

2023

The Challenges of Women in Big Law

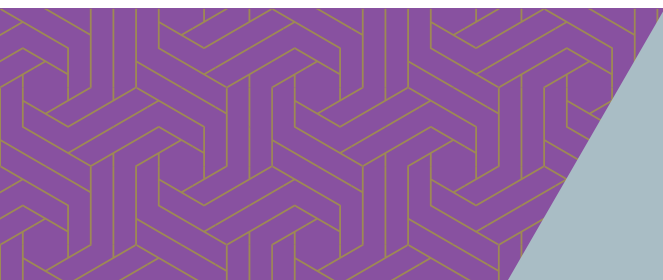


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Table of Contents

I	Executive Summary	3
II	The Journey of Women Taking on the Legal World	5
III	Struggles in Big Law are not Uncommon, but Women's Issues are Unique	7
IV	Why the Need to Focus on Gender Equality in Law	9
V	Leopard Solutions 11 Action Items to Improve Gender Equality in Law	11
VI	Women in Big Law Survey 2023	12
VII	Legal Industry Gender Equality in Need of a Boost	19
VIII	Continual Focus on the 11 Strategic Action Items to Elevate Gender Equality	25
IX	Looking Ahead	32



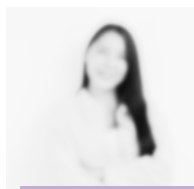
Executive Summary

Leopard Solutions has been reporting on women in law for more than 20 years, curating extensive attorney exit data by gender, diversity, and law firm groups, in particular, the Top 200 law firms. In the 2022 Women Leaving Law report, we highlighted some of the analyses revealing the challenges women in law face and that this trend persists. Women were re-entering the Top 200 law firms at a lower rate than ethnically diverse attorneys. Moreover, we were uncertain about where they went after leaving their firms and whether they continued their legal careers. In this report, we aim to dive deeper by examining women in Big Law to identify any underlying challenges that may not be readily apparent and highlight critical strategies the industry can do to tip the inequality scale to the right side.

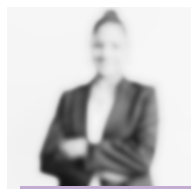
We surveyed women in Big Law in February 2023 to further expose the challenges they are facing. There were many positive comments, but there were also as many negative comments from women on their experiences in Big Law. The Top 200 or Big Law is not a monolith; they all vary from firm to firm, office to office, practice to practice, and partner to partner. Their comments show widespread disparities in how they are treated and the opportunities they see before them.

For those who left Big Law, their responses were thoroughly depressing. Many cited the lack of firm support in providing maternity leave or childcare, and the stress of making the high billable hour targets made it an easy decision for them to leave Big Law. For those still working in big law, their answers were split, showing that policies and firms can vary greatly in their treatment of women.

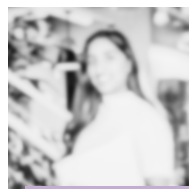
Direct Feedback from Women Currently in Big Law



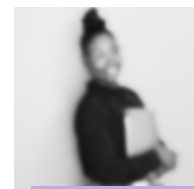
"I'm ambivalent about wanting to work as a lawyer in the long term."



"I'm not certain that the partnership path is for me any longer. I don't yet know what I want to do with my career, but I am considering teaching, in-house, or remaining at a firm in a counsel position."

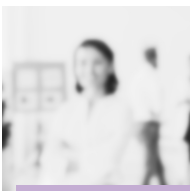
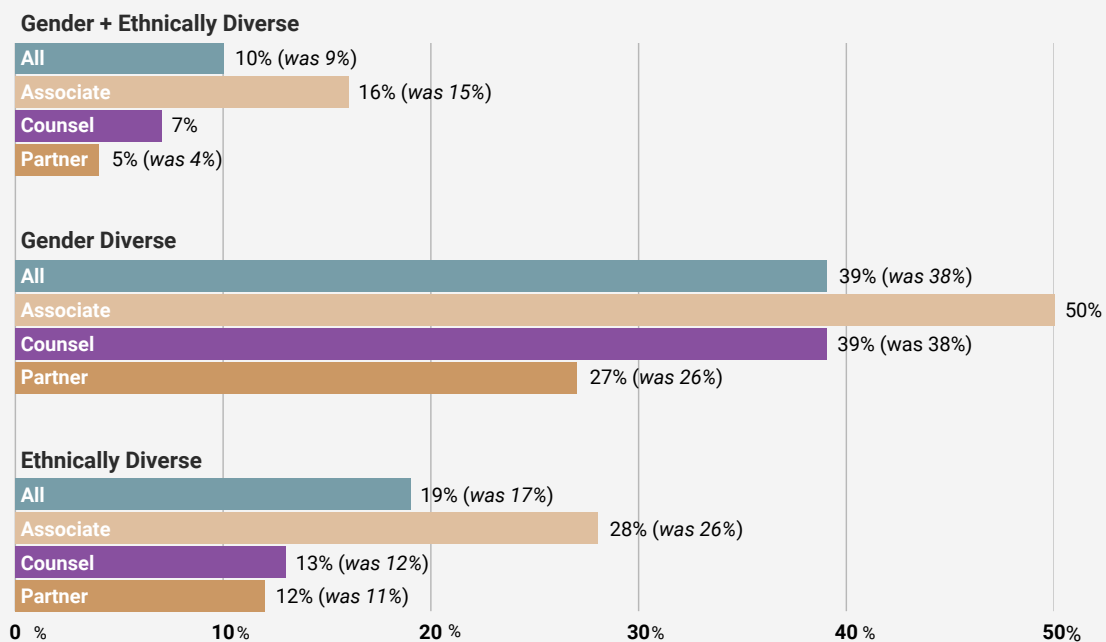


"Realized I did not want to grind like this forever, particularly given that I want to have kids soon."

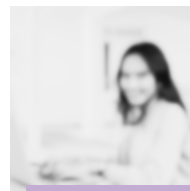


"Not enough support as a working mom; not enough opportunities for women."

The legal profession is a demanding one. Our data, along with two different surveys we have completed, indicates that the legal industry is not creating a conducive environment for women. As we reported in our recent Annual State of the Industry Report, the overall diversity of hires by the Top 200 firms only increased by 1% for all levels – associate, counsel, and partners.



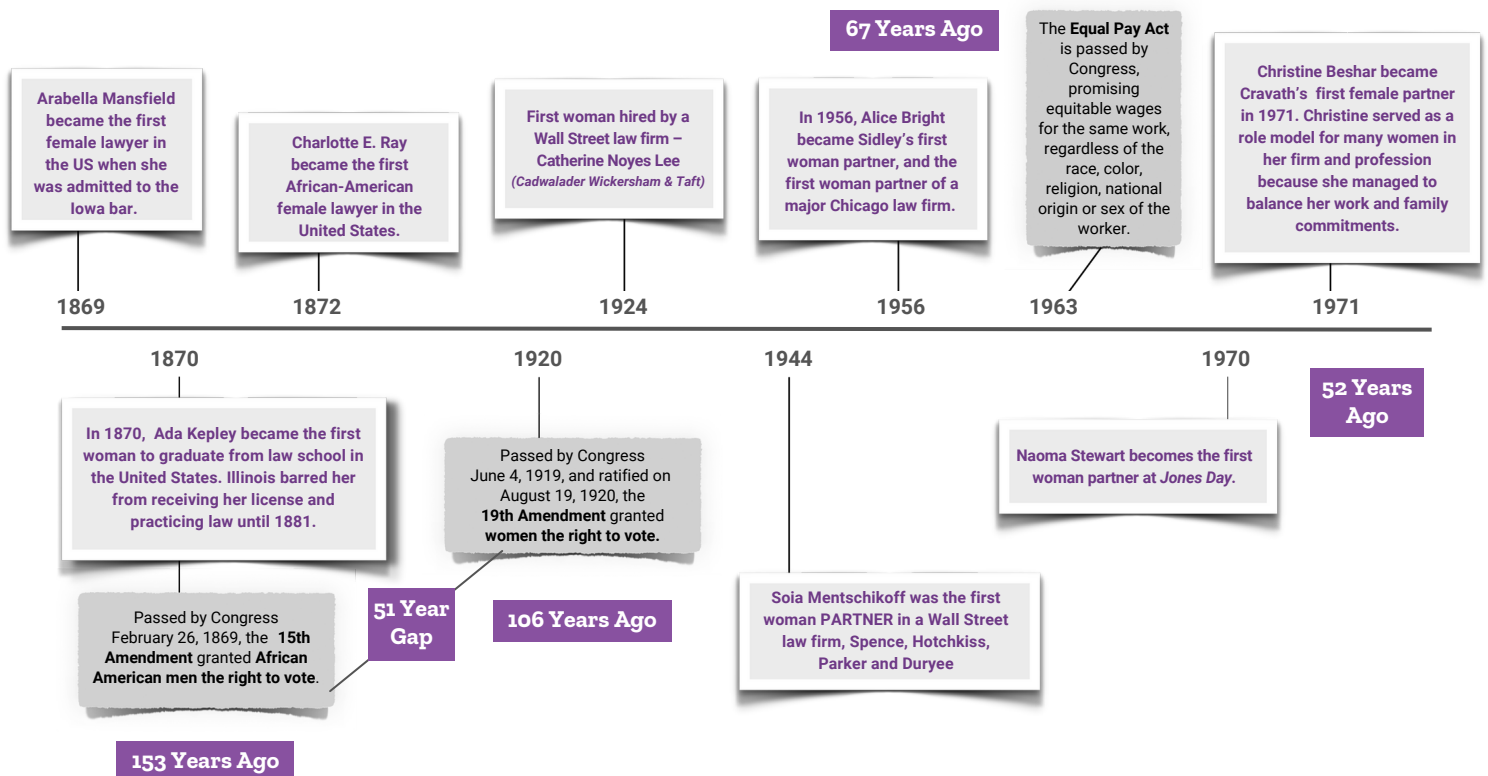
"Since law school, I wasn't sure if I wanted to be a partner, but now that I've worked at my current job for over a year, I am confident I do not want to be a partner."



"The Big Law environment is not conducive to self-care, let alone raising a family. I love the complexity of legal practice at this level, but now that I'm newly married and considering children, I'm planning my exit."

The Journey of Women Taking on the Legal World

Before we can truly understand why we need to take gender diversity more seriously and provide actionable strategies to help law firms elevate their approach to addressing diverse gender needs, we should look at how far women have come through the legal world.



Voting Rights

The US saw its first female lawyer in 1869 when Arabella Mansfield was admitted to the Iowa Bar. The Mansfield Rule (named after her) recognizes her contribution to women in law and lays the foundation for a diversity lab. The lab aims to boost firms' diversity in leadership by promoting many diverse initiatives across law firms.

Ada Kepley became the first woman to graduate from a US law school the following year. But she was barred from receiving her license and practicing law for another 11 years until 1881. In 1872, Charlotte E. Ray became the first African American female lawyer in the US. And in the same year, African American men were given the right to vote. Fast forward to 51 years later, in 1920, women were given the right to vote.

In 1924, Catherine Noyse Lee became the first woman hired by a wall street law firm (Cadwalader, Wickersham and Taft). Two decades later, in 1944, Wall Street had its first female partner, Sonia Minskoff, at Spencer, Hotchkiss, Parker and Duryee. In 1956, Alice Bright became Sidley Austin's first woman partner and the very first woman partner of a prominent Chicago law firm.

In 1963, the Equal Pay Act was passed, promising equitable wages for the same work regardless of race, color, religion, national origin, or sex. In 1970, Norma Stewart became Jones Day's very first woman partner. In 1971, Christine Bashar became Cravath's first female partner.

Women have certainly come a long way. Some of the top law firms only installed their first woman partner as recently as in the last 50 years; one would understand the struggle of women attaining partnerships, breaking the glass ceiling even today.

It has been a challenging year for women, as witnessed in the news and recent survey results worldwide. A recent 2022 British survey noted that the public is still afraid to speak out on equal rights for women today, citing the main reason for fear of what might happen to them. Some also say that we have gone too far and are now discriminating against men. After breaching a dress code, a young woman's death in custody sparked protests in Iran, resulting in many more deaths. The progress in the gender pay gap in the United States has stalled. Women now make 82 cents for every dollar earned by men. The United States ranks 38 in the world on gender equality, according to the newly released 2022 SDG gender index, which tracks the empowerment of women and girls across various metrics. Wealthier nations tend to rank higher for gender equality. Still, the US ranks closer to less affluent countries like South Korea and Costa Rica, whereby most of their women in leadership roles typically leave their professions exhausted and torn between their career ambitions and personal lives.



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38th IN THE WORLD

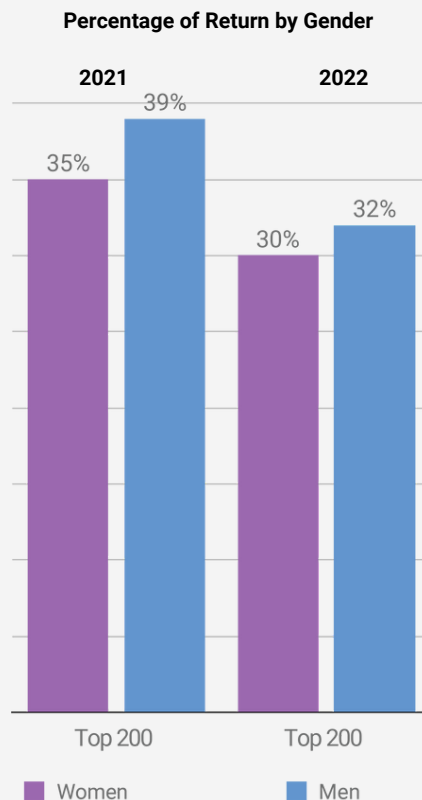
The U.S. ranks 38th in the world on the newly released 2022 SDG Gender Index, which tracks the empowerment of women and girls across various metrics.

Despite fluctuations in progress, women have consistently remained resilient over the decades, carving out a path that may not lead them directly to their goals but has surpassed past limitations placed upon them. Today, women are no longer willing to tolerate companies that fail to support them in their roles as mothers.

Struggles In Big Law are Not Uncommon, but Women's Issues Are Unique

We were asked by a few people who took the Leopard Solutions survey and read our last Women Leaving Law report, why only talk about women? Men are leaving Big Law too but at a lower rate than women. In 2021, there were low return rates into the Top 200, with only 4% dividing the two genders. However, if you look at the actual numbers of women and men who left big law and then returned, the ratio was just 27 women to 73 men in 2021.

Top 200 Exits and Re-entry by Gender

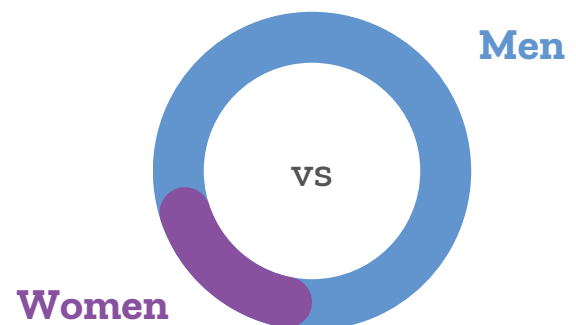


Men are being recruited laterally more often into other Big Law firms. In 2022, we saw an even smaller percentage of difference (2%) between men and women who left a Top 200 firm and then returned to one.

However, the ratio was 23 women to 77 men who returned to Big Law.

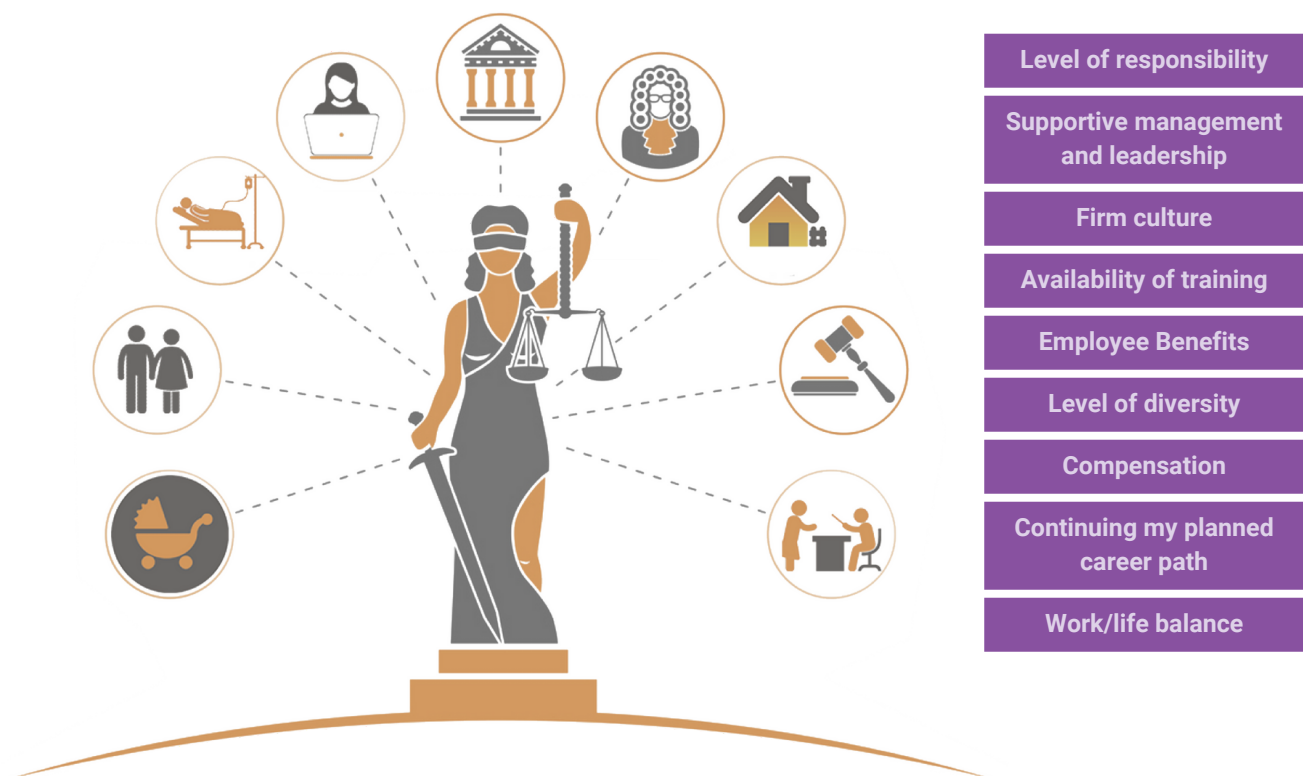
Ratio: 23 Women to 77 Men

The ratio for 2022 was 23 women to 77 men who returned to Big Law after leaving a top firm. It shows a decrease in returns from 2021.



The men who left Big Law cited work-life balance and meeting billable hour demands as the main reasons. The women's struggles included these reasons and more. They encounter issues, situations, and biases that their male counterparts do not. We are exploring those issues and why they matter.

Actionable Changes Women Wants to See From the Firms



We see in business and politics that women in leadership roles are leaving. Women are no longer willing to tolerate companies that do not support them in their roles as mothers. They say they are exhausted, torn between their career ambitions and personal lives, and they are now bowing out.

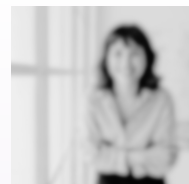
From the survey responses, women who responded more favorably and felt that they could succeed in Big Law point to the firm policies and environmental changes that align with the 11 actionable practices Leopard Solutions recommended in the Women Leaving Law Report.

Why the Need to Focus on Gender Equality in Law

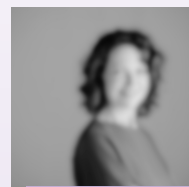
Women in law experience sexism – in law, at work, and in the courtroom. From judges, clerks, and male counterparts, women cited that they often receive subtle or direct remarks that undermine their positions, whether purposely or unknowingly.

At a recent webinar presentation of the Leopard Solutions Women Leaving Law paper to the San Diego Law Library CLE class, a young lawyer asked for advice on what to do when she experiences sexism in the courtroom. The first assumption was that she was talking about her opposing counsel, but she indicated that it was the Judge presiding on the matter.

The need to address gender equality in the legal industry is necessary. We want to create a workplace not just for the women currently in law but a workplace that will attract future women to want to become an essential part of our legal system.



"I would support her, but I also highlighted the difficulties if you want to reach "top" positions and the lack of flexibility to become a mother."

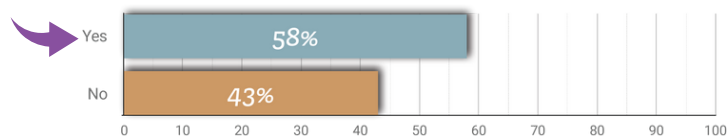


"Unfortunately, I do not yet see an environment where I would want to send my daughter - even though another part of me, of course, wants to encourage my daughter to believe in her ability to create change and use her voice, which is what led me to join the profession. I just want my daughter to feel free and empowered in who she is, and I am not yet seeing that in my surroundings at work."

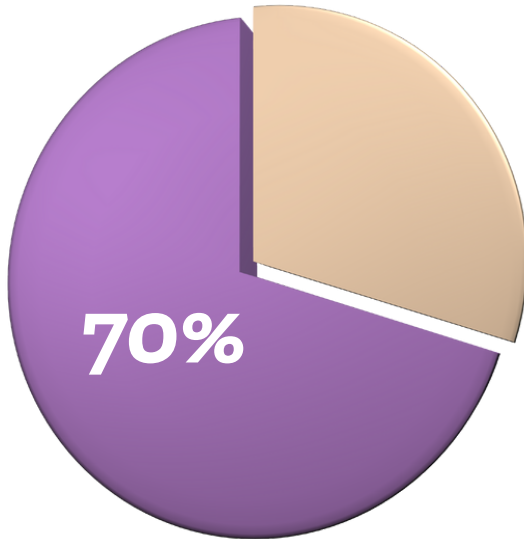


One of our survey questions asked the respondents if they would recommend their daughter to have a legal career; only **58% responded yes**. For those who said no, the reasons cited were that they did not like what they were still experiencing – Sexism. The same experiences their mothers had in the 80s.

If you have a daughter, would you recommend law to her as a career?



While more than half of the respondents would support their daughters, one would expect this number to be higher because it is the careers these respondents themselves are currently in and are still building. Currently, only 17% of the managing and co-managing partners of the Top 200 law firms are women.



driTM Approximately 70% of female attorneys surveyed by the Defense Research Institute also reported having experienced gender bias in the courtrooms.

This is not unique to those who responded to Leopard Solutions' survey. Approximately 70% of female attorneys surveyed by the Defense Research Institute also reported having experienced gender bias in the courtrooms. Sexist remarks, sexist taunts, and unfair treatment by the bench all combine into a toxic stew. The Department of Justice found overwhelming evidence of gender bias in the courts, denying women equal justice, treatment, and opportunity. Hence, the need for firms, especially the big law firms, to focus on gender equality remains. The focus on women and their lack of advancement into partnership in Big Law is still an industry-wide concern. Leopard Solutions has found the deck stacked against them, and the data shows it.



Leopard Solutions 11 Action Items to Improve Gender Equality in Law



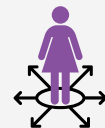
Our 2022 survey identified 11 strategic action items that firms should take to address women's desire to leave the profession. As we dive into the analysis and understanding of the recent Women in Big Law survey responses, it is essential to note what these strategies are and which specific action items may still need more iterations.

1



Let Women
Speak

2



Give Women
Opportunities

3



Give Women
a Seat At the
Table

4



Don't
Tolerate
Sexism

5



Uncover
Unconscious
Bias

6



Offer Equal
Paternity
Care

7



Offer a Flextime
Schedule/Remote
Work

8



Acknowledge
Women's
Success

9



Promotion
Fairness

10



Hire More
Women Laterals

11



Mentorship

Women in Big Law Survey 2023



Leopard Solutions conducted the Women in Big Law survey between January 27th and March 3rd, 2023, targeting women in the Top 200 law firms. Here is a breakdown of the women who responded.

Who Took the Survey?

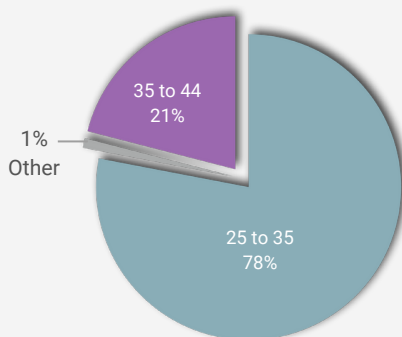
91%

91% of the respondents **currently** work in a Top 200 law firm and 9% **previously** worked in a Top 200 law firm.

9%



The respondents were mainly from New York, California, Washington D.C., Texas, and International.

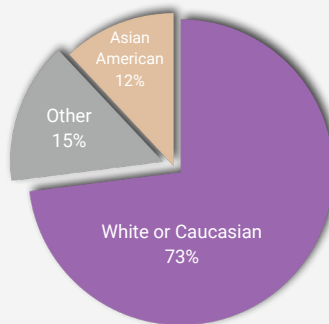


78%

Were within the 25 to 35 age group

21%

Followed by the 35 to 44 age group

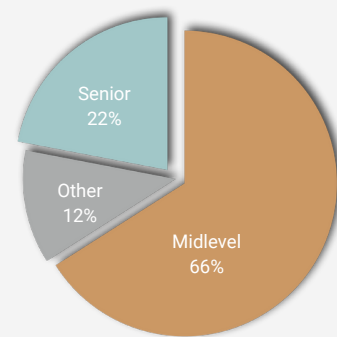


73%

Identified as White or Caucasian

12%

Were Asian American



66%

Midlevel Associates (3 to 5 years)

22%

Senior Associates (6+ yrs practicing)

The survey was designed to understand the mindset of the women when they first started in law, their goals and aspirations, and how their attitudes have changed since joining the big law firms.