



# Actions for Advancing Women in Law Firm Leadership and in the General Counsel's Office

Report of the National Association of Women Lawyers

Report on Second Summits

July 2013



# Letter from the President

We are very pleased to present this Report on the Summits sponsored by the National Association of Women Lawyers (NAWL) in 2010-11. In separate meetings in Chicago, San Francisco, and New York, these Summits brought together law firm leaders, including managing partners and chairs of Women's Initiatives, General Counsel, bar association presidents, and consultants to review the progress on the advancement of women lawyers into leadership positions at law firms and in corporate law departments.

The results of the discussions in the break-out sessions are contained in this report.

Special thanks are due to many people, and in particular to a few individuals: former NAWL Presidents Dorian Denburg and Heather Giordanella, and NAWL Board Member Wendy Schmidt. Hannah Hayes, who is the author of this Report, deserves NAWL's special recognition and thanks.

Finally, my thanks to all of the participants who attended the Summits and contributed their time, energy, and ideas. Their commitment to achieving the NAWL Challenge inspires all of us at NAWL to present programs, to publish, and to continue to promote prominent discussion of the ways in which women lawyers at law firms and in-house can advance. Further, this Report serves as a valuable resource for law firms, corporate law departments, and others committed to ensuring that all leadership reflects the diversity of the profession and takes full advantage of the excellent and diverse talent available to them.



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# Background

## **THE NAWL CHALLENGE**

When the National Association of Women Lawyers® (NAWL) issued its Challenge to the Legal Profession in 2006—to double the percentage of women equity partners within the AmLaw 200, women general counsel at Fortune 500 corporations, and women tenured law professors by the year 2015—the percentage of women in the profession in these leadership positions had been stagnating at roughly 15 percent. This was far less than many had expected, based on the large number of women graduating from law schools over the prior three decades.

The Challenge set its goal of 30% representation of women among law firm equity partners in the AmLaw 200, among general counsel in the Fortune 500, and among tenured law school professors for 2015. Over the past six years, NAWL has actively worked to assist institutions in taking the necessary steps, developing benchmarks for progress and framing concrete actions to substantially increase the retention and promotion of their women lawyers.

This included implementing and annually comparing the advancement of women in the AmLaw 200. In addition to measuring the progress of achieving the NAWL Challenge, the annual National Survey on the Retention and Promotion of Women in Law Firms has provided baseline statistics about the careers of women lawyers in firms and the roles that women lawyers play at the very senior levels of firms—as equity partners, members of governance committees, managing partners, and other indications of leadership status, including compensation.

Since 2006, NAWL has expanded career development programs aimed at assisting individual lawyers in gaining the skills and information needed to advance in their careers at law firms and in-house. In 2007, NAWL sponsored a National Leadership Summit bringing together general counsels, law firm managing partners, bar association presidents, heads of women’s initiatives, experts on professional careers for women, and other eminent members of the legal profession.

Building on existing research and experience about best practices for advancing women lawyers into leadership positions, the Summit concluded with feasible and measureable goals and actions in four key areas that significantly impacted the advancement of women lawyers in law firms: leadership, retention and promotion, business development, and compensation. The findings and best practices were outlined in the report “Actions to Advance Women in Law Firm Leadership.”

## **THE SECOND LEADERSHIP SUMMITS**

When the Fifth Annual NAWL Survey in 2010 showed little progress - in fact the compensation gap between male and female equity partners had widened - a series of Second Summits was

called for, to be held in 2010-11. Once again, the best minds in the field convened, this time at meetings held in New York, Chicago and San Francisco. A primary goal of the Second Summit series was to review and update the best practices developed by NAWL at the initial 2007 Summit.

In a series of small group discussions facilitated by leaders in the profession, participants discussed what strategies and techniques had helped women advance, what techniques had not, and what new ideas should be utilized to accelerate the advancement of women into leadership roles in law firms and corporate law departments.<sup>1</sup>

It is widely accepted that if leadership does not reflect the diversity of the profession, organizations are not fully taking advantage of the incredible talent pool available to them. Participants aimed to identify concrete best practices that can be utilized by institutions and individuals to advance women in the profession and thereby ensure excellence at all levels. This report details the discussion held in all three cities.



# Actions for Change Review

When the first NAWL Summit convened in 2007, NAWL's National Survey on Retention and Promotion of Women in Law Firms revealed that men held 92 percent of managing partner positions in the largest U.S. law firms, 85 percent of the seats on firm governing committees, and 84 percent of equity partnerships.<sup>2</sup>

Five years later, the numbers are disturbingly the same. The 2012 National Survey on Retention and Promotion of Women in Law Firms confirms that little progress has been made in advancing women and diverse lawyers into leadership positions. Further, the latest survey revealed that women are leaving big firms earlier and the proportion of women entering big firm practice decreased for the second year in a row. Women still lag in compensation.<sup>3</sup> This highlights the importance of implementing system changes aimed at retaining women talent and promoting women into leadership.

Because participants in the three Second Summit sessions were specifically invited because they represented leaders in the profession, all were asked to reflect on the policies, practices, and approaches that helped them to achieve success. While the question was asked in a slightly different way depending on the conference, we have grouped the responses in this report under the categories contained in the 2008 report, Actions to Advance Women in Law Firm Leadership, which resulted from the 2007 conference.





# Actions for Change Review Leadership

## **ACTIONS FOR CHANGE PLAN (2008)**

- Steps must be taken to ensure a more broad-based selection of law firm and corporate law department leaders. Recommendations included published criteria for advancement to equity partner and within a corporate law department and refining evaluation systems at all levels that would make the path to leadership clear. Nominating committees should be diverse with firm leaders overseeing the process to ensure all partners are held accountable.
- In order to sustain and nurture existing women leaders, succession planning should be formalized and unambiguous. Leadership and business development training should be made available to women in law firms, and firms should reward steps taken to ensure equitable compensation. Law firms and corporate law departments should also conduct exit interviews to examine if there are reasons people are leaving.

## **SECOND SUMMIT UPDATE**

When the percentage of women in law school peaked at 50 percent in 1993,<sup>4</sup> it was a fair assumption that the numbers of women in the pipeline for leadership positions would be on the rise. The NAWL Challenge arose in response to what were instead the stagnant numbers discussed previously.

While many of the actions outlined in the first Summit remain relevant, participants in the 2010-11 Summits outlined some particular areas for revision. Specifically, metrics and “scorecards” to help firms measure their success were viewed as ensuring transparency and allowing firms to address the areas that were lacking.

**Diversity committees need accountability.** While most firms and many corporations today have an existing diversity committee, their strength and utility within each law firm or corporate law department varies. Many lack representation from senior leadership or remain satisfied simply with written policies that are not measured or enforced. “Firms think it’s OK to just check the box or show that they’ve hired a lot of women,” said one participant. “Window dressing is not enough - the commitment must come from the top down.” Diversity committees must include senior partners and male and female attorneys from all levels.

**Women's Initiatives should be structured.** Women's Initiatives need to be structured with clear policies, compliance and implementation of which are measured frequently, and changes to those policies made as needed.

**Make it understood that diversity is good for business.** Not only do clients (both clients of law firm lawyers and clients of in-house lawyers) want to see women and attorneys of color in leadership positions, but firms and corporations without diversity initiatives are losing talent. Attrition because of lack of leadership opportunities hurts everybody.

**Leadership committees must reach out to young women lawyers.** Leadership training and business literacy seminars should be provided for young associates at law firms and for younger lawyers in-house. Young women lawyers at firms need to be encouraged to seek opportunities to learn the importance of and the skills needed to develop their own client relationships.

**Distribution of assignments must be reviewed.** Firm leadership committees must include women and a focus on the distribution of developmental assignments to women. Further, women in-house and at law firms must take an active role in advancing the careers of their counterparts in firms and in corporate law departments and of their colleagues at their firms and in their law department (see p. 13 on mentoring and sponsoring). Transparent succession planning should be codified by leadership committees that include women and diverse lawyers.

**Allow for flexibility.** The balanced hours, flex hour plans or part-time schedules for women lawyers, in and of themselves, should not be taken into account when assignments are made, or when women lawyers are evaluated. Women on flexible schedules must be allowed to advance and, while not every assignment is appropriate for someone on a flexible schedule, where that is not a consideration, she should not be precluded from handling an important matter only because of the nature of her in-office work hours. (See p. 8 for flextime policies)





## Actions for Change Review Retention and Promotion

### **ACTIONS FOR CHANGE PLAN (2008)**

- A key issue identified in the 2007 Summit was the need to correct for hidden bias and stereotyping both in how assignments are made as well as evaluations. This would call for mandatory and ongoing “inclusive and respectful workplace” training. Further, tools to measure and track retention should be developed to identify who is leaving and why. Firms and law departments should also track who receives high-profile, high-revenue assignments and work to ensure that teams include a diverse group of lawyers. Committees, practice group leaders, and office heads should have adequate numbers of women leaders.
- Mentoring has long been seen as key to ensuring the development of women as leaders. Defined and frequent discussion about different mentoring needs as well as programs focused on communicating effectively should be implemented. Thinking outside the box - such as rewarding incentives, creating mentoring circles, and finding opportunities for women lawyers to develop informal mentoring relationships with other women - should be considered.
- Professional networking opportunities for women specifically were thought to be lacking. In addition to training for young women attorneys, partners and senior in-house women attorneys should also be required to attend external diversity or gender-related conferences annually. Time spent on networking activities should be considered billable hours and a valuable contribution in-house. Partnerships with in-house counsel to create programs to “loan” firm associates to in-house departments would strengthen their ties and understanding of the inner workings of an in-house department.
- Programs that promote workplace flexibility, such as customized, flexible work schedules and “balanced” or reduced-hours schedule should be implemented. Expectations regarding non-billable time at law firms should be clear, and training for supervisors on how to balance workflow will improve existing programs. The use of flextime programs should be tracked at all levels in order to study the impact of reduced-hours schedules on retention and promotion of lawyers.

## SECOND SUMMIT UPDATE

A 2009 report by Catalyst found that women attorneys of color were leaving law firms at an alarming rate: 75 percent within five years and an astounding 86 percent within seven years.<sup>5</sup> Further, the 2012 NAWL survey indicated that only 4 percent of surveyed firms had women as managing partners. Women constituted 70 percent of staff attorneys, and many of these women have been stuck under the same glass ceiling for over a decade.<sup>6</sup>

In reviewing the action plan for the retention and promotion of women, participants at the Second Summits re-affirmed much of what the First Summit concluded. Further, existing programs should be revisited and law firm and corporate leadership must be involved in review and implementation.

**Address Hidden (Unconscious) Bias.** Recent studies confirm that unconscious bias continues to bar the way for promotion and retention of women at all levels.<sup>7</sup> From evaluations to assignments to the lack of networking opportunities, women continue to encounter barriers to promotion. Women in flextime roles in particular often face challenges to advancement as well as obtaining key assignments that would allow them to be recognized and succeed.

In order to address hidden bias at all levels, uniform metrics for evaluating associates and in-house lawyers must be developed.<sup>8</sup> This should include regular feedback in between evaluations as well as measureable guidelines for advancement. Clear policies for promotion and succession planning must be implemented. Executive coaching for women to help understand how hidden bias works would help them move up the ladder. Training on what constitutes bias also should be mandatory for men and women on review committees. Finally, progress should be reported in the numbers of women in leadership positions at every level.

**Replace Mentoring with Sponsorship.** As pointed out in the report on the 2007 Summit, while many law firms have mentoring programs, they are not always effective. Mentorships are sometimes in name only, or may seem artificial or forced if one party is unwilling to make the time. “Corporations are way ahead of law firms in terms of looking for succession candidates and really fostering and worrying about the pipeline being a good one,” says Cathy Fleming, who manages the New York office of Hodgson Russ LLP. More than just mentoring, a sponsor will champion a younger associate and push them forward in a concrete way.

Firms and corporations that make diversity a core value find that sponsorship is a natural by-product. A young lawyer’s relationship with a powerful woman who is an advocate for her can help transfer business and have a role in promoting women into management positions. This also ensures that knowledge is passed on to a younger generation. A solid sponsorship program should include women who are proven leaders and good at mentoring. Training should be available and sponsors should be compensated and formally recognized.

**Diversity committees must have everyone at the table and demand accountability from the top.** Firm leaders must take an active role in advancing the careers of women. Many committees lack representation from senior leadership—younger lawyers need female role models and need to see women in leadership roles. Many Women’s Initiatives have nothing behind them; a formal task force to study and act upon retention issues should include people who hire and fire so they are accountable to diversity.

Finally, diversity issues must be linked to business and clients. “We need to link it to client demands and make the case that diversity is good for business,” says Michele Coleman Mayes, General Counsel of The New York Public Library and formerly Executive Vice President and General Counsel for AllState Inc. In-house counsel should demand metrics from the firms they hire. Companies should have scorecards that are easy to complete and that law firms are expected to complete on a regular basis. (See p. 15 for more on what general counsels can do.)

**Networking opportunities for women must be expanded.** Men and women need training to understand that social events aren’t just social. Networking circles where opportunities are formalized should be considered. The focus is then on expertise and opportunity and not on informal male “golfing relationships.” Women should also be given the opportunity to develop relationships with peers at in-house departments in formalized programs.

**Flextime policies must be open, pro-active, and supported.** While more and more companies are offering balanced hours, flextime, and part-time opportunities, programs allowing such work schedules still need to be expanded and defined. Programs should be assessed and numbers studied so a woman’s decision to take advantage of flextime policies does not impact advancement. Women who take advantage of such programs often are stereotyped. Going part-time can be viewed negatively, and programs should be established to help women who opt for these programs to stay connected and still advance within the firm. Flexibility should not negatively impact success, and managers must be trained to manage workflow so women taking advantage of flexible hours do not lose opportunities that will allow them to advance.

**Executive coaching and training will help women move up the ladder.** An organization’s targets or goals should be complemented by executive coaching. Training on unconscious bias will help women understand the challenges they face in moving up the ladder. Many women may be waiting to be asked to take on an assignment or waiting for promotion, and they need to be taught assertiveness.



# Actions for Change Review Business Development

## **ACTIONS FOR CHANGE PLAN (2008)**

- Institutional barriers to business development for women hurt the entire firm, taking away potential business. Partners should be held accountable to women's access to key opportunities. Firms should measure (and monitor) the number of women on pitch teams for high-profile and high-revenue representation teams and monitor the number of women on important firm presentations. Firm credit and attribution systems should be revised and legacy systems addressed.
- Firms should facilitate business development efforts, providing a budget and giving credit for time spent on marketing activities. Business development training and coaching should be available and firms should offer incentives to sponsors and champions.

## **SECOND SUMMIT UPDATE**

In the 2009 Annual NAWL Survey, companies were asked how many women were among their top rainmakers. Nearly half of major U.S. firms indicated that they had no women among their top ten rainmakers, while one-third reported that only one of their top ten rainmakers was a woman.<sup>9</sup> When the Second Summits convened in 2010-11, the then more recent Annual NAWL Surveys had found that women still were not getting credit for their rainmaking activities.

Because excellence among women law students and performance of women lawyers generally are not and cannot be in question, the absence of appropriate metrics and attribution systems must play a vital role in the lack of women reflected in these numbers. In addition to providing opportunities for women to build their client base and work on high profile projects, law firms must ensure that origination credit is fairly distributed and diversity is not a “window dressing” operation for big clients. Participants at the Second Summits advocated re-enforced metrics, as well as training and further promotion of younger women lawyers.

**Uniform metrics and measurable programs must be created and employed.** Women often do not get credit when they participate on pitch teams, and many women reported feeling like “window dressing” in an effort to give the appearance of diversity to prospective clients. Firms must track the involvement of women on pitch teams, as well as their participation in getting the

work, to ensure they receive or share origination credit. Firms also should institute planned succession policies so that there is a greater likelihood that women will succeed to the role of client relationship partner.

**Succession planning must be formalized and institutionalized.** In many firms, who “inherits” business upon a lawyer’s retirement is often based on relationships within the firm. Because women often are excluded from networking opportunities, they are negatively impacted by the absence of a formal succession policy. Law firms must implement transparent succession policies as well as track and measure who “inherits” business within the firm.

**Young women lawyers must be encouraged and trained in business literacy.** Training sessions around how to develop a book of business, how to become mobile and movable between practice areas, and how to develop clients in general should be available and encouraged.

**Upper management must seriously promote the business case for diversity and become actively involved.** A Business Development Advisory Committee consisting of women leaders and diverse lawyers should actively work toward ensuring younger women have the tools to learn how to become good lawyers, bring in business, and in general have powerful people advocating for them. Face time with senior management and support from the top should be part of a concerted effort to develop the business skills of younger lawyers.

**Women general counsel should demand women lawyers.** While many corporations have diversity requirements that apply to their use of outside counsel, they don’t always actively monitor how women lawyers fare in the origination credit wars. Clients can play a powerful role in forcing law firms to track origination credit and ensure that women receive their due. Companies should develop a “scorecard” for firms to track who is getting credit, sending the message that metrics and diversity are important. Women who are general counsels should set the policy at the top.

**Firms should take active steps to promote young talent.** Clients often have a “go to” person at the firm. Firms should offer existing clients younger female associates to fill this role, rather than the originating attorney, which would demonstrate confidence and enthusiasm in their abilities. Policies that partner new associates with originating attorneys should be implemented so younger women have the opportunity to eventually succeed to the client relationship and become the “go to” lawyer for that client.

**Establish secondment relationships for in-house lawyers at their outside counsel firms.** This would help develop longstanding and important business relationships. In-house counsel would have opportunities to gain expertise and advance within their companies and law firm lawyers would develop special relationships with and within the firm’s corporate clients.



# Actions for Change Review Compensation

## **ACTIONS FOR CHANGE PLAN (2008)**

- Participants at the 2007 Summit recognized that the compensation process needed serious revision. Compensation criteria should align with a firm's core values, business objectives, and strategic goals. A diverse compensation committee should oversee a program of metrics and measurements to quantify the advancement and retention of women and diverse lawyers. Recognizing that promoting and retaining women is good business, firms should move away from individual rewards to focus on the team as well as compensate activities that promote the long term objectives of the firm. Succession planning will result in reaching out to diverse lawyers.
- Compensation criteria should be published and articulated. Further, women are often discriminated against for self-promotion. Training to encourage effective self-promotion should be made available.

## **SECOND SUMMIT REPORT**

The NAWL Annual Survey of 2012 found that women lawyers' median compensation lags behind men's salary at all levels, with the greatest discrepancy at the equity partner level.<sup>10</sup> This year, the ABA established a Task Force on Gender Equity following years of continued reports that women make 89 percent and less of men in the same positions.

Other reports have found that compensation systems lack transparency and committees in charge of compensation lack diversity. Disputes over origination credit and lack of succession planning exacerbate the problems of compensation. Women continue to be excluded from rainmaking opportunities and inherent gender bias often penalizes women who attempt to advocate for themselves. Further, activities taken on by women that contribute to the health of the firm (such as mentoring or serving on diversity committees) are not weighted as heavily as cash contributions.<sup>11</sup>

**Changes in compensation procedures must come from the top.** Compensation policies should be reviewed by senior members of the firm and should include diversity committees and strong women advocates. Policies should include surveys to understand the work people (and especially women) do that may not fall under "billable hours" or rainmaking. Criteria for compensation should include time spent on work that benefits the long term health of the firm.



**Law firms must link compensation to lawyers' contribution to the long term viability of the firm and not just billable hours.** Compensation must be driven by universal formulas that are not discriminatory. All of the work lawyers do must be documented and measured and incentives for team-building activities should be considered. Firms should provide credit for team building, mentoring, and other activities that are vital in maintaining a profitable and successful business and that are often unrecognized.

**Succession planning and business training will result in reaching out to diverse lawyers and help close the compensation gap.** “The biggest indicator of success in a law firm is the size of your book of business, and women’s books are smaller than men’s” says Cathy Fleming of Hodgson Russ LLP. “Unless we work on that, it will remain a problem.” In addition to training, transparent succession policies and clear guidelines for allocating origination credit enhance a woman’s chance at building her client base.



# Moving Forward

## RECOMMENDATIONS FOR LAW FIRMS

Unconscious bias, lack of transparency and metrics, and the failure to adhere to clear standards for evaluation and compensation will only be resolved if law firms are willing to remove the window dressing of diversity and make it a business issue. Priorities for advancing and retaining women must be communicated from the top down.

The issue of diversity must be reframed as an issue of losing talent if the culture of a firm refuses to change. These changes must be driven by metrics and data, with successes benchmarked and diversity achievement rewarded. Firms must motivate and achieve total buy-in from everyone in the firm and adopt methods and policies that will advance these changes.

Recognizing that behaviors won't change overnight, it must be unacceptable to do or say things that reflect hidden bias, or behave in manners that hinder a firm's diversity goals. Decision makers may need to be forced into the conversation: all leaders should undergo inherent bias training and learn how to use accountability metrics to achieve their diversity goals.

Specifically, those attending the Second Summits recommend the following:

**Demand data driven results.** The only way to achieve transparency in promotions and offer equal opportunity, fair succession, and equal compensation, is by creating written standards and measuring success in attaining them. Law firms and corporate law departments should be challenged to ensure that a set percentage of women hold various leadership and management positions; this can be tracked by report cards similar to the NAWL Annual Survey on the Retention and Promotion of Women.

**Replace mentoring with Sponsoring.** Create a culture where developing people is a valued and rewarded activity. It should not be "luck" that an attorney finds someone who takes an interest in her development. Mentoring should be supported from the top, but incentives should also be given to men and women who sponsor a new or younger attorney. A sponsor can speak up for a younger, inexperienced attorney, offer them new opportunities and otherwise "champion" his or her mentee from the very beginning. Because not everyone is a natural mentor or sponsor, training programs should be offered and attorneys who participate should be rewarded.

**Offer training opportunities for business skills and rainmaking.** Each department should have requirements for improved proficiency that will enhance opportunities to advance. Lawyers should be encouraged to expand their skills and fight for a chance to work on high profile projects and otherwise learn different areas of the business. CLEs on success planning or

becoming leaders should explain the importance of high profile work and exposure to other potential clients, as well as the importance of doing things outside the firm early on to build their portfolio (i.e., writing articles, joining organizations, obtaining credentials outside the firm, etc.) Women need to be taught about hidden bias and how to self-advocate.

**Create new avenues to the top.** The age-old manner of using billable hours to pave the way to partnership should be reviewed. Different tracks should be made available that are based on the varied ambitions of the members of an organization—i.e., for those who want to work 9-5 as well as those who want to be equity partners. Attorneys working part-time or flextime and who want to be on the partnership track should be given an appropriate path and opportunity.

**Refine flexibility practices.** Once again, metrics and transparency are key to ensuring that lawyers who opt for a flexible hours work schedule are not sabotaging their careers. Program transparency and managing experts should monitor workflow and track the success rate of women and men who opt to participate. Partners who work on a part-time or flextime schedule can play a leadership role in overseeing these programs.

**Revamp compensation systems and ensure they are transparent.** The pay gap between men and women is receiving national attention, and firms should recognize the negative impact this has on their business. Re-thinking compensation systems so they reward diversity, mentoring, and team-building activities is key. Oversight committees that include women and diverse lawyers should monitor and implement a system that is standardized, clear, and available in print.<sup>12</sup>

**Make the business case for diversity.** The impact of attrition on law firms is costly.<sup>13</sup> With 85 percent of women of color leaving a firm in the first seven years, the reasons for creating and maintaining retention programs for women can be seen in dollars. More clients are demanding real diverse representation. Law firm leadership must re-frame this as a non-gender issue and get men involved. The business case for understanding why it is important to promote women and how the business benefits in general must be promoted.

**Individual women need to fight for diversity as well as institutions.** Women leaders need to reach back and help other women. Women who have achieved success should demand that women are adequately compensated and evaluated and given equal opportunities at all stages of the game. Further, women should act quickly to share credit and/or promote women within and without the firm. Women leaders should nurture existing women partners and co-workers to ensure retention.

**Enhance efforts to reach out to younger attorneys.** New generations of lawyers have different definitions of success and may not have the history or background to understand what they may face in their careers. Women leaders and law firms should communicate with young women's committees and reach out to law schools to make young students aware of the challenges that may lie ahead. Increased communication with younger women as to personal obstacles they may face may also help them understand the systems and move forward. Many young associates think they do not need mentors, but meaningful feedback will help younger attorneys take

ownership of their careers. They should be encouraged to approach partners and other senior women who can help them decide on their career paths.

## RECOMMENDATIONS FOR IN-HOUSE COUNSEL

Women and minorities in corporations can play a vital role when it comes to increasing diversity. “Corporations have experience implementing diversity programs and are better at keeping metrics,” says Michele Coleman Mayes. “Women have been able to break through more, and minority women are not considered an aberration. Their customer base is more diverse, and companies have confronted this and said ‘OK, we’re going to get better at this’ ”

**Women should help other women advance.** Formal sponsorship programs can help newcomers understand the culture of the company. Many younger women especially may not be aware of the available CLE opportunities that focus on leadership enhancement. Younger women just out of law school may face unexpected challenges and often need to be encouraged and trained to be self-advocates.

**Join the company’s diversity committee.** Women can take an active role in ensuring that the company offers CLE opportunities aimed at overcoming unconscious bias and helping younger women advance. This is also a way to track and ensure that significant business is going to women and minorities and that they have a role in developing RFPs (Requests for Proposals that are sent by the corporations to law firms).

**Seek opportunities to shine.** External networking opportunities can lead to other leadership opportunities that will enhance your position in the company. Younger women should be encouraged to join the local bar association and look for speaking and publishing opportunities that are relevant to their expertise and the company’s products or services. Finding a public platform that shows off talent can only be good for the company.

**Actively participate in changing the profession.** Clients can wield great power and can change behaviors of management by having in-house counsel communicate with compensation committees and accounting departments to ensure women are receiving credit for their work. General Counsel can reinforce the business case for diversity by advocating within their companies for the following changes:

- Send surveys to managing partners at their outside counsel law firms, particularly if there is a disparity in the numbers of men vs. women partners, and discuss directly the firm’s statistics and how they can change.
- Ask firms to bring women on client pitches and make clear getting their business is tied to diversity.
- Demand that a set percentage of partners at the firm and/or who work on their business are women.
- Encourage firms to offer informal networking opportunities to introduce diversity attorneys to clients. Two-way secondment opportunities and corporate mentoring of women lawyers will benefit both in-house attorneys and their companies.
- Recommend individuals at a firm to other in-house counsel and general counsels.
- Including meaningful information and diversity criteria on RFPs, which should be standardized and used to make decisions. Corporations should require post-RFP reporting

and request feedback forms from pitch teams and otherwise take measures to track progress. Firms who do not meet diversity standards agreed upon in the RFP should be penalized.

- Keep scorecards ranking outside counsel on their diversity achievements, using them as a mechanism to give work. Scorecards should be publicized and include criteria such as utilization rate, origination credit, compensation, etc.
- Institute a transparency policy: clients should inform firms why they didn't get work.
- Give a greater spotlight to those firms that are doing it right.
- Develop a list for managing partners and leaders to assist them in what they must do to get a law firm's work. Develop standardized surveys and follow-up procedures to ensure that diversity is taken seriously, women are given opportunities and credit, and firms do not treat women as "window dressing" for clients.

Diversity must be reframed as a business issue. In some firms, this may require a culture change, but leadership must motivate and achieve total buy-in from everyone in the firm to adopt methods and policies that will advance these changes. Increasingly, diversity must become an issue of excellence, and as more women are brought into leadership positions, the greater the sea change for women—and law firms—across the board.





# Conclusion

Representation of women general counsel at Fortune 500 companies has grown steadily. According to the Minority Corporate Counsel Association, 21 percent of Fortune 500 companies have women as lead general counsel. In academia, 20.6 percent of women are deans.

Law firms, however, are seriously lagging. Apart from meeting the NAWL Challenge that would ensure that women in leadership represent their numbers in the profession, law firms stand to lose out on an abundance of talent as women leave firms at which they cannot advance.

Over and over again in these Summits, we heard that what gets measured, gets done. Corporations that have been successful in advancing women to the top legal spots instituted real metrics to ensure that women advance in accordance with their competence and talent. Law firms must institute clear evaluation and compensation systems, and transparent succession policies.

We also heard of successes that prove that it can be done. Now is the time to re-examine actions that law firms and corporate law departments can take to ensure that women stay in law firm practice and advance accordingly. Those who participated in the Second Summits left with a commitment to make a difference; now law firms and corporate law departments must do the same.



# Acknowledgements

## SESSION DATES, LEADERS, AND PANELISTS

**New York City, December 7, 2010**

**Chicago, April 11, 2011**

**San Francisco, November 10, 2011**

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Beth Baier	Warner Home Video
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# Endnotes

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<sup>1</sup> Because the strategies needed for women to advance within firms and corporate law departments bear greater similarity to those that should be utilized in law schools, the advancement of women law school faculty members was not addressed, but will be addressed in 2013

<sup>2</sup> Nat'l Ass'n of Women Lawyers, *National Survey on Retention and Promotion of Women in Law Firms* 7 (2007).

<sup>3</sup> Nat'l Ass'n of Women Lawyers, *National Survey on Retention and Promotion of Women in Law Firms* 3, 4 (2012)

<sup>4</sup> Catalyst Report on Women in Law, *Women as a Percent of J.D. Enrollment 1972-2012*, available at <http://www.catalyst.org/knowledge/women-law-us>. Another report from the Careerist states that women's highest percentage of J.D. Degrees awarded occurred in 2004 and has since been on the decline).

<sup>5</sup> See report by Catalyst report, *Women of Color in U.S. Law Firms*, (2009).

<sup>6</sup> Nat'l Association of Women Lawyers, *National Survey on Retention and Promotion of Women in Law*, 5 (2012)

<sup>7</sup> See e.g. the PAR/MCCA 2010 report on compensation, *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women*.

<sup>8</sup> See e.g., report by ABA Commission on Women in the Profession, *Fair Measure: Toward Effective Attorney Evaluations* (2009).

<sup>9</sup> Nat'l Association of Women Lawyers, *National Survey on Retention and Promotion of Women in Law*, 3 (2009.)

<sup>10</sup> Nat'l Association of Women Lawyers, *National Survey on Retention and Promotion of Women in Law*, 5 (2012)

<sup>11</sup> See e.g. the PAR/MCCA 2010 report on compensation, *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women*

<sup>12</sup> *Id* at 7.

<sup>13</sup> See, e.g., *Attrition of Senior Women Lawyers: The Leaky Pipeline (2009)* by Phyllis Horn and the Philadelphia Bar Association, available at <http://www.abajournal.com/files/BarReporterNewsAnnouncement/pdf>