Achieving Gender Balance Depends on Men

by Ida Abbott

Ida Abbott helps law firms and companies create effective strategies to retain and advance professional women. Her new book for men, Sponsoring Women: What Men Need to Know, explains why and how to sponsor women for leadership.

Gender balance in law firms will only occur when men make it happen. Unless men accept the responsibility for increasing the numbers of women in law firm leadership and governance, women will continue to be marginalized and their numbers at the top will continue to creep up just a percentage point or two every few years. Anyone who doubts this fails to appreciate that women have been almost half of law school graduates for 30 years yet today make up only 17% of equity partners — a 2% increase since the early 2000s.

This lack of progress exists even though almost every firm has a women’s initiative run by and for women. Some firms have men among their initiatives’ leaders, but most do not. Some initiatives include men in their programming, but most events are for women only. And while some women’s initiatives strive to make firm culture and decision-making processes more equitable, most deal primarily with strengthening women’s networks and business development skills. In short, these initiatives focus on retaining and “fixing” women so they will be able to operate in a male-dominated environment. What women’s initiatives should be doing is trying to change the environment — and that means altering men’s thinking and behavior.

While women’s initiatives have great value, they are not changing the norms, attitudes, and biases that govern law firm advancement, leadership, and rewards. Little significant change is possible at the top of law firms, where it really counts, unless those with power — men — take the lead and are held accountable for it.

By involving and concentrating almost exclusively on women, women’s initiatives let men off the hook. There are too few powerful women leaders in most law firms to make significant changes without the support of men — and, in any case, it is unfair to expect women partners to bear the entire responsibility. So long as men hold overwhelming control of firm culture, clients, management, leadership, and money, they control the keys to greater gender balance.

The persistent problem of gender imbalance needs to be reframed and seen for what it is: not a women’s issue but a strategic talent issue that is critical for the firm’s future success.

It is well established that greater gender diversity leads to competitive and economic advantage through stronger teams with better outcomes.

Men leading law firms have a stake in the success of the women in their firms. They are charged with ensuring the firm’s institutional and economic well-being, which depends on the best talent advancing and flourishing. If firms continue to lose the female half of their talent pool, they restrict the ability of the firm to compete, perform, and thrive in the marketplace. They lose the proven economic benefits of having more women leaders, and they cannot meet clients’ demands for women on teams and as leaders. Such limitations and losses represent a failure of leadership.

Most firm leaders do want women to stay and succeed at their firms, but it is rare to find them leading the charge for cultural and structural changes that would enable more women to become partners, leaders, and rainmakers. It is also rare to see men grooming women for leadership the way they groom men, although that level of personal support — what we now call sponsorship — is necessary for any lawyer to move to the top. Yet there are many men who do engage in this sort of behavior — and more who likely would if firm leaders make it clear that this is what is expected of partners.

A recent Harvard Business Review article featured one firm where a male leader, Gianmarco Monsellato, has proven that it can be done. Monsellato is the head of TAJ, one of the top five law firms in France. TAJ is 50/50 gender balanced at all levels — including equity partners and governance bodies. Monsellato achieved this through personal commitment and action. For the last decade, he insisted on
Refused to engage in gender stereotyping and sexual banter — and, by their behavior, made clear that they would not tolerate these things in others. (Example: Men did not engage in locker room talk in a particular man’s presence “because it is only too clear that such behavior would not be welcomed ... so nobody tries.”)

Gave women public recognition for their achievements and placed them in lead positions on high-visibility projects. (Example: When someone said to a sponsor how nice it was of him to “let” the protégée present a paper they had written together, he replied that it was actually “nice of her to let me put my name on the paper at all.”)

Recognized women’s talents and urged them to pursue their ambitions. (Example: He “encouraged me to make use of all my skills and strengths although I didn’t fit into the conventional mode.”)

Treated women as peers rather than subordinates. (Example: “By treating me as an equal, it made me strive to deserve this respect.”)

 Advocated for their promotion. (Example: “When I was up for partner on a reduced schedule after six and a half years of practice, I am certain that he was behind the scenes making sure that I was elected to the partnership with no delay.”)

It is time to bring more men into the effort to achieve gender balance. Women’s initiatives should no longer be by-women-for-women. Attaining firm-wide gender balance should be a strategic business objective, by-all-for-all, men as well as women. How to do that? Invite the men in and welcome their participation and support. Help them appreciate how women’s success is directly tied to their own success and the firm’s. Press them to become personally committed to identifying, preparing, and advancing women. It’s all right to have some women-only programs, but include men in other activities and make them part of a team effort.

Most importantly, make firm leaders accountable for results. If women are not advancing on a par with men, then firm leaders need to address the problem. They should look for and monitor gender disparities, including:

- Women not being successful as rainmakers — or receiving less credit for business origination.
- Women not becoming equity partners at the same rate as men.
- Gender differences in compensation.
- Women being less successful as rainmakers — or receiving less credit for business origination.
- Women not becoming equity partners at the same rate as men.

If any such disparities exist, firm leaders need to question why and find ways to correct the situation. The remedy is not to ask more of women; it is to examine the existing governance and reward structures, leadership and compensation decision-making processes, and personal behaviors and practices of partners in the firm. Leaders must consider (1) what the firm can do differently to achieve greater balance between men and women at the top of its ranks, and (2) what the men who dominate firm culture and leadership can do to make those changes.

Leaders who truly want to increase gender balance will make clear what they expect from the men who own and run law firms. They will be out in front where leaders belong, reminding everyone in the firm that gender balance is an essential strategic goal for the firm and for them personally. They will strive to achieve this goal through their actions and behavior, including:

- Commitment. They will give more than lip service to the goal of increasing the representation of women in leadership. They will turn their words into action.
- Education. They will learn about the obstacles women face and how they can be overcome, and they will make sure that other partners and leaders also have this knowl-

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edge. They will convey to colleagues and clients the business case for advancing more women. And they will ensure that men as well as women in the firm learn management skills that improve their ability to work across gender.

- **Sponsorship.** Committed leaders will be role models by purposefully looking for women who are potential protégées and serving as their sponsors. They will urge women to seek leadership roles, support them when they do, and encourage other partners to help women pursue higher ambitions.

- **Guidance.** They will make resources available that provide specific guidance in (1) how to support and sponsor women, and (2) how to manage any concerns men have that would interfere with their ability to do so.

- **Conscientiousness.** They will be alert for — and seize —  opportunities that move toward their goals for advancing women, and tear down biases and artificial obstacles that hinder women’s upward mobility.

- **Accountability.** They will set goals for themselves, the firm, practice groups, departments, and offices, and track their efforts and effectiveness.

For decades, women have been trying to move up in a male-dominated profession to little avail. Women have been given the responsibility but not the power to make the institutional changes needed for women to advance. That power is still held by men. It is time for men to assume the responsibility and use their power to attain gender balance. Only that way can firms enjoy all the talented lawyers they need to compete and thrive in the future.

*Ed. note: Ida Abbott’s new book, Sponsoring Women: What Men Need to Know, is available from the NALP Bookstore.*

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## How to Hang a Shingle: Counseling Alumni on Going Solo

**by Susan D. Bainnson and Andrea Shaheen**

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As counselors, our role in working with alumni seeking to start a solo practice is to encourage an analysis of the decision on two levels. On the one hand, we should delve into the “why” part of the decision and ensure that the alum understands the full impact of this potentially life-changing decision. This is the emotional component. On the other hand, it is equally important to provide some concrete practical advice on the mechanics of setting up a practice. While we can’t necessarily be experts on this process, we can certainly direct our alumni to the resources already in the marketplace.

The initial counseling session involves exploring the core question: “Is this the right move for you at this time?” We should determine the real reasons why the alum has decided to pursue solo practice. Are they tired of answering to someone else, tired of sharing profits, or do they believe they have no other choice — that no other source of employment is working out? While this last reason may seem like a good reason, it might not be. Specifically, it is important to assess the alum’s attitudes about risk, work environment, and running a small business. At the beginning, a solo practice may not generate any income. Can the alum afford this uncertainty and deal with the financial ups and downs of a small business? They will be solely responsible for both the business side of the practice as well as all of the legal work. Are they prepared to handle the administrative tasks associated with a small business? Are they comfortable working alone? At least at first, this might be a common scenario (though other arrangements may allow for more company and interaction with other lawyers). Solos may have more flexibility but might put in more hours overall.

It is particularly important for new graduates seeking the solo route to explore their abilities. Are they ready and able to handle the legal work? Do they have sufficient experience in any practice area to independently represent clients? Do they have the contacts to generate clients? Do they have a rainmaking personality? Client development is the single most important issue for anyone seeking to start a solo practice, and it may be an even greater challenge for a new graduate to overcome.

But after you explore the “why” and these related issues, what if your alum is still determined to take the plunge and open a practice? Now what? What do you advise? First, make a list with your alum to identify practical resources: where can they find information and advisors? The American Bar Association (ABA) and state and local bar associations are a great resource for a fledgling solo practitioner. They generally have solo small firm committees, resources such as forms and practice guides, suggestions for useful software programs, mentoring groups, and membership discounts on everything from office supplies to malpractice insurance. The quality and quantity of the resources may depend on the size of the bar association. As a counselor, investigate the...