



State of the Union: Women in the Law

BY NICHOLAS GAFFNEY ON FEBRUARY 14, 2017

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More women in the U.S. are attending law school and obtaining law degrees than ever before. However, a gender pay gap still exists and women continue to be underrepresented in law firm leadership positions. In this month's roundtable, our panel of attorneys share their insight into the state of women in the legal profession.

Our Panel



Amanda MacDonald (AM) is a partner at [Williams & Connolly LLP](#). Amanda focuses her practice on complex civil litigation, criminal defense, and government investigations. She represents corporations, professional firms, senior executives, and others in a broad range of cases in federal and state courts, at both the trial and appellate levels, and in arbitration proceedings. Amanda also represents clients in criminal and regulatory investigations before the Department of Justice, the Securities and Exchange Commission, and the Public Company Accounting Oversight Board. She serves as co-chair of the firm's Women's Initiative.



Celine Jimenez Crowson (CJC), partner at [Hogan Lovells](#), is a leader at the forefront of technology and intellectual property issues, using her legal and technical backgrounds to help clients with their most important and pressing problems. She is a first chair patent litigator and leads the IP side of deals in industries ranging from telecom and computing, to automotive, as well as to diversified industrials. Celine is the head of Hogan Lovells' Intellectual Property, Media and Technology group in the Americas.



Jenny Durkan (JD) is a partner at [Quinn Emanuel](#) and is nationally recognized for her leadership in the areas of cybercrime, complex litigation, governmental policy and legislative strategy. She is known for trying tough cases, and has represented clients in civil, criminal and regulatory matters. She is a Fellow in the American College of Trial Lawyers and serves as global chair of Quinn Emanuel's Cyber Law and Privacy Group.



Paula T. Edgar (PTE) is founder and principal of PGE LLC, a speaking, coaching and consulting firm that specializes in professional coaching, social media and marketing strategy, and diversity and inclusion. Paula speaks regularly on these topics by providing keynote speeches as well as professional development workshops. Paula is active with a number of organizations and social justice initiatives, and serves as the president of the Metropolitan Black Bar Association.



Françoise Gilbert (FG) is a partner in the Silicon Valley office of [Greenberg Traurig](#) focusing on information privacy and security and the compliance challenges raised in cloud computing, connected devices, big data, mobile applications, wearable devices, social media and other emerging technologies. She is the author of “Global Privacy and Security Law” (Wolters Kluwer), which covers in depth the privacy and data protection laws of 68 countries across all continents, and the co-author of a dozen books.



Natasha Innocenti (NI) has been recruiting law firm partners for more than 20 years and has placed hundreds of partners in virtually every practice area. After 19 years in executive search and specialty legal recruiting firms, she recently launched [Innocenti Partners, LLC](#).



Jennifer Johnson (JJ) is a member of [Hopkins & Carley](#)’s Real Estate Practice. As one of the most sophisticated and effective real estate and bankruptcy attorneys in Silicon Valley, clients have sought Jennifer’s counsel for several years. Her clients include global Fortune 100 and Fortune 500 companies, investment funds, established nonprofit corporations, developers, local businesses, entrepreneurs and investors. Jennifer’s primary focus is on leasing and on acquisition and dispositions and financings of and for all kinds of commercial properties.

Our Moderator



Nicholas Gaffney (NG) is a member of the *Law Practice Today* Editorial Board and is a veteran public relations practitioner in San Francisco.

NG: More women in the U.S. are attending law school and obtaining law degrees than ever before. This would seem to be a cause for celebration in gender equality efforts. Is it?

CJC: We should feel hopeful that more women in the U.S. are attending law school and obtaining law degrees, although the real cause for celebration will be when we can show that more women in the U.S. are finding rewarding legal careers that last. For quite some time, law school classes have had a fair number of women in them; those numbers of women dwindle sharply, however, after several years out of law school and even more sharply in the law firm partnership or senior in-house counsel ranks.

JD: Absolutely! We are “flooding the zone,” and it is making a difference. More women are playing roles at every level of the practice: from law schools, to firms, to in house counsel, to the bench. Ultimately, this will influence and change the not just the practice of law, but the system of justice.

PTE: Advances in the number of women attending law school and obtaining degrees is something we should be happy about, however, as a profession, we have work to do in our efforts to continue the advancement of women in the legal profession. We are increasing in numbers of law students, but the number of women in leadership remains low.

NI: Sadly, in and of itself, no. Of course, it is wonderful to see so many women entering the profession of law, but it would be cause for celebration if we also saw them represented equally (or even just more often) at the top of the profession. While women have made tremendous progress in achieving positions of leadership in in-house departments, we still see the majority of public company general counsel positions filled by men. Even more discouraging, the percentage of women who are equity partners in Am Law 100 and 200 firms remains below 20%. And even those women are disproportionately paid less than their male counterparts. We can celebrate when women entering law school have much better chances, someday even equal chances, of later leading the profession.

JJ: The fact that more women are attending law school in the U.S. than ever before confirms that women’s access to law school has increased. I think that our gender equality efforts are not the only reason that women have gained greater access (especially since women’s attendance rates have been rising for years), but it certainly has played a role. Greater acknowledgement and discussion about gender equality can only help to create greater access for women everywhere, including in the law.

AM: The increase in the number of U.S. women earning their law degrees is very exciting, but it is only the beginning. We need to work as a profession to ensure that we are mentoring, developing, supporting, and ultimately retaining women in the legal profession as they navigate their careers and their lives. Support from just one or two people can make all the difference; each of us needs to contribute by serving in a mentorship role for women attorneys.

NG: Is the legal profession a “good” (smart, rewarding, worthwhile, etc.) career path for women?

CJC: Yes, and that is especially so if one takes concerted steps to stand out from the crowd with a distinctive expertise or background. I have found that with myself, for example, with my background in electrical engineering. A legal career is also especially rewarding if you take on the “tough stuff”—the complex, challenging or “stretch” endeavors. Don’t just lean in, but jump in with both feet, well-prepared, and confident.

JD: The legal profession is one of the most rewarding and worthwhile professions there is. It is also the path for exploring nearly every other profession. From medicine to technology, lawyers have a role in solving the world’s problems. Like everything in our society, technology is driving

rapid changes in the law. The ease of global communications and connectivity has created more flexibility and opportunities. This is a great thing for women, particularly for those who must tailor the nature and level of work to the other demands in their lives.

PTE: The legal profession is a good career path for women. As lawyers, we are advocates and leaders. The work that we do contributes to what is necessary, valuable and worthwhile and our perspectives are needed.

FG: The legal profession is a good career for individuals with certain talents and capabilities. Many women (and men) will find it rewarding to have the ability to work in an area and on issues that require creativity, precision, flexibility and intelligence.

JJ: It can be, but it is not “smart, rewarding and worthwhile” by chance. For a legal career to be a “good” career path requires every woman to find her own individual place in the law; to forge her own path. The path is different for each of us.

This requires each of us to be mindful, every day and at every stage of our careers, as to what inspires us about being lawyers and what inspires us about being women lawyers. Is it working in a certain environment (such as in the public sector, in the corporate sector or in private law firm practice, for example)? Is it working with a certain type or set of clients? Is it about solving certain legal problems and how those legal problems get solved? Is it about working within a certain substantive area of the law? Or, is it about balancing professional and personal goals? For most, it is a mixture of differing answers to these questions (and more).

What is key is that each of our own set of important questions are asked, prioritized and answered authentically. And, that each of these questions are asked, prioritized and answered often—as we change, over time, as individuals and as professionals. We need to constantly evaluate whether we are on the right legal path or whether we need to make a change and forge a new path.

The good news is that lawyers have a myriad of ways to do what we do. To ensure a “good” career, we must always ask “the questions” and make sure that the legal job we have fits with our individual answers and needs at that time. We cannot be afraid to ask the questions, to answer the questions and to make change, if necessary. If we do not do these things, we risk not having a “smart, rewarding and worthwhile” career in the law. Having a “good” career in the law is up to each of us—it is our own individual responsibility.

NG: The gap in pay between women and men partners in law firms continues to persist. What is an effective way to address this issue?

CJC: Law firms should ensure that their partner compensation committees are gender, race/ethnicity, and age diverse. They should use good data to make sure they understand where they are and set specific goals for where they want to be.

JD: This gap is closing, but too slowly. The need to keep pushing for parity is still there. But the cause is helped by two things. First, more women are entering the practice of law, and could become a majority. Second, changes in the way law is practiced will diminish the issues that have held women back. More women judges, general counsels and CEOs, means the opportunity for business generation increases. Modern communications and research capabilities, has created more flexible work options. You can work almost from anywhere, at almost any time. The challenge now is escaping.

PTE: Transparency. We need employers to become more transparent about compensation. Other ways to address this are to encourage women to disclose their salaries (and their strategies for salary negotiation) to other women. To shake up the culture, male allies also

need to share their compensation and to serve as sponsors for women in the workplace. The shroud of secrecy around compensation is hurting women.

NI: Some reports maintain that the gender gap in law firm compensation is explained by the fact that women partners have smaller books of business, or fewer dollars attributed to them. While that discrepancy does exist, it doesn't exist to the same extent that the pay gap exists. Women rainmakers are paid less than men rainmakers. Beyond the wage equality issue, many believe that the gap in originations is at least partially due to women not asking for or being given appropriate credit for the business they bring in. Having more women on the governing bodies of law firms, providing unexamined bias training, offering negotiation skills training, creating and funding business development departments and training, and incorporating third party review of partner compensation are all effective methods to make wage equality more of a reality in law firms.

JJ: We are making progress in this area, but there is room for improvement. Law firms would benefit from ensuring that women are represented in law firm leadership, management and are involved in compensation decisions. I also see that law firms are paying greater attention to gender bias and unconscious bias. Continuing to raise awareness that these biases exist and how they are at play will also aid in closing the gap.

NG: What are the biggest issues that new women lawyers face? What are the biggest issues they face a few years down the line?

CJC: New lawyers need to buckle down and develop their legal skills, while building close internal relationships within their law firms or businesses. More senior female lawyers will have challenges juggling work and family, as well as making sure that they are included in firm and client endeavors that advance their professional development to an appropriate level—such as joining an important client pitch or taking on a firm leadership role.

JD: The greatest challenge for new lawyers, including women, is striking the right work/life balance. Lawyers help others with the most important challenges. Those challenges don't break for the week-end or holidays. But, there is a rhythm to the law. New lawyers have to learn how and when to slow down, and when it has to be pedal to the metal. The balancing act is particularly difficult for women that decide to have a family. If this is a reality for you, it is important to identify opportunities for part-time or flexible work schedules. Alternatively, if circumstances allow you not to work, the world is your oyster. There are great community groups and nonprofits dedicated to a range of work. All of them need smart and capable people. It is a great way to keep skills sharp, gain experience and feel like you are contributing.

PTE: Imposter syndrome, or a feeling of not belonging is an issue that some women lawyers face which can delay success. Lack of mentorship and sponsorship is something that more experienced women lawyers and women of color in particular face which can prevent their rise through the leadership ranks. As a coach, I guide women lawyers and also mentors and sponsors on strategies to support women lawyers. This support helps women lawyers achieve better assignments, opportunities and greater visibility in the workplace.

NG: What changes have you seen over the course of your career that have made the legal industry more appealing to women?

CJC: Law firms, especially my own, Hogan Lovells, have made a real commitment to developing and implementing an agile working program for women and men, and for attorneys and professional staff. This includes not only part time approaches, but also flexible time and working from home arrangements.

JD: When I began practicing law, very few women were litigators and research was done in law libraries. Most disputes were resolved by courts. All that has changed. Alternative dispute resolution has become the norm. Fewer cases go to trial. In either forum, clients recognize that women lawyers can give them an edge. Women add a different perspective, and excel in finding mediated solutions. For disputes that go to court, studies show that women can have a trust advantage with juries, judges and regulators. As I noted, modern communications and research capabilities, have created more flexible work options. You can work almost from anywhere, at almost any time. The challenge now is escaping.

PTE: Many legal employers have incorporated professional development training, coaching and sponsorship programs to support women attorneys. More employers have adopted flex work arrangements which has fostered greater work-life balance and increased retention. The New York City Bar's 2015 Benchmarking report features great "better practices" and strategies legal employers and individual attorneys can employ to increase job satisfaction and retention.

FG: Many individuals who have the responsibility to raise children or take care of elderly parents need the ability to work part time or telecommute. Many law firms now allow attorneys to work part time. In addition, technology progress has made a number of devices affordable, such as cellphones, laptops. The portable tools allow attorneys to work conveniently and efficiently from different locations than their office. Most law firms now allow telecommuting. These changes make it much easier for a professional to work remotely or juggle different responsibilities while having a rewarding career.

JJ: Mostly, I think it is all the ways we can practice law now. In the past, there were fewer different kinds of legal jobs. Our lack of technology was also a limitation. Now, there are a variety of ways and environments in which we can practice law. This has made the legal industry more appealing to women (and men, for that matter) because this bigger universe has created greater options and flexibility.

Traditionally, law firm jobs were the jobs advertised almost exclusively in law school. That is not the case anymore. Lawyers, even at earlier stages of their careers, know that they can go in-house, work in politics, work in the public sector, start their own practices, etc. They can work in a firm, at a start-up, at a large company, in a government building and work remotely at home. They can work part-time, full-time, or something in between. This flexibility has afforded all lawyers the luxury of trying to achieve more balance between their personal and professional worlds, which, I think, is still a priority to a majority of women in the law.

AM: As more women have made their way through law school and advanced in their careers, the number of women in business and in-house leadership positions has grown significantly. I am working with, and being inspired by, more and more women every year. These women have been a critical source of learning and development for me.

NG: In what areas of the legal industry can a woman excel or make their mark that may be different from a man's career trajectory?

JD: Women can make a mark in any area of the law. When I was started practicing there was one woman on the Supreme Court. Now there are three active, and one retired. Women have held the highest legal roles in government, including White House counsel, Attorney General, and Solicitor General. They have served as general counsel to some of the largest corporations and some of the most revered nonprofits. We need to get the numbers up—but we only do that by continuing to push for those roles and proving we can do them.

NG: What can women do to ensure their own career growth? To support the development of other female attorneys?

CJC: When it comes to supporting other female attorneys, the best way to support each other is to “put your money where your mouth is.” Don’t just tell someone you admire or appreciate them—put them on that pitch team, give them the lead on that new case even if there is the typical senior “go to” person who could be brought in. Don’t just give lip service to diversity, but look at the roles women are really playing on their teams—for example, adding a single junior female associate to a team who only sits in the background of a less diverse group may not be helping stated aims of diversity very much. The law firm environment is very much one of the “golden rule”—the person with the gold makes the rules. To be successful in a law firm environment, there must be real opportunities given to women succeed in the business, not just talk, and women in a position to give those opportunities are key to that.

JD: The best way for any lawyer to get ahead is to work hard. However, always remember the best lawyers don’t just identify problems, they bring solutions. Experienced women lawyers can be essential mentors for younger lawyers. The practice of law can be a high stakes, high stress endeavor. It is important to have guides along the way.

PTE: Women should commit to goal setting, increasing their skill set, stepping outside of their comfort zone and constantly asking for and incorporating feedback. To support other female attorneys, we should commit to providing opportunities, sharing lessons learned, mentoring and referring business.

FG: A career is built one day at a time, and efforts to ensure career growth never end. In addition, it is most important to remember that one’s future is in one’s hands. One component is to get the best education possible, develop skills from college days, and invest in foreign languages and cultures. Another is to work very hard and keep learning every day. The world is changing rapidly and so are the laws and the needs of our clients. Staying ahead of the pack, being available, providing excellent work, being responsive, are talents that all clients and all colleagues look for when choosing the attorney to assist them.

NI: Robust communities of women are committed to helping other women and minorities. Find one such community or create one, and then bring along some younger women to join them. Create a women general counsel forum and bring women partners in various practice areas from your firm to meet them. If you are a general counsel, reward diverse pitch teams and ask your outside counsel to adhere to your diversity policy. Hire a coach, or take a course in business development or leadership. Write a series of articles in which you interview top GCs, giving you and them more visibility. Use your community involvement; pro bono program; charity work or any other community oriented work to get close to your clients. For example, put together a pro bono clinic with a local nonprofit for your law firm team and your clients’ in-house team to bond over helping others. Give real opportunity to younger women lawyers, so they can balance the challenges of the profession with the rewards earlier in their careers.

To the extent that parenting can be a challenge to career growth, I always recommend working parents make strategic decisions about where to replace themselves at home and where to commit to being there for their children. Having a concrete set of priorities for your family lessens guilt and sharpens focus at work.

AM: I encourage women to put themselves out there. Don’t be afraid to try a new type of case, to work with someone new, to speak at an event, or to pitch a potential client. You’ll find mentors and clients, and discover new interests, in places you may never have thought.

NG: Knowing what you know now, what advice would you give your younger self when you were just starting out?

CJC: I would tell myself to focus more on my professional relationships. Doing great work is critical, as is putting in the time, but I would tell myself not to forget about cultivating more professional relationships both within the law firm and without. Go to more professional functions out of the office, meet more new colleagues, and follow up with contacts to keep on their radar.

JD: First, integrity matters. As a lawyer, you represent the system of justice. Clients need lawyers who are reliable, have good judgment and can find solutions to their challenges. Integrity is a key to all of these. Second, be passionate and intentional, but remain flexible. The law can be all-consuming, so make it meaningful for you. Plan your next steps. The law is competitive, so you have to seize opportunities. The law continues to surprise me and can open a door into almost any world. Learn from what you are doing, see where you think you can contribute and then go after it.

PTE: I would tell myself that some of the challenges that I faced would be short-lived. I would encourage myself to push forward and not to get discouraged or stuck. Reflecting back, most of my goals and successes came right after huge challenges.

JJ: I would give so many pieces of advice to my younger self. At a high level, I would tell my younger self to slow down; to pace. I would tell myself that a legal career has a long trajectory and that it is a journey. I would remind myself to ask “those questions” constantly and to remain true to the answers (even if I didn’t like the answers). I would tell myself to expect change and to embrace change. In other words, I would tell myself to slow down and to enjoy the ride!

AM: Don’t put so much pressure on yourself to be at 30 where you hope to be later in your career. There is opportunity to grow and learn at each stage of your career. And time goes quickly!