

# At Last... PART-TIME PARTNERS

A first generation of reduced-hours lawyers—many of them working moms—found themselves on a dead-end career track. Now progressive firms are offering them the chance to make equity partner and share in the decision-making and the profits.

BY KATHERINE BOWERS • PHOTOGRAPH BY BUFF STRICKLAND



PAMELA MILLER, with sons (left) Addison, 7, and Marshall, 6, began working reduced hours in her fifth year as an associate at Arnold & Porter, after Marshall was born. In 2005, she was elevated to partner, still keeping her reduced-hours schedule.



**When** attorney Pamela Miller leaves work early, she keeps the email to her team brief: “Leaving the office. Available on cell.” No details about the sick caregiver, the missed bus, the soccer game or the school conference. “I don’t believe in apologizing for the fact that I’m a working mother,” says the 38-year-old equity partner in Arnold & Porter’s litigation practice. “If I send out an email about things going on at home, people will get a mixed message about whether or not I’m available. I use technology to the greatest impact to be available. Sometimes it means taking a call from a soccer field instead of the office.”

Pamela is part of a small yet burgeoning trend at law firms: the part-time partner. Notorious for their grueling, non-family-friendly schedules, law firms have traditionally reserved partnership for full-time attorneys, while those opting to work reduced hours have found their careers stalled. Though Pamela’s roughly 40-hour week isn’t what most employees would consider “part-time,” in her profession—where performance is measured in billable hours—it’s common to log twice as many hours each week. Her reduced schedule means she can make her most important daily appointment—6:30 p.m. family dinner with sons Addison, 7, and Marshall, 6—without sacrificing her career. In fact, as an equity partner at Arnold & Porter, she not only has a voice in the firm’s management but also shares in its profits.

To be sure, this new breed of equity partner is still the exception, not the rule. Today women make up only 18 percent of equity and nonequity partners nationwide, and according to the National Association for Law Placement (NALP), only 12 percent of these partners work a reduced-hours schedule. (All told, only 3 percent of male and female partners nationwide work reduced-hours, according to NALP.) But for a growing number of progressive firms, the part-time partnership option is a critical recruitment and retention tool. “Many young lawyers want to start their careers at a fast pace but know that someday they want a family,” says attorney and law recruiter Karen Welling, who owns a consulting firm in Boston. “A firm’s commitment to family is a huge selling point.”

The Best Law Firms for Women are leading the charge for change. Indeed, 100 percent of our winning firms allow reduced-hours lawyers to be elevated to partnership. They also report 22 percent of female nonequity partners working reduced hours and 12 percent of female equity partners

working reduced hours. But more important, over the past five years, these firms have continued, albeit slowly, to promote reduced-hours lawyers to nonequity and equity partner at an average rate of two lawyers a year per firm. These firms also offer support—including mentoring, business-development training and backup child care—to help these lawyers succeed. “Our flexible-schedule and part-time partners are among our most respected and valued, both inside and outside the firm,” says Jerry H. Biederman, managing partner of Chicago-based Neal, Gerber & Eisenberg. “Firms that don’t give part-time attorneys the option to pursue the same career path as full-timers risk turning away or demoralizing some of their best talent.”

## The Reduced-Hours Magnet

When tax attorney Laura Barzilai, 48, went looking for a new job, Sidley Austin’s track record of promoting reduced-hours lawyers to partner—seven women in the past five years—was a deal clincher. “It was a real and proven thing,” she says of the Chicago-based firm, which she joined in 2006. Laura, mother of Maya, 17, and Ben, 14, had worked part-time at a previous employer, rising to counsel during her 20-year tenure. At Sidley Austin, she began billing about 30 hours a week by working three days in the office and two partial days at home—and was elected equity partner after 18 months.

The difference between working as counsel and as partner has been dramatic—and refreshing, says Laura: “When you’re a partner, a wider variety of work flows through your door.” And Laura still has the family time she wants: On days she works from home, she tries to pause work at 3:00 p.m., when her teenagers troop in the door. “It’s really critical to me,” she says. “I want to be the first one they spill to about their day.”

## TV’S LEADING WOMEN IN LAW

In pop culture, female lawyers are often powerhouses in their careers but struggle to fit family in—if at all. By Tiffany Forte



1984–1992

### Clair Huxtable, *The Cosby Show*

When Clair got stressed by the pressures of her job as partner at her firm and the demands of her five children, her husband, Cliff, whisked her to a “You’re Not a Mother Night”—including dinner and a night in a nice hotel—for a much-needed break.

1993–1998

### Maxine Shaw, *Living Single*

With her stellar career, attorney Maxine Shaw seemed to have it all. It wouldn’t be until the end of the series would she opt for motherhood, turning to a sperm bank only to learn that the donor was her on-again/off-again boyfriend, Kyle.

1993–1999



### Sylvia Costas, *NYPD Blue*

Sylvia was a crusading ADA who fought to save her marriage to alcoholic detective Andy Sipowicz. After a maternity leave, she returned to work only to be killed in a courthouse shooting.

Sidley Austin litigation partner Kathleen Roach, who herself works a 60 percent schedule and chairs the firm's Committee on Retention and Promotion of Women, says those eight recent reduced-hours promotions, including Laura's, have reverberated through the firm's ranks—and its recruitment. "The big message this sends to part-time associates is 'You're not off track,'" she says, while for partners, it's that the firm will help them stay on board. "We were losing the exact kind of lawyer we wanted, with all the talent and maturity, with the skills and judgment and the significant client relationships," notes Kathleen. "It's very shortsighted if a firm can't keep women—some of them nonequity or equity partners—because they can't work reduced schedules."

At Bingham McCutchen, a Boston firm that's elevated eight part-time partners in four years, the message that part-timers can make equity partner is meant to be heard loud and clear. "We've made it a point to ensure that a reduced-hours schedule does not equal reduced-opportunity work," says Daniel Jackson, the firm's director of attorney development. "We pay a lot of attention to making sure associates are getting new challenges and developmentally appropriate work." As a result, he says, while some reduced-hours attorneys may take a few years longer to reach partnership than their full-time peers, others can cultivate the necessary expertise in the same amount of time.

Pamela Miller made equity partner at Arnold & Porter on a standard eight-year track while having two children and working reduced hours. Following maternity leave for Addison's birth in 2000, she returned to full-time work only to discover two months later that she was pregnant with Marshall. So following her second leave, in 2002, she opted for a reduced schedule. "In this field, I have been extraordinarily lucky," she says. "I did not have the message delivered to me—in any shape or form—that I'd better wait on having children if I wanted to make partner."

## Law Firms See the Light

For lawyer moms, and women in general, the real excitement in the legal profession today is that firms are taking this next step to part-time partnership—albeit a baby step. "This is a second-generation issue," says Cynthia Calvert, codirector of the Project for Attorney Retention, an initiative of the Center for WorkLife Law at University of California Hastings College of the Law. "The first generation was allowing

attorneys to reduce their hours. Now it's about allowing reduced-hours attorneys to advance to the point where partnership is an issue."

This change is a ray of light in the legal profession, which has lagged sorely behind comparable professions even in offering the part-time option. Today, while only 5 percent of lawyers at major firms work part-time, federal statistics show that nearly 14 percent of employees across most white-collar jobs do. Fields such as medicine and accounting have seen their ranks revolutionized by flexible working arrangements; however, at many law firms, reduced-hours attorneys often find themselves stigmatized as less committed than their peers and excluded from the prestigious work that leads to partnership.

With attrition rates for women at major law firms now hovering at 76 percent by their fifth year of practice, some firms see flexible work arrangements backed by real career advancement possibilities as the key to retaining top talent. At the Minneapolis firm Dorsey & Whitney, for example, attrition among women dropped to 10.8 percent last year from 27 percent in 2005, thanks to flexible work arrangement programs that have resulted in four reduced-hours attorneys being elevated to equity partner since 2003.

Networking and mentoring tailored to reduced-hours lawyers are also becoming increasingly prevalent, especially at our winning firms—nearly 80 percent of which assign an employee to keep tabs on the reality of reduced-hours workloads. At Farella Braun + Martel, for example, a professional development director checks in monthly with the San Francisco-based firm's reduced-hours associates to make sure they receive quality assignments and to gauge whether client and firm needs are being met. And firms such as Houston-based Andrews Kurth and Indianapolis-based Ice Miller offer networking and support groups to keep lawyers with nontraditional schedules in touch and in the loop, enabling them to benefit from one another's knowledge, especially on issues regarding advancement.

For firms considering whether to offer partnerships to part-timers, it's important to take the long view, says Marianne Trost, founder of the Women Lawyers Coach, a company that consults with firms and individuals about pivotal issues for female attorneys. "For most women, the window of time when they will be on reduced hours to care for children is relatively small over a forty-year career," she says. "Firms need to realize that if they're supportive through that period, they create a group of women who can mentor and support others through the process."

1997–2005

**Sarah "Mac" MacKenzie, JAG Mac,** a judge advocate in the U.S. Marine Corps, and Navy Commander Harmon Rabb made a perfect team. Facing promotions in different cities, the engaged couple flipped a coin to decide their fate.



1997–2004

**Ellenor Frutt, The Practice** A partner and single mother who went into labor at the office, Ellenor dealt with parenting and weight woes as well as a slew of former friends who often popped back into her life with rap sheets in tow.



1997–2002

**Ally McBeal, Ally McBeal** As a 28-year-old Harvard Law grad, Ally could only dream of babies. However, her hallucinations turned real when her 10-year-old daughter, the result of an egg-bank mix-up, showed up on her doorstep.

## MAKING PART-TIME PARTNERSHIP WORK

We asked pros to reveal their best tips for working reduced hours:

**Take on fewer projects** but devote yourself to them. “I don’t see myself as part-time. I see myself as a hundred percent on fewer matters,” says Sidley Austin equity partner Laura Barzilai.

**Take Wednesday off.** If you’re looking for a four-day week, TGIF isn’t necessarily the best plan. “Clients don’t seem to miss you on Wednesday, but they do like to have things done on Friday,” says Hogan & Hartson managing partner Emily Yinger.

**Make peace with pauses.** “Lawyers can get very antsy the minute they’re not billing. If you aren’t comfortable with that, you’ll never get to a true part-time status,” says Miranda Mandel, general counsel for Neal, Gerber & Eisenberg.

**Keep full-time child care.** It’s a client-service business, and you’ll occasionally need to take a call from home or visit the office for a few hours. “It’s hard being subject to client whims when you don’t know if you’re going to have child care,” says Emily.

**Keep kids in the loop.** If they’re old enough, explain when you have to take on extra work, why you’re doing it and what the impact will be. When Laura took on a major transaction, she sat with her children, then ages 6 and 4, and explained she had a big opportunity that would mean two months of extra hours: “I told them, ‘I’m going to be busier than I’d like to be, but it’s not going to be like this forever.’”

### Flex Works Both Ways

Women who have made partner while working reduced hours are spreading the word—and offering advice to the next generation. Emily Yinger, managing partner for Hogan & Hartson’s Northern Virginia office and mother of Meredith, 14, Matthew, 12, and Claire, 5, encourages fellow part-timers to strive for partnership. “It gives you the ability to develop a team,” says Emily, who also serves on the firm’s executive committee. “A team can backstop you, and you can be there to help *them* out. It’s a huge part of how I became successful.” But Emily, 45, doesn’t sugarcoat what partnership requires: top-quality work, substantive expertise and revenue production. “I tell them, if you want a predictable job, this isn’t it. But we can give you a whole lot of flexibility now that technology is so good.”

That flexibility is key for both part-time attorneys and their full-time colleagues. Take Diane Hertz, 43, a litigation partner with Bingham McCutchen’s New York office, who has twice shifted between part- and full-time schedules since her son, Braden, 6, was born. Diane recalls she returned from maternity leave to find coworkers buried in a big international litigation. “So I went back full-time for eight or nine months to help,” she says. “It was a great deal of travel, which was okay because he was just a little guy. But when he became aware of my going away and started to get upset, I knew it was time to step back.” Her willingness to ramp up for key cases branded her a team player at Bingham McCutchen; the firm, in return, has worked to support her schedule. “I appreciate their flexibility when I say, ‘I’m ready to go back to my other schedule,’” says Diane.

For most reduced-hours lawyers, being flexible means being in BlackBerry contact, keeping full-time child care for

backup and being willing to postpone a day out of the office for urgent matters. “If you are too rigid about it, it won’t work,” says Miranda Mandel, 51, general counsel for Neal, Gerber & Eisenberg and one of six reduced-hours equity partners at the firm. “You have to be available to your clients. It’s not necessarily dropping everything to do the work, because then you’re not part-time. But it is being responsive in a way that tells your client or colleague that you know something needs to be done.”

Sheila K. Davidson, who serves as executive vice president, chief legal officer and general counsel for the insurance firm New York Life, says she’s found the reduced-hours lawyers she’s worked with as a client to be “incredibly efficient.” This is a particular bonus with hourly billing, she notes. In fact, adds Davidson, herself a mother of two, technology means that schedule specifics are often a nonissue: “As long as it’s good-quality and timely legal advice, I don’t care if someone is thinking about my matter in the office, at home or on a playground.”

David Stone, a partner colleague of Miranda Mandel’s who works with a number of reduced-hours attorneys, says the payoff is tangible, with talented attorneys staying on staff—and talented attorneys joining the firm. He learned this personally when he

tried to recruit Elaine Taussig, an associate from another firm, in 2003. Initially, they couldn’t agree on her schedule: She wanted part-time; he needed full-time. “What I found out was that not hiring her was the worst option. I was better with her three days a week than zero,” he recalls with a laugh. “So I called back and said, ‘Okay, you win.’”

In January 2008, Neal, Gerber & Eisenberg promoted Elaine to equity partner. ■

1998–2004



#### Miranda Hobbes, *Sex and the City*

After Miranda had a son with boyfriend Steve, her ordered world as an attorney was upended. And when her son started to call his nanny “Mommy,” she cut back her time at the firm to a mere “50 hours a week, maybe 55.” Still, she managed to make partner.

2000–2008

#### Joan Clayton, *Girlfriends*

A dynamic woman committed to her career as an L.A. lawyer, Joan often played “mom” to her group of friends. Yet she shunned the idea of having kids of her own for fear that she wouldn’t be any good at motherhood.



2004–present

#### Shirley Schmidt, *Boston Legal*

As a founding partner at Crane, Poole & Schmidt, Shirley wins cases and keeps a hectic office in line. She has an ever-present ex-husband, whose sixth wife she represented in their divorce.