

Report & Recommendations

of the Gender Equality Task Force of the
Allegheny County Bar Association



Honorable Lisa Pupo Lenihan
ACBA Gender Equality Task Force co-chair

Gary P. Hunt, Esq.
ACBA Gender Equality Task Force co-chair

Ken Gormley, Esq.
ACBA President

Honorable Kim Berkeley Clark
ACBA Immediate Past President

Jay A. Blechman, Esq.
ACBA President-Elect

Gretchen Kelly, Esq.
Chair, ACBA Women in the Law Division

Linda Varrenti Hernandez, Esq.
ACBA Gender Equality Coordinator and Author of Report

David A. Blaner
ACBA Executive Director

*Allegheny County Bar Association
Gender Equality Task Force*

Hon. Cynthia A. Baldwin
David A. Blaner
Kimberly A. Brown, Esq.
Sheila Marie Burke, Esq.
Hon. Kim Berkeley Clark
Carrie Matesevac Collins, Esq.
Hon. Joy Flowers Conti
Carl G. Cooper, Esq.
Maria Greco Danaher, Esq.
A. Patricia Diulus-Myers, Esq.
Hon. Kate Ford Elliott
Laura E. Ellsworth, Esq.
Kenneth G. Gormley, Esq.
Linda Varrenti Hernandez, Esq.
Gary P. Hunt, Esq.
Marie Milie Jones, Esq.
Gretchen Lengel Kelly, Esq.
Dusty Elias Kirk, Esq.
Leslie Kozler, Esq.
Hon. Lisa Pupo Lenihan
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Lori McMaster, Esq.
Jacqueline Mirowitz, Esq.
Bryan Scott Neft, Esq.
Robert V. Racunas, Esq.
Mary Sue Ramsden, Esq.
Timothy P. Ryan, Esq.
Susan M. Seitz, Esq.
Arthur H. Stroyd, Esq.
Stephan K. Todd, Esq.
Thomas Van Kirk, Esq.
Keith Edward Whitson, Esq.
Michael H. Wojcik, Esq.

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Robert V. Racunas, Esq., Former ACBA President
Susan M. Seitz, Esq., Volunteer Editor
Keith Edward Whitson, Esq., Volunteer Editor

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Raising the Bar on Legal and Community Service

THE REPORT AND RECOMMENDATIONS OF THE GENDER EQUALITY TASK FORCE OF THE ALLEGHENY COUNTY BAR ASSOCIATION

Headquartered in Pittsburgh, Pennsylvania, the Allegheny County Bar Association (ACBA) is a professional organization with more than 6,500 members, including lawyers, judges, district judges, legal administrators, and paralegals. It was chartered in 1870 and currently has more than fifty committees, sections, and divisions dealing with legal issues.

This report is an analysis of information gathered between 2005 and 2007 by many sources. However, the members and staff of the ACBA recognize that while much has been researched and written on this subject, there is a lack of implementation and in some cases understanding with respect to the actions that must be taken going forward. Therefore, this report will also outline clear and verifiable means by which real change can occur. The most significant of these is the recommendation of the Task Force that the ACBA establish the Allegheny County Bar Association Institute for Gender Equality. (An outline of the proposal can be found on pages 14 and 15 and Appendix 2 of this report.)

While those involved with this process concur that there is no “quick fix” for questions raised by the 2005 survey concerning gender equity and the subsequent research, they are in agreement that now is the time for action. Rather than finger pointing, it is time for a united voice calling for action on the part of everyone to generate the most productive results. The proposed Institute is a results-oriented process that will offer collaborative and multi-faceted programs to address the issues facing female attorneys.

Our sights are now fixed on one goal—overcoming the barriers to women’s success in the legal profession by positive, forward movement.

I. SUMMARY OF THE 1990 SURVEY AND REPORT

In 1990, the ACBA Women in the Law Committee commissioned and distributed to all ACBA members a survey with a two-fold purpose: to gather general information about the membership and to examine the similarities, differences, and attitudes of male and female respondents regarding their legal careers. Significantly, the 1990 survey was designed to address the issue of gender bias in the legal profession in western Pennsylvania. At the time this was not an issue unique to the geographical area but was also studied by bar associations and blue ribbon task forces in a majority of the states.

The 1990 report based on the survey results addressed two questions. The first was whether gender bias existed at that time and the second was in what ways, should the bias exist, might it differently affect the careers of male and female attorneys.

The 1990 survey was responded to by 29% of the membership. Participation was voluntary, confidential, and anonymous. The executive summary of the 1990 report noted that the high response rate was an indication that the findings of the survey represented the views of a large cross-section of members.

While the 1990 report contained many statistics regarding the general membership, there were a number of findings pertaining to gender:

- 29% of the respondents were female.
- 71% of the respondents were male.
- Mean age of male respondents was 43 years.
- Mean age of female respondents was 36 years.

The 1990 report interpreted the data regarding the range of alternative working conditions and found that 60% of the respondents worked for employers who offered flexible working hours, while 39% had the option of job sharing. Law was considered a “high pressure profession” by 79% of the respondents.

The issue of a gendered pay differential was one troubling finding of the 1990 survey. The mean annual income range for females was \$35,000–\$45,999 while for men it was \$60,000–\$79,000. Perhaps more astounding than the disparity itself were the reasons offered for the difference in income by each gender. Almost 20% of the women who answered this query thought that gender was responsible for the difference in dollars, while less than one half of one percent of the males felt that gender played any role.

The 1990 report concluded that the most striking differences based on gender were that “females earned less than males, reported differential treatment, and assumed a greater share of domestic responsibility.” The report contained a further analysis of potential reasons why these results occurred and determined that “years of practice, area of practice, number of children under

eight years old, and marital status do not explain the differences in the income of male and female lawyers.” It further concluded that the female respondents held more “progressive attitudes” about gender roles than did their male counterparts.

II. SUMMARY OF THE 2005 SURVEY AND REPORT

In the spring of 2005, the Gender Bias Subcommittee of the Women in the Law Division of the ACBA commissioned a study that would update the information gathered in the 1990 survey and report. The commissioned study was conducted by Phyllis Kitzerow, Ph.D. and Virginia Tomlinson, Ph.D., who are faculty members in the Political Science & Sociology Department at Westminster College. While the 2005 survey contained some of the same queries found in the 1990 survey, it was expanded to include additional areas of relevance identified by the Subcommittee.

There was a 21% response rate to the 2005 survey, and the return was representative of the ACBA membership in terms of gender and years in practice. As with the 1990 survey, the responses were anonymous and confidential. Additionally, similar to the 1990 results, the respondents were overwhelmingly Caucasian—more than 95%.

The survey reported the following:

- 70.6% of the respondents were male.
- 27.2% of the respondents were female. (approximately 2% did not respond to this question.)
- Mean age of the male respondents was 50.4 years.
- Mean age of the female respondents was 42.9 years.
- Over 60% of both male and female respondents practiced in law firms.
- The largest group of female respondents graduated in the 1980s.
- The largest group of male respondents graduated in the 1980s.

The 2005 survey indicated that most of the respondents were currently employed full-time while women were about twice as likely as men to report being employed part-time. Women also reported being more likely to move out of the private practice setting (where both genders overwhelmingly reported beginning their careers) to alternative settings, including non-profit, corporate, judicial, or governmental positions. The survey additionally found that women were far more likely to move out of the mid to large size law firm environment into the settings described above, or into small or solo practice settings.

The 2005 survey found that men and women worked about the same number of hours a week, with a mean for the men of 48.5 hours and 48.25 hours for the women. Attorneys in large firms reported working the longest hours; the more recent the law school graduation date, the longer the hours worked. Additionally, the survey found that men were more likely to be involved in business development activities. Another significant finding in the “choice of employment” category was that women were more likely than men to choose a position based on the work/life balance it offered, while men more often made the choice based on compensation and prestige.

Some findings showed little or no change from the 1990 survey. In terms of income, there were many results consistent with those from 1990. When the entire group of 2005 respondents is viewed as a whole, there is a clear gendered discrepancy in earnings between the men and women. When this analysis is broken down into practice settings and gender, there continues to be a compensation disparity between men and women although the results are less clear-cut.

Overall, women who participated in the 2005 survey were more likely than men to report that they earned less than others with comparable education and responsibilities. While there were many statistics garnered by the 2005 survey on this subject, three speak particularly to income and earning power. They include the fact that no female respondent who graduated from law school in the 1990s was earning above the \$200,000–\$249,999 level, while over 10% of the male graduates for the same time period were being compensated at that level. In 2005, only 5% of the female respondents earned \$250,000 or more while almost 20% of the men earned at this level. Also, while the rank of the law school an attorney attended (based on the *US News & World Report* law school rankings) seems to impact earning power, no female respondents from the top tier law schools who responded did in fact break this economic barrier.

While the statistics do not present a completely comprehensive analysis of the pay disparity question, the authors of the 2005 survey found it important enough to state that “[p]erhaps our most important finding is the difference in income by gender.”

When questioned about whether too much attention is paid to the “wage gap” described above, 50% of the men who responded agreed with that statement, while only 17% of the women concurred. While nearly all respondents agreed that the law is a “high pressure” profession, women were more likely to profess that it has a negative effect on physical and mental health than their male counterparts.

The 2005 survey examined job satisfaction extensively and concluded that women were twice as likely as men to be dissatisfied with their employment situation. In addition, that level of dissatisfaction carried over to women's beliefs about salary decisions and promotion policies. While men became more satisfied as salary continued to rise, this was not the case for female respondents to the survey, which also reflects the responses concerning why men and women choose employment situations. Of the men responding, 70% would definitely/probably choose the practice of law again for their career. In contrast, only 54.7% of the women would make that same choice.

The 2005 survey deals with the question of perceptions and attitudes in much greater depth than the 1990 survey. The 2005 findings include the fact that women were "significantly more likely" than men to report discrimination for all of the questions involving women and the majority of questions involving minorities. Additionally, women were not as likely as men to feel that they were "always" treated with respect. A much higher percentage of women than men felt they were not treated honestly by their colleagues and that discrimination had "sometimes" affected the outcomes of cases or transactions.

The 2005 survey included several questions intended to evaluate home life. While some of the facts have changed since the 1990 report, women are still responsible for a larger share of the "work" at home than are men. Women spend 10.55 hours/week on household obligations while men responded that they spend approximately 8.55 hours at these tasks. These numbers increase significantly for women in dual career families, where women attorneys reported spending an average of 12.13 hours on household chores while their male counterparts spent only 8.82 hours on such chores.

The 2005 survey examined the issues of title and status, as did the 1990 survey. The results confirm that men are most likely to be equity partners while women were more likely to be associates. While the survey also suggests that men are more likely to be on the partnership track than women, this may be attributed partially to the earlier graduation dates of the male respondents.

Based on survey results, the Task Force believes there remain unresolved problems related to gender that impede women's success in the legal profession. At the very least, these problems include equitable compensation, satisfaction with the profession, discrimination against women and minorities, lack of opportunities for advancement, and retention of women in the practice of law.

While not an exhaustive list, these are the noteworthy findings from the 2005 survey. They certainly provide a broad range of issues from which to begin the next phase of work. There is no lack of challenging opportunities going forward.

III. AFTER THE SURVEY

The Gender Equality Task Force was formed in the fall of 2006 in response to the 2005 survey results. The ACBA leadership and membership realized that simply "having" this information was not enough. Change was clearly mandated to make gender equality a top priority, and the creation of the Task Force was the first step forward. Then ACBA President, Robert Racunas, Esquire, was extremely instrumental in establishing the Task Force and supporting the on-going initiative at every stage.

Realizing the challenging nature of this undertaking, the Task Force was made up of leaders from all levels of the profession, including managing partners, in-house counsel, educators, and the judiciary. (A complete list of members is included on the inside front cover of this report.) The Honorable Lisa Pupo Lenihan, United States Magistrate Judge, and Gary Hunt, Managing Partner, Tucker Arensberg, PC were appointed co-chairs of the Task Force.

The Task Force was created to evaluate the survey findings, develop a strategy to address the issues, and raise awareness that gender bias continues to exist in the legal profession both nationally and locally in Allegheny County. This information was distributed to both the legal community and to the public in general. The need for meaningful change was stressed from the inception of the Task Force and has remained a major emphasis throughout.

Additionally, the Task Force committed to further investigate the findings from the 2005 survey. This was done through a series of focus groups, one-on-one discussions, and analysis with a cross-section of female lawyers in the Allegheny County area. This was a key decision in that the additional research validated and supplemented much of what was communicated in the survey responses. This was a time-consuming and scholarly effort, one that was key to a further understanding of the women who participated, if change was to take place. It also allowed the anonymous participants of the survey to become real in many ways.

It became apparent to all those involved with this effort that the answers to the issues presented were as varied and complex as the problems themselves. As such, the Task Force made it a goal to develop recommendations that would address the key themes identified in the 2005 survey and the subsequent research within the membership. The Task Force chose to focus on the major issues of equality of compensation, job satisfaction, retention of women in the profession, and perceptions and attitudes related to gender. These were all identified from information gathered from the survey itself.

Important to the success of the effort was the intention of the Task Force to develop “strategic alliances” with all stakeholders throughout the legal community. These included law firms, law schools, the judiciary, corporate legal departments, the government, and sole practitioners. The Task Force believes and research continues to confirm that a collaborative effort will meet with the highest degree of success. From the beginning, the building of these relationships has been a priority and will continue to be.

The Task Force was divided into four Subcommittees in order to deal most efficiently with its stated goals. The Subcommittees delved into the key areas of Work-Life Balance and Compensation, Job Satisfaction and Retention, Perceptions and Attitudes, and Best Practices. Each of the Subcommittees was charged to analyze the 2005 survey results relating to its particular topic, distill the major problems the results illuminated, gather further information on those results, and report its findings to the Task Force along with recommendations for proposed solutions to the problems raised in its focus area.

A. Results of the Work-Life Balance and Compensation Subcommittee

The Work-Life Balance and Compensation Subcommittee held two discussion groups with members of the ACBA subsequent to the release of the 2005 survey results. An open invitation was communicated to the ACBA membership that emphasized the confidentiality of the meetings. Women from senior managing partners to law clerks participated in the discussions. The Subcommittee then convened to discuss the information gathered at the group meetings, review further scholarly research, and distill its findings.

The Subcommittee identified work-life balance as an issue of critical importance to female lawyers. After talking with the focus groups, the Subcommittee found that the term “work-life balance” did not mean that women expected the practice of law to be stress-free. Rather, it found that female attorneys place a great importance on having both a challenging and interesting law practice *and* an emotionally satisfying private life. Women gave high priority to their legal careers as well as their private lives, rather than prioritizing career over private life as has been the traditional male model of legal practice. The Subcommittee found that women expected this balance and that the practice of law in today’s marketplace very often did not support this value. When the elevation of practice demands led to the suppression of private life, this was a trigger point for women’s dissatisfaction with their current practice of law, and in many cases for leaving the profession or finding an alternative position. The Subcommittee determined that a significant difference exists in male and female attitudes regarding work-life balance and that education and understanding is necessary regarding both male and female views to insure that women remain in the profession. It recommended programming to address such issues going forward.

In addition, feedback from the discussion groups held by this Subcommittee shows that the participating women perceived active gender bias to be a recognizable component of their work environment that presents a barrier which men do not typically encounter. Women are treated differently than men in their practice for reasons they believe are inappropriate. They believe that this disparate treatment results in inequity in compensation, work assignments, and leadership opportunities. Bias is an area they believe must be accounted for as it relates to these important career components.

The lack of mentoring and business development training were also identified as significant issues. The focus groups found these issues to be related to the retention of female lawyers and were two of the key reasons for this loss. The Subcommittee noted the severe consequences for law firms of failing to retain female lawyers and for ignoring that loss. These include the enormous financial impact to the entity that trains a lawyer and then loses him/her after 4–6 years. Studies put this cost between \$200,000–\$500,000. They also note that as women achieve greater success in corporate America, there will be more women in positions of power who will demand that women be assigned to their business matters. This is already taking place pursuant to many governmental guidelines. It is pressing that law firms recognize this need and take steps to retain the female lawyers they recruit so that they will be ready to meet this demand. It is also imperative that firms acknowledge that women in leadership positions will represent increased possibilities for female attorneys in terms of networking and business development, thus presenting an opportunity that law firms will miss if they fail to retain female attorneys. All of these consequences impact the bottom line of legal organizations and must be taken very seriously.

Recommendations of the Subcommittee to address the problems of work-life balance, unequal compensation, and the lack of mentoring and business development education include the development of an appropriate mentoring system, transparency in the assignment of cases, and the creation of a compensation system for both male and female attorneys geared to eliminate the potential for bias. Increased business development training and monitoring programs should be developed so that all attorneys are given access to business development opportunities. The Subcommittee found that female attorneys valued public service and would benefit from the creation of programs that also value and recognize community service. The Subcommittee

recommended the creation of a means by which compliance with the Best Practices in the industry can be evaluated, measured, and communicated. The legal profession must recognize and address the serious economic damage to all legal entities caused by the lack of retention of female attorneys. Looking to the future, the Subcommittee recognizes the importance of corporate and community support of these goals if gender equality in the profession is to be realized.

B. Results of the Job Satisfaction and Retention Subcommittee

The Job Satisfaction and Retention Subcommittee approached its assigned area by three methods. (1) It researched and reviewed surveys and reports of other bar associations and legal organizations on the topic of gender equality. (2) It conducted discussion groups with female attorneys to address job satisfaction and retention of women in the profession. (3) It met individually with female lawyers who either had left the practice of law or who were currently in non-traditional settings. The purpose of these particular interviews was to discern what, if anything, could have convinced these women to remain in the private practice of law.

This Subcommittee also researched these questions extensively in the national arena. The work was thorough and the Subcommittee produced a lengthy report. This research further confirmed that the results of the 2005 survey were similar to those across the country, serving as additional validation of the results and the need for action.

Additionally, the Job Satisfaction and Retention Subcommittee spent a great deal of time and energy conducting three focus groups. Attending these discussions were female members of the ACBA. Careful attention was put into the planning of these meetings and the types of questions that would be used to generate discussion. At the beginning of each session it was communicated that the purpose of these assemblies was to find positive solutions in the form of Best Practices. As with the previous focus groups, anonymity was assured for the participants, although some demographic information was voluntarily submitted during the process.

The focus groups supported the 2005 survey findings and brought to the forefront several recurring themes that coincide with the work the Task Force plans to implement going forward. First, the women spoke often and strongly about their feelings of isolation in a male-dominated workplace. This was true regardless of the size of the workplace or whether or not they were satisfied with the other components of their career. They commented about “not being included or understood” and felt they were often ridiculed when they tried to spend time with other female attorneys.

Secondly, there was a heavy emphasis on the fact that change could only occur with the support of the people in power. There is recognition that unless a program is totally supported by leadership it will be ineffective. One example of this relates to the concept of mentoring. While the women spoke often about mentoring and how such attempts may or not be effective, they made it clear that if there was no formalized follow-up to such attempts, the attempts were generally unsuccessful. Another facet of this issue was the non-value placed on the informal efforts of women to mentor other female attorneys. The perception of those attending the focus groups was that decision-makers saw this as a “waste of billable time.”

Another area of interest to the participants was the importance of self-development. This took many forms, such as: business development, career planning, self-promotion, negotiation, leadership development, balance in work and family, coping skills, part-time opportunities, and networking. Self-development is certainly an area the women in the focus groups were anxious to pursue and for legal employers to recognize as important. The evidence from this Subcommittee is that female attorneys want continued development in these areas and will take advantage of any such programs offered to them.

The Subcommittee also examined the need for transparency in the compensation arena. The participants spoke often of the disparity in compensation and the way in which assignments are distributed. There were many comments testifying that often the structure of management’s decision-making process is non-existent, inconsistent, and/or not communicated. This leads to a feeling of hopelessness as expressed by the women attending the groups. One suggestion was that employers should conduct “internal audits” of salary by gender to determine if a discrepancy actually does exist and then develop strategies to address those discrepancies. There was considerable discussion in all groups regarding the progress made by accounting firms in these areas and the application of that model to law firms.

One theme remained throughout all the focus groups—the need for continued education for all the members of the ACBA regarding these issues. There was complete agreement that these issues are complex and persistent, and addressing them and resolving them must become a priority for the ACBA and its membership, now and in the future.

C. Results of the Perception and Attitudes Subcommittee

The Perception and Attitudes Subcommittee was charged with exploring the perceptions and attitudes identified in the 2005 survey. The purpose of its investigation was to further understand the nature and source(s) of the issues that surfaced in this section of the survey. It also was charged to identify recommendations for further action and study. It is important to note that the Subcommittee conducted its research without regard to whether the perception or attitude identified in the 2005 survey was true or false, except to identify the appropriate remedial mechanism, as any gender-related perception or attitude would contribute to the issues identified as problematic.

While the survey results contain examples of bias-based behavior, it is illuminating to identify some of the more notable instances. Women generally felt a higher degree of discrimination than men in several areas. These included jokes, degrading remarks, and disrespect while speaking. 60% of the female respondents reported that such discriminatory conduct did or sometimes did affect their professional development. By contrast less than 10% of the male respondents believed discriminatory conduct had an effect on their career development. Women were more likely to agree that the practice has negative effects on their physical and mental health.

Using this information, the Subcommittee organized focus groups to better understand the survey results. It arranged a focus group to discuss the perceptions and attitudes previously identified in the survey. While not a comprehensive list, some areas covered included the assignment of cases, professional development, lifestyle issues, wage differentials, and disrespect of female attorneys when they are speaking.

When addressing the issue of compensation, female lawyers in the focus groups reported that they perceive a wage gap between themselves and similarly situated male counterparts. They additionally believe that they are doing more work for less pay, and that there exists a “glass ceiling” that adversely impacts their career trajectory. These women also perceive that bias exists toward them in decision-making regarding not only compensation, but career advancement and work assignments.

The results of the focus groups indicated that some women believe that men are held to different standards regarding professional demeanor and behavior than their female counterparts. An example given was women displaying emotions and the reaction to such by those in authority. The perception expressed is that men who react emotionally elicit a different response than women. While women felt they were professionally punished for stereotypically female emotional displays, men who engaged in such stereotypical behaviors were sometimes rewarded.

Additionally, the focus group reported beliefs that more mentoring opportunities exist for men than for women. The group expressed the belief that men are most often given preference for “lead attorney” assignments over women. In terms of lifestyle balance, the participants reported their belief that there is a disparity in the way employers handle issues of family commitment when presented by males as opposed to females. The consensus is that males receive better treatment in this area. When men dealt with family duties they were often seen as good parents, but when women had family duties they were perceived as being uncommitted to their jobs.

After analyzing the focus group results, the Perceptions and Attitudes Subcommittee provided several recommendations as a first step to producing better outcomes for female attorneys.

The development of a mentoring program in cooperation with the ACBA as a whole, its Women in the Law Division, and its Managing Partners Committee was seen as an integral component of a cohesive solutions program going forward. Additionally, the Subcommittee felt that the managing partners/decision-makers should be encouraged to help develop meaningful mentoring initiatives in their own entities. Significantly, another part of this recommendation was that the ACBA should develop a training program for mentors, as not everyone has the skills necessary to be an effective mentor. Additional recommendations included having the ACBA assist legal employers in developing these programs through training, which should be offered annually by the ACBA for CLE credit.

The Subcommittee also recommended the teaching of personal negotiating skills for lawyers. The Subcommittee affirms that such skills are essential for attorneys, and understanding how compensation decisions are made is also critical to creating a sense of gender equity in the workplace.

“Closed” compensation systems were addressed as they relate to the perception of the existence of a wage gap. A “closed” system is one in which the decision-making process is not transparent and little is known or communicated as to how or why decisions are made. The Subcommittee recommends that the Managing Partners Committee of the ACBA independently study the issue of “closed” compensation organizations and make a determination as to whether such systems contribute to gender bias

in the profession at large and in their own firms in particular. It was also suggested that the same study address the issue of advancement within a legal organization and illuminate the process of how the decisions regarding partnerships are made.

The Perceptions and Attitudes Subcommittee also addressed the issue of family by suggesting the Managing Partners Committee develop Best Practices in this area. Legal employers must understand that some women have children and family obligations, and that can be compatible with the practice of law. Female attorneys reported the perception that if they had children, it was taken as a sign that they were uncommitted to their careers. The Subcommittee suggested that the Managing Partners Committee study the practices that corporate America has developed to overcome such perceptions as an aid in discovering what has been successful in that arena. Specifically, accounting firms have been leaders in this arena, implementing the concepts of “on-ramps and off-ramps” as ways to support and retain women who are balancing the needs of career and family.

Lastly, the Subcommittee strongly endorsed the further study of the unique issues facing women of color in the legal profession. African-American women who participated in the focus groups feel that race is an important and equally critical factor that causes their sense of inequity in the workplace. In response, the Subcommittee additionally recommends collaboration with the Diversity Coordinator of the ACBA and the Homer S. Brown Law Association to address these issues. Most importantly, the Subcommittee further recommends training in “cultural competency” as a significant means to address this problem.

D. Results of the Best Practices Subcommittee

The Best Practices Subcommittee was established to create an archive of reports, literature, and articles concerning efforts by bar associations across the country to deal with gender bias, and to identify Best Practices for correcting gender-based inequities. It was also charged with identifying which legal entities in western Pennsylvania, if any, have successfully addressed some or all of the issues identified in the 2005 survey and subsequent focus groups.

The Subcommittee communicated with legal entities registered with the Allegheny County Bar Association, enumerating the 2005 survey results and explaining that the Subcommittee was currently “gathering information about effective strategies for promoting gender equality in the day-to-day culture of law firms and other legal employers.” The letter asked each of these legal entities to provide feedback (either in writing or in an interview) on the procedures and strategies it uses to address these issues. Specifically, the Subcommittee asked for “practical strategies such as part-time scheduling, non-traditional paths toward partnership and career advancement, and opportunities for professional development.” The stated goal of this Subcommittee was to aid in the creation of a positive working environment for all lawyers in Allegheny County.

Perhaps due to concerns relating to privacy and confidentiality, only six entities responded. However, despite the limited pool of responses, much was learned in this process.

Of the six responding entities, two had programming specifically designed to address gender issues. One entity had launched an initiative overseen by a specific partner, and it was very clear from the interview that it has the strong commitment of top management. The program itself is multi-dimensional and includes workshops to develop personal skills of both men and women. This effort includes, among other things, “lessons” on professional development and a mentoring program that is accountable to management.

Another employer (who provided a written response only) described a program specifically designed to increase the amount of revenue generated by women. The program included improving marketing skills, increasing access to new business, and creating brand recognition around the quality and talent of women. Lawyers employed with this entity reportedly were permitted to work reduced hours and maintain upward career mobility, and the criteria for upward mobility were transparent for both male and female attorneys, including comprehensive yearly evaluations.

The other responding employers confirmed they had no “women’s programs” in place at the current time, although several were trying to incorporate strategies for addressing some of these issues into their corporate culture.

Although the Subcommittee was disappointed with the level of voluntary response to these requests, it was a valuable process nonetheless. The responses confirmed that many employers are looking for assistance in these areas. Employers admitted that many of these issues are too complex for “working” lawyers to tackle and as such, they seek advice and education in these areas. The Subcommittee submits the Best Practices listed in Appendix 1 for all legal employers who wish to begin the process of growth and development. These Best Practices have been identified by national and local sources as essential to providing change.

Moreover, the Subcommittee assembled an archive of reports, articles, and information concerning gender bias in law and other professions, as well as Best Practices to correct such bias, forming the foundation for a blueprint aimed at development of future practices.

Based on its own work and that of all the other Subcommittees, the Best Practices Subcommittee established the following themes in the process going forward:

1. Professional Development, Leadership, and Growth
2. Job Advancement, Satisfaction, and Retention
3. Compensation
4. Work-Life Balance
5. Perceptions and Bias
6. Cultural Competency

The Subcommittee recognized that these cover a broad spectrum, but believed they would allow for discussion and education regarding almost all areas of concern identified to date. For example, business development initiatives fall within the scope of the first two topics, and transparency of the criteria by which compensation decisions are made will be addressed as part of the third theme. In addition, these wide-ranging topics will allow for the inclusion of many additional issues of concern that are identified as the process continues.

Although the work of the Subcommittees has now been completed, it is readily apparent to the Task Force that if resolution of these issues is our goal, more effort is needed going forward. In keeping with its commitment to this ideal, the ACBA hired a Gender Equality Coordinator, Linda Varrenti Hernandez, in July 2007.

Hernandez began law school in 1997 at the age of 45 and graduated in 2001 from Duquesne University School of Law, having received the Outstanding Female Graduate award. She and her husband, William, are the parents of three daughters, one of whom graduated from law school in the same year as her mother. They also have two grandsons. Hernandez is also of counsel with the law firm of Dickie McCamey, LLC.

The Coordinator's role includes consensus-building, education, and coordination of all efforts to address the issues identified. It is notable that the Allegheny County Bar Association is the only bar association in the country to fund such a position, even though many associations have conducted surveys that produced similar results.

IV. THE NATIONAL PICTURE

The results of the ACBA's surveys and the findings of the Subcommittees noted above have been confirmed by surveys and studies in other regions and studies addressing national (and in some cases international) endeavors. Numerous surveys and reports have been conducted around the country in the past decade with similar results. Significantly, studies from New York to Wisconsin to Georgia and California have all identified the same issues identified in the ACBA's surveys. Publications ranging from *Working Mother* magazine to the *Wall Street Journal* regularly inform lawyers and non-lawyers alike about these topics. However, although studies and articles routinely identify the same issues of concern, these studies and articles have not yet offered concrete suggestions for long-lasting, measurable solutions for women who feel disenfranchised in the current practice of the law.

The practice of law has changed dramatically over the past fifty years. These changes include dramatic shifts in the size of firms, billing methods, and the use of technology. However, one of the most dramatic and noticeable changes is the increase of female participation in the legal profession. In 1955, women comprised 3.7% of all law school classes. By 2005, women comprised 47.5% of law school classes and today many publications report that this figure may be at 50% or slightly higher.

Nationally, one of the most-analyzed issues is the high attrition rate for female attorneys from the practice of law. This attrition rate is evidenced by the under representation of women at the highest levels in law firms and corporations alike. Women are absent in the ranks of partners, general counsel, committee chairs, and members all over the country. Over and over the question is "Where have all the female lawyers gone?" This problem persists in Allegheny County as well, as indicated by the lack of satisfaction professed by many female respondents in the 2005 ACBA survey report. In fact, whereas 17.29% of all partners nationally are women, in the Pittsburgh area that number is only 15.76%. There is little question that female attorneys in the Allegheny County area are "opting out" before many of them reach leadership status.

While there are a plethora of reasons for the female exodus, one of the most often cited reasons nationally is the work-family issue. Survey results from around the country cite to this as one of the major reasons women leave rather than advancing in law firms. One of the most commonly suggested solutions to this dilemma is allowing reduced hours or part-time work. However, research confirms that women who choose this work arrangement are viewed as less committed than others, and that perception negatively impacts their opportunity for advancement within the organization in many instances. Even under these

circumstances, a study by the Massachusetts Women's Bar in 2000 reported that 90% of respondents confirmed that their employer's willingness to accept reduced hours has affected their decision to stay in the firm. Among both men and women, the top three reasons for leaving firms are long work hours, work load pressures, and difficulty integrating family and work.

Notably, women are far more likely than men to identify the "work-family time squeeze as [the] primary" reason for dissatisfaction. A study conducted by the MIT Workplace Center Surveys on Comparative Career Decisions and Attrition Rates of Women and Men in Massachusetts Law Firms (Spring 2007) reported that the reason for the above discrepancy is that a higher percentage of male attorneys have spouses with a lesser commitment to their own careers (or have no careers at all) and as such are in positions to provide time for family care. The report points out that women are more likely to have partners/spouses with an equal or greater commitment to their professional development, and therefore, women are less able to rely on their partners/spouses for family support. Therefore, the possibility of alternative work arrangements becomes attractive to the women struggling with this dilemma. However, because women who choose alternative work arrangements are often viewed as less committed to their careers, they are placed in a no-win situation.

Similar to the findings of the ACBA surveys, a survey conducted by the New York State Bar Association Committee on Women in the Law in 2001 confirmed gender disparities in pay, especially at the highest pay levels. This was most pronounced among those attorneys in private practice and to a somewhat lesser degree with in-house counsel. Interestingly, the New York results also described a disparity between genders regarding the average billing rate.

The results of the New York state survey also suggested that "committee memberships" impacted compensation in a negative way for women. Specifically, women in private practice were most often placed on the firm's associate and diversity committees, but were much less likely to be on the firm's executive or compensation committees. The survey results indicate that those individuals on the more prestigious committees receive higher earnings.

Gender-related disparities in compensation and work assignments are not issues particular to the Allegheny County area. Many other findings make clear that these disparities exist throughout the nation.

Additionally, the New York state survey examined gender discrimination in the workplace more extensively than the ACBA survey. This survey found that women were more likely than men to report discrimination based on gender. Such discrimination included demeaning or sexist jokes, condescending treatment, inappropriate use of endearments, inappropriate comments on dress or appearance, sexual teasing, sexual looks, and in some cases touching or pinching. Though other bar associations did not examine these issues as comprehensively as the New York State Bar survey, the collective results of these other surveys demonstrate that gender discrimination in the legal workplace is prevalent around the country.

Many of the national studies and surveys reported Best Practices as first steps in addressing these issues. Additionally, they examine how they might stem the tide of females exiting the legal profession. Many of these suggested Best Practices mirror the proposals of the Gender Equality Task Force of the ACBA and its four Subcommittees.

An example of these proposed solutions can be found in the New York City Bar Committee on Women in the Profession study titled *Best Practices for the Hiring, Training, Retention and Advancement of Women Attorneys* released in February 2006. (See Appendix 1.) This study begins with the premise that although fixing the problems is not cost-free, not to do so may bring much larger costs to legal employers. For example, high attrition rates impact the firms' bottom line in terms of monies lost in recruitment and training when an attorney departs.

A less tangible cost, but an important one to consider, is the loss of potential clients because of the lack of a diverse legal workforce. In addition, those firms that do not take steps to hire and retain women have a more limited pool of highly qualified lawyers. Logically, because the numbers of law school graduates has been stagnant or in some cases declining, employers who do not hire and retain women will not obtain the lawyers of high quality they need to remain competitive. Varying sources maintain that women now comprise up to 50% of most law school classes.

The New York City Best Practices report emphasizes the extreme importance of commitment by senior management if substantive change is to be achieved. The findings of the ACBA also demonstrate the significance of this component if effective change is to occur. A necessary component to management commitment is accountability of the organization. Commitment without a vehicle to measure success is an empty effort. Therefore, it is recommended that a system be established to monitor outcomes and that confirms those responsible will be accountable for their action or inaction.

Career advancement is another area addressed by the New York City "Best Practices" report. The report recommends "transparency" of the criteria required for promotion and advancement. The ACBA Task Force echoes this call for clear information, and endorses transparency with respect to compensation decisions and work assignment as well.

Like the New York City Report, the ACBA Task Force also recommends the implementation of best practices addressing workplace flexibility, mentoring, and developmental training.

This overview is not intended as a comprehensive review of all studies, surveys, reports, and actions taken across the country. (See attached reference page for additional sources.) Rather, it is intended to demonstrate that the findings of the ACBA surveys are consistent with findings of other national surveys and reports. It is beyond dispute that many female attorneys are sharing similar experiences regardless of where they reside, and that education and action plans are required to realize these women's professional potential.

V. INITIAL PROPOSED ACTION

It is obvious from both the regional and national studies that action is required now if sustainable results are to be accomplished. While various reports and articles may provide piecemeal suggestions for change, research thus far shows no comprehensive approach that will attack these issues at the multi-dimensional levels required.

The Task Force has carefully studied these topics and believes that to successfully address and correct these issues a comprehensive plan is required. The time for "talking" about gender equality is past and the emphasis going forward must be on a collaborative effort to secure real change for all stakeholders. This includes decision-makers, practitioners, and law students. While not specifically part of the 2005 survey, law students have been an integral part of the discussion both in the Allegheny County area and nationally. A comprehensive solution must include all of these parties.

Additionally, this comprehensive approach will include each of the broad themes identified by the Task Force. These include Professional Development, Leadership, and Growth; Job Advancement; Satisfaction and Retention; Compensation; Work-Life Balance; Perceptions and Bias; and Cultural Competency. As stated previously, the ACBA is dedicated to an integrated approach for these problems. For this reason, the ACBA proposes the creation of the *Allegheny County Bar Association Institute for Gender Equality* (the Institute). The Institute will eventually offer educational opportunities within each of these themes.

Throughout this process, it has repeatedly been noted that a successful program requires a method for measuring results. The Institute will offer a systematic approach in which results can be quantified without waiting to conduct another survey.

The creation and operation of the Institute, in order to address the issues discussed herein, is a complex and profound undertaking that will require support from the entire western Pennsylvania legal community with assistance from other groups around the nation. However, it is an idea whose time has come if real solutions are to be created. An overview of the Institute is presented below.

Allegheny County Bar Association Institute for Gender Equality

Mission Statement

The goal of the Allegheny County Bar Association Institute for Gender Equality is to enhance the presence of women in leadership positions in Allegheny County, eliminate the gender wage gap, increase professional satisfaction, and expand the avenues through which female lawyers can build successful careers. The Institute offers collaborative and multifaceted programs designed to address the issues facing female attorneys.

All attorneys, including managers, decision-makers, associates at all levels, government, and non-profit lawyers, and law students, will participate in programs designed to illuminate themes, facilitate conversations, and identify options for creating pathways for success for women and all talented lawyers.

Program Design

Programs designed to help management engage the workforce of the twenty-first century will explore gender and generational dimensions that contribute to attorney attrition and dissatisfaction. The Institute, together with participating law firms and law departments, will work together to identify policies, procedures, organizational systems, and behaviors that hinder women from succeeding and contributing more fully to the practice of law. The programs will be designed to promote greater understanding of the obstacles, leverage strengths, and create a forum within which we can collectively develop creative solutions.

Facilitated discussions will assist legal employers and law firm leadership to recognize the impact of relevant internal systems on gender issues including: balanced hours initiatives (or part-time policies), work allocation systems, billable hour re-

quirements, accuracy and fairness of performance evaluation procedures, access to internal networks, adequacy of communication, effectiveness of mentoring programs, strategic considerations for business development plans, and sufficiency of professional development training.

Associates will acquire skills and guidance to successfully navigate their careers, define their presence, enhance their legal expertise and communication skills, and better understand the importance of and contribute to business development.

Law students will better understand the choices and lifestyle considerations of different practice areas, gain access to mentors, and learn about the business of law and the skills necessary to excel.

Before selecting the final content and emphasis of these programs or “modules,” the ACBA will conduct focus groups for the three relevant constituents to better understand their concerns and priorities.

Participation in the educational modules will be limited to 15–20 lawyers to enhance the cohort experience. The lawyers and their employers, when appropriate, will share tuition.

Each legal entity is encouraged to identify stewards or cultural change agents whose role will be to assist the participating lawyer in acquiring the desired skills and enhance the participant’s ability to foster change within his/her law firm or organization. The ACBA will identify career coaches who will provide guidance to the participant and steward in articulating personal goals and identifying ways that the firm or institution can support those goals. Stewards and participants will engage in four coaching sessions throughout the year to provide guidance and resources.

The ACBA will present continuing series designed for three constituents:

1. Law school students
2. Practitioners
3. Partners/decision-makers

These modules will extend over a year with monthly (or bi-monthly) one- to two-hour workshops/presentations covering the topics articulated below. CLE credit will be available for most modules, and both men and women are encouraged to attend. Lawyers will commit to participate in the modules for their designated series to enhance the cohort experience, take advantage of the steward relationship, and engage more fully in the collective learning provided by the cohort experience.

The program goals will be carefully designed to foster and encourage a progressive approach to learning where each session will build on the skills previously covered. Workshops will be highly interactive and case study/simulation based. Participants will learn by problem solving relevant factual scenarios designed to develop targeted skills.

The faculty will be drawn in large part from the ACBA membership allowing participants to expand their professional relationships and their network of professional contacts. The volunteer faculty will be trained by the ACBA to insure the quality and consistency of the programs. National experts in the area of gender equity will also offer programming when finances permit.

An outline illustrating some of the modules and their suggested topics is attached to this report at Appendix 2.

The ACBA and the Gender Equality Task Force are encouraged by these recommendations and their potential to generate sustainable, quantifiable results. The ACBA recognizes that intense effort will be required to achieve the results desired. However, it also recognizes that to do nothing would be to doom us to dismal survey results fifteen years from now, and that is an unacceptable alternative.

Proposal for Success

Much has been done by the ACBA and the entire legal community to examine the outcomes of the 2005 survey. Analysis and identification of the issues has been ongoing and thorough. This required many hundreds of volunteer hours and a sincere commitment to change from all participants. However, to truly realize the vision now in place will require further time, commitment, and resources.

Momentum currently exists to propel us toward the answers. What is needed is the continued recognition that these matters require the attention of everyone involved in the legal profession—from judges to law students and their professors. An enhanced professional experience will impact everyone. Without a doubt, employers will have clearer objectives, practicing attorneys will be more satisfied, and law students will enter the profession better equipped to make the decisions so critical to their future success.

We are poised at a critical juncture. There is no doubt that change is necessary. The strength produced when all are involved will carry this effort far beyond what we can imagine now. The ACBA hopes that all members of our bench and bar will be a part of the solution.

APPENDIX 1

BEST PRACTICES

A variation of the following practices was initially presented by the New York City Bar Committee on Women in the Profession in a publication titled, *Best Practices for the Hiring, Training, Retention, and Advancement of Women Attorneys* (Feb. 7, 2006). The ACBA Best Practices proposed are in almost all ways a replication of those below.

The recommendations outlined below are not meant to be a complete list. Furthermore, not every recommendation is suitable for every legal environment, law firm, or law department. However, these recommendations do provide guidance for any legal employer seeking direction in this area, and parallel the issues that the ACBA has identified as priorities and will address through the Institute.

1. Senior Management Commitment:

- Demonstrated commitment by those in power to advancing women (“Tone at the Top”)
- CEO, general counsel, chairperson, managing partner, or department head a permanent member of diversity and/or women’s committee/initiatives.
- Chairperson of women’s committee/initiatives a permanent member of the management committee or similar decision-making body where permitted by the corporate structure.
- Women’s issues included by CEO or managing partner when addressing organizational issues.
- Women’s issues part of the agenda at senior leadership meetings and employee retreats.
- Training on women’s issues and Best Practices provided to all managers including ongoing training for the newly promoted.

2. Organizational Accountability:

- Monitor those responsible for implementing Best Practices to insure strict adherence to the policies of the organization.
- Hiring, training, retaining, and advancing women as a necessary part of the criteria for promotion or advancement within the organization.
- Hold accountable those responsible at every level for the supervision of female attorneys as it relates to the acquisition of exposure and experience for the individual woman.
- Create internal rewards to recognize accomplishments with respect to women’s issues and Best Practices.
- Develop systems to monitor retention and attrition rates, pay scale, and promotion of female attorneys. The information provided by these systems should be reviewed annually and policies should be adjusted as needed.
- Include involvement in diversity activities in any downward, upward, or peer review.

3. Development of Women as Leaders:

- Promote the significant presence of women in all positions within the organization.
- Increase the participation of women in leadership and decision-making bodies.
- Encourage sharing of origination when the situation warrants.
- Ensure the visibility of female attorneys in all opportunities including business planning and client interaction.
- Allocate high profile matters evenly among attorneys.
- Support rainmaking efforts of female attorneys as they attempt to develop business opportunities.

4. Fair Representation:

- Set representation target levels for each practice area and department and for all levels (entry to senior). Monitor achievement of the target levels.
- Include an equal number of men and women involved with women’s committees/initiatives.
- Develop policy and implementation of program to recruit experienced attorneys who want to return to the practice of law after an absence.
- Develop programs and training to keep legal alumni informed and educated as to the ways they may be involved in the life of the legal entity while they are not employed.

5. Career Advancement:

- Insure that the promotion process is clear and transparent. Develop and formulate written criteria for promotion and compensation. This information should be communicated across the entire legal entity.
- Develop individual career plans in consultation with each attorney based on his/her goals profile and experience and on the organization’s needs and strategic objectives.
- Regular assessments of career plans and advancements (or the lack thereof). Such assessments should include de-

partment head or an equivalent.

- Monitoring system for work assignments as a means to ensure female attorneys get equal opportunities for valued assignments.
- Institute a review process that addresses areas where improvement is needed, and where the attorney is on a career track vis a vis the organization's policy.
- Reviews should be given on a regular basis with input from at least two decision makers. One of the reviewers should remain consistent from year to year.
- Develop a program of career coaches who will work with attorneys to achieve their career development goals. Monitor the program for effectiveness.
- Maintain regular and frequent dialogue with each attorney regarding her career goals and objectives.
- Eliminate "face time" culture, which expects attorneys to be in the office after regular business hours and rewards those that do, and instead reward actual accomplishments.

6. Workplace Flexibility:

- Availability of flexible, reduced hours and telecommuting options that are not stigmatized.
- Offer flexibility at all levels by written policy to ensure consistency for all parties.
- Include telecommuting, reduced hours, part-time work, and job sharing as flexible work arrangements.
- Monitor assignments to assure that attorneys with flexible schedules get adequate exposure and valued work assignments.
- Promote attorneys who participate in the flexible option and permit flexibility after the promotion.
- Establish systems to monitor these arrangements and take corrective action if the organization does not adhere to the terms of a work arrangement.
- Provide attorneys with the technology to work off-site, when that is part of the arrangement.

7. Family Issues:

- Provision of and encouragement to use paid leave for family care assistance.
- Make childcare centers available on premises for daily childcare if financial resources and space permit, not just for emergency care. If not possible, arrange for a nearby center to facilitate enrollment of children in daycare close to work.
- Facilitate "back-up" daycare and emergency assistance with a nearby childcare center.
- Provide paid maternity/paternity leave, distinct from the disability coverage provided to women for pregnancy-related conditions, for all births and adoptions.
- Develop a short-term paid leave policy for elder care.
- Establish a lactation facility on premises.
- Provide dependent-care flexible spending accounts.
- Allow attorneys the flexibility to work from home when emergency childcare problems arise. The time spent working under these circumstances should not be counted as a vacation or sick day.

8. Mentoring:

- Fostering a mentoring program that is both internal and external in nature.
- Educate prospective internal mentors and require timely communications regarding their efforts. Institute programs for continuing education of these participants.
- Develop programs tailored to the needs of each individual recognizing that each level of practice has its individual requirements (i.e. junior or senior attorneys).
- Develop incentives for mentors to conduct effective mentoring and monitor these closely.
- Hire outside consultants or take advantage of outside resources to develop effective programs and assist with the monitoring of the same.
- Encourage formal and informal mentoring.

9. Development of Female Attorneys:

- Training in all areas that promote advancement, including business development, networking, and leadership.
- Establish a review of female attorneys' work assignments to insure females are not exclusively serving in a supporting role.
- Develop specific training tailored to female attorneys and focused on client development, leadership, networking, and strategic planning skills.
- Develop a "grooming" program for potential leaders in the organization.
- Organize events to encourage attorneys to network inside and outside the organization with clients and alumni.
- Provide training on accounting, tax, statistics, and other business topics and mandate attendance at such training in the first few years of practice.

APPENDIX 2

PROPOSED PROGRAMMING FOR ALLEGHENY COUNTY BAR ASSOCIATION INSTITUTE FOR GENDER EQUALITY

This outline includes a proposal of the first year's offerings. These suggestions will be revisited after the meetings of the focus groups for each constituency. The modules suggested are illustrative only and are to be viewed as fluid and developmental in nature. For brevity's sake, the modules for the other stakeholders will be included in a more complete document defining the Institute that will become available under separate cover.

Leadership and Management Modules:

- How to mentor/be mentored, delegate, and manage
- Essential truths about time management
- What does it take to succeed now that you're a partner/manager/general counsel?
- Performance evaluations: how to give them, make them work for you, and know if they are fair
- Gender and generational issues for managers and leaders: behind the numbers, stereotypes, and the "glass ceiling"
- Using power and influence effectively: Leading teams
- Women in leadership: challenges and strategies
- Assessment tools: What can be measured, and why does it matter?
- The changing marketplace: Are you positioned to attract the clients you want?
- Leveraging the assignment process to maximize career development
- Creating mentoring programs that work
- Accountability: how to give leaders a personal stake in women's success
- Defining leadership and navigating the leadership ladder

Business Development Modules:

- Anatomy of a law practice: understanding the business of a law firm
- Where do clients come from? Primer on business development expectations over the course of your career
- What can you be doing NOW to enhance your business development acumen
- Understanding the connection between law firms' clients and your goals, skills, and interests
- Building relationships and networks
- How to create your individual business plan
- How to be your client's favorite lawyer
- Business development techniques and the anatomy of a business lunch
- Designing the alternative to golf: creative strategies for women

Negotiation Modules:

- Barriers to asking for what you want
- Myths and misconceptions about negotiations
- Defining negotiations
- Recognizing opportunities to negotiate
- The negotiation plan: BATNA targets and reservation value
- Sizing up the situation
- Positions vs. interests
- Timing
- Tactics
- Stereotypes: how to use them to your advantage
- Conflict resolution as a tool for organizational change

Communication and Presence Modules:

- Projecting credibility and confidence
- How to be heard: presenting your most powerful self
- Delivering effective messages through persuasive storytelling
- Building your personal brand through communication and relationship management

- Difficult conversations
- Building relationships and networks
- Active listening
- Preventing career derailment
- E-mail, videoconferences, telephone, and face to face conversations: communication choices and consequences
- Gender and communication: bridging the divide
- Women working together: issues and opportunities
- What women say when men aren't around; what men say when women aren't around

Navigating Your Career Series:

- How to know if a law organization's diversity and women's initiatives are significant
- Why women's initiatives are good for men
- How to find and cultivate your sponsor/champion
- Getting the work you need
- Effective self-promotion
- How to say no to assignments and live to tell about it
- How to become an expert in something that will sustain you
- Getting on the radar: internally and in the legal community
- A strategic and satisfying approach to board service, community involvement, and civic leadership
- Leveraging key relationships: understanding internal networks
- Getting the stretch assignments and the support you need to master them

Striving to have Work and Life in Balance Series:

- Solving the part time puzzle: alternative work arrangements and what it takes to make them work
- Law firm economics: compensation models and their impact on women
- How to develop clear goals and priorities and make them work for you in your organization: the meet in the middle template
- How to stay connected, engaged, and visible in an alternative work scenario
- Opt in and opt out strategies: how to avoid missed opportunities for a sustainable work force
- Gender and life cycle considerations: How does it affect your bottom line?
- How to approach flexibility as a business response to the changing workforce and not as an accommodation

Pilot Program

Year One

Leadership Module

1. The changing marketplace: Are you positioned to attract the clients you want?
2. Leveraging the assignment process to maximize career development
3. Creating mentoring programs that work
4. Accountability: how to give decision makers a personal stake in women's success
5. Defining leadership and navigating the leadership ladder
6. Using power and influence effectively: leading teams

The first year will include programs for law students and practicing lawyers.

Each session is 2–4 hours and offered once a month to facilitate scheduling. There are six (6) different total leadership modules in the first year. Some modules will combine the constituent groups (law students, associates, and partners/decision-makers) and others will be taught on separate tracks depending upon the topic and desired outcomes. Stewards and coaches will work with participating lawyers throughout the year.

Each module can be divided into six topics to be covered in a year with an option to have occasional weekend retreat to cover multiple topics within the series. For example, negotiation workshops and case studies could be developed for delivery in a shorter, more intense time frame over a weekend or consecutive Saturdays or Sundays in a month. This would provide greater continuity of learning and a more structured cohort experience. Focus groups would assist in determining which format and topics are most accessible and desirable.

Freestanding programs in additional topic areas will be offered on an ongoing basis. Additionally it is envisioned that the modules will be “mobile” and therefore available on-site to legal employers. The Task Force believes that these approaches will allow access to the program for the greatest number of persons.

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