



Feature

In a Pink-Collar Profession, Male Paralegals like Wal-Mart's Robert Stephens Find Profit

By Anne O'Dell

Men working as paralegals are a clear minority; but in this case, being a minority might present an advantage. since a hornbook is a primer of basics."



Lately, studies conducted by the federal government, the National Association of Legal Assistants, and other organizations have focused on what they describe as an increasing number of men working as non-attorney legal staff.

Other studies have pointed to larger numbers of men in fields such as midwifery, obstetrics and gynecology, nursing, preschool and kindergarten teaching, typing, and other traditionally pink-collar areas.

Some say these numbers are driven by unemployment, an unstable economy, and even these pink-collar industries' courting of male applicants to increase workplace diversity. Job security may be greater in these industries, which some say suffer from a lack of qualified applicants.

U.S. Office of Personnel Management said in 1998 that nearly 80 percent of paralegal specialists were women. According to a study by *USA Today*, men held 15.3 percent of the country's legal assistant jobs in 2000 and close to 18 percent in 2002. However, in a 2002 survey conducted by the Orange County Paralegal Association, 94 percent of the respondents were women; and a 2004 NALA survey showed that 96 percent of respondents were women.

In 2005, the Bureau of Labor Statistics revealed that 13.7 percent of all paralegals were men, which represents an increase of almost 2 percent from 2004 statistics.

As more men are moving into positions that would have previously been considered "women's work," many paralegals, government officials, and scholars question the significance of these numbers. What do they mean to the paralegal community as a whole and to the women and men who work together in law offices and legal departments?

Some, such as Kaplan University senior vice president Harold Levy, say that gender-based stereotypes in the division of labor are becoming part of America's economic past. Recalling a time in recent memory when even classified ads were separated by gender, one can see the benefits of inviting more men into the paralegal community.

However, others assert that the male presence in the field only makes gender stereotypes more distinct.

Jennifer Pierce, associate professor of American studies at the University of Minnesota, wrote in 1996 about the stereotypes of attorneys and paralegals in traditional masculine and feminine roles in her book *Gender Trials: Emotional Lives in Contemporary Law Firms*.

After spending a year and three months researching in a large law firm, Pierce found that because of the hierarchy present in the legal professions, men will almost always occupy the highest-paying positions (attorneys, including partners and associates), but women will compose the majority of all the lowest-paying positions in a firm (file clerks, secretaries, and paralegals). In this way, she wrote, "Men are affirmed as the authority and women as subordinates."

Indeed, in a 2000 study conducted by the women's advocacy group 9 to 5, women who worked as legal assistants, although their salaries averaged 104 percent of men's salaries in the profession, still made less than half of what male lawyers reported.

Pierce also saw that men were treated very differently as paralegals than were the women who had the same job description. She found that male paralegals were encouraged and helped by male associates to pursue promotions and even law school; women paralegals did not receive the same attention.

This type of special treatment is something that Wal-Mart paralegal Robert Stephens has experienced in his 19 years working in courts, law firms, and corporate legal departments.

Stephens said that he constantly hears attorneys and others ask why he hasn't pursued a J.D. degree.

"I am asked this question more than any other," he said. "My family wanted me to go to law school...I have even had employers offer me tuition assistance if I would attend law school. While this gets aggravating, it has also served me well.



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"In my opinion, this misconception has brought me trust far quicker than I would have received [it] if I were a female paralegal."

In Pierce's study, she stated that male paralegals who display masculine traits are likely to receive this kind of attention because male attorneys see paralegals as essentially feminine.

Stephens said, "I believe that in general, clients and employers assume that because I am a male paralegal, I must have an edge. They assume I am in law school, used to be an attorney and retired, am doing paralegal work for retirement income, or will become an attorney in the future."

Stephens also said that his gender allows him to travel on business with male attorneys whose wives or girlfriends would be uncomfortable with a female paralegal in the same scenario.

Although Stephens profits by some gender stereotypes, he said that others have made his relationships with co-workers occasionally difficult and awkward.

"I regret that there are not more male paralegals," he stated. Being the one of very few men in the profession, he said, "creates awkward situations, of which my counterparts may not even be aware."

"For example, when other paralegals and I are required to travel, I am assigned a room to myself. While this sounds more comfortable, it is also very lonely."

Although difference in gender causes Stephens to feel left out of some aspects of his female co-workers' camaraderie, he said his sense of humor has allowed him to establish normal workplace bonds with them and alleviate some of the tension.

These relationships have become so strong that Stephens and his co-workers rarely even notice the gender difference that corporations, spouses, and partners might see.

"With regards to my relationship with the female paralegals in my department, I am a paralegal, and they are paralegals, first and foremost. We deeply care about our profession, our clients, and our work product. After that commitment is met, we are a huge family consisting of several sisters and a big brother to watch over them all."

"So, in short, while the spouses and corporations see a gender difference, we paralegals do not."

Still, even with this in mind, Stephens noted that his gender creates problems.

"I have a dear friend who is married. Her husband never liked the fact that she and I had to travel together, let alone go out to dinner with one another. It makes perfect sense that if two female associates were on a business trip together, they would dine with one another. However, with the difference in our gender, it created a look of impropriety."

In 2004, the Alaska Justice Forum's panel on gender equality stated, "Gender equality, while requiring empowerment of the disadvantaged gender, is more than statutory changes and widespread knowledge of those changes and the resulting corresponding rights."

"Sensitivity to stereotyping is necessary before its connotations of inequality can be made plain."

Scholars agree that awareness of these harmful stereotypes and increased diversity in all areas of legal employment are the best solutions to gender stereotypes and their negative effects.

As Stephens noted, an increased number of men in the paralegal profession would improve the lot of all male legal assistants, who currently both suffer and profit by the assumptions of male attorneys, family members, friends, and other paralegals.

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