

Making Partner

Can you be a great parent and a partner at a law firm? Meet three mothers—and the progressive firms they work for—who show what's possible when everyone has a lot to gain by being flexible.

When corporate litigator Keara Gordon returned to DLA Piper U.S. in 2000 after giving birth to twins, she wanted to know the real deal about working part-time. She knew the firm's policy allowed her to reduce her hours and stay on the partnership track, but she wanted to be sure that she wouldn't lose ground if she trimmed her schedule. So she went straight to Robert Mathias, head of the U.S. litigation practice, and said: "Before I make any decisions, I want the straight story on what will happen. I don't want to get off track or stop doing good work."

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PROUD PARTNERS:
Family comes first for
DLA Piper's Keara
Gordon (far left) and
Covington & Burling's
Catherine Dargan.

Mathias promised to keep giving her juicy cases. And he did. Keara, now 39, made nonequity partner in 2002 while working an 80 percent schedule. She made equity partner (sharing in the firm's profits) while on her second maternity leave in 2004. Fittingly, she was in the nursery when she got the news. "It's all about attracting and retaining the best talent," says Mathias. "If that talent has other commitments, like becoming a mother, you have to work around them. If you don't, you give up a huge part of the talent pool, and that's not good for anyone."

Given how much firms invest in recruiting and training associates—estimated at \$300,000 per third-year associate lost and replaced—more law firms are realizing they can't afford to keep losing their women. And losing them they are. Even though almost 50 percent of law school graduates over the past 15 years have been women, female attorneys still account for a mere 16 percent of equity partners, according to a 2006 survey by the National Association of Women Lawyers (NAWL). So firms like DLA are offering reduced hours and flextime policies—and making sure the women who use them continue to advance. Such family-friendly policies, not surprisingly, build lawyer loyalty. A 2007 MIT Workplace Center study found that women are more likely to stay at firms that help them balance work and family.

The good news is that more firms are putting these programs in place and seeing them bear fruit. "Firms are starting to get it," says Cathy Fleming, immediate past president of NAWL. "We're not there yet, but I'm seeing improvement." Here's how moms at three Best Law Firms for Women made it to equity partner and how their firms helped.

Rising star while raising twins

KEARA GORDON

39, securities and business litigation, DLA Piper U.S., New York City; mom of Emma and Neil, 7, and Maggie, 2

When Robert Mathias promised to keep the quality work coming Keara's way, she was already well on her way to making partner. She'd joined the firm in 1993 and been a stellar performer. So for Mathias, it was an easy promise to make. Still, he says, "she was smart to confront that, to make sure we'd keep thinking of her."

Mathias had been one of Keara's key mentors, along with David Clarke, Jr., a senior partner in DLA's securities litigation practice. Both were endlessly generous, she says, going over documents to teach her what needed changing and why, and giving her responsibilities early in her career, such as having her argue her first motion before a judge as a second-year associate. They also praised her work to clients and higher-ups. "They'd send emails to the chair of the firm saying, 'We just won a big case, and Keara wrote the brief. Please join us in congratulating her,'" she recalls.

Litigation, with its unpredictable hours and demands, can be challenging for moms, but Keara made it work, even with twins. She cut back to a four-day week with Fridays off but always remained flexible. "You can't be rigid in litigation," she says. "Clients are relying on you, so you can't say, 'Sorry, I don't work on Friday.'" That attitude won her points with her superiors. "She was always available when clients needed her," says Mathias.

"Sometimes if we were really busy, I'd work for three weeks, then take three days off when things slowed down,"



THE MOMMY BRIEFS: Keara Gordon, with Maggie, says motherhood has made her more efficient and focused.

says Keara. Even on her days off, however, she'd check her email—just in case.

Flexibility, a full-time babysitter and backup care provided by the firm helped make it work. After Keara became a non-equity partner in 2002, she and her husband, now a lawyer with the Federal Trade Commission, moved to New York to be closer to family and to take advantage of an opportunity to

join DLA Piper's rapidly growing New York City office.

At first, Keara continued her reduced schedule, going full-time in 2003. She got pregnant again in early 2004—the final year of her three-year run-up to equity partner—without giving a thought to how it might impact her promotion. "It really didn't occur to me," she says. "At that point I had cultivated my own clients, and that wasn't going to change. Having one more baby after twins is not that much. And by then, I had a trusted babysitter." Maggie was born in November 2004. Three months later, Keara was promoted to equity partner.

Keara believes motherhood makes her a better attorney. "When you have kids, you have to cultivate calm," she says.

Advocating on-site day care

CATHERINE DARGAN

37, corporate group, Covington & Burling, Washington, DC; mother of Addison, 5, and Morgan, 3, expecting her third child in October

At least one law school friend urged her *not* to risk her career by getting pregnant during her crucial run-up year to partnership at Covington & Burling. But Catherine Dargan didn't want to wait. She knew other women at Covington who had had children, worked part-time and still made partner. She didn't kid herself, though; she knew it would be tough. "It's difficult to control the pace of corporate work," she says. And at that time she had a full slate of challenging assignments, thanks to her main mentor, Bruce Wilson, a partner in corporate practice, among others. Despite the demands, Catherine was ready to become a mom—and a partner.

The first few months after returning from maternity leave in the spring of 2002 were rough, she admits. She missed her baby, and the fatigue was crushing. Although she cut back on travel so she could breastfeed, simply finding time to pump was a struggle. On the plus side, she had a great caregiver as well as a supportive husband who'd left a travel-heavy management-consultant position to become a math teacher with more kid-friendly work hours.

But the experience showed her what was needed. Soon, she and another new mom at Covington approached Stuart Stock, chair of the management committee, about implementing on-site day care. Stock explained that the firm had looked into it before and enumerated the snags. Though disappointed, Catherine was still impressed. "He didn't pooh-pooh us," she says. "He promised to work on it." And he did.

Three years later, in 2005, Covington opened its own state-of-the-art day-care center in a building across the street. Although Catherine doesn't need to use it—thanks to the caregiver who's been with her family for five years—many of her colleagues do. "It has made a huge difference in their lives," she says. Stock sees it as part of the firm's long-term investment in its people. "I'm delighted we made it happen," he says.

"Dealing with opposing counsel is sometimes like dealing with toddlers. You slow down and go into that mommy voice." Being a mom, she says, "also makes you efficient. I'm much more focused because I want to get home at a certain time."

Of course, she doesn't always make it home for dinner. The first three months of this year were so busy that she sometimes stayed at work until 8:00 p.m. But things are quieter now. All in all, Keara says, "I'm pretty comfortable with the balance I have. And this job has a lot of flexibility." If she doesn't have to be in the office, she works from home. "I can put the twins on the school bus, go to the gym and be on the computer by ten. I get much more done. It's a no-brainer."



TWO AND COUNTING: Equity partner Catherine Dargan, who is expecting her third child, plans to work a full schedule after maternity leave.

The firm's investment certainly has paid off in Catherine's case. Two years after she became an equity partner, she gave birth to her second child. She's now expecting her third and plans to work full-time after the baby arrives. "I think in many ways working makes me a better mother because I really cherish the time I have with my children," she says. She also feels motherhood has made her better at her job. In a corporate deal, "you're trying to reach a common goal. You're negotiating, settling disputes, making sure everyone gets something out of it," she says. "As a mom, I spend a lot of time doing these things. The skill sets are the same."



ON- AND OFF-RAMPS:
With her firm's blessing, Marina Park stepped off the fast track to enjoy some time with family.

Part-timer climbs to equity partner

MARINA PARK

50, specialist in emerging growth and technology, Pillsbury Winthrop Shaw Pittman, Palo Alto, CA; mother of Tyler, 17, Claire, 14, and Eve, 11

Marina Park almost quit Pillsbury—twice. She joined the firm's San Francisco office as a litigation associate in 1983. Four years later, she was married, 30, and worried that she'd never have the family life she wanted if she stayed in litigation, with its demanding travel requirements. She found a more manageable government job and told her mentor, Allan Littman, that she was leaving the firm. But Littman, then head of the litigation practice group, wouldn't let her go. She is a "marvelous lawyer," he says, and he thought she would make a "marvelous mother," too. He arranged for her to switch to international corporate work—setting up companies, moving assets around, licensing intellectual property rights—

which involved less travel. The transition took about a year. "It was the hardest I've ever worked," says Marina. "But if the firm hadn't made that investment in me, I would have left."

She gave birth to her son in 1989 and became one of Pillsbury's first lawyers to work a part-time, 65 percent schedule: arriving at 7:00 a.m., leaving work at 3:30 p.m. and taking Wednesdays off when possible. The arrangement succeeded—partly because Marina was one of the first in her office to use voicemail to stay in touch from home, and partly because she and her husband, a university professor, immediately hired a full-time caregiver, who's still with the family more than 17 years later. Still, after only 15 months of working part-time, Marina was ready to quit again. Her schedule had inched up to 80 percent, she was developing a thriving practice, and she needed the clout of partnership to recruit associates. So she and another part-timer met with Littman and other higher-ups and made a case for becoming a part-time partner.

Marina got the promotion and moved to the firm's Silicon Valley office, working 8:00 a.m. to 6:00 p.m. every day. "That wouldn't be considered part-time for anyone else, but for attorneys it was," she says. After the birth of her second child



SEMI-SABBATICAL: Marina, with her kids, stepped down as managing partner last year to enjoy a “blue highways” period.

in 1992, Marina was named managing partner of the Silicon Valley office and charged with building the small staff. Over the next six years she had another child, bought a house and found clever ways to conform her workload to her life. “The associates would come to my house, and we’d sit in the backyard and work,” she says. An early adopter of email, she encouraged her associates to get online, too. “I could log on after the kids went to bed and do that magical thing we all do now—catch up without going back to the office.”

By 1998, Marina had increased Pillsbury’s Silicon Valley office to 100 staffers from only eight. A year later she became managing partner for the firm, accepting the position on the condition that she keep her 80 percent schedule. However, she soon realized that she was working full-time

for part-time pay, so she made the switch back to full-time.

Last year, after eight years as the firm’s managing partner, Marina decided to relinquish the post. “My son was a junior in high school, one daughter was a freshman, and the other was in fifth grade. I wanted to step off the fast track and be with them and my husband,” she says.

Having given up her practice while managing the firm, Marina is getting back up to speed on matters of law and thinking about where she wants to take the practice next. Pillsbury gives people time to recoup after stepping down from managing the firm, and she’s relishing this “blue highways” period, as she calls it.

“I’m just enjoying this time to think and do what I want,” Marina says. “It feels like being on a sabbatical.”

The Career Climb: Lattice vs. Ladder

Barbara Harris decided early in her career that becoming an equity partner wasn’t her life’s goal. If it had been, it’s unlikely that she and her husband would have decided to get pregnant and relocate during her seventh year at a firm with a seven-year partnership track.

Barbara, 44, now a mother of two and part-time counsel in the litigation and employment groups with DLA Piper in New York City, wanted to work—just not full-time, and certainly not big-New-York-law-firm hours. Instead, she found a three-day-a-week position at a small firm and later, when that firm dissolved, transplanted the role to DLA Piper. She feels fully involved in her career, yet says, “I’ve never canceled a vacation because of work.”

A 2007 MIT Workplace Center

study found that 15 percent of women, like Barbara, move into staff attorney or “of counsel” nonpartnership-track positions, versus 9 percent of men—and that women using part-time and flex options are less likely to be promoted to equity partner than those who don’t. That choice also carries a high financial price: Equity partners share firm profits, which can run from \$200,000 to \$3 million or more per partner annually.

Patricia Gillette believes there’s another way. Co-chair of the labor and employment practice group at Heller Ehrman in San Francisco and co-founder of the Heller Ehrman Opt-In Project, Gillette has spent the last year exploring alternative career-planning approaches in other industries. She’s especially interested in

mass career customization, an initiative that financial professional services firm Deloitte & Touche USA has piloted and is now rolling out.

“The concept is that you don’t always have to move up in your career,” says Gillette. Instead of a ladder, she says, a career can be a lattice, alternating periods of climbing with slow-paced times. With career customization, you and a manager map out a plan that’s open to adjustments. For instance, you might plan to work intensely for a while, have kids and hold steady for a couple of years, then ramp up again.

It’s a difficult model to implement at law firms, with their “up or out” standards, Gillette concedes. Still, she insists, change is possible. “You just have to be forceful and flexible enough to make it happen.”

Beyond Billable Hours

With law firms offering starting salaries as high as \$160,000 a year, “you cannot expect to work nine to five,” says Chérie Kiser, 48, managing partner of the Washington, DC, office of Mintz Levin Cohn Ferris Glovsky and Popeo.

When she joined her firm in 1994, things were just starting to change for female lawyers, she says. The firm had a reduced-hour policy, but Chérie says she never considered using it. Intent on making partner, she worked nonstop, billing 2,300 hours a year. She often got home after midnight. “My life was a combat zone,” she says. When she came up for partnership in 1996, she was pregnant—and felt she had to try to hide it.

Today, Chérie, who is mom to Nathaniel, 14, and Sonja, 10, says she’s in “a good place” and gives credit to those at the firm who put teeth into Mintz Levin’s progressive initiatives. “I tell female associates today, ‘You don’t have to do it the way I did.’”

Still, the billable hour seems to be an inescapable reality

of law-firm life, and making partner at the biggest firms typically means putting in about 2,300 billable hours a year. To log that many hours, you have to work 11-hour days, five days a week, with no vacation, holidays or sick time, according to Stanford Law School’s Office of Career Services. Are attorneys simply fated to all work and no play? Some experts say no. Among the alternatives:

Flat-rate billing/project-based compensation “It makes sense, especially with reduced-schedule attorneys who become very efficient,” says Cynthia Thomas Calvert, co-director of the Project for Attorney Retention. However, this approach faces a lot of resistance.

Tiered pay structures These would allow associates to bill fewer hours for lower pay. “It would be ideal if we developed more sane professional lives,” says Robert Nelson, director of the American Bar Foundation. Perhaps as more lawyers choose flexible options, “these alternatives will become a new model.” ■



COMBAT ZONE TO CALM: Chérie Kiser billed 2,300 hours a year even with a baby at home. She tells associates: “You don’t have to do it the way I did.”

PHOTOGRAPHY FROM LEFT: LENNY GONZALEZ; AMY ECKERT

