Common Obstacles for Women Lawyers

It is an unfortunate fact that women in the law earn less than men, on average. However, there are many more women involved in legal jobs than there used to be. What are some of the obstacles that women entering the legal profession face? That’s the question we wanted to find out the answer to, so we reached out to lawyers and others involved in legal careers, both female and male, to get their opinions about what these obstacles are and how they are overcome. Although we live in modern times, discrimination is still evident in many professions, even if it may be unintentional in many cases. We hope you enjoy reading these insights as much as we did.

The hardest obstacle for a woman lawyer to overcome is ignoring well-meaning advice on what she should do to further her career.

When I decided to go to law school in 1954, about 3% of this country’s lawyers were women. When people heard about my decision, they all tried to talk me out of it saying that that was not a proper occupation for a woman.

When I did become a lawyer, I was told not to concentrate on women’s rights, the issue I cared about, as the road to money and success lay in corporate law.

I chose to follow my passion—women’s rights—and did not take their advice. As a result, I became the first woman lawyer in the Office of the General Counsel at the EEOC (Equal Employment Opportunity Commission), a founder of NOW (National Organization for Women). I played a role in the revolution in women’s rights that has taken place in this country, along with its spillover to the rest of the world, and am constantly being showered with recognition and awards.

Sonia Pressman Fuentes
Speaker, Author, "Eat First--You Don’t Know What They’ll Give You, The Adventures of an Immigrant Family and Their Feminist Daughter"

I have never experienced an obstacle that was solely the result of being a female. I am generally the only woman in the room and most always the only female lawyer at my level, but I have never viewed that as an obstacle. I think the biggest challenge that any lawyer faces is maintaining a good work/life balance, especially in a world where technology enables you to be always connected. The practice of law is a jealous mistress and demands significant time and effort. Being successful while making time for friends, family and leisure is a necessary and constant struggle.

Lisa R. Carstarphen is the Senior Vice President and General Counsel at Arise.

What is the Hardest Obstacle for a Woman Lawyer to Overcome?

The hardest obstacle for women lawyers is the pervasiveness of gender bias and inequality and the lack of real resources available to address them. Of course, this obstacle is not unique to lawyers, it is an obstacle encountered by women throughout different ranks and professions. Specific to the legal field, it is critical to note that although women are receiving JDs at a number similar to men we are still far behind men in the
workplace. For example, the Commission on Women in the Profession of the American Bar Association released numbers revealing that among General Counsel for Fortune 500 corporations only about 21.6% are women and of that percentage, 3.7% are Hispanic and 1.9% are Asian American/Pacific Islander. Additionally, of the 200 largest law firms, a mere 4% of Managing Partners are women. This should be no surprise. We’ve been hearing this for decades. The challenge then becomes, how do we (both women and men) address the issue together? The answer lies in the question. We need to work together. Our leaders/managers/supervisors must create and foster a culture that both encourages and supports gender equity, a culture that brings women to the table and keeps them there.

What was the hardest obstacle for you to overcome? How did you overcome it?

Consciousness. A professor once said to me, “Norma, when I see you, I see three things: you’re a woman, petite, and a minority…you will be judged based on these things.” This has been the hardest obstacle for me. It is the fact that this is still very real and coping with it. I continue to work towards overcoming the effects of gender and racial stereotyping. I hope to overcome it by collaborating with individuals to develop a model that will allow our leaders/managers/supervisors to effectuate positive changes in the workplace. This, in part, requires engaging in meaningful conversations that identify issues/obstacles effecting women lawyers and making our leaders sensitive to them. It is not enough to have a diversity program.

Norma Manjarrez is an Associate at Tristan & Cervantes and practices in the area of Labor & Employment Law, Construction Law, and general Business Litigation. “Ms. Manjarrez received a Bachelor of Science in Finance, Magna Cum Laude, from DePaul University. She received her Juris Doctor from the University of Illinois College of Law, where she was a member of the Illinois Law Review and a teaching assistant for the legal writing department,” according to her website.

The most difficult obstacle of being a lawyer and a woman is that there are times when male lawyers or when clients (of either gender) make assumptions about who you are on the basis of your gender. For example, sometimes male lawyers in family matters can speak somewhat gruffly to one another, possibly even being a bit obscenely frank. I find that they may initially assume a female lawyer is too delicate to manage straight talk or aggressive negotiation, so I like to come at them a little more intensely at first when I sense that is happening so they know that I am not a shrinking violet and that we can be real, frank and open and get the job done. Clients sometimes make assumptions that a female lawyer might be more nurturing or that judges will make either positive or negative associations with their case on the basis of the gender of their lawyer: but it isn’t usually the gender of that lawyer, but the lawyer’s reputation that can make a difference in how a judge perceives the case, along with the facts of the case and how well they are presented.

Lynda L. Hinkle, Esq.
The Law Offices of Lynda L. Hinkle, L.L.C.

As a young girl, I never played with Barbie dolls. I was more focused as a child on what I was going to be when I grew up. My father, a psychiatrist, repeatedly told me throughout my childhood that I could do and be anything I wanted to be when I grew up. From the age of 10, I knew I wanted to be a criminal defense attorney.

It wasn’t until I was 24 years old and started practicing law that I learned that being a female defense attorney was uncommon and that some people, especially my male counterparts, would have a problem with it. I distinctly remember a conversation I had with male defense attorney about ten years ago. We were in court and he said to me, "Nobody really hires female attorneys to be their lawyers, do they?" I immediately replied, "Obviously they do because I’m here representing somebody.” I was so infuriated by his question, I went on to tell him that I likely made more money than he did.

Unlike my male counterparts, I have had to deal with practicing law while being pregnant, really pregnant. During my first pregnancy, I was handling a murder case. It was an extremely difficult pregnancy that required constant doctor supervision. I was entering my eighth month of pregnancy as we neared our trial date. After a routine doctor’s visit, I was told by my obstetrician that I needed to stop working immediately as the baby’s health was in jeopardy. When I informed the judge and the district attorney assigned to the case of my doctor’s concerns, the district attorney argued in open court that women make stories like this up all of the time to postpone going to trial. I told him, also in open court, that both his wife and his mother would be ashamed of him. Years later, he sincerely apologized to me for his lack of empathy, sharing that
what he said and my response had still burdened him all of these years later.

Maybe it’s because I practice law in a large metropolitan city but judges have never treated me badly simply because I am a female. They have treated me (or my clients) badly for other reasons—-but never because I was a female.

Most importantly, the people I have represented all these years have always embraced my gender. Known to be more compassionate, better listeners and pay more attention to detail, my clients have preferred being represented by a woman. Going back to the days when my father told me that I could be anything I wanted to be, I have never known that there was a difference.

I finally purchased my first Barbie doll in 2008. I bought it because it was the first time Mattel featured Barbie running for United States president.

Alison Triessl
Alison Triessl Law

As a solo practitioner, my experiences are likely to be slightly different from someone who works at 'big law' as I am not subject to billable hours. While I don’t have a boss or office politics stressing me out, my time is taken up by client demands and frequent gov’t imposed deadlines. My biggest challenges are more about work life balance while operating a busy law practice that affect peoples’ future.

1. The ‘juggling’ challenge: my day begins at 6-6:30 am when my 15 month old wakes me up (I have a 3.5 year old also). From that moment, it is a race against the clock to feed then, make lunch, get them dressed and dropped off at daycare. I generally get them to day care by 8:45 and return home around 9am when my work day begins (I am already exhausted).

2. My work day is generally 9-5. Within this time, I have meetings with new clients securing new cases, existing clients discussing strategies/answering questions, supervising my employees and their work, reviewing forms and doing my own case work. I am my own human resource department, public relations department, accounting department as well as lawyer for all cases supervising my employees constantly.

3. At 5pm I must have a hard-stop and must pick my children. I stop in the middle of whatever task, which will have to wait for later. The children will keep me busy with them until bedtime, and during the summer days, my 3 year old will not sleep until 9pm.

4. 9pm is most frequently part 3 of my usual workday, where I am either reviewing work I didn’t get to during the day (if I have not passed out on the couch first). With frequent government deadlines for more complicated issues, this is often the only time I will get quiet time to focus.

5. I am a frequently blogger/author on immigration issues. I find that I often will stay up all night if I am really inspired. That leads to a very tired day the next day because my routine of waking up at 6 and then working from 9 doesn’t stop just because I am inspired to write about some boring (to some) immigration topic.

6. I also dedicate some time to my local American Immigration Lawyers Association chapter bar association by way of being on committees. I dedicate much less time than used to when I had no children. But with immigration reform on the horizon, I am too passionate not to devote some time to advocacy on immigration reform. After hours if normally where I can do some of these things.

7. 7. To that end, I just helped create a formal committee called "AILA Parents" to help fellow mothers with the above issues.

Compassion: While this is one of my biggest strengths for my immigration practice, it is also a weakness (obstacle). It is less of a weakness now that I have more experience - but clients can take advantage of the sympathy to either mean they can dominate my time or not pay me.

Tahmina Watson, Solo Practitioner
Watson Immigration Law
Although females are tipping the balance in terms of newly qualified lawyers, we still work in an environment created by men. Women are still not proportionately represented at partner level in law firms and the working hours, culture and environment are still very much geared towards employees working late and frequently beyond contracted hours, which can be very difficult for women when they are combining their careers and parenthood.

The working environment can become very demanding for lawyers with families who often have to work harder and longer hours when combining both childcare commitments and feeling the added pressure of maintaining the same out of hours expectations that many law firms demand of their employees. I have been fortunate in that where I work I have been able to work a flexible arrangement that allows me to balance both my childcare commitments and my work commitments though a combination of working at home and flexible hours, and with flexibility on both sides this has worked well for both me and my firm.

However, since becoming a working mother I have needed to work harder than before, juggling my work and home commitments. This has made me incredibly focused on my work and tasks that need to be completed as time becomes and even more precious commodity. The juggling act can at times be very hard work, but it is also rewarding in many ways. I feel that I am a positive role model to both my young children whilst maintaining the career that I am passionate about and have worked hard to achieve.

Another hurdle for many working mothers can be changing roles and jobs particularly in the legal industry. Although some firms agree to flexible working for existing employees it can be much harder for female lawyers to change jobs after they have children as few law firms advertise for part time workers, flexible working hours or job shares. This often means that female lawyers who need flexibility when they start a family don’t always have the freedom to move to other roles.

Jasmine van Loggerenberg
Slater & Gordon

Working mothers are pulled many directions, not all of which are consistent with practicing law in the traditional time frames. A sick child can delay getting to the office early in the morning, or altogether. We focus on flexible scheduling. For example, we have team members working from very early (so they can spend time in the afternoon with older children, after school), to late in the day, so that there’s almost always someone we can shift work to if a child is sick suddenly, or can’t go to school. Also, we work on being sure our timekeepers can work remotely, and thus be at home with kids, and bill for their time for doing so. We provide “concierge services” to help with everyday tasks that working moms have a hard time getting to because their time is so limited. Finally, we work hard to keep the environment and morale focused on how important it is to stay happy, rested, and calm, and how guilt and stress doesn’t benefit anyone.

Mayanne Downs
GrayRobinson, P.A.