

# BUSINESS

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SECTION

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Lawyer Sandra Mihok, who works four days a week at Downtown firm Eckert Seamans Cherin & Mellott, is the first part-timer to make partner at the firm.

## Trapped in a full-time world

By Joyce Gannon  
Pittsburgh Post-Gazette

**L**itigator Alice Johnston is a frequent speaker on how to craft a part-time legal career after childbirth. And she often gets calls from lawyers seeking her message but fearing their firm may learn they want to cut back.

"Sadly, they're afraid to come to the meeting so they ask me to meet them somewhere to talk," said Johnston, 40, who worked full time for 10 years at two other firms before she joined Downtown law firm Buchanan Ingersoll in 1996 on a part-time schedule. Four years after she launched her part-time job, Johnston became a shareholder, or partner, at Buchanan. With both of her daughters now in school all day, she's recently resumed full-time status.

Johnston is somewhat of a rarity in legal circles, and not just because she's among a few part-timers to achieve partner status but because she's one of a few attorneys who pursue part-time careers period. A recent study of 1,305 law offices nationwide by the National Association of Law Placement found

A growing number of law firms let attorneys work part-time, but few appear willing to do so for fear of falling behind their peers

that while 96 percent of those firms offered part-time positions, only 4.1 percent of attorneys took advantage of reduced schedules. Of 14 Pittsburgh firms in the study, all offered part-time options but only 3.3 percent of their lawyers took them up on it.

As other professionals seek ways to achieve balance between work and life, lawyers are largely bucking the trend. Legal and economic experts say that's because so many law firms still support cultures where long, grueling hours are accepted as the only way to advance. Many lawyers fear they won't earn partner status or be taken seriously if they don't conform to that standard — even if it means sacrificing a lot of personal time.

"There's a social stigma ... many lawyers don't want to [work part time] because they don't want to look like a slacker," said Linda Babcock, a professor of economics at Carnegie Mellon University's H. John Heinz III School of Public Policy and Management. "If it became more of a social norm, they would."

When Johnston was considering a part-time job, "What I heard from the conventional wisdom of the Pittsburgh legal community is that part time would be suicide for your career if you want a rewarding, long-term career."

Johnston gave birth to her daughters in 1993 and 1996 while working as an associate at the Downtown firm Klett Lieber, now called Klett Rooney

Lieber & Schorling. After having children she continued a full-time schedule that required her to bill more than 2,000 hours a year. After her second maternity leave, Johnston realized the long hours were taking too much of a toll on her personal and family life. "I just didn't want to work like that."

So following "a lot of soul searching" and long discussions with her husband, who also is an attorney with his own practice, she decided to approach some other firms that might be receptive to a part-timer.

The first place Johnston pitched her part-time proposal was Buchanan, the city's third-largest firm, which already had an alternative work schedule policy in place. Within weeks of her interview, Johnston was offered a job.

She continued to work five days a week as a part-timer and even traveled when her case load required it.

"I didn't want to be stuck in a closet doing scut work; I didn't want to be marginalized."

But with fewer hours to bill, Johnston cut back drastically on the num-

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ber of evenings and weekends she had to work and for the first time in years, was able to take vacation days.

"I told them I loved the work place and wanted to be in the office 9 to 5 every day and that I would never walk out in an emergency. But I wanted a lower billable hour requirement."

The issue of billable hours is a hotbed of flexible work schedules. Lawyers are expected to bill a certain number of hours annually to generate revenue and profits for the firm. Once they earn partner or shareholder status, they get a piece of those profits.

"The struggle that law firms have is that they make money based on people's time," said Karl Schieneman, managing director of Legal Network, a Pittsburgh legal staffing and consulting business. "And it's very important for firms to make money."

Most firms expect a full-time attorney to bill between 1,800 and 2,000 hours per year, he said.

A part-timer might be expected to bill between 1,100 and 1,200 hours, said David Blaner, executive director of the Allegheny County Bar Association.

"So the traditional sense of part time where someone works 20 hours a week doesn't necessarily equate itself to that in the law," said Blaner. "Part time could result in someone working 30 to 35 hours a week to hit their hourly billable mark."

While firms that offer more scheduling options may have more success recruiting a variety of talented attorneys, they also have to carefully consider the impact part-time workers will have on their bottom line.

Likewise, in exchange for fewer hours and more flexibility, part-timers have to live with the reality they won't earn as much as their full-time colleagues, even if they become shareholders.

That's why most attorneys who work part time are women with children who want more time at home and can usually afford to reduce their salaries because their spouses work full time.

Sandra Mihok, 34, and the mother of children ages 7 and 2, has earned "member" or partner status while working four days a week at the Downtown law firm Eckert Seamans Cherin & Mellott since 1999.

"She's the first part-timer to become partner "but that's not to say it won't happen again," said Mihok, who describes her firm as "a very flexible environment because they understand that everyone has a different situation."

Despite a reduced schedule, Mihok often works more than eight hours on her days in the office. But she works hard to keep Fridays free. "I now have time to devote to other things in my life."

While most big Pittsburgh firms have part-time attorneys in their ranks, not all have formal policies in place that spell out how to manage alternative and flex schedules.

Among them is Downtown law

The issue of billable hours is a big reason law firms aren't a hotbed of flexible work schedules. Lawyers are expected to bill a certain number of hours annually to generate revenue and profits for the firm.

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firm Reed Smith, the city's second-largest, which is currently assessing its work-life balance issues. The initiative will likely result in a formal policy for part-timers, said Mike Lynch, chief human resources officer.

"We have unwritten policies and practices that have evolved over time and now we're coming up with ways that the firm can help our personnel with the work-life challenge."

Of 1,000 attorneys in 18 offices, Reed Smith has 48 part-time attorneys. Only three of them are equity partners. The rest include associates, nonequity partners who have part of their base compensation tied to the firm's profits but who don't get to vote as equity partners, and several "of counsel" who have a base salary that isn't tied to the firm's profits but who participate in a profit-sharing bonus plan.

Courtney Horrigan, 36, is "of counsel" at Reed Smith and has worked two days a week for several years.

An insurance coverage litigation specialist with three children ages 8, 5 and 9 months, Horrigan worked full time after her oldest son was born but after her second child, "I felt stretched too thin."

"I thought cutting back on my schedule would not only be good for me for personal time, but for my practice development. I'd be able to concentrate more attention on my clients."

Horrigan gradually reduced her schedule from five days to four and now spends two full days in the office. She responds to e-mail and handles calls as needed on her days at home. She can change the days she's in the office or work extra days to accommodate clients and cases.

Often, clients don't even realize she's talking to them from home instead of her office.

"In this profession, you have to be flexible. And with today's technology, you don't need to be sitting at your desk to handle your practice."

Horrigan, one of the first attorneys at Reed Smith to reduce her hours, said she's benefited from "great support from my department at a time when it wasn't

that common in the legal profession" to work part time.

"They know that even though I'm part time, I'll be available when they need me and [part time] won't interfere with any of the matters we're working on."

Flex-time schedules are becoming a pressing issue for law firms as more women earn law degrees and there's more competition to recruit top talent, said Deborah Epstein Henry, a Philadelphia lawyer. Henry, 35, is a mother of three who founded the networking group Flex-Time Lawyers after she had her second child.

She had reduced her own working hours and "felt relatively isolated," because so few of her peers worked part time.

She began having lunch regularly with three other part-time litigators at her firm, Schnader, Harrison, Segal & Lewis, and in 1999 organized a brown-bag lunch group for other part-time attorneys in Philadelphia.

It's been growing ever since and in 2002 she launched a New York chapter of the group.

For recruiting purposes, a firm's image is also becoming more dependent on alternative schedules and work-life issues, said Henry, who is of counsel at her firm.

Offering more alternative arrangements "is seen as a symbol of the employer being progressive. Even for people without kids, or who aren't sure if they will have kids, they want to know if the [firm] looks progressive."

Columbus attorney Sheryl Clark Stoll, 55, was a part-time pioneer of sorts when she worked at Buchanan in the mid-1990s.

She became a partner in 1989 and a year later adopted a daughter. She maintained full-time hours until her daughter started kindergarten and she wanted to be more active in school events. So she split her time between the office and working at home and took a cut in earnings. But the firm allowed her to keep partner status.

"A number of people questioned whether it would work." Among her colleagues' biggest concerns, she said, were whether she would be available to clients when they needed her, whether she'd be available to other lawyers in the firm and whether her new schedule would result in a flood of other lawyers seeking reduced hours.

"There were a handful, at least in those early years, with petty jealousies. I thought I was home with my feet up on the coffee table."

Stoll moved to Columbus, Ohio, in 1997 after her husband took a job there and she's now of counsel with Vorys, Sater, Seymour and Peas. She still works part time.

"If you've got people with outside commitments trying to juggle two lives, you don't have happy and calm lawyers. If you have happy and calm lawyers, everybody wins."

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