



ATTORNEY SEARCH

By Danice Kowalczyk

## Why Are So Many Women Reaching the Top of Big Law Firms?

For many years now, my former law school classmates and I have maintained a long-standing tradition: to meet at least once every three months for dinner, where we catch up on our lives, our challenges, our success stories, our disappointments, our hairdos—whatever! This tradition has grown in my world to include friends of friends, former colleagues, even husbands and boyfriends (although they are safely exempt from the hairdo part of the conversation). It has become, shall we say, a gathering of sorts, where we check our legal selves at the door and enter the gathering as the people we once were before we became big-firm attorneys.

On a recent Wednesday night, such a gathering took place. It began like any other Wednesday night. However, it did not include law school classmates this time. Instead, it included new women friends and friends of friends. We had gathered to enjoy mudslides and chicken fingers and spend a few hours talking about anything but business. Coincidentally enough, the majority of those present that night, four women out of six women in all, had just received (or were scheduled to receive) promotions: one to head counsel in a top publishing house; one to director/partner at a high-profile public interest firm; one to partnership at a top L.A. law firm; and one was up for counsel at a top New York firm, with a fast track to partnership next year. I didn't realize it at the time, but an explosive and interesting mix had sat down to enjoy dinner together.

The date was Wednesday, March 22. On March 19, the *New York Times* had published an article entitled "Why Do So Few Women Reach the Top of Big Law Firms?" We had not intended this article to become the topic of discussion, at least I had not. However, those present at the gathering that evening took the article to task and ripped it to shreds. What follows is a loose transcript of what occurred that evening: a rarified evening of outrage, disgust, honesty, and acceptance from several top women attorneys to their sisters in arms.

For those of you who did not read the *New York Times* article, among other things, it questioned why so few women stay at the top firms long enough to make partner. It stated: "Something unusual happens to most women after they begin to climb into the upper tiers of law firms. They disappear. . . . What de-motivates them to want to continue working in the law?" My dinner companions and I started talking about this from a different perspective. No one at the gathering was leaving, or looking to leave, law firm life. Hence, "why women leave law firms" is the subject of a different article. Instead, everyone was looking to stay where they were—as partners or counsel or directors—and they were doing an exceptionally good job of achieving that goal. Of course, I needed to push that envelope a bit further and ask, "Why stay? How did you make success happen without losing yourself in the process? Why are you considered a rarity?" In response, those gathered decided to share their secrets of success. After three hours of discussion, I realized that all of these women had restructured their vision of success in very different ways and, in doing so, achieved unparalleled professional results. I started to question whether this were possible for everyone or just those with a strong stomach who can beat back the ever-popular belief that top firms and top corporations are driven by men and men's rules, to which women must conform or ultimately experience unhappiness and leave. Can every woman, or just those with mettle, discount the apocalyptic stories featured in

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the *New York Times* and other legal journals and, instead of buying into the beliefs espoused therein, use such articles to line the drawers of their favorite shoe shelf? Can every woman be a success? And if so, how? In the words of Carrie Bradshaw, I started to wonder:

***“Can women lawyers re-define ambition and, in doing so, achieve success?”***

Ambition is the tonic that fuels success. Success, however, will never be kept long term, where the glass holding such tonic has been allowed to crack and chip. It is often said that people are either a “glass half empty” or “glass half full” type of personality. There is more to that story when you look at the glass as yours and the liquid therein as your own. I asked my friends and colleagues that evening how they managed to keep their glasses chip-free, half full, and the ambition therein intact long enough to propel them to partnership, counsel, or directorship. Actually, my question was not nearly as poetic. It was more along the lines of: “How did you keep it together long enough to make it?” After hearing their many stories, I sat down for a few days (actually, a few weeks!) and tried to find a common thread to their stories. After much thought, I realized that they all had redefined their ambitions and goals and achieved success.

They all had turned their ambition from passive to active. Or, as one said, “Instead of waiting for the mountain to come to Mohammed, Mohammed went to the mountain.” How did they do this? Instead of focusing their ambition merely on acquiring legal knowledge, they focused their ambition on three things (in order): (i) establishing female mentorship and a “community” firm life, (ii) establishing personal boundaries, and (iii) establishing professional demands.

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I. Mentorship

Ambition told many of my friends that if they found the right female mentor, they were on the road to success. Two of my dinner companions had mentors, the kind of women who guided them through the rough spots, directed them toward the right type of work, and supported them when the partnership or counsel question arose. The others did not. Hence, what do you do when a mentor can't be found?

Rule: Mentor? Where? Forget it. Be your own mentor, or choose a pal.

For any practicing woman attorney in a large New York firm, or any other, it would be nice to have a mentor. It's like being a Brownie and having a Girl Scout advisor, someone to guide you at camp, someone to help you pick your badges, someone to straighten your craft project, someone to warn you what is ahead. Forget camp, and burn the badges. Very few women have female mentors. In fact, I have only seen three types of mentors: Type I is the ideal mentor, the kind who has made it to the top with family and friends and self intact, the kind who has caged the illusive bird called “balance.” Type II is the “maybe” mentor, the kind who can help you make it to the top if you are willing to make the same sacrifices she did. Are you? I recently attended a firm function for a top New York firm. The speaker was a lovely, dynamic woman who told the audience that female attorneys are highly regarded at her firm and easily rise to high-profile positions. The first part of her presentation was good; she had two of my three votes. The second half of the presentation was better. She relayed the story of her “protégé.” Apparently, that protégé recently left this partner's side to pursue other work, for another firm, informing this lovely, dynamic woman that she “admired her and loved her, but didn't want to be her.” Ouch. Who would admit that in mixed company, let alone to a therapist? I liked this partner-speaker immediately. It took guts to admit that she had made it to the top and may have lost something in the process, something that made her less attractive to others, perhaps less suitable to be a long-term mentor. No, she was not perfect and may have had limited utility, but she had a certain “usefulness” about her that I could note and appreciate. You may not want to be her, but she would be a good guide. Clearly, she was honest about the sacrifices she had made. The Type III mentor is hardly a mentor; she is the female partner who chooses not to assist other females because no one was there for her when she trudged up the ladder. Type III exists, and that is okay, because that type of person cannot assist you and you don't want to be that way yourself. So, what do you do when Type I doesn't exist and Types II and III don't work for you? Give yourself a fourth option.

When it comes to mentorship, stop looking up. Instead, you have two other choices: Look down, or look across from you. As for looking down, this reference implies that you become the mentor you wanted for yourself. Take

a junior associate under you and teach her, train her, and bond with her. When I was practicing, I did this. Within weeks, even days, I felt immediate job satisfaction dripping down. Something was changing. No, I didn't have a mentor, so I became one. My career grew instantly more palatable. I recommended this approach to a friend several years ago but had forgotten. At our gathering, this same friend recommended my old approach to someone else that evening. She informed her that not only had she "looked down" and taken on a protégé, but she had also noticed that several new women attorneys had approached her to work with her or seek her advice. It was almost as if a new community was forming. Shortly thereafter, a firm partner approached her and asked her to think about ways for the firm to keep women associates in the ranks via flex-time programs or otherwise. This friend of mine did not know why that partner had approached her. They had never interacted before. All she could do was surmise that somehow, by looking down, others had looked down and small pockets of reciprocal mentorship were forming around her.

We also realized that women associates have a second choice in addition to looking down: looking across from you. What does this mean? Pick a friend, someone you admire, respect, and trust. Commit yourselves to career-setting and goal-setting for each other. You both want partnership? Good. Go for it. Two former colleagues of mine decided to structure their careers in this way. By year three of our associate positions, these two women had created all sorts of new programs at the firm. They were always together. To be honest, at the time, it was somewhat annoying. I now see the advantage. Both of these two women are still practicing, still satisfied, and still brainstorming.

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The reciprocal benefits may be the biggest reward from this venture. Each attorney who practiced a version of the above found that it engendered more goodwill and gathered more speed. They had started something novel and created both a professional network and an emotional support network for themselves and for other women attorneys in their practice group. They redefined ambition beyond simply the steady accumulation of legal knowledge and upward class movement and drew on it to craft a strong legal community at their firms. These mentoring relationships, all of us agreed, created a new facet to their practice—a facet that supported them both up and sometimes down the ladder of success. These mentoring relationships kept them at the firm and encouraged them to stay whenever things got tough.

## II. Personal Boundaries

Personal boundaries are, in my opinion, the most difficult facet of decision making. Prepare yourself for this section, because it was painfully honest and disturbing; but I suppose honesty can be disturbing sometimes.

Rule: You are not a man. I repeat. YOU ARE NOT A MAN. Stop trying to be one.

My friend who became partner at a top L.A. firm informed the group that she had "decided to change her personality." She found that since she had become partner, she no longer could act as "nice as she once did"; she needed to be more serious, more assertive, a "less talk/more action" kind of person. She decided that she would be less friendly, start screening her calls, and develop a more bottom-line attitude with colleagues. Essentially, she decided that becoming a partner meant that she would have to adopt a new personality of sorts in order to remain happy in the role long term. Why was she doing this? Well, she found that she now had new demands put upon her. Thus, where once she could wait patiently for a document, she now needed it yesterday. Where once she could sit back and enjoy firm meetings (to some extent), she now felt compelled to speak her mind in order to be seen as a leader. Where once she felt relaxed, she suddenly felt very tripped up to be "seen a certain way in light of her new title." Suddenly, along with her new title, she felt compelled to be somebody new.

Before I launch into the reaction from the table, I should advise you that the person espousing these comments graduated at the top of her law school class (from one of the top law schools in the U.S.). She is a person who does not consider a broken leg and downhill skiing to be mutually exclusive; and she is the type of person who can flip from French to blips of Gaelic without blinking (not really, but you get my point). In other words, an accomplished woman was spewing these statements, which were met with shock and silence. Initially, I could not tell whether such silence was acceptance or rejection, so I just sat and waited...and waited. After several minutes, the truth was: She was right.

Many women do not admit this; but very often, upon obtaining a leadership role within a firm or as they simply move up the legal ladder of success, women face this same dilemma—a crisis of identity. Can they remain friendly and easygoing? Can they maintain their desire to negotiate and resolve litigations, instead of filing paper after paper in an aggressive showing of one-upsmanship? On the other hand, if you are naturally aggressive, can you maintain your nature without being seen as a bitch? As set forth in the *New York Times* article, which prompted this discussion, “Why is a woman who hunts down her male boss for a chat seen as overly aggressive or possibly flirtatious?” In other words, when you grab the brass ring, can the rest of you just stay the same?

We all agreed that those who change their personalities to fit a new role, or fit into some image they feel they need to comply with, will eventually leave the practice of law. You can only wear a mask for so long without growing hot and uncomfortable underneath. So, how do you avoid losing yourself in your new title? How do women attorneys keep their personalities intact as they climb the firm ladder?

One of my very successful friends sitting at the table that evening is someone you would consider nice to a fault. She is at the apex of her career, but has not changed one iota of her personality to match allegedly society-driven perceptions of what she should be as a leader at her firm. Personally, I always thought she was a little too quiet; but speaking to her that evening, I found that she was as about as quiet as a stealth bomber and equally as effective. When her ambition started driving her toward partnership, she developed what she calls a mentality of “reinforced niceness.” It sounds ridiculous, so let me explain.

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Upon her move to New York 10 years ago, her father gave her a poem entitled “Everybody’s Free” by Mary Schlich. It told her to “Live in New York City once, but leave before it makes you hard.” At about the five-year mark of her career, she realized that she was, in fact, moving rapidly toward partnership and, at the same time, growing hard. With her eyes still set on partnership, she realized she had three choices: leave New York, accept that her personality must change to “fit” what society perceives to be a strong female leader, or stay exactly the way she was. In reality, the most difficult path was the last one, and that was the one she chose. As she puts it, she actively pursued “reinforced niceness.” Determining to reach the apex of her career with her generous, some would say “small town,” personality intact, she established personality boundaries. Instead of growing angry or short because of the demands of her job, she grew more direct. She rid herself of passivity and adopted an active approach. For example, if she felt someone was taking advantage of her kindness, she stopped them cold by simply saying, “I noticed you are taking a bit longer on my project. Is there something that is holding you up?” If her secretary put her work to the back of the line, she simply queried: “I noticed my work is scheduled last. Why is that?” If another attorney was unresponsive to her demands, she approached and said, “Do we have a problem here? I would like to work with you. So, if we have a problem, let’s deal with it together.” Her “reinforced niceness” was so actively direct that, very often, she threw people off their game. Her niceness was, in effect, unnerving. For some reason, people expect either passivity or aggression from women attorneys—or so some of my male colleagues tell me. What they do not expect is exactly what this particular friend of mine gave them: immediate approach, directness, honesty, and a genuine desire to resolve the issues now and move on with no hard feelings. It’s true, her pleasant but direct nature allowed her to gently throw people off their game and get what she wanted in the process, and she never lost her small town manners. Thus, she is now a high-ranking lawyer who has managed to achieve success without losing herself in the process. Because she did not lose herself in the process, she never became dissatisfied with her firm or the life she was choosing. She stayed at her firm because she directed her ambition toward finding a new way for her to stay on track as both a professional and as a person.

Another dinner companion that evening is, simply put, “aggressive.” (Note: This author does not consider aggressive a bad thing.) She has always been aggressive, and she knows it; but she considers herself ambitious more than aggressive. She won’t apologize for asking her male boss to dinner to discuss her career. She won’t apologize when others whisper unkind words about her in-your-face style. She won’t step back and second-guess herself at all. She’s a strong gal; and because of that, she does not have any crisis of conscience (that she will admit). She is exactly the same person I knew in law school and has risen through the ranks relying on that self-confidence to drive her forward. It has worked, and she too has achieved success and happiness at her firm on very different terms.

I share these two particular, and opposite, stories with you for a reason. Both of these women stayed at their firms because, when they hit a crisis of conscience, they dug their feet in and remained true to themselves. They

stripped off a piece of their own ambition; and instead of using it as a shield to protect themselves, they used it as a sword to actively cut away undesirable changes within themselves. Both of them knew that if they became anything other than what they were, they would put themselves on the slippery slope to unhappiness and eventual departure from the firm.

As you move up the ladder of success in your firm, these issues will likely find you as well. The *New York Times* tells us that you will likely leave in the face of these obstacles. My dinner companions offer you a different reality.

### III. Professional Demands

Rule: Know what to do when you get there.

This was the final piece of advice I received from my comrades. They all agreed that one of the biggest mistakes women attorneys make at their firms is to lose track of goal-setting and the need to change goals as your life changes and ambition sometimes wavers. As life progresses, you will be married, maybe have children, move to another country, who knows! The dreams you had at 25 may change at 27. If you don't allow yourself the leeway to restructure your goals and give your firm the chance to accept or reject your changes as you make them, you may find yourself departing from your firm without ever really understanding why you are making that choice. For example, a very good friend (who was not in attendance for this dinner gathering) had no interest in partnership at the age of 26. She embraced this fact and, at age 27, left the country to "see the world" on sabbatical (crazy, but true). I never thought she would return to the firm. At 28, she returned to the firm as a full-time associate. Later that year, she married and went part-time. Many years passed. She is now 32 and has returned to full-time practice last year. She is considering partnership, and the firm is considering her. Her practice goals changed as her life changed and she refocused her ambition. She accepted this fact. Whether or not the firm understood her motivations, she understood them. She knew what to do when she got there to make herself happy and keep herself satisfied at the firm. She didn't waver; and while, at times, I thought she might be crazy (not really), I never doubted that she was making choices that were entirely perfect for her. Hence, at this stage of her career, she finds herself happy and content and in a very solid position for future partnership at her firm, which, not coincidentally, accepted all her progressions because she is a very good lawyer.

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In a similar vein, once you achieve partnership or counsel, my dinner companions agreed that you cannot bronze your ambition like a baby shoe and mount it on your desk. Instead, they all agreed that ambition needs to be channeled in new directions. In other words, the more you grow, the more channels you need; otherwise, you may find yourself in the midst of a big law firm and big title with no direction, disenchanted and looking to leave. For example, one of my dinner mates found that once she realized that she had achieved partnership, she had a brief moment of glory and then a longer moment of confusion, as if a storm had just drifted through the prairie. And she found herself sitting quietly in the residual dandelion silence. You may have experienced this same phenomenon right after law school. You go through law school striving and scraping and pushing forward. You graduate, get a great job, and arrive at your office on day one. Then, about one year later, you find yourself staring out of your office window humming Peggy Lee's "Is That All There Is?" Luckily, you quickly forget the lyrics and plunge back into your work for the next few years. However, at some point, this moment will come around again. Often, it is right at the moment when partnership is on the table or was just accepted. Do you know what to do when you get there?

For those three friends who made partner or partner/director and continue to be happy at their firms, they actively considered what they would do when they got there. They asked themselves tough questions: (i) Where can partnership take me? (ii) How can I use this position to do something great within the firm? (iii) Is this position going to give me a leg up in the legal world beyond the firm? (iv) Am I certain I want this?

They made partnership a very active choice, something to be accepted by them and not merely a title bestowed upon them from some benevolent being. This active decision had residual effects on their mentality and dedication to their practice. They looked at partnership as a new career in some ways, giving themselves the subsequent leeway to make additional professional demands. One went flex-time one year into partnership. Another took on significant new roles in her practice group, heading up an entire department addressing a novel area of the law. In other words, they knew what to do when they got there. They continued to hone and shape their ambition and desires as their lives changed and careers progressed, and they remain content at their firms.

The moral of this story is that, yes, many women are leaving law firms. The *New York Times* was not lying. I don't know that that is a bad thing. Some law firms deserve to be left, kicked to the curb, shown the door—whatever you want to call it. However, many women are staying. They are staying because they are finding new ways to redefine ambition beyond simply being good at your job and working harder than everybody else. They are applying ambition to mentorship, their personal lives, their professional goal-setting, and career demands. They are creating a very strong glass to carry the tonic that fuels success. In effect, they are finding new ways to rewrite the rules that lead to success without falling victim to the “it's a man's world” mentality. That's an easy out. It's not a man's world. It's a woman's and a man's world, and there is plenty of room for both to play the game.

Women will continue to choose firm life and continue to find happiness therein, where they realize that many different keys open the lock on the door of success. The women who kick in the door know this fact. Better yet, the women who turn the door handle and realize that, although a bit tight, it was never really locked in the first place, know this best.

The above article is an extremely shortened version of a very long dinner conversation amongst professionals. At the risk of turning this article into a treatise, the author has attempted to distill the conversation into three key points of discussion; however, many other points exist, which have encouraged women to stay and succeed at top firms.

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