

WOMEN

Making the Case

IN
LAW

EXECUTIVE SUMMARY



ABOUT CATALYST

Catalyst is the nonprofit research and advisory organization working to advance women in business and the professions. The leading source of information on women in business for the past four decades, Catalyst has the knowledge and tools that help companies and women maximize their potential. Our solutions-oriented approach—through research, Advisory Services, Corporate Board Placement, and the Catalyst Award—has earned the confidence of global business leaders.

RESEARCH PARTNERS

Catalyst partnered with five of the top ten law schools in the country to produce this study, in part because their graduates are the elite of the profession. Any barriers to advancement their women graduates face therefore cannot be attributed to a difference in credential or talent. Columbia Law School is the primary academic sponsor, with a special grant from the New York Community Trust—Wallace Reader's Digest Special Projects Fund. The other participating law schools are Harvard (through the Alumnae Celebration Fund), the University of California-Berkeley (Boalt Hall), the University of Michigan, and Yale.

WOMEN IN LAW: MAKING THE CASE—FULL REPORT

For an in-depth description of women law graduates' experience in law firms and corporate legal departments, see Catalyst's full report *Women in Law: Making the Case*. The full report also contains a summary of women law graduates' experience in the government, education, and nonprofit sectors, and a full set of recommendations for legal employers and individuals. To obtain a copy of the full report, contact Catalyst at www.catalystwomen.org, call 212-514-7600, or fax your order with credit card information to 212-514-8470. \$90; \$60 for Catalyst members.

WOMEN IN LAW: MAKING THE CASE

Executive Summary

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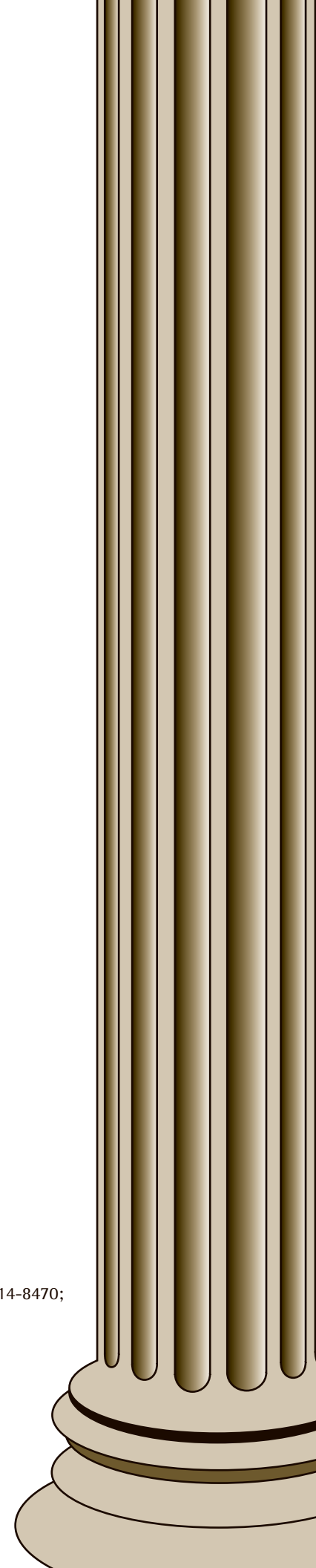
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INTRODUCTION

For the first time in American history, the number of women in law schools is expected to outpace that of men in 2001. For the last three decades, many of the nation's most talented women chose career paths in law. Enrollment of women in top-tier law schools has steadily increased over that time, reaching 40 percent in 1985, and almost 50 percent in 2000.

Yet the numbers at the highest end of the career spectrum—women partners, particularly equity partners, and women general counsels—paint another picture. In 2000, women represented 15.6 percent of law partners nationwide and 13.7 percent of the general counsels of Fortune 500 companies.¹

Conventional wisdom has held that it is just a matter of time for women to advance to the senior-most ranks of the legal profession. This familiar rationale loses its luster when applied to a profession that has had a critical mass of women in the pipeline for an extended period.

Catalyst conducted this study to determine why there are few women in leadership positions in the legal profession, and how legal employers can fully capture the talent of women. The timing couldn't be better: the profession is in transition. Globalization, a shortage of talent, and higher turnover costs portend a need to evaluate the way law firms and other legal employers conduct their business. Competition for legal talent is increasing, and women make up a growing percentage of that talent pool. Retaining and advancing women is essential to meet current and projected organizational quality and size.

In the course of the study, Catalyst learned that there is an equally important reason to undertake this research: women appear to be the harbingers of undercurrents in the profession that transcend gender. Legal employers should listen closely to what women have to say, because women are voicing the concerns of a growing number of men. Legal employers who understand that women's concerns are everyone's concerns will have a competitive advantage in attracting and retaining the best and the brightest.

Research Questions

The study answers three core questions:

- ▶ What do the career paths of women law graduates look like, and how do they compare to men law graduates? How satisfied are women and men law graduates with their career choices?
- ▶ What advancement strategies do women law graduates use, and how do they compare to men law graduates? What barriers to women's advancement do women and men law graduates perceive?
- ▶ How do women and men law graduates experience work/life balance?

¹ National Association of Law Placement (2000); *Catalyst 2000 Census of Women Corporate Officers and Top Earners*

APPROACH

- ▶ 20-page survey sent to 6,300 graduates of the sponsoring law schools
 - ▶ equal number of men and women surveyed
 - ▶ graduates from the classes of 1970 to 1999 surveyed
 - ▶ oversampling for people of color performed
 - ▶ 1,439 responses, representing a 24 percent response rate overall
- ▶ 21 in-depth phone interviews with a cross-section of lawyers
- ▶ 5 focus groups representing different constituencies in the legal profession
- ▶ Best practices research and interviews with law firms and companies

Unique Aspects of this Study

This is the first study of women law graduates that:

- ▶ Features a geographically representative, random sample of both men and women graduates of top law schools.
- ▶ Takes a comprehensive look at advancement, work/life balance, and career paths of law graduates—and makes the link between these issues.
- ▶ Looks across all legal sectors, not just law firms—and draws comparisons between the sectors.
- ▶ Acknowledges that women are not all the same, and clarifies distinctions between women of color law graduates and white women.

Profile of Survey Respondents

(Total number of respondents: 1,439)

*Significant at .05 (2-tailed)

Gender/Race:	52% White Women (710) 30% White Men (419) 13% Women of Color (183) 5% Men of Color (66)
Law School Graduation Cohort:	27% Graduates of 1970-1979 (Mean age: 51 years) 36% Graduates of 1980-1989 (Mean age: 43 years) 37% Graduates of 1990-1999 (Mean age: 33 years)
Married/Living with Partner:*	73% Women 80% Men
Spouse/Partner Works Full Time:*	84% Women Married/Living with Partner 44% Men Married/Living with Partner
Primary Wage Earners (51% or more of household income)*:	44% Women Married/Living with Partner 84% Men Married/Living with Partner

CATALYST FINDINGS

I. Career Path

KEY FINDING

The majority of men and women go to law school for the same reasons, and they begin their careers in law firms. However, over time, their career paths diverge, resulting in fewer women than men working in law firms.

The vast majority of men and women go to law school for the intellectual challenge, professional credibility, and financial security embodied in a law degree.

Top Three Reasons for Pursuing a Law Degree, by Gender
(Strongly Agree/Agree)

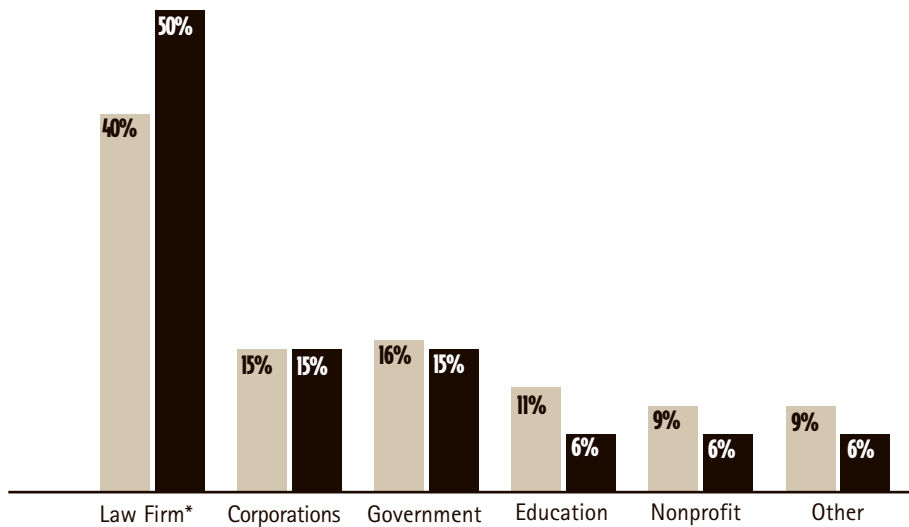
*Significant at .05 (2-tailed)

	Women Law Graduates	Men Law Graduates
1. Intellectual Challenge	94%	92%
2. Professional Credibility*	73%	63%
3. Financial Security*	56%	63%

Upon graduation from law school, over 70 percent of men and women begin their legal careers in law firms. However, over time, the career paths of men and women diverge. Of those graduating in the 1970s, only 30 percent of the women law graduates are still in law firms, as opposed to 51 percent of the men.² Thus, of 1970s law graduates, twice as many women as men are currently in the education and corporate sectors rather than in law firms. Thirty-five percent of the women law graduates from the 1980s, and 51 percent of the women law graduates from the 1990s, are still in firms. As a result, while 50 percent of the men are still in firms, only 40 percent of women are in firms. The remainder of the law school graduates are currently in various other sectors.

²Significant at .05 (2-tailed)

Current Employment Sector, by Gender



*Significant at .05 (2-tailed)

II. Career Satisfaction

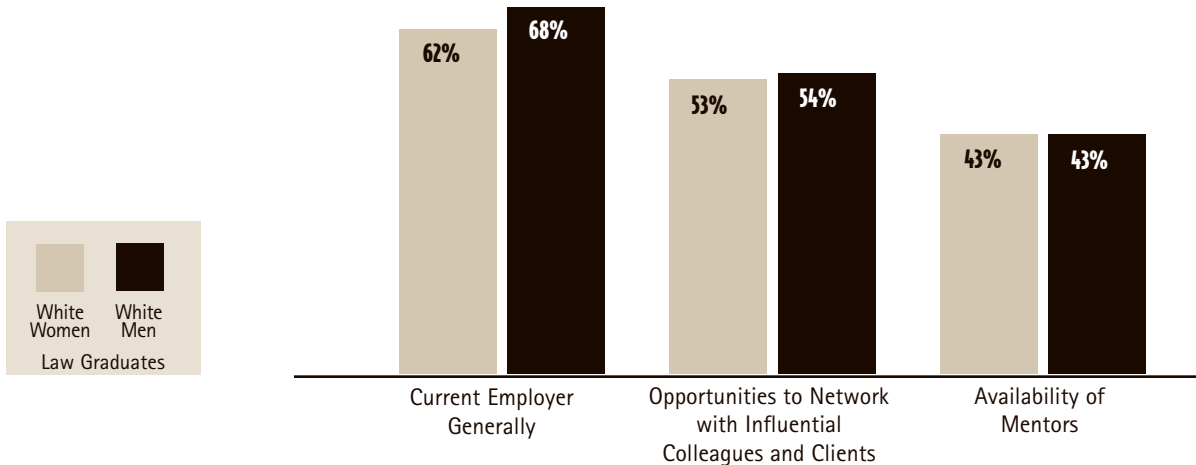
KEY FINDING

Although men and women law graduates, particularly white women, agree on key indicators of career satisfaction, women law graduates are less satisfied than men with opportunities for advancement.

Three out of four men and women law graduates, regardless of race, report being satisfied with the value of their law degree over the course of their careers.

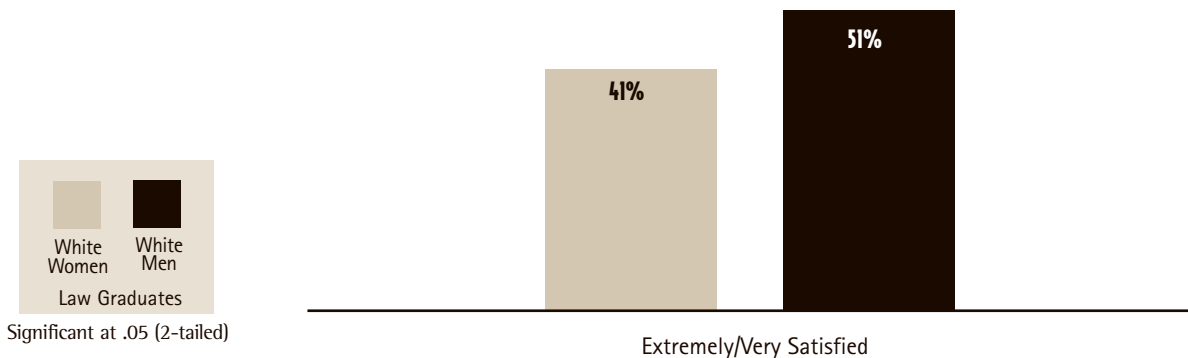
With respect to satisfaction with their current employer generally, there is striking parity between the responses of white men and white women law graduates. In particular, these groups are equally satisfied with networking and mentoring opportunities. However, women of color law graduates, as explained more fully in the next finding (see page 6), report lower satisfaction levels on these indicators as well as on advancement generally.

Satisfaction with Current Employer,
White Women and White Men
(Extremely/Very Satisfied)



Despite these similarities, white women law graduates are less satisfied with advancement than white men.

Satisfaction with Advancement Opportunities at Current Employer, White Women and White Men

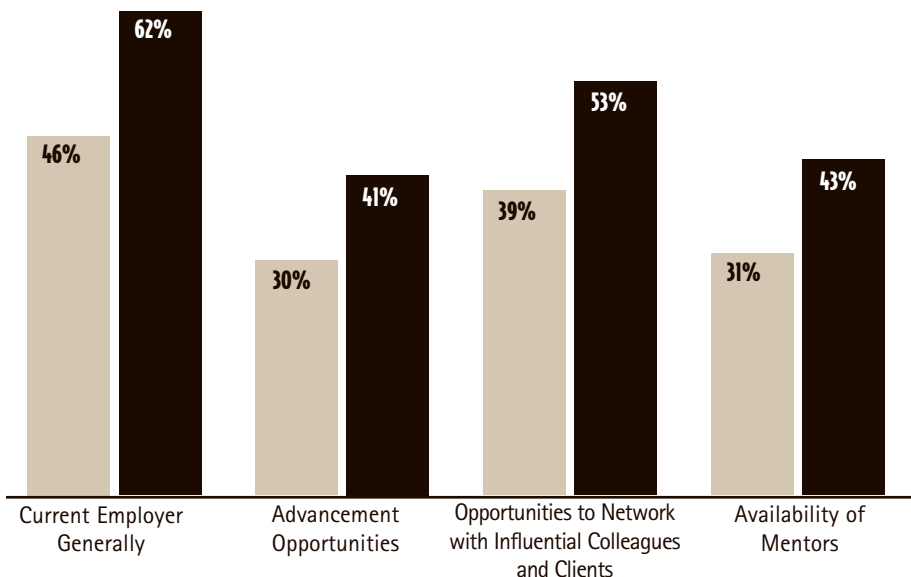


KEY FINDING

Women of color law graduates are the least satisfied overall, and in particular are less satisfied than white women law graduates with factors related to advancement.³

While 62 percent of white women law graduates are satisfied with their current employer, only 46 percent of women of color are satisfied.⁴ With respect to advancement, 41 percent of white women law graduates are satisfied, compared to 30 percent of women of color. Women of color law graduates also report lower levels of satisfaction with networking and mentoring—specific components of advancement.

**Satisfaction with Current Employer,
Women of Color and White Women
(Extremely/Very Satisfied)**



Women of Color White Women Law Graduates
Significant at .05 (2-tailed)

The only area in which women of color law graduates are more satisfied than white women is work/life balance, where 70 percent of white women law graduates say work/life balance is difficult compared to 57 percent of women of color.⁵ This is probably due to the demographic differences between white women and women of color:

Women of color law graduates are more likely than white women to:

- ▶ have graduated from law school in the 1990s.*
- ▶ be younger.*
- ▶ be single and have no children.*

*Significant at .05 (2-tailed)

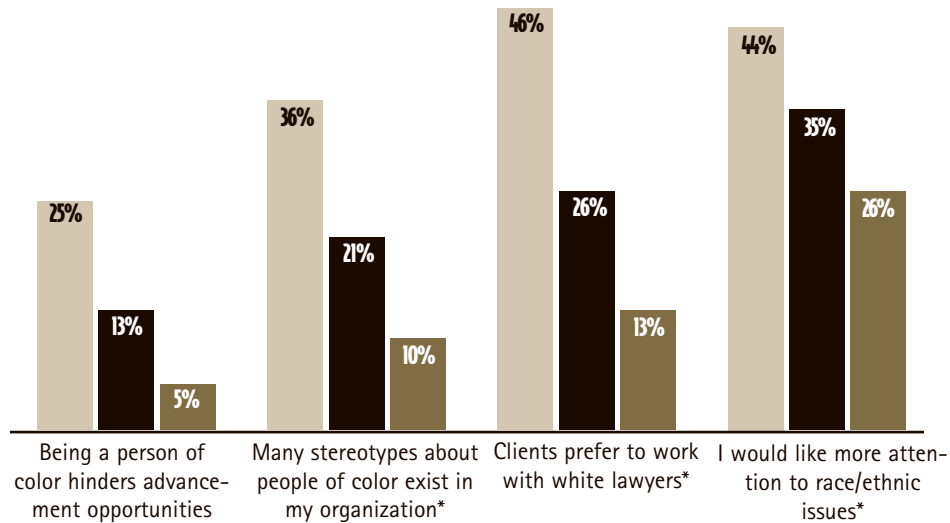
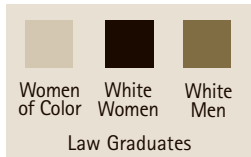
The low satisfaction rates registered by women of color law graduates can be explained in part by how they perceive the climate for diversity in their organizations. White men and women law graduates do not observe race issues in the same way that people of color do. The greatest gap exists between white men and women of color, but even white women significantly underestimate the importance of race.

³ There are only 63 men of color in Catalyst's sample, which is too small to responsibly draw comparisons with the other groups. The responses of men of color are for the most part in line with white men in this study and therefore are included in the overall men's responses.

⁴ Significant at .05 (2-tailed)

⁵ Significant at .05 (2-tailed)

Climate for Diversity, Current Organization, Women of Color, White Women, and White Men (Strongly Agree/Agree)



*Significant at .05 (2-tailed) between white women and women of color, and between white women and white men.

KEY FINDING

Despite similar satisfaction levels with their current employer, women law graduates do not intend to stay at their current job as long as men.

Overall, women law graduates plan to stay at their current jobs three fewer years than men. There are interesting generational differences as well with women graduates from the 1980s and 1990s anticipating staying four fewer years than their male counterparts.⁶ Women of color also anticipate staying four fewer years than white men.

Losing women, however, is not a foregone conclusion. This study identifies work environment characteristics that are positively associated with women respondents' reported intent to stay with their current employer.⁷ The women respondents who plan to stay over two years with their current employer report higher satisfaction levels⁸ than their counterparts who anticipate leaving earlier with respect to:

- ▶ advancement opportunities
- ▶ availability of mentors
- ▶ management of their organization
- ▶ professional development opportunities
- ▶ control over their work

⁶ Both are significant at .05 (2-tailed)

⁷ There were no factors for men that correlated with their intent to leave their current employer.

⁸ Significant at .05 (2-tailed)

Legal employers who ensure that their female employees are satisfied with these elements may in turn benefit from their increased commitment and willingness to stay.

III. Advancement Strategies

KEY FINDING

Men and women law graduates agree on what it takes to advance.

Both genders, in almost identical numbers, cite the same strategies for advancement.

Top Five Strategies for Advancement with Current Employer, By Gender
(Critically/Very Important)

	Women Law Graduates	Men Law Graduates
1. Demonstrating strong communication skills	79%	76%
2. Developing a style with which my manager/partners are comfortable	78%	72%
3. Taking initiative	75%	74%
4. Being a team player	70%	74%
5. Having recognized expertise in one or more content areas	67%	69%

IV. Barriers to Advancement

KEY FINDING

Even though men and women law graduates agree on advancement strategies, there is a profound perception gap about the barriers to women's advancement.

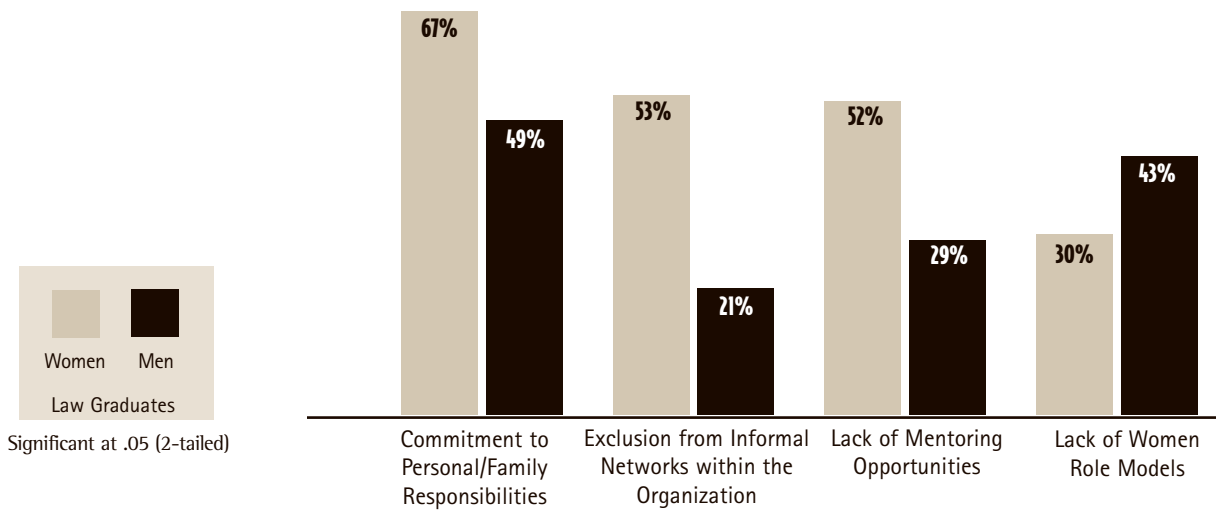
When asked about the barriers to women's advancement, men and women law graduates differ markedly in their responses. Men and women agree that the top barrier to women's advancement is commitment to personal and family responsibilities. However, 67 percent of women cite this as the most significant barrier, compared to 49 percent of men.

The close connection between work/life issues and advancement that women in the legal profession identify is not mirrored in the corporate world, according to other Catalyst research. Women executives in corporations ranked this barrier eighth in importance, and men CEOs ranked it sixth.⁹

The perception gap widens after the first barrier. Over 50 percent of women law graduates cite exclusion from informal networks within the organization as a barrier, while only 21 percent of the men see this as a barrier to women's advancement. Over 50 percent of the women cite lack of mentoring opportunities as a significant barrier, but only 29 percent of the men agree.

⁹ Catalyst, *Women in Corporate Leadership: Progress and Prospects* (1996).

Barriers to Advancement of Women Lawyers in Current Organization, by Gender (Strongly Agree/Agree)



These barriers are similar in that they are relationship-driven. Exclusion from internal networks and lack of mentoring opportunities both stem from intra-office dynamics, which in turn depend on the organization’s culture. Clearly, even with 15 years of women entering the legal profession in significant numbers, women do not perceive the professional culture as welcoming.

While men law graduates perceive lack of role models to be a barrier for women, women cite this as much less important than lack of mentoring opportunities.

V. Work / Life Balance

KEY FINDING

Men and women law graduates report similar levels and sources of work/life conflict.

Large percentages of men and women law graduates experience work/life conflict, defined as difficulty balancing the demands of work with the demands of a personal life. In particular, 71 percent of both men and women law graduates with children report work/life conflict. But this conflict is high even among those without children: 62 percent of women law graduates and 56 percent of men law graduates without children report work/life conflict.

Men and women law graduates cite the same sources of that conflict in almost the same numbers.

Top Three Work Factors That Adversely Impact Personal Life, by Gender (To a Very Great/Great Extent)

	Women Law Graduates	Men Law Graduates
Pressure to Provide Fast Turnaround	48%	46%
Excessive Workload	48%	44%
Unpredictable Client Demands	33%	38%

KEY FINDING

The careers of women law graduates are significantly affected by work/life issues, both in terms of advancement and career paths.

Even though men and women law graduates feel similarly about work/life conflict, women’s careers are impacted by this conflict in a way that men’s careers are not—yet. While 34 percent of women law graduates have worked part time, only 9 percent of men have.¹⁰ Women law graduates are almost four times more likely than men to have taken a leave of absence.

Work/life balance weighs heavily in the choices women law graduates make. For 45 percent of women law graduates, it is the number-one reason for choosing their current employer. It is important to note, however, that 34 percent of the men report work/life balance as one of their top three reasons for selecting their current employer.

Top Three Reasons for Selecting Current Employer, by Gender (Respondents could circle up to 3 reasons)		*Significant at .05 (2-tailed)
Women Law Graduates	Men Law Graduates	
1. Work/Life Balance (45%)*	1. Organization’s Reputation (43%)*	
2. Intellectual Challenge (42%)	2. Intellectual Challenge (39%)	
3. Organization’s Reputation (33%)*	3. Work/Life Balance (34%)*	

However, men and women law graduates differ most clearly in their decision to work a reduced or flexible schedule. Greater flexibility in work arrangements is among the top five reasons why women law graduates would leave their current employer—but doesn’t make the top five list for men. Close to half of the women want to have the option of a reduced work schedule, whereas men generally do not consider this an option.

Why? The answer may lie in the connection between flexible work arrangements and advancement. Men and women respondents agree that flexible work arrangements adversely affect advancement. Only 34 percent of the men and 25 percent of the women believe that they can use flexible work arrangements without affecting their career advancement. Women law graduates, whether by choice or by necessity, make that tradeoff, whereas men do not.

¹⁰ Significant at .05 (2-tailed)

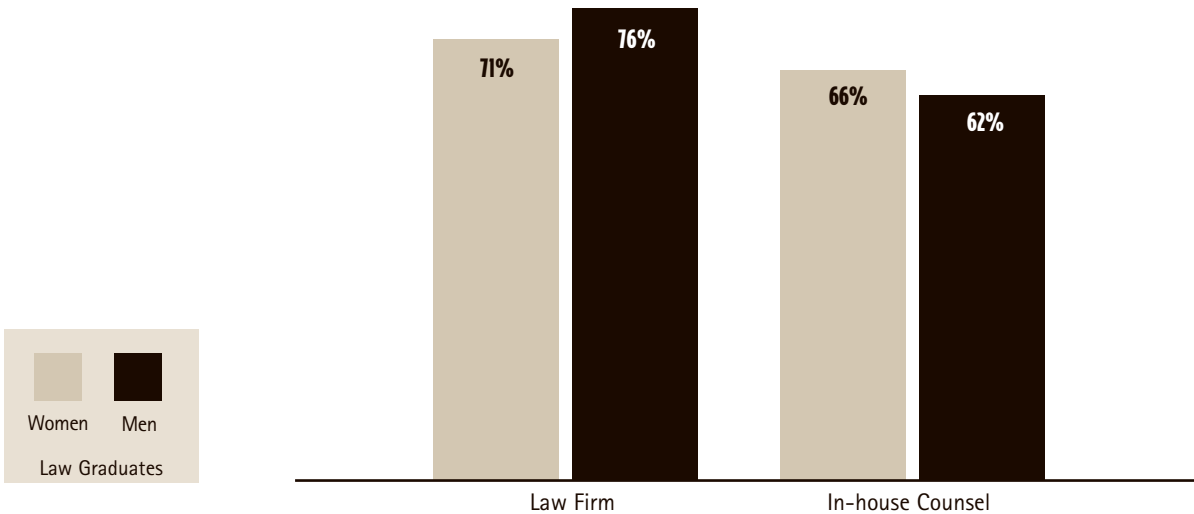
VI. Comparison of Law Firms and Corporate Legal Departments

KEY FINDING

Compared to law firms, corporate legal departments do not provide women with a significantly higher level of either advancement opportunity or work/life balance.

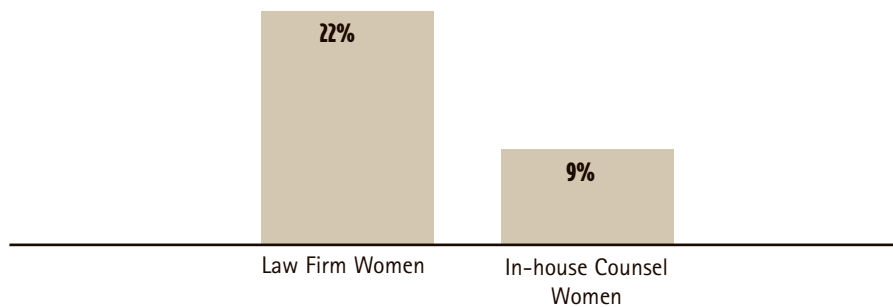
While 61 percent of women law graduates working in corporate legal departments as in-house counsel chose their job primarily for work/life balance, they report high levels of work/life conflict. Indeed, 66 percent of women in corporate legal departments report difficulty balancing work and personal life, compared to 71 percent of women in law firms.

Difficulty of Balancing Demands of Work and Personal Life, by Sector and Gender (Strongly Agree/Agree)



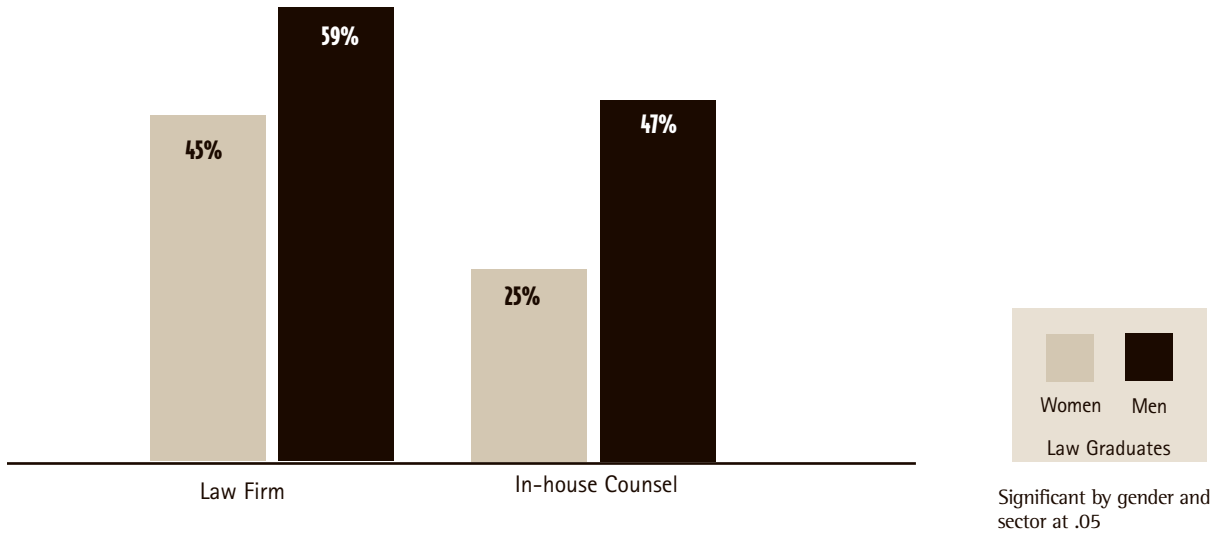
But most striking is the fact that women in corporate legal departments are more concerned about the negative career impact of flexible work arrangements than law firm women. Only 9 percent of women in corporate legal departments, as opposed to 22 percent of women in law firms, believe they can use flexible work arrangements without affecting their advancement.

Women Who Believe Flexible Schedules Won't Affect Their Advancement, by Sector (Strongly Agree/Agree)



Women in corporate legal departments are also less satisfied with advancement opportunities at their current employer than women in law firms, and the gender gap on this issue is most pronounced in corporate legal departments.

Satisfaction with Advancement Opportunities at Current Employer, by Sector and Gender (Extremely/Very Satisfied)



HIGHLIGHTS OF CATALYST RECOMMENDATIONS FOR LAW FIRMS

Establish the financial case for retention and advancement of women:

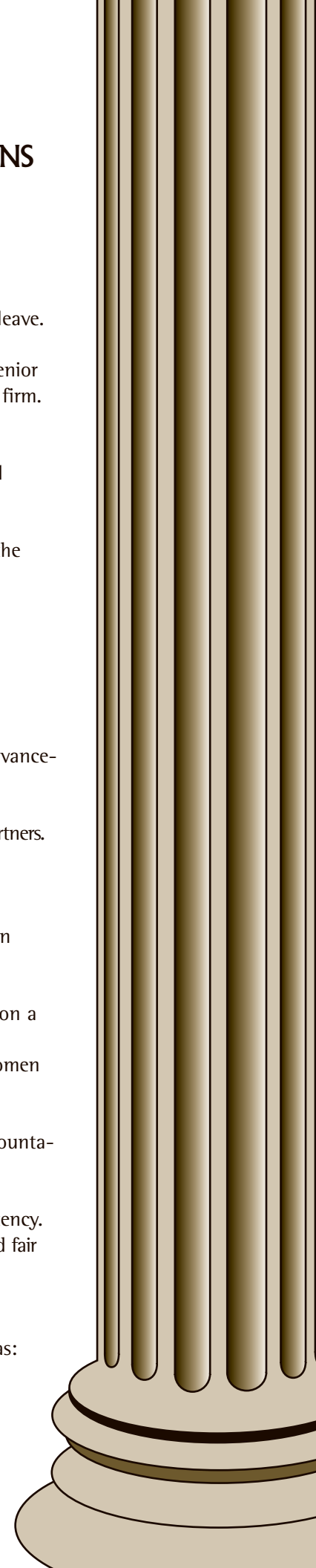
- ▶ Measure the cost of turnover:
 - ▶ Track turnover, including how many women and people of color leave.
 - ▶ Measure the direct costs of turnover.
 - ▶ Measure the opportunity costs of turnover, such as partner and senior associate time spent recruiting and training new attorneys to the firm.
- ▶ Understand the talent gap:
 - ▶ Track the number of men and women in the pool for partner and equivalent senior positions.
 - ▶ Track the number of men and women promoted.
 - ▶ Conduct confidential, postdeparture interviews with each lawyer the organization regrets losing.
- ▶ Understand clients' needs:
 - ▶ Perform a client survey that asks about the client's priorities and definition of quality service.
 - ▶ Interview alumni to determine their view of the firm.


Create a formal structure to support initiatives for the retention and advancement of women:

- ▶ Present the financial case for the initiatives to a group of senior-level partners.
- ▶ Include one or more representatives from top firm management.
- ▶ Treat the initiatives as an investment in the firm:
 - ▶ Treat time spent on the initiatives as billable time.
 - ▶ Allocate necessary support staff to the initiatives, including human resources staff.
- ▶ Set short and long-term goals for the initiatives.
- ▶ Communicate the importance of the initiatives, and their progress, on a consistent and periodic basis.
- ▶ Ensure that the initiatives address particular needs and issues of women of color.

Focus on effective management practices and systems and develop accountability for good management:

- ▶ Examine evaluation processes for frequency, objectivity, and consistency.
- ▶ Hold firm management accountable for conducting periodic reviews and fair evaluations.
- ▶ Examine assignment processes for objectivity and consistency.
- ▶ Link assignments to career development goals.
- ▶ Develop standards for good management that address issues such as:
 - ▶ Control over when and where work gets done.
 - ▶ Expectations regarding turnaround.
 - ▶ Creation of work deadlines.
- ▶ Develop incentives for meeting and exceeding management standards.





Support the choice to work a flexible or reduced schedule and create career path flexibility:

- ▶ Review with all firm management the strategic reasons for career path flexibility and the importance of communicating a commitment to making flexibility work.
- ▶ Develop a clear policy on how flexibility affects advancement, so there is no penalty to advancement for working a flexible schedule.
- ▶ Ensure that any policy on flexible work arrangements addresses schedule, compensation, benefits, work assignments, and performance feedback.
- ▶ Provide resources to those starting a flexible schedule, including someone to whom they ask advice, as well as technology-based resources such as a computer and fax at home.
- ▶ Allow those on flexible work arrangements to advance at a rate that takes into account the person's skill and contribution to the firm, as well as hours billed.

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Lastly, our sincere thanks to the following people at each sponsoring law school who were instrumental in supporting the study and providing us with vital information:

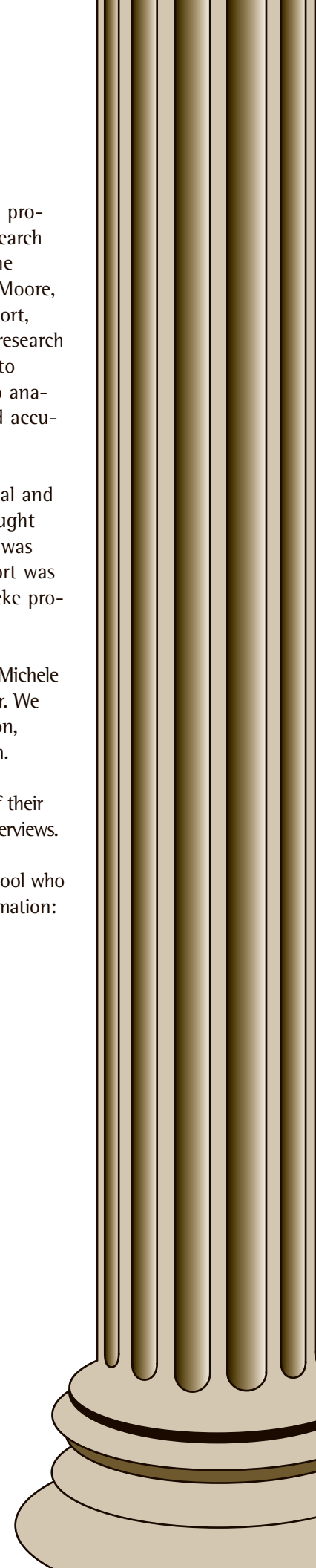
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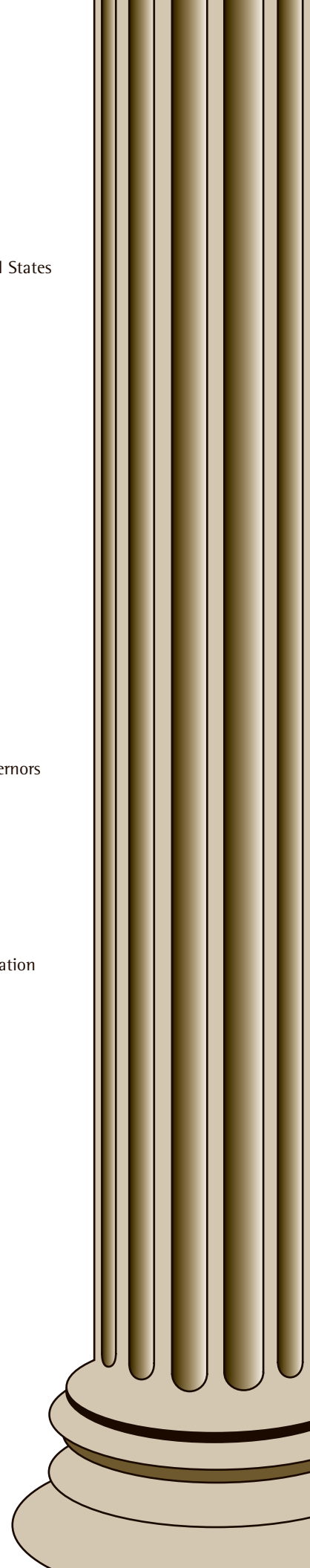
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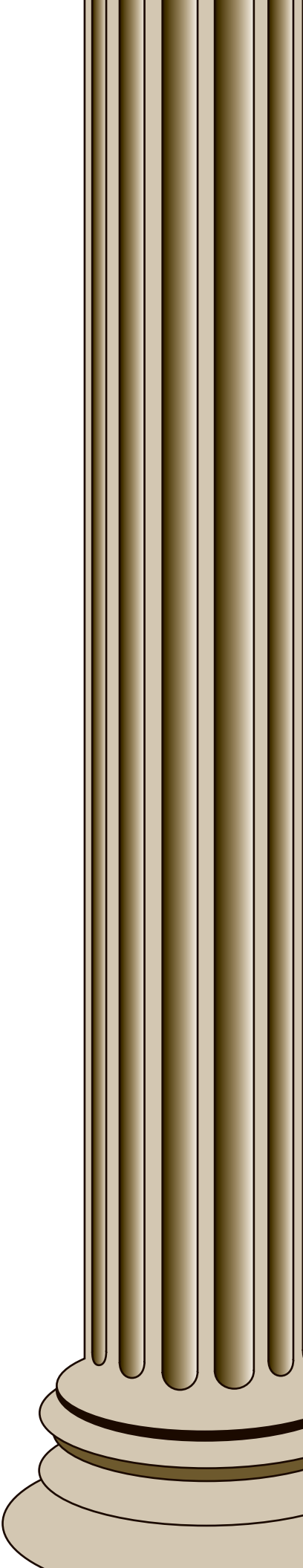
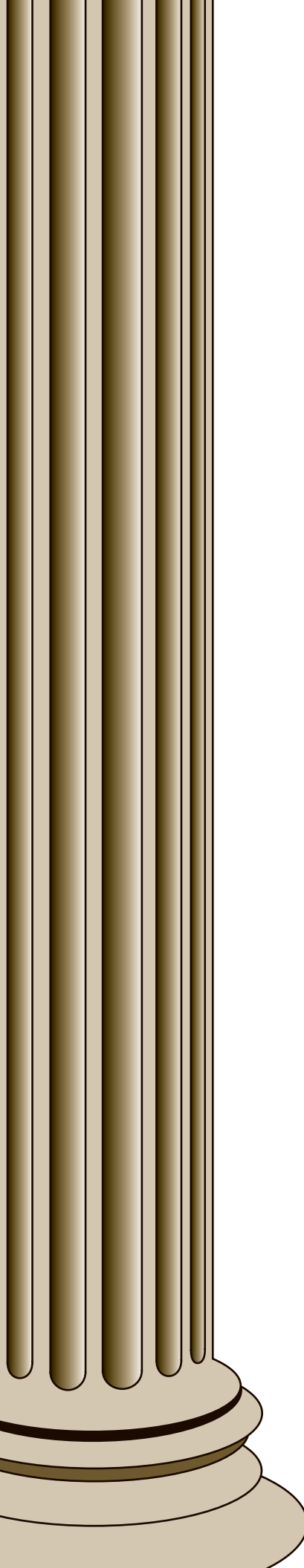
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