

Executive Life

Lawyers Push to Keep the Office at Bay

By MARCI ALBOHER NUSBAUM

THIS fall, as a crop of new law school graduates report to top firms prepared for interminable workdays, experienced lawyers at the same firms are being invited to explore ways to cut back on hours.

Flex-Time Lawyers, a networking organization catering to such lawyers, conducts monthly meetings in New York and Philadelphia. From midlevel associates with children to senior partners worried their firms will fall behind the competition, hundreds of lawyers attend the sessions, hoping to learn how to tip the work-life balance more toward life.

While membership is open to men, nearly all the members of Flex-Time Lawyers are women. The career paths of men and women at law firms explain why that is so.

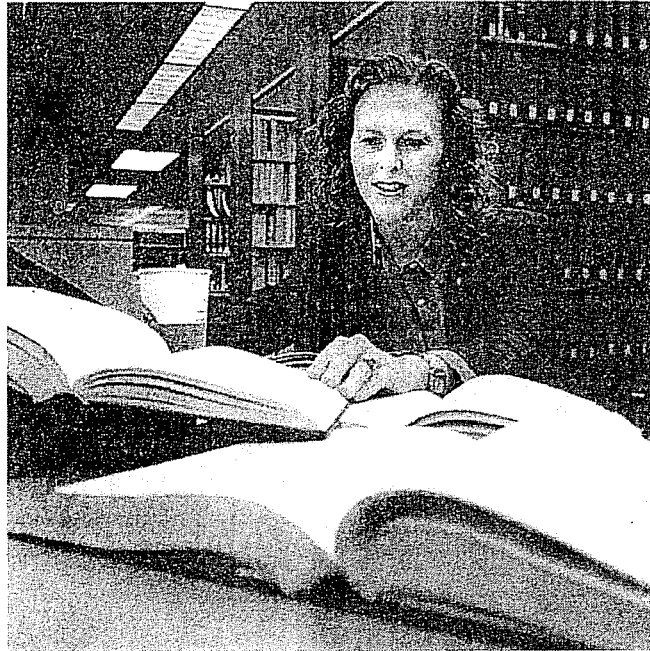
Roughly half of new lawyers joining the biggest firms each year are women, yet the proportion of female partners at those firms hovers near 16 percent, according to a recent article in *The American Lawyer*.

One reason, according to legal industry experts, is that a large percentage of even the most promising women at law firms leave once they have children. Those departures are expensive for law firms, which devote considerable resources to train young lawyers. A firm can lose an investment of \$200,000 to \$500,000 when an associate departs, according to the Project for Attorney Retention, a nonprofit group based at American University in Washington.

Law firms have other reasons to pay attention to their employees' work lives. Concerns over the workload and poor quality of life at law firms are starting to be raised by students at elite law schools. "Young lawyers, especially women but increasingly men, too, don't strive for that type of life," said Kelly Voight, who handles private-sector employment for the Yale Law School's career development office.

Law firms also feel pressure from clients to retain senior women. An increasing number of in-house counsel positions at companies are held by women, and many of those lawyers say they expect to see more women at the law firms they hire.

"I feel really comfortable hiring women because I know they have worked really hard to get where they are," said Tracey Diamond, general counsel of America's Best Contacts and Eyeglasses in Pennsauken, N.J.



Sal DiMarco Jr. for The New York Times

Deborah Henry, the president of Flex-Time Lawyers, says firms would benefit by accommodating those who want to work part time.

"You're getting the best and the brightest out there."

Most large law firms allow part-time schedules. But the next hurdle, said Prof. Joan Williams, co-director of the lawyer-retention project, is for more lawyers to take advantage of them. "Firms are more likely to have formal policies and they are less likely to impose the 'haircut,' where lawyers work 80 percent hours for 60 percent pay," she said. "But usage rates of these policies remain distressingly low because of the stigma attached. Use of these programs often triggers a stereotype that mothers are not committed workers."

According to a 2002 study by the National Association of Law Placement, only 3.7 percent of the lawyers at offices listed in the National Directory of Legal Employers worked a reduced schedule.

Many law firms that offer flexible work schedules struggle to meet both the personal priorities of their employees and the needs of clients, who expect, and pay for, round-the-clock service. "In most instances the overhead is the same whether you work full or part time," said Marci Krulka,

a legal consultant at Altman Weil, in suburban Philadelphia, which advises law firms. "The problem is that law firms look at part-time lawyers in terms of short-term cost rather than long-term investments."

Deborah Henry, president of Flex-Time Lawyers, said that there were ways to make flexible schedules "a win-win situation for the lawyer and the law firm." She said that if firms could become more flexible, women would be less likely to quit before they were eligible for partnership.

JOANNE SOSLOW, a member of Flex-Time Lawyers in Philadelphia, was among the first part-timers to make partner at her firm, Morgan, Lewis & Bockius. She is an example of how Ms. Henry contends flexible schedules can work.

In 2000, Ms. Soslow was promoted from a part-time associate to a part-time partner; she was considered for partnership at the same time as the others in her class. She works 80 percent of a full-time schedule for 80 percent compensation and generally takes Fridays off.

Ms. Soslow says her arrangement works because her commitment to

work is full time, even if her hours in the office are not. "While I may turn my phone off during a school play, I'm never unavailable for more than a few hours at a time, and my secretary always knows how to reach me," she said. "If you're going to make it work as a part-time lawyer, you have to be somebody who understands what it really means to be in a service business."

Ms. Henry says that lawyers who successfully manage a reduced schedule, as Ms. Soslow does, are assigned to proportionately fewer cases. "But they are still on those cases 100 percent of the time," Ms. Henry said. "As long as clients' needs are being met and the lawyer's work product is top-notch, what that lawyer is doing when she's not with a particular client is irrelevant."

Flex-Time Lawyers is not the first group to try to solve the work-life conundrum, but it has arrived at a time when many more firms allow part-time schedules.

In 1992, Nora Plesent helped found Lawyers Advocating for Alternative Work Solutions, a group for family-minded lawyers that meets in New York four times a year. She says that when she started her organization, lawyers were sheepish about discussing their work needs, for fear of being judged as less than devoted to their careers. That gave the group a bit of an underground feeling. "When we held our first meetings, lawyers wouldn't even sign in with their office numbers," she said. "They only used their home numbers."

Ms. Plesent is now a partner in Lexolution, a company in New York City that specializes in the hiring of contract lawyers for companies that need temporary legal help.

"A lot of my clients are also women, something I don't think is an accident," Ms. Plesent said. "In fact, I think there are the beginnings of a 'new girls' network' developing where women who dole out business enjoy giving business to other women who have proven themselves to be successful and competent."

Ms. Henry of Flex-Time Lawyers agrees that progress has been made, but she says she hopes for a future filled with a different kind of lawyer, and a different kind of law firm. "More firms need to recognize that when flex-time lawyers are out on the soccer fields or volunteering in their kids' schools, there is a whole new world of business development taking hold," she said. "With openness comes opportunity." □