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SUMMIT ON KEEPING HER IN HER PLACE:

NEW CHALLENGES TO THE
INTEGRATION OF WOMEN
IN THE PROFESSION

Featuring articles by:

Charna Sherman
Christine Lagarde
Sheila Wellington
Hope Ferguson

Joan Williams
James Sandman
Ida Abbott
Deborah Rhode

Plus details about the next ABA Summit on Women

Keeping Her In Her Place: The ABA Summit on Women

by Charna Sherman
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What better testament to the pressing nature of the challenges women face in our profession than a standing-room-only crowd at the first-ever American Bar Association *Summit on Keeping Her in Her Place: New Challenges to the Integration of Women in the Profession*. This program, held at the ABA Annual Meeting on August 11, 2002, in Washington, D.C., featured the nation's foremost experts in the field, and drew hundreds of attendees, as well as unprecedented support from women's bars across the country, many of the most prominent leaders in our profession – both female and male – and an impressive list of national organizations, including the co-sponsorship of the National Association of Women Lawyers®. The extraordinary success of the *Summit* has only has launched a myriad of new programs and publications, but has helped raise the profile of this issue within the ABA and the profession at large.

The Genesis of the Summit

The idea for the *Summit* was a brainstorm of the Woman Advocate Committee (WAC) of the ABA Section of Litigation, charged with addressing the needs and concerns of female trial lawyers. The WAC was alarmed by recent studies documenting widespread professional dissatisfaction among female lawyers, particularly litigators and, worse, the departure of so many from the profession altogether. Indeed, even though enrollment of women at our nation's most elite law schools has risen to almost 50 percent for many years, the numbers of women at the top of our profession account only for a mere fraction of that initial percentage.

Because of the compelling nature of the issue, the WAC conceived the idea of holding a full-fledged summit and created an august Organizing Committee, which I had the honor of chairing. Its members included former ABA Presidents Martha Barnett and Roberta Ramo; Federal District Judges Nancy Atlas, Ellen Segal Huvelle and Barbara Lynn; Margaret Brent Award Winner Laurel Bellows; Carolyn Lamm; Robert Liebenberg; Charisse Lillie; Sara Lipscomb; Barbara Mayden; Lee Stapleton Milford; D. Jean Veta; Andrea Zopp and Tina Tchen. The Committee members, in turn, applied their time, their talents – particularly their powers of persuasion – and their clout to convince the two largest Sections of the ABA – Litigation and Business Law – as well as the ABA's Commission on

Women in the Profession, Commission on Racial and Ethnic Diversity in the Profession and the Women's Caucus to sponsor the *Summit* as a plenary program in the Presidential CLE Center in August 2002.

With such strong ABA support, the Committee reached out for national co-sponsors. One of the first on board was the National Association of Women Lawyers®, who readily embraced the *Summit*. NAWL immediately understood the significance of this unprecedented event and offered to dedicate this issue of the *Women Lawyers Journal* to memorialize and commemorate this historic moment for women in the law. NAWL's support was joined, in turn, by that from Catalyst, Minority Corporate Counsel Association, National Association of Women Judges, National Conference of Women's Bar Associations and the Women Lawyers Division of the National Bar Association. A special benefactor, National Association for Law Placement, made a significant financial contribution and another, NCR Corporation, agreed to fund extra copies of this issue of the NAWL *Journal* to ensure that the reach of the *Summit* would extend well beyond those who attended.

In addition, over 28 women's bars across the country also agreed to co-sponsor the *Summit*. They included the Association of Black Women Lawyers of New Jersey, Inc.; Bar Association of Metropolitan St. Louis, Women in the Legal Profession Section; California Women Lawyers Association; Cleveland Bar Association, Women in the Law Section; Fayette County Women Lawyers Association; Florida Association of Women Lawyers; Georgia Association for Women Lawyers; Hawaii Women Lawyers; New Jersey State Bar Association, Women in the Profession Section; New York Women's Bar Association; North Carolina Association of Women Attorneys; Ohio Women's Bar Association; Pennsylvania Bar Association, Commission on Women in the Profession; Philadelphia Bar Association, Women in the Profession Committee; Philadelphia Chapter of the Women Lawyers Division of the National Bar Association; South Carolina Women Lawyers Association; Texas Women Lawyers; Toledo Women's Bar Association; Travis County Women Lawyers Association; Vermont Bar Association, Women's Section; Virginia Women Attorneys Association; Women's Bar Association of the District of Columbia; Women's Bar Association of Illinois; Women's Bar Association of the State of New York; Women's Bar Association of Western Pennsylvania; Women Lawyers' Association of

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Greater St. Louis; Women Lawyers Association of Los Angeles and the Women's Section of the Alabama State Bar. Women leaders across the country also joined our efforts, including Judith Areen, Dean of Georgetown University Law Center, and many of the National Law Journal's Top Women Litigators, including Elizabeth Ainslie, Kathleen Behan, Dale Cendali, Cynthia Chapman, Patricia Glaser, Patricia Hynes, Maureen Mahoney, Janet McDavid, Dianne Nast, Suzelle Smith, Audrey Strauss, Maria Vullo, Mary Kay Vyskocil and Sylvia Walbolt.

Paramount to the Organizing Committee, however, was the recognition that women themselves cannot solve the issue at hand; rather, it is a challenge to the whole profession. Critical, therefore, was the support from men of influence in our profession, who proved not to be the least bit reluctant about our cause. They included no less than seven former and future ABA Presidents: Philip S. Anderson, N. Lee Cooper, R. William Ide, III, J. Michael McWilliams, William G. Paul, Jerome J. Shestack, and Dennis W. Archer, President Elect Nominee of the ABA 2003-04. In addition, our ranks were joined by the following top male leaders in the profession: Scott J. Atlas of Vinson & Elkins LLP, Chair of the ABA Section of Litigation; John Beisner, Managing Partner of the D.C. Office of O'Melveny & Myers LLP; John T. ("Jack") Boese, Managing Partner of Fried, Frank, Harris, Shriver & Jacobson; Benjamin R. Civiletti of Venable, Baetjer, Howard & Civiletti, LLP, former United States Attorney General; Robert A. Clifford, Principle Partner of Clifford Law Offices; Joseph C. Dilg, Managing Partner of Vinson & Elkins LLP; Marc L. Fleischaker, Managing Partner of Arent Fox Kintner Plotkin & Kahn PLLC; William Kovacic, General Counsel of the Federal Trade Commission; Andrew H. Marks of Crowell & Moring LLP, former President of the District of Columbia Bar; J. Roger Mentz, Executive Partner, Washington, D.C. Office, White & Case; Caryl A. Potter, III, Managing Partner of D.C. Office, Sonnenschein Nath & Rosenthal; James J. Sandman, Managing Partner of Arnold & Porter; Stuart C. Stock, Managing Partner of Covington & Burling; Mark H. Tuohey, Vinson & Elkins, Former President of the District of Columbia Bar Association; David C. Weiner, Chairman of the Board of Hahn Loeser & Parks LLP, former Chair of the ABA Section of Litigation; Robert Weiner of Arnold & Porter, Former President of the District of Columbia Bar; Richard A. Weis, Managing Partner, Foley & Lardner; and Paul M. Wolff, member of the Executive Committee of Williams & Connolly LLP.

With such overwhelming support, the Organizing Committee's only real struggle was giving the

Summit a title. "Keeping Her in Her Place" was chosen because it literally embraced all of our concerns and objectives. At its root, the problem at hand is an historical one of keeping women in a second-class place. Over more recent years, however, the problem has manifested itself by the departure of women from the profession. Thus, the most basic challenge is figuring out how to keep women in their place – that is, as lawyers. And finally, as complex as the answers are, the goal is truly simple: keeping women in their rightful place!

The Summit Program

The upbeat tone of the *Summit* was set right at the outset by the inspiring remarks of our Opening Speaker, perhaps the most successful woman lawyer in the world: Christine Lagarde, Chairman of the largest law firm in the world, Baker & McKenzie, who flew in from her office in Paris to share her story. She was eloquent and charming. And more, she told a story of hope . . . of men from whom she learned and mentors who helped her over the challenges and bumps that stood in her way. Her success is testament to the real possibility of a true partnership among all lawyers, whatever their gender.

Our Keynote Speaker followed with the hard facts. Sheila Wellington is the President of Catalyst, an organization that promotes women in careers and is dedicated to sophisticated and scientific research and analysis about "what we all know" about professional women. Her organization reduces the anecdotes to real figures, so that they can no longer be ignored or, worse, brushed aside as insignificant or non-existent. Catalyst's findings were recently published in a groundbreaking study of 1400 law school graduates nationwide. The study found these women far less satisfied with their advancement in their legal careers than their male colleagues. Among the data that establishes such dissatisfaction is the disproportionately small percentage – only 15.6 percent – of women partners in law firms nationwide and the even smaller percentage – 13.7 percent – of female general counsels of Fortune 500 companies. Comparative compensation figures demonstrate an equally disturbing disparity. Consistent with these numbers, women plan on leaving their current employer three years before their male colleagues. Most dissatisfied are women of color, who anticipate leaving their employer four years earlier than men. In conjunction with the *Summit*, Catalyst released its newest report, *Making Change Guide: Women in the Law*. This guide is currently available directly from Catalyst and offers concrete direction on how to effectuate real change. Following Sheila Wellington's remarks, a panel detailed the extensive research the ABA has conducted on women in the profession. Deborah L. Rhode, Chair of the ABA Commission on Women, summarized the results of their recent publication

The Unfinished Agenda: Women and the Legal Profession. Charisse R. Lillie, Chair of the ABA Commission on Racial and Ethnic Diversity in the Profession, also addressed the far greater challenges the Commission has studied which women of color face.

Two panels then proactively addressed the problem. The first focused on making the economic case for change, moderated by a former President of the ABA, Martha Barnett. Catherine Lamboley, Vice General Counsel and Corporate Secretary of Shell Oil Company, and Susan Hackett, Senior Vice President and General Counsel of the American Corporate Counsel Association, spoke to changing expectations of "the client." Their bottom line was simple: sheer economics have driven corporate America to include women and minorities in their ranks and, soon enough, lawyers will recognize that if they want corporate America's business, they too will need to do the same.

Mary B. Cranston, Chair of Pillsbury Winthrop, addressed the sobering data compiled by the National Association of Law Placement on the real financial costs to firms associated with losing – and having to replace – women lawyers. James J. Sandman, Managing Partner of Arnold & Porter, a law firm that has led the way with respect to the advancement of women, shared insights about the economic incentives for, advantages of and goals for proactive efforts towards addressing the advancement of women in the profession. He was particularly passionate about why employing part-time lawyers makes economic sense not only for his firm, but more importantly, for their clients.

Anne Weisberg of Catalyst then moderated a panel on proven ideas for change. American University Professor Joan C. Williams, author of *Unbending Gender: Why Family and Work Conflict and What to Do About It*, addressed methods to make part-time schedules work. One of the foremost corporate pioneers on advancing women has been DuPont DeNemours & Company, E.I., and Hinton J. Lucas, Jr., its Associate General Counsel, spoke to the specific and demanding requirements they impose on their outside counsel to ensure diversity. Joseph C. Dilg, Managing Partner of Vinson & Elkins, reported on a pioneering Advisory Committee his firm founded – which notably included clients – to oversee and verify the firm's progress in this effort. Veta T. Richardson, Executive Director of the Minority Corporate Counsel Association, reported on the matrix analysis they have used to assess best and worst practices. Ida O. Abbott, a lawyer and consultant, imparted the key advice rendered in her many publications: the importance of having a mentor and champion.

The *Summit* was capped off by a reception on the rooftop of one of the nation's foremost law firms, Covington & Burling, to celebrate the day's exhilarating event. As the sun set over the Nation's capitol, hundreds of attendees were abuzz with talk of change and plans for more and future events. It was truly a momentous step on the road to truly integrating women in the profession. We can all face the challenge with the confidence that not only are there answers, but we are not alone in our efforts.

Indeed, shortly after the *Summit* we learned it already made a difference in at least one woman's life. A high-ranking male partner at a major New Jersey law firm reported to us that the *Summit* had inspired him to take a stand in support of a woman up for partner at his firm. Although her hours had failed to meet their expectations after she returned from maternity leave for the birth of her first child, he spoke about how the *Summit* had changed his perspective . . . and his new convictions convinced the others!

Charna Sherman focuses her practice as a Partner at the Cleveland Law Firm of Squire, Sanders and Dempsey L.L.P. on litigation matters. She represents numerous corporate and individual clients as both plaintiffs and defendants in a broad range of cases in federal and

state courts, including complex commercial and other civil litigation, as well as white collar criminal defense. She is a member of the American Bar Association, where she serves on the Section of Litigation

Leadership as Co-Chair of the Woman Advocate Committee. She is also a member of the Cleveland Bar Association. In 1999, she also served by appointment on the U.S. Magistrate Selection Panel for the U.S. District Court for the Northern District of Ohio.

