

## Small Firm's Flex-Time Program Avoids the Guilt Trips

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Laura Friedl Jones spent a recent Thursday morning not behind her desk at Houston litigation boutique [Schirrmester Diaz-Arrastia Brem](#), but at her 4 1/2-year-old son's preschool Easter egg hunt.

Ducking out of the office for a few hours to attend a family event isn't unheard of in the law firm world, but one important difference sets Jones apart from many of her attorney counterparts who attempt to balance their work and home lives: She didn't feel guilty or anxious about spending her morning snapping photos instead of billing hours.

Five of the 11 associates at Schirrmester Diaz-Arrastia Brem are mothers who work part-time schedules, and partner Michael Brem said offering flexible schedules has been a key to snagging talented women attorneys who may otherwise have left the practice of law.

### CONCEPT, AND REALITY

Of course, most law firms offer flexible or reduced-hours schedules for attorneys, especially working mothers. But observers say there is often a large gap between the concept and reality of working part-time.

"I find that a lot of people give lip service to the idea of, 'We can work out alternative arrangements,' " said Jones, who previously worked at [Baker Botts](#). "But when push comes to shove, some people will look at a part-time attorney and say, 'She's not thoroughly engaged.' "

Jones and several of her part-time colleagues at Schirrmester Diaz-Arrastia Brem say that negative attitude is absent at their firm. They say that the firm recruited its part-time attorneys with promises of flexibility and has followed through on those assurances.

Brem said the firm -- which was started by former Baker Botts attorneys and has been around for four years in its current incarnation -- realized that larger firms essentially drive away talented women attorneys because they are inflexible when it comes to work schedules. His own wife struggled to keep working at a large firm after having twins nine years ago and eventually left, he said.

"I watched at Baker Botts as these exceedingly talented women left because they couldn't make it work at the big firm," he said.

Baker Botts has a formal "alternative work schedules" program, said partner Rebecca Robertson, who coordinates those attorneys in the firm's Houston office. At any given time, several attorneys in Houston are working part-time, she said. "Now, part-time is

pretty much part of the fabric at Baker Botts and has become much more common at most firms," said Robertson, who helps attorneys interested in working an alternative schedule write proposals to be submitted to the firm. "We try to come up with proposals that work for the attorney and the firm."

Before coming to Schirrmester Diaz-Arrastia Brem a year ago, Janet Garza didn't know if working part-time would be feasible after she had her second child. She tried to make a reduced-hour schedule work at a different firm, but said she struggled.

"I was looking at leaving the career for a while because I didn't know if it was doable," Garza said. "I didn't want to have periods where I'm working 80 hours a week. That's when I talked to Mike [Brem]."

Several of the firm's part-time associates said one major problem with such programs at many other firms is the phenomenon of so-called "hours creep." For example, part-time attorneys may receive 75 percent of their salary to work 75 percent of their normal hours. Inevitably, a large project will require working more than the stipulated hours, or attorneys may feel pressure to work more hours to justify their position to the firm. However, they aren't compensated for the additional work, which can lead to frustration or resentment.

To avoid hours creep, Schirrmester Diaz-Arrastia Brem pays its part-time associates by the hour -- which both Brem and the associates say has worked. The associates work as many hours as they want in a given week, without the pressure to reach a specific number. The firm also allows associates to structure their own work week and permits them to work from home. The firm pays only for the amount of work that they perform.

"The problem with [most part-time programs at law firms] is that you take a \$100,000 pay cut to leave at 4 p.m. instead of 7 p.m.," Garza said. "If I have a busy period, I get paid for it."

Deborah Epstein Henry, the president of consulting firm [Flex-Time Lawyers](#), said statistics from the [National Association for Law Placement](#) show that roughly the same percentage of attorneys at both large and small firms work part-time. But a marked difference is how firms execute their part-time programs, she said.

"The small-firm environment tends to give more flexibility to how they work -- as far as working from home or leaving early. There is a lot more pressure for face-time at large firms," she said.

Schirrmester associate Tonya Rodriguez doesn't worry about face time much anymore. The mother of two and former associate at [Akin Gump Strauss Hauer & Feld](#) typically bills between 20 and 30 hours a week, much of it from home. She primarily writes motions -- a focus that allows her to write and research when her schedule allows.

"I think there is a perception that, if you aren't willing to work crazy hours, you're not a good attorney," Rodriguez said. "I don't think that's true."