

## The Gender Gap

### Breaking Through The Glass Ceiling?

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Things seem to be looking up for women in law firms. The percentage of women newly promoted to partner is on the rise, according to recent reports by the National Association of Women Lawyers (NAWL) and the New York City Bar Association. Women have reached high levels within firms, with greater numbers leading firm practice groups and serving as managing partners. Women chair both Pillsbury Winthrop Shaw Pittman and Fried Frank Harris Shriver & Jacobson.

So are firms on the way to achieving parity between men and women? Will "gender diversity" soon be a concern of the past?

Although greater percentages of women are making partner, "[w]omen still lag far behind their male counterparts in terms of advancement within firms," said Cathy Fleming, president of NAWL and a partner at Edwards Angell Palmer & Dodge.

Since the mid-1980s, the number of women law school graduates has been roughly equal to men, and yet the percentage of women at the top of firms has seen only a marginal increase. Women represent only 16 percent of equity partners in the nation's largest firms but 45 percent of associates, according to NAWL's 2006 National Survey on Retention and Promotion of Women in Law Firms.

Nearly all firms say they are committed to gender diversity, said Ms. Fleming, but only some are putting the necessary resources and energy behind their diversity efforts.

"If all firms were as committed as they say, diversity would have happened now," she added.

Orrick, Herrington & Sutcliffe is one firm that is starting to see its diversity efforts pay off. This year, 56 percent of Orrick's partner promotions were women. Partner Katharine Crost, head of Orrick's Women's Career Initiative, credits the firm's "culture of inclusion" and leadership's strong support of diversity initiatives.

"Partners as a whole understand that retaining and advancing more women is very important to the firm's success," explained Ms. Crost.

As part of Orrick's initiative, a program instituted to affirm the firm's commitment to retaining and promoting women, the firm launched "mentoring circles" for female lawyers. These circles create opportunities for women to connect and develop mentoring relationships with women across practice groups and at different levels of seniority.

"Sometimes minorities, including women, have a harder time finding mentoring relationships," said Ms. Crost. "We don't want to lose people because they aren't getting appropriate mentoring."

Unfortunately, on average, law firms are not achieving gender parity in their junior partner classes. Of law graduates from 1996 (when women represented 44 percent of law students), women represent only 24 percent of equity partners at firms surveyed by NAWL.

One reason for this disparity may be that junior attorneys, and women in particular, tend to "slip through the cracks very easily in their early years at law firms," said Meredith Moore, director of the Office for Diversity for the New York City Bar Association. As the city bar's 2006 Diversity Benchmarking Study found, mid-level turnover rates are higher for women than men.

"Firms need to groom talent from a very early point," said Ms. Moore.

Strong performers, and especially top women, need to be identified early. Firms should then develop and mentor this talent, and ensure that junior women feel connected to the organization.

But these efforts shouldn't stop once women reach partnership.

### **Beyond Partner**

Even after making partner, women too often hit a glass ceiling within firm leadership. Male equity partners earn \$510,000 on average, but women earn an average of \$429,000 at firms in the NAWL study.

In the highest levels of partnership, women remain underrepresented.

Women partners are often tapped for committees they receive "less credit for," said Ms. Moore, like diversity and associate development committees.

But women are outnumbered on important firm committees like governance and compensation. According to the NAWL study, women represent only 16 percent of seats on firms' highest governance committees. Roughly 10 percent of firms reported no women members on their highest committee. Twenty percent of firms reported that their highest committee has fewer than 10 percent women.

The percentage of women managing partners is even lower at 5 percent according to NAWL, and well below where it should be, given that women represent 16 percent of equity partners.

Women may be largely absent from these top positions because men are often groomed for leadership in a way women are not, said Ms. Moore. For that reason, she explained, mentoring is "just as important" for women once they become partner. Mentors can share the unwritten rules for success within the partnership: how the partnership works; which are the important firm committees and how to get on them; and how to get credit for business.

In addition, firms should be open with new partners about the criteria for success.

"Junior partners should come in on a level playing field with the same information so that all partners can be as successful as possible," Ms. Moore advised.

To maximize women's success within the partnership, each year at Foley & Lardner a member of the firm's management committee (which also serves as its compensation committee) meets with women partners to discuss leadership's expectations. The goal is to provide women with access to firm management and talk to them about how to promote themselves for compensation and advancement purposes, said Maureen McGinnity, the firm's chief diversity partner.

In addition to providing mentoring and partnership transparency, firms should facilitate the professional development of their women partners.

Foley has created a diversity business department that connects women attorneys at all levels (as well as other minorities) with opportunities to network and showcase their talents. The department counsels and mentors its diverse attorneys, helping them create personal business plans or develop their expertise, thereby increasing their marketability both within the firm and to clients. For partners, these efforts include connecting women with speaking engagements in their areas of expertise.

By cultivating women at all levels, firms improve their bottom line.

"It is simply good business to have women who are very good, active members of the firm," said Ms. Fleming. "More firms need to understand that diversity and profitability are not inconsistent goals."

Once more firms understand this, women will no longer be stopped by the glass ceiling.

**Melissa McClenaghan Martin**, a nonpracticing attorney, writes about the retention and advancement of women in law and other professions.

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