

Where Will You Be In 2181?

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May 13, 2022 Above the law

Is any other woman lawyer as tired of this as I am? Over the past few years, the ABA has published several reports on how women are faring in the profession. Its most recent report is lists many cringeworthy examples. It's an agonizing choice for both majority and minority women lawyers when they ditch their law firms (or corporate law departments) and even decide to leave the profession.

The study focuses on women who have been in practice at least 15 years. So, these are not newbies who have left or are leaving; these are women lawyers who have made substantial investments in their careers. The reasons that women have left can be boiled down to a number of salient categories: pay inequity, being screwed out of origination credit, isolation, and being made to feel that their contributions are not being recognized or rewarded.

Despite my hope that the wave of feminism of the 1970s would produce male children who would regard women as equals, such has not been the case. What saddens me in reading the report is how little has really changed, and how it is, to a large extent, "same old, same old." I fault the leadership in law firms and corporate legal departments, colleagues who don't see women lawyers as assets, as well as the businesspeople who don't want women anywhere near their matters.

One of the shockeroo stats in the report shows that it will be 2181 before women lawyers achieve parity in the profession with their male counterparts. Disgraceful !

Some examples that women gave for why they left are hard to believe that in the third decade of the 21st century, some men still have the "caveman" attitude of hunter gatherer, while women are supposed to tend the home fires.

Pay disparities, both real and perceived. "At my last firm, there were two male partners who were ... probably averaging about \$75,000 more than me. And the two of them together were not originating what I was originating. ... When I asked someone about it, I was told, "Well, such and such, he has two kids and he has a family to take care of."

Origination credit: when this woman lawyer first joined her firm, a matter came in and the senior partner said, 'I have no idea what this is. I don't want to do this. Does anybody want it?' " The woman partner volunteered immediately even though the type of matter was not her specialty. She then proceeded to build a million-dollar book of business in this new practice area. However, the senior partner who passed off the matter to her took all the origination credit. When she raised this disparity, the senior partner responded, "My God, we just really didn't think you'd care that much about the money." Really?

Isolation takes a huge toll on women lawyers, even more so now because of the pandemic. There's no time to build relationships; it's all about billable hours. It's all about closed office doors and siloed work, with no time to bounce ideas around. The absence of women in leadership positions contributes to that isolation, and women lawyers of color feel the isolation even more.

And of course, we can't forget sexist and racist behavior. "I would say without exception, every lawyer, female lawyer that I've spoken to that I'm friends with, that I'm close enough to talk to, has experienced some form of discrimination." Of course.

One woman who consults for law firms said "I focus more on age discrimination when it comes to women than I do on men. I tend to regard un-dyed gray hair on women like I regard visible tattoos." Wait, what? Women are told that a male with gray hair is often viewed as possessing "gravitas," but the same is not true for women. Age discrimination is alive and well and living in hair color.

Other reasons women lawyers are leaving include being passed over for promotion both at outside firms and in house, long hours, and unpredictable schedules.

The report notes that "Issues of inequity will be greatly reduced, and perhaps disappear, on the day that men recognize that something is wrong when they enter a room at the firm and do not see a substantial number of women lawyers." We wish