

# Long-Term Careers for Women in the Law

What Do We Know and What Can We  
Do About It?

What Are the **Additional Challenges**  
Faced by Women of Color?

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# ABA Presidential Initiative

## First-ever empirical studies

### ABA/ALM Intelligence surveys

- Largest 500 firms
- Managing partners, male and female lawyers 15+ years
- ABA/ALM Report, “Walking Out the Door: The Facts, Figures and Future of Experienced Women Lawyers in Private Practice”

### National focus group studies

- Partners, Managing Partners
- Women who left the legal profession
- Women lawyers of color

### Career trajectory survey

- Survey of law school alumni 20+ years
- Covers all areas in which lawyers work
- What percentage are still practicing law/why and why not



# Parallel Study

- **Why it is Important**
- **Variances in the studies**
  - In person focus groups and on-line surveys
  - Smaller pool
  - Law school alum of 15+ years
  - Insufficient data



"Here's where we decided to ignore all inconvenient data."

McKinsey&Company

**Female**



**Male**



0%

20%

40%

60%

80%

100%

**How many women and men  
are still practicing law  
20+ years after graduation?**

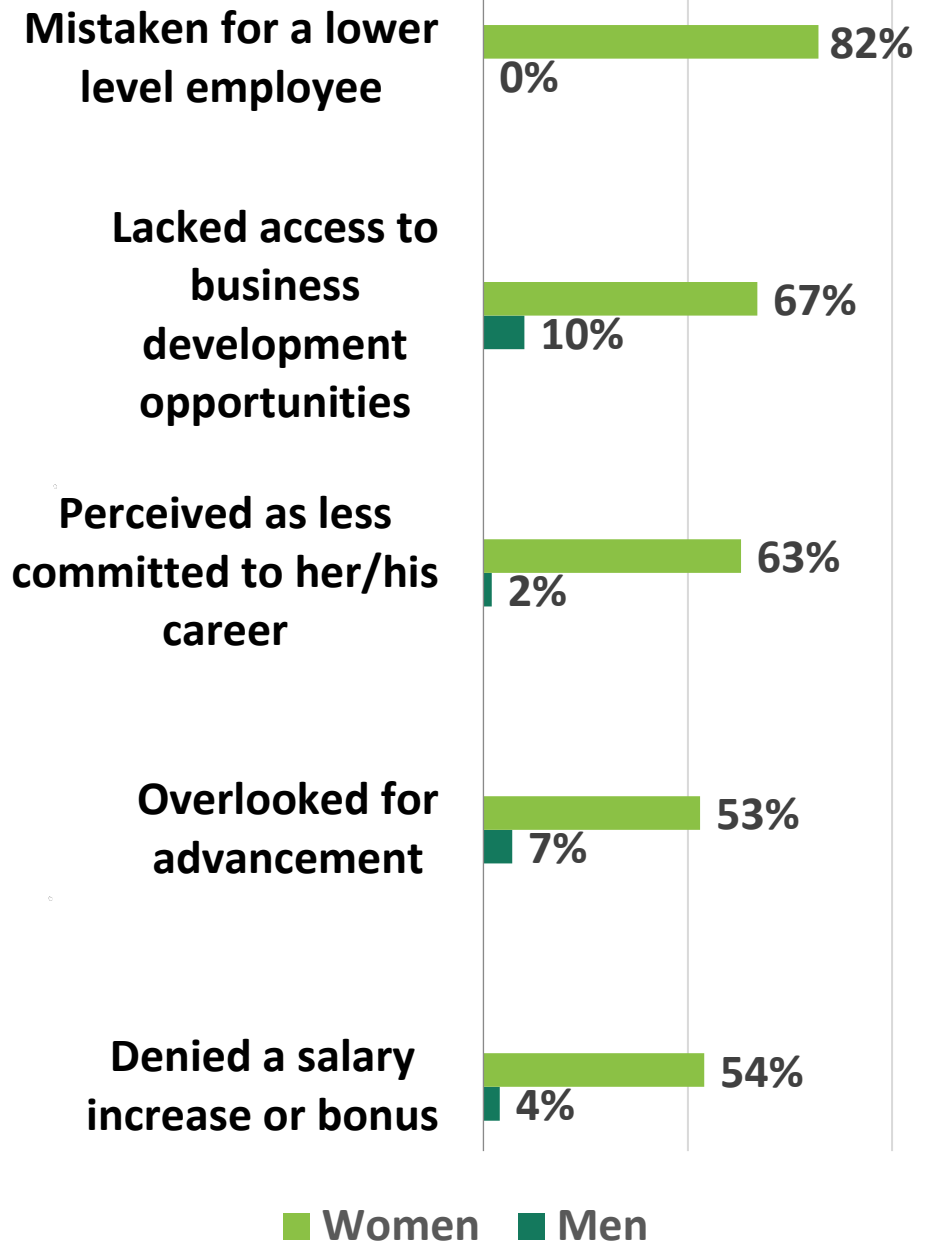
# Little Change

- **2006; 2009;2020**
  - Belief of marginalization
  - Recipients of negative stereotypes
  - Lack of Access
    - Sponsors
    - Opportunities

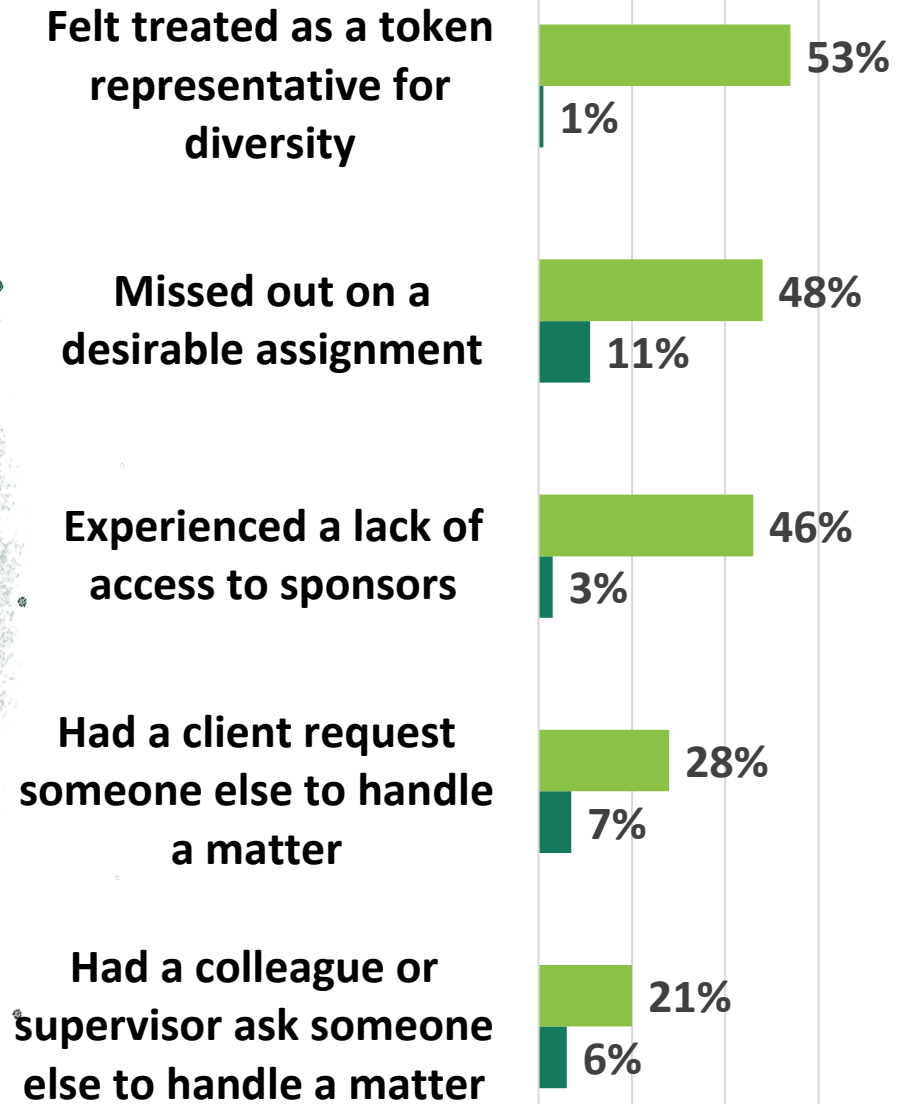


# Access to the everyday building blocks for success?

"On account of gender"



**Access to the  
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“On account of  
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■ Women ■ Men

# What They Want

- **Advancement**

- Ratio of 78% to 68% WOC more likely to seek advancement more so than White Women

- **Promotions**

- Ratio of 83% of Asian Women & 80% Black Women as compared to 75% of men

- **Leadership Roles**

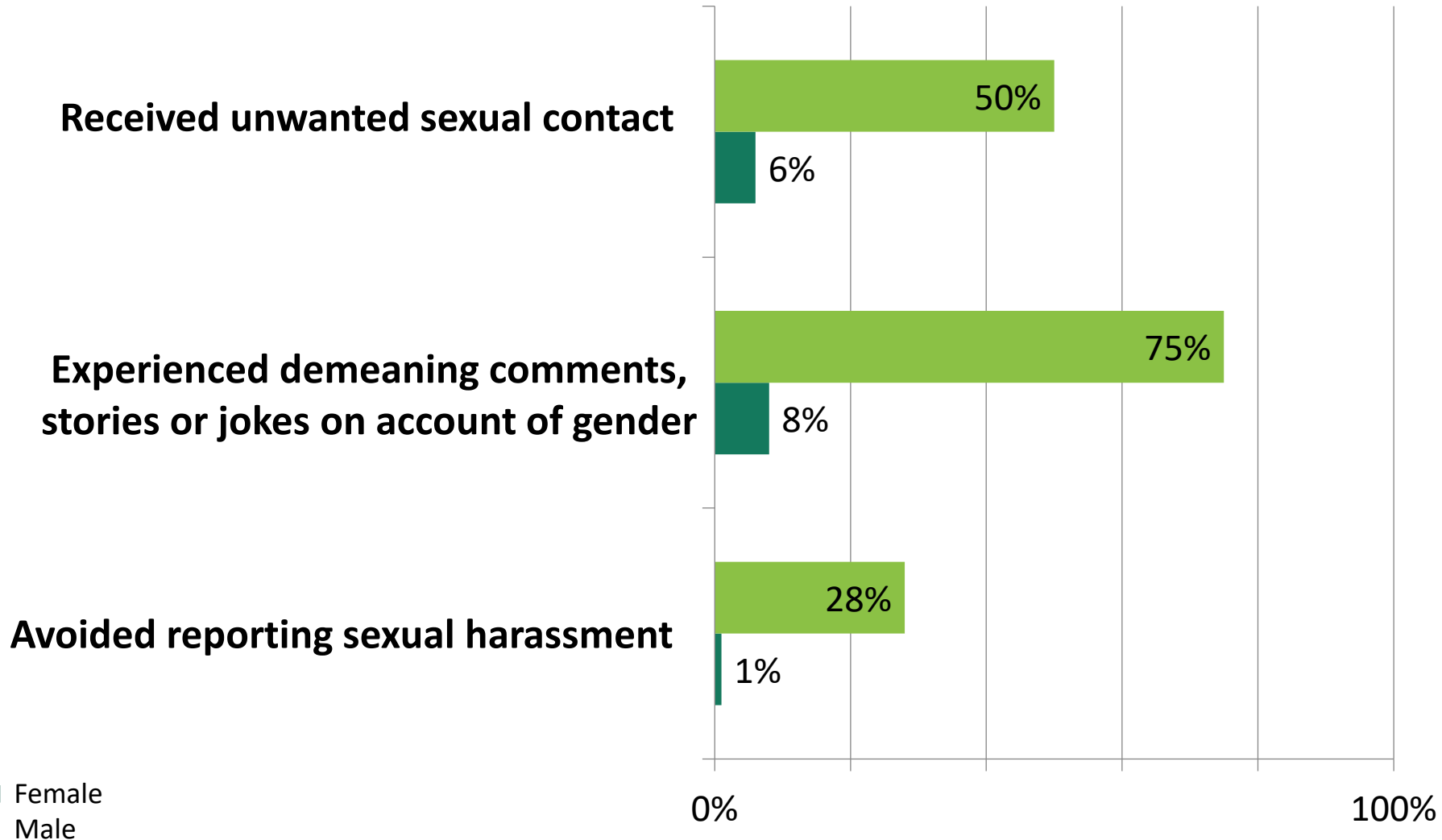
- 51% of Asian Women, 44% of Latina Women & 38% of Black Women as compared to 39% of White Women

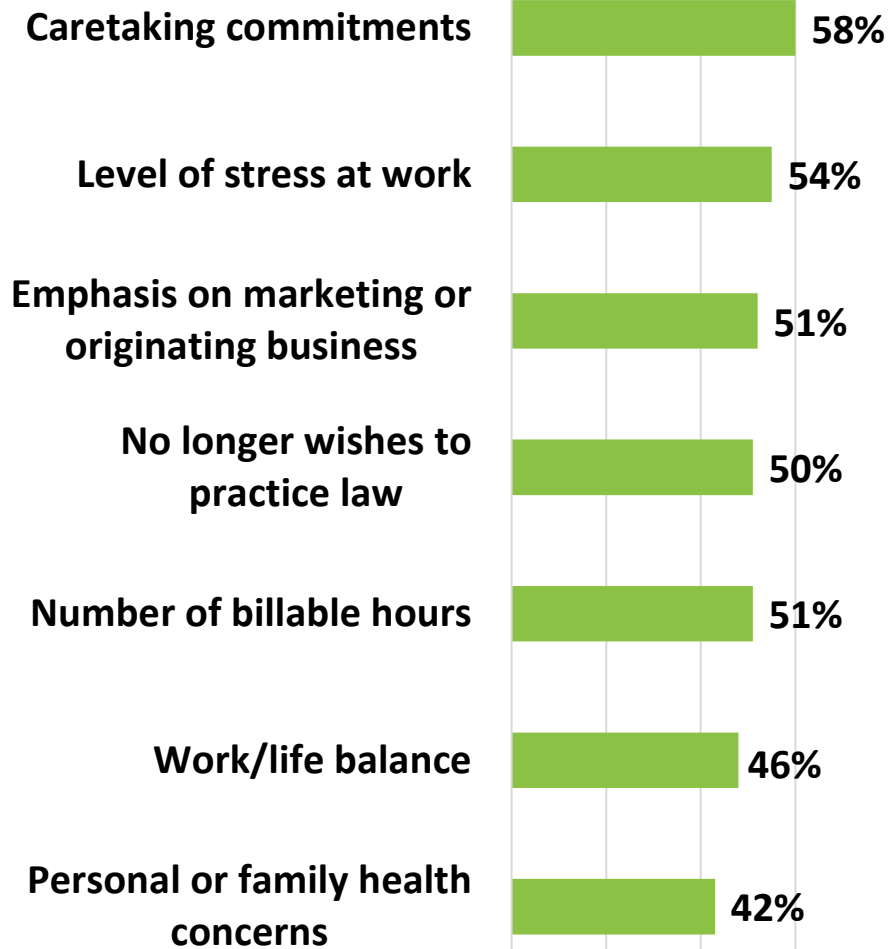
- **The Reality**

- Less than 2% of Equity Partners
- Very little progress over the past 14 years



# The Prevalence of Sexual Harassment





# Women: Top Reasons Experienced Women Leave

# Why They Stay

- The bread winners
- Cultural expectations
- Role models
- Fewer opportunities
- Survivors
- A love of the law



# How Well Are Firms Doing?

## THE PERCEPTION GAP



# Women Attorneys of Color

## Intersection of Race and Gender

### **Disproportionately higher rate of attrition for women of color**

- 14.48% of associates are women of color.
- 3.45% of all partners (equity and non-equity) are women of color.

### **Women of color are paid markedly less**

- 2018 MCCA Study found that nearly 70% of women of color attorneys reported that they were paid less than male colleagues with similar seniority and expertise.
- Nearly 70% of women of color attorneys are their family's primary breadwinner.

## What about Opportunities to Advance?

- **ABA Commission on Women in the Profession/*Visible Invisibility* studies confirm that women of color report:**
  - being mistaken for custodial, administrative or courtroom staff
  - denied desirable assignments
  - denied access to formal and informal networking and business development opportunities
  - denied promotion opportunities
- **Token opportunities.** Numerous studies show that women of color are often taken on pitch teams to clients but are denied credit or even subsequent work on those matters.
- **Negative presumptions.** African-American women are the most likely to have their judgment questioned in their area of expertise and be asked to prove their competence. McKinsey & Lean In 2019 Study.

# Findings of Women of Color Focus Groups – New ABA Research

**38 focus groups members in five cities; 65 on-line participants**

- Women of color reported being the subject of bias and stereotyping and held to higher standards than white men or white women.
- While women of color share similar experiences compared to white women, they also have experiences distinct from them, and their experiences vary based on their own particular racial or ethnic identities.
- Disconnect between white women and women's initiatives with respect to the unique concerns and experiences of women of color.
- Persistent inequality in distribution of resources and opportunities in the workplace.

# RECOMMENDED BEST PRACTICES

## BE STRATEGIC

**Develop a strategy, set targets and a timeline to achieve firm goals.**

## WORK WITH METRICS

**Use gender metrics to track success over time**

**Measure business development opportunities, compensation, access to sponsors**

## COMMITTED LEADERS

**Leadership must show a real commitment, not just lip service, to ensuring the advancement and success of experienced women lawyers.**



# RECOMMENDED BEST PRACTICES

## BUSINESS CASE

Understand and own the business case for diversity.

## CRITICAL MASS

Ensure a critical mass of women partners on key committees and as practice chairs.

## WRITTEN POLICIES

Implement written policies to ensure transparency and equitable treatment on key measures (origination credit, advancement within the partnership, client succession).

## ACTIVELY MINIMIZE BIAS

Understand the impact of implicit bias, provide regular training about sexual harassment, unconscious bias, and intersection of race and gender.

## LATERAL HIRING

Increase the lateral hiring of women partners.

# Recommendations

- **Must be able to see**
- **Access**
- **Incorporate intersectional aspects**
- **Education**
- **Cultural and structural change**
  - **Decision making processes**
  - **It's not the same across the board**

# Would you like more information?

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