



Provide Women a Seat at the *Decision-making Table*

Women need to be in visible leadership positions. When women associates see women in charge of practices, on the hiring committee, or as managing partners, it shows them what is possible.

When we asked the women in the Top 200 law firms that are not currently a partner if they saw a path toward partnership, 68% responded positively. Among these positive responses, the comments included:

“ My law firm has done an incredible job cultivating women in the workplace. Women are in many leadership roles and shape the workplace very positively. ”

Laura Leopard, CEO and Founder of Leopard Solutions, expanded on this, ***"Science tells us that women have qualities that make great transformational leaders. They seek to develop others, listen more effectively, and can think successfully 'out of the box.' Any company would do well to increase their percentage of women leaders, and law firms are no exception."***

How can an all-male leadership make proper decisions for female employees without knowing or relating to what they need or want? The answer is that they cannot, and they risk alienating the very group they would like to help. Women must provide input on healthcare, insurance, and other benefits the firm offers in order to ensure the firm is providing what they actually need. But just as important, having women in leadership can share their concerns and perspectives, which can be crucial at times.





Ensure a Zero-tolerance Policy for Sexism

The only way to not have sexism in the office is to end it. It is a choice; the firm must be deliberate and persistent. Sexism should not be tolerated, both obvious and subtle, as it can kill a firm's culture. The same should be said about racism and the unconscious biases that accompany it. A firm that no longer tolerates this behavior, by enforcing its own rules and punishing those who cross it, will change the culture for the better. If there is behavior at work that causes people to leave because they do not feel supported or safe, you are working against your primary goal as a business because attrition can kill your bottom line. Attrition steals millions from firms' profit margins every year, so as a business matter, creating a safe workspace for all should matter. A firm must be willing to make some tough decisions to ensure that they have created a positive workspace.





Uncover Unconscious Bias and Address It

We asked the women in the Top 200 firms if they experienced gender bias. While 51% of the women who answered claimed they had not encountered gender bias, their responses in the open-ended questions indicate that they likely have but dismissed it. As in the responses to the open-ended questions of the survey, we got answers such as "I don't see it in my practice area, but I have seen it in others." Or some feel that it is "just the guys doing guy things and choose not to include me." Instead of choosing to ignore these feelings, firms should set up a work environment that provides a channel for individuals to speak up when they feel uncomfortable. If women think that they are not getting the socialization that their male peers do or suspect that they are being underpaid, they have a channel to go to. "Cultivate an environment where women and underrepresented groups aren't constantly charged with the burden of *starting* important conversations. Let's be proactive and thoughtful about it. We want to encourage important dialogues to take place often and be initiated by everyone," said Morgan Dufault, Director of Talent Acquisition and Professional Development at Herrick, Feinstein LLP, advocating how to address biases.

While firms must advocate equitable treatment, women must also learn to stand up for themselves. According to Morgan, women tend to downplay their books of business or their relationships with clients. It is important to coach and champion women to go ahead and leverage their skillsets and inspire them to promote themselves the way their other counterparts (men) may be doing, which has led to the men's success. Women need to level the playing field in any way that they can.

A recent situation at a Cleveland law firm, reported by Above the Law, went viral after a partner sent a female colleague a disparaging text when she announced she was departing the firm following her maternity leave. The text questioned what the woman was doing on her leave while being paid by the firm. After the incident went public via social media, the attorney who made the controversial remarks was released from the firm. Uncovering such unacceptable behavior and addressing it by both the women and the firm is the only way to remove overall biases.

"Women tend to downplay their books of business. Instead, they need to learn to stand up for themselves."

Morgan Dufault
Director of Talent Acquisition
and Professional Development
at Herrick, Feinstein LLP.



Offer Equal Paternity Care

Most firms have childcare and parental leave benefits, but more improvements are needed as there is still much-concerning feedback from the respondents.

Offering equal paternity care is an easy decision. It normalizes the leave policy for both men and women who need to take off to care for a new child; there could be less of a stigma towards women for needing to take time off. While companies should not intervene directly in an employee's life, they should recognize inequality and offer ways to minimize the burden – whether that is helping women stay connected and developing their skills while they are on parental leave or facilitating their return to work.

“*The pressure is immense, even though my firm supports female attorneys. I'm pregnant with my first child, and I am terrified of taking maternity leave.*”

Creating a more inclusive parental leave program could help to ensure women do not feel that taking maternal leave will place the at a disadvantage.

“*Our gender-neutral parental leave made it the same for any attorney to take time off for childcare. By putting male parental leave in place and celebrating men who take parental leave, we are hoping that it promotes women taking maternal leave as a norm, which ultimately ensures that the whole firm is moving forward. It is not just about promoting women; it is about promoting the entire law firm.*”

Morgan Dufault, Director of Talent Acquisition and Professional Development at Herrick, Feinstein LLP.





Offer Flextime Schedules and Remote Work

Remote work was only possible in most law firms after the pandemic. Women had asked for it for years, but firms were only willing to allow remote work when forced. Women significantly benefit from it, and firms that continue to allow remote work will see a significant benefit with happier and still very productive attorneys.

Flextime could help women balance work and life more easily, allowing both men and women to take the time they need during a crisis or long term. Child care at work, time off for a sick relative- those perks should be shared across the board, and men should be encouraged to take it as needed. It will allow women to continue to work and deliver good work while balancing their needs at home. Encourage partners to take flex time when they need to. It will signal to associates that it is OK to take it. Flex time could allow you to keep valuable employees you otherwise might lose.



Acknowledge Women's Successes

We must help women get recognized for the excellent work they do. Working behind the scenes, rarely taking credit for work products, and never being recognized for their contribution are common traits women have. Firms should seek opportunities to uncover the women across their practices who do that and give them the spotlight.

"I enjoy teaching women how to promote other women. One exercise we do in the Women to Equity program is to ask each woman to share the three most exciting parts of her accountability partner's business plan rather than her own. Celebrating each other's work is far more satisfying than celebrating our own."

Christy Tosh Crider Chair of
Healthcare Litigation and Women's
Initiative Baker, Donelson.



The challenges women face in the legal profession require specific strategies to overcome. In the Women Leaving Law survey of 2022, the 11 strategic action items Leopard Solutions identified could help firms retain and elevate women. In the follow-up survey, we identified additional methods and expanded on what firms can do to further adapt and address gender issues.

One crucial strategy is to allow women to speak and amplify their voices. This means addressing micro-aggressions from men and senior leadership across the firm. Firm leaders must take responsibility and end such behavior to build women's confidence and encourage participation.

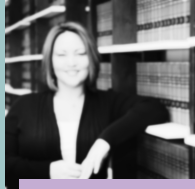
It is imperative to have women in visible leadership positions and decision-making roles. Another essential strategy is ensuring women receive the same opportunities as their male colleagues. This helps women associates see what is possible and enables women to share their concerns and perspectives, leading to better decisions for all employees.

Firms must have a zero-tolerance policy for sexism, racism, and unconscious biases that can poison the workplace culture. Punishing those who cross the line and enforcing rules can positively impact and reduce attrition, leading to better profits. Uncovering unconscious bias is another crucial step that firms can take. Training leaders on how to advance women and beat unconscious bias can help maintain a critical talent pool.

Firms should also offer equal paternity care to minimize the burden on working mothers and normalize leave-taking. Offering flextime schedules and remote work can also help working mothers balance their home and work responsibilities.

The responses showed concern about their future, both personally and professionally. The stress of childbirth and childcare was a concern, along with the pressures of meeting their billable hour requirements. Several said they felt they had to leave to start a family, and the lack of support disillusioned many who could not see moving up the ladder at their firms. Some women reported facing sexism at work and daily micro-aggressions that directly impacted their performance and perceived performance. These combined pressures make success in Big Law far more difficult for many women.

**We close out this report with two comments
we received from the survey.**



"I wish senior partners and people in leadership would actively talk to young female associates like me and ask what we need. I need access to childcare (I'm currently on an 18-month waiting list for four different daycares) and ramp-down/up periods around maternity leave. There's just so much anxiety around having children as an associate and avoiding the mommy track, and I think firms could do a better job of engaging with us to find a way forward."



"Large law firms vary enormously between practice groups and offices, and I would advise any attorney to look carefully at who they would be working with and what their job description will be before making decisions."

The need for firms to continue to do what they can to push for gender equality remains. We celebrate the firms that 60% of the women have responded favorably on. They have created a workplace where these women feel confident that they are at the right place to develop their careers, and we encourage them to continue to expand on their DE&I initiatives. At the same time, we urge the other 40% of the top firms whose women attorneys responded less favorably to look at what positive impact those firms are reaping from their gender equality initiatives and to start doing so if they have not.

Resources

[Big Law Offers Big Employee Benefits These Days-and That's a Big Deal](#)

January 23, 2023, FirstHand

[Why Toxic Culture Is To Blame For Women Leaving Law Firms](#)

January 18, 2023, Above the Law

[The State of the Legal Industry Report](#)

March 2023, Leopard Solutions

[Britons Increasingly Scared to Speak Out on Women's Rights, Data Shows](#)

March 7, 2023, IPSOS

[The Enduring Grip of the Gender Pay Gap](#)

March 1, 2023, Pew Research Center

[Gender pay gap in the U.S. hasn't changed much in two decades](#)

March 1, 2023, Pew Research Center

[Mansfield Rule Overview](#)

October, 2022

[Women Leaving Law Report](#)

October 2022, Leopard Solutions

[Sexism in the Courtroom: A Serious Problem Lawyers Need to Discuss](#)

RocketMatter.com

[Judge With History of Sexist Comments Called Out, Again, by 5th Circuit](#)

July 27, 2022, Law.com

[Overwhelming Evidence: Reports on Gender Bias in the Courts, 1990](#)

1990, U.S. Department of Justice

[Bar Association Considers Striking 'Honeys' from the Courtroom](#)

April 4, 2016, New York Times



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