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Law firms turning to a family-friendly culture to keep female attorneys

To combat a high attrition rate of women in the profession, companies are adopting techniques to accommodate personal lives, such as part-time positions and longer maternity leaves.

**By Carol J. Williams
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When environmental lawyer Loren Montgomery realized she was pregnant eight years ago, she feared she would never make partner at her high-powered firm.

Traditionally, lawyers have been rewarded for working 80-hour weeks and schmoozing with clients outside the office. Taking maternity leave and scaling back on billable hours, Montgomery assumed, would mark her as lacking a competitive edge.

"I was nervous about telling people," she recalled. "I was worried what it would do to my career."

The first colleague she confided in at Latham & Watkins was her supervisor and mentor, Cindy Starrett, who as a partner, expert on land-use law and mother of two boys knew something about defying expectations.

"She never missed a beat," Montgomery said with respectful awe of Starrett, who has been instrumental in getting management to recognize the need to knock down hurdles for working mothers.

Starrett told Montgomery the firm couldn't afford to lose her, and that she shouldn't be bound by outdated concepts of a lawyer's career path. Montgomery could use telecommuting and creative scheduling to make her life work.

In response to an exodus of female talent turned off by the profession's reputation for not being family-friendly, law firm culture is changing. But it still has a long way to go.

Women have accounted for at least half of law school graduates and new hires at the nation's biggest firms for the last 20 years. But they tend not to stay around long enough to make partner and share in the firm's profits or define its mission.

About 42% of women leave the profession in mid-career, and many others defect to government or corporate jobs with more manageable hours. Only 16% of equity partners nationwide are women, and the top management is less than 8% female, according to studies by the American Bar Assn. and the National Assn. of Women Lawyers.

Latham & Watkins, the firm with 2,100 attorneys worldwide for which Montgomery works, does slightly better than most big firms, with 17% female partners globally and 20% in the Los Angeles office. Other L.A. law offices also boast better records, including Reed Smith, where 31% of the partners are women.

"It's pretty much one of the worst, if not the worst" profession for the advancement of women, said Carol Evans, president of Working Mother Media, which ranked the 50 best law firms for women in its August/September magazine issue.

But law firms are beginning to realize that the female attrition rate can negatively affect the bottom line.

"It costs a law firm between \$200,000 and \$500,000 to lose a second-year associate," Deborah Epstein Henry, founder of Flex-Time Lawyers LLC, said of the investment made in salary and training before a lawyer starts bringing in business.

Henry traces the comparatively low level of women in law's higher echelons to an enduring stigma on part-time work. Although the share of women working reduced hours in medicine, accounting, consulting and architecture is 11% to 14%, it's well under 5% for lawyers, she said.

Some of the recent push for flexibility is coming from those who hire big firms.

"Corporate clients are insisting that lawyers at the counsel table more closely represent people in the population -- the people you're going to be speaking to in a jury," said Ann Marie Mortimer, managing partner of Hunton & Williams' Los Angeles office and mother of a 3-year-old. "There's nothing more insulting to a jury than seeing a woman there only to carry a briefcase."

In pursuit of better economics and diversity, firms have introduced such things as longer maternity leaves, on-site day care and the option of working shorter hours.

They've also begun promoting alternatives to the typically male attorney-client bonding sessions on the golf course, at the stadium or over brandy and cigars.

"Spa get-togethers, women's poker night, wine tastings, cooking classes, antiquing outings, self-defense training," Henry rattled off, citing ways female attorneys have put their stamp on the networking practice.

"One client and I have taken our children to the 'Nutcracker' together for the past five years," said Elaine Koch, a partner with the Kansas City office of Bryan Cave. "We talk over her business -- the kind of bonding you would do with any client."

Montgomery, now a mother of three and celebrated within her firm for her business-development acumen, starts her workday later than most at Latham & Watkins, which, like Hunton, made Working Mother Magazine's Top 50 list. She sees 7-year-old Ben off

to the local elementary school, then drops off Will, 5, and Owen, 2, at preschool. One upside, she says, is missing most of rush-hour traffic.

"I'd just curl up and die if I had to be in the office by 8 every day," the honors graduate from Princeton University and Duke University law school said of the strict schedules that once prevailed.

Home offices and hand-held communications devices have made it easier for lawyers to spend less time in the office while remaining available to handle clients' questions, said Janet H. Kwon, a Reed Smith partner and litigator and former Los Angeles County deputy district attorney. With her BlackBerry, she can be home with her two daughters in the evenings or at their after-school events while still able to respond to calls and e-mails.

As women have become a larger presence in law firms, their male colleagues have benefited from their push for less frenzied schedules. Many top firms offer male lawyers the same part-time or job-sharing options as women, and increasing numbers of men are taking advantage of both paid and unpaid time off to help with a new baby.

"Certainly the increase of women in law firms and workplaces has changed the paradigm of the job, which then influenced the behavior of men in the firms," said Jim Tancula, 50, a partner and litigator at the Los Angeles office of Mayer Brown.

Eight years ago, Tancula had to use vacation time to be home in the first weeks after his twins were born. Now, Mayer Brown offers six weeks of paid paternity leave and up to 18 weeks for birth mothers.

"The ability to have the time to learn how to parent a newborn right alongside my wife for the first month of our daughter's life is a memory I will cherish forever," said Brian Casey, 32, an associate with Latham & Watkins who took advantage of his firm's four-week paternity leave when daughter Ava was born last year. "Having that bonding time available to me allowed me to return to work fulfilled and focused."

Women have served as "the canaries in the mine shaft" in drawing attention to the untenable pace and work ethic in law firms, said Patricia K. Gillette, a partner in employment law at San Francisco-based Orrick, Herrington & Sutcliffe.

"What has happened is that Generation Y has aligned themselves with issues that have traditionally been women's issues -- both men and women," she said of the under-30 crowd. "And you know how it goes when men start wanting things. All of a sudden it looks normal."

Still, expectations of round-the-clock availability and crunch time before trials or negotiations often make legal work not only overwhelming but unpredictable, said Becky Hsiao, a single, 32-year-old associate at Pepper Hamilton's Orange County office who is pondering a career change after four years of watching colleagues hurtling toward burnout.

"It's not just an impediment to becoming a mother but to having a personal life at all," she said. She thinks the workload can be even worse for single women because of colleagues' perceptions that "you have no one to go home to."

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