep the arrangement viable, Vardi regularly finds support from women partners and other women in her practice group. In turn, Vardi shares her experiences with women associates and participates in a firm affinity group and an online chat group focused on flex-time schedules. She also is involved in a regional organization, Flex-Time Lawyers, that connects lawyers in New York, Philadelphia, and Washington, D.C., with other lawyers working flexible schedules. “That provides mental and emotional support for me,” she notes.

Vardi also shares her knowledge of flex-time arrangements with law students during campus speaking engagements and panel discussions. She answers a wide range of questions, including some of a personal nature, such as “How do you juggle breastfeeding with being on a conference call all night long?”

At Morgan, Lewis & Bockius LLP in Miami, some senior lawyers work reduced schedules. Others job share,

some telecommute, and still others have opted off the partnership track. These work arrangements are touted to potential and current firm lawyers and are part of the firm's fabric, says Anne Marie Estevez, a labor and employment partner at the firm. "The more I try to instill in our department and section that it should be this way, the more it trickles down," she notes.

Developing Leaders

Creating opportunities for women to grow as lawyers and people and helping them to develop relationships with clients and successful lawyers are other ways senior women help less-experienced female lawyers.

When Estevez was an associate, a senior woman partner convinced an important client to allow Estevez rather than the partner to argue a crucial motion in a major class action case.

In turn, Estevez often steps aside to allow younger women lawyers to lead. Estevez's firm hosted an event to support homeless and battered women. "At that event, I stood down and let the younger women lawyers lead the show," she says. Estevez selected a five-year associate who is a woman of color to run the event, which was attended by federal judges and lawyers from across the country. "It put her in the prominent role she deserves. It is my job to lay the foundation for her to lead."

Estevez also believes senior women lawyers must connect younger female lawyers with clients. When she makes a multimillion-dollar pitch to a potential client, she takes a younger female lawyer along. "The clients are very, very receptive," she explains. "If that lawyer becomes a partner, they already know who she is."

Each year, the Miami lawyer takes a group of lawyers to a Hispanic business women's conference. "I grew up as the only Hispanic class action lawyer that I knew," Estevez says. She notes that when she went to this event for the first time, she was overwhelmed by the number of powerful, Hispanic businesswomen filling the

ballroom. "You hear their stories and you meet them. It was one of the single most important events in my life," she recalls. "I didn't want any of the Hispanic women under my watch or those I knew to have the feeling that they are one of a kind."

Substantive Networking

Women's initiatives also can involve networking to develop relationships with clients and other successful lawyers. But networking must be substantive. If people are merely socializing, Kahn explains, that is not

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good. She adds that women need to have frank conversations with each other, detailing what they really want personally and professionally.

These lawyers must focus on "hearing the needs of others and sharing their own needs," Kahn says. "Everybody helps each other. The more help we can give each other, the more likely we are to thrive."

Women also need to follow up with people they meet by calling them or inviting them to lunch. "One of the things that women can be is accountability checks for each other," Kahn says.

Several law firms often sponsor women's retreats. White & Case holds a two-day retreat every 18 months. Women partners share knowledge ranging from how to get business to how to select wines when entertaining clients. Younger lawyers ask questions and meet partners. "These retreats are opportunities to develop their own mentors," Goodell says.

For Vardi, meeting partners from

other offices is important. "It has raised my profile in the firm. I know more attorneys and more attorneys know me," she explains, adding that this firsthand experience and contact with her will allow partners to make better decisions when she is up for partner.

The firm hosts other networking events, including some featuring well-known speakers such as entertainer Whoopi Goldberg or social and political activist Gloria Steinem. Informal get-togethers include golfing lessons, trips to art galleries, and private shopping trips to FAO Schwarz and Saks Fifth Avenue. Firm alumnae who are out of the workplace or who have become successful in the community also are invited.

Goodell says White & Case wants to continue to connect firm lawyers with these "off-ramp women" in the hopes that they will return to the firm when they go back to work. Other alumnae such as a former partner who became general counsel at a major international corporation and one who runs one of the biggest state agencies also come to network with the firm's lawyers.

One-on-One Time

Mentoring, whether it's formal or informal, also is a major way women help each other in the legal community. Some take time to go to lunch with other lawyers, while others maintain an open-door policy, encouraging colleagues to stop and ask questions.

Ostrow observes that in many law firms, women are being excluded from good mentoring opportunities and information networks. "If women in a firm reach out to them, they could get connected and they could be more successful," she says.

"When I started working in a law firm, it was very shocking," Vardi says. She went into a partner's office one evening after they had been working hard together all day. "I was very intimidated. And then she just talked to me—not just about business, but

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about whatever was going on in the news on a human level, not a work level. That was the first time something clicked," she explains. "It was a big moment for me. It gave me more confidence to approach partners."

This type of exchange also is important at Littler Mendelson. Krincek says she always felt free to go into any shareholder's office and have him or her give feedback without making her feel like she was asking a stupid question. "You have to create the atmosphere where it is okay," she notes.

"It is in our best interest to reach out to the female associates within the firm because they are more vulnerable

to veering off the career path because of outside pulls," Krincek says.

"The mommy guilt factor plays into a lot of decisions, even for associates," she adds. "There is this long-held perception that you can't have it all and that something is going to suffer." But she says having one-on-one conversations can keep good people from leaving.

Role Models

Women also help each other by acting as role models. When Krincek began practicing at her firm, the managing partner was a woman. "It was great to have a woman in the main leadership role," she says, because it gave her the confidence that she could assume such a role. Another role model was a woman managing partner who

had children and worked part time.

These women show other lawyers the types of situations that are possible, according to Krincek, who works full time. "We have different tracks," she says. "The message is there are different options that can work for everybody."

And for women who don't have role models, mentors, or networking opportunities within their firms, women's bar associations or bar associations with women's initiatives abound throughout the country.

In these places, women can create opportunities for mutual benefit, Ostrow says. "Nobody is successful in any organization unless they are being helpful to someone else." ❧

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THE AUTOADMIT SCANDAL AND LEGAL REMEDIES

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However, Marc Randazza, a First Amendment lawyer and counsel for one of the named defendants in the AutoAdmit litigation, argues that this interpretation of section 230 is problematic. Randazza asked, in an e-mail to the author, "How should the Web site operator determine whether the information is indeed false? Simply upon a statement from the aggrieved party? Should online publishers be required to conduct a mini-private-defamation trial?"

One compromise might be to require administrators to delete personally identifying information from discussion threads upon request. It is unclear whether this step would solve the problem of "Google bombing" prior to removal. When posters Google bomb someone, they take steps to have threads containing defamatory or harassing statements appear as one of the first search results returned by Google if that individual's name is entered as a search term.

Another approach, suggested by writer Mattathias Schwartz in a *New*

York Times Magazine article, is "dis-empvoweling"—having message board administrators remove the vowels from trollish comments, which gives trolls the visibility they crave while muddying their message. (Mattathias Schwartz, *The Trolls Among Us*, N.Y. Times Magazine, Aug. 3, 2008, available at www.nytimes.com/2008/08/03/magazine/03trolls-t.html.) A troll is someone who intentionally posts inflammatory comments to disrupt online communities. Some of the pseudonymous AutoAdmit defendants may be trolls, while some may simply be law students posting thoughtlessly.

No Easy Answers

In general, the problem is how to balance legal redress for victims against the First Amendment rights of everyone else—troll and legitimate poster alike.

Perhaps a more appropriate—and troubling—question is "what *should* be done" about online reputation maligning. Would it have been better if Doe I and Doe II had left well enough alone? Googling "AutoAdmit" today will result in pages of hits regarding the litigation, and many of these hits

are opinionated—and self-perpetuating—responses from the blogosphere. Certainly more people are currently aware of the AutoAdmit scandal than ever would have been had the matter been ignored by the AutoAdmit plaintiffs and left to die a natural death. Then again, why should these intelligent, capable young women—or anyone for that matter—have to put up with the malicious gossip of immature individuals when legal remedies may be available? And why shouldn't such pseudonymous posters be held responsible for their injurious actions?

There are no easy answers to these questions. (Note that Schwartz interviewed a troll who argued that the "willingness of trolling 'victims' to be hurt by words . . . makes them complicit, and trolling will end as soon as we all get over it.") Perhaps one solution is for law students, and people in general, to act with a little more decorum and a lot more decency toward one another. ❧

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