



Feature

Disparity between Male and Female Partners

By Amy E. Wong

“A CEO wants a guy with shared experience and values, a guy, say, who gives him putts within three feet,” Peter J. Solomon, founder and chairman of his own investment company, told the *New York Times*.



Executives often promote like-minded people, mostly Caucasian men, to positions of authority. This inclusiveness also extends into the legal world, where partners, who are predominantly men, promote those who also believe in working long hours, networking at golf courses, and generating more cash.

This clash of ideology means that women associates rarely attain partnership.

The National Association for Law Placement (NALP), a career resource for lawyers and law students, revealed that 83 percent of partners at major law firms were men in the year 2005. Only 17 percent were women.

This is startling news considering that, according to The U.S. Equal Employment Opportunity Commission, the number of women and men graduating from law school and working as associates has been equalizing during the past few decades.

This trend, as outlined in the *Philadelphia Business Journal*, has nothing to do with social trends, company policies, or ethical considerations. It is an issue of economics.

Michael M. Boone, a founding partner of the law firm Haynes and Boone, said in an article in the *New York Times*, “Forget about skin color or gender or whatever. If you want to run a great business, you need great, talented people. And I don’t care if I’m hiring Martians if it makes good business sense.”

Carolyn Elefant, a blogger at www.myshingle.com, wrote, “The problem with large firms is that everyone, male and female, is held to an equal standard: generate more billables, bring in more revenue.”

The American Bar Association (ABA) found that when law firms expanded in scope and size during the 1990s, partners

began relying on billable hours as a measure for charging clients and assessing individual lawyers’ productivity. Billable-hour requirements have created a competitive and cutthroat environment, where lawyers feel obliged to work long hours.

The ABA Commission reported, “The unending drive for billable hours has had a negative effect...on family and personal relationships.” As a result, “many young attorneys are leaving the profession due to a lack of balance in their lives.”

However, more women are leaving law firms than men. This may result from the fact that women are paid less. According to a *Diversity & The Bar* article, Caucasian males earn \$250,000 more than their Caucasian female colleagues.

These paychecks, the article suggests, “seem to reflect attitudes that say that one person’s contribution is more valuable than another’s, even though they do the same job.”

Paul Williams, general counsel at Major, Lindsey & Africa, noted in a *Diversity & The Bar* article that because the average tenure of women is shorter than that of men, their compensation tends to be lower. In what amounts to a catch-22, women leave because their salaries are lower, but don’t stay long enough to receive higher salaries.

Martha Fay Africa, managing director and founder of Major, Lindsey & Africa, suggested in a *Diversity & The Bar* article that women do not ask for money as aggressively as men do. Research, Africa notes, shows that women frequently do not actively seek the best assignments and often receive routine work that does not develop their skills.

Consequently, women are not promoted to partnership. Caucasian men, who are often more aggressive than women, have a higher likelihood of being promoted to partner.

There are other contributing factors that block a woman’s promotion in law firms. Several Minority Corporate Counsel



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Association (MCCA) studies reveal that the economic pressures that come with billable hours limit a partner's time. As a result, partners rarely have the time to mentor young associates.

Those who are mentored, however, tend to be men. This is because male partners are reluctant to enter into mentoring relationships with women. The *New York Times* says, "Why is a woman who hunts down her male boss for a chat seen as overly aggressive or possibly flirtatious, while a male doing the same thing is seen as merely ambitious?"

Another factor that explains the disparity is importance of networking. For attorneys, networking is the opportunity to generate business by nurturing strong social relationships with their clients.

A 34-year-old white female attorney wrote in her blog, *The Happy Feminist*, "This can be hard if you're a woman and the clients are men. It can be awkward to go out to dinner or drinks with an opposite-sex client. Also, a lot of firm-client socializing involves attending sporting events or playing golf."

There are many factors that can be attributed to the disparity between the number of female and male partners. In any case, it boils down to a struggle of ideology. Are women willing to leave their children at home while racking up billable hours? Are male clients willing to socialize with female attorneys? Are partners willing to find the time to mentor young female associates?

In order to retain female lawyers and cultivate female partnerships, female associates and their firms have to meet halfway.

Melissa Lafsky, author of www.opinionistas.com, wrote in her blog, "I do think that firms can start by focusing less on the 'female problem' of retaining women and more on the overall task of not creating a shitty environment for the vast majority of people who walk through the marble lobby. Practicing law didn't used to be considered a hollow, dehumanizing activity."

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