

# Challenges of Young Female Lawyers

*A June 2010 discussion on SoloSez, the email listserv for general practice, solo and small firm lawyers*

Yesterday I had lunch with a very experienced female lawyer who's been practicing in Vegas for over 30 years. Frustrated by my inability to move along a transaction with another very experienced lawyer, I asked her for advice. She said he's a chauvinist and is likely stringing me along because I'm young and female. I had suspected his condescending attitude was based on my age, but the chauvinist thing took me aback.

Without barreling through your career being known as a bitch on wheels, how have other women dealt with these kinds of attitudes?

I suggest treating him in the kindest and sweetest way possible as a doddering old geezer, with plenty of sympathy for the effects of advanced age and rapidly approaching senility. Hold the door open for him. Ask if he needs documents in larger print and if there is enough light in the room. I'm sure you can be creative.

Jon van Horne

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As a young male lawyer, I totally agree. I've been taken back by all the sexism, comments, b-b staring, general piggery, and the stuff done / said by older lawyers. Maybe our generation is just different with that sort of thing.

I guess the good news is I've also noticed those guys tend to be bottom feeders. The best lawyers tend to be well mannered, firm, but polite. Unfortunately, the natural response to that sort of thing is to become a "bitch on wheels" and overly Type A. The problem is that alienates the "gentlemen."

A. Jordan Rushie

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Yep, I've run into often. It's usually the ones who don't want to put the effort into the case who do this. As one person told me "They know the politics, not the law. They learned back when it was all about politics not the case." So, I make it about the case and just do my competent best. I don't roll over and I don't become a b\*tch. I just concentrate on the case.

One attorney tried to make the case about my lack of experience and tried to intimidate me into withdrawing my motions and basically making the case go all his way. I refused to back down. I said I was not interested in an argument about who was the better lawyer,

but was always open to discussing the case. He filed a motion to compel discovery claiming I refused to provide better answers. This was not true. I told him I was more than willing to discuss his problems with my responses IF he actually bothered to tell me what those problems were instead of a flat out demand I redo my responses. Here, you have to specifically lay out why the objections should be withdrawn, etc. My response to his Motion contained his letter threatening me and my letter as exhibits to prove I had not refused to work in good faith to resolve the discovery dispute. He withdrew his Motion.

Elizabeth Pugliese, Maryland

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My wife, who is an attorney, had this very same conversation with me this weekend. She gets the condescending, "well, young lady . . ." as well as inappropriate stares flirtatious remarks, and the rest of it. She feels like being young, attractive, and female makes some attorneys (and at least one area city councilman) not take her seriously or respect her credibility.

She goes out of her way to conduct herself professionally and dress modestly (much more so than many of her female colleagues) to minimize this sort of thing, but it still happens on a regular basis.

Despite this, she feels like some opposing counsels, judges, and the aforementioned city councilman, think she is just a cute young girl trying to be a lawyer and do her best to keep up with the men, especially if she is nice and courteous in her dealings with them. She does not want to go the "bitch on wheels" route either; she does not want that reputation in our local legal community.

My advice to her was to "Matlock" them. You know, Matlock's opponents always assumed he was just an old, past-his prime, country bumpkin, and he never went out of his way to correct them. He let them keep thinking that and underrating him until the last 10 minutes of the show and then unleashed those brilliant cross-examinations that always won him the case.

I told her if they are inappropriate, not to tolerate it for a second. Slaps and pepper spray would be a good response. (Ok that is the angry husband coming out.) But if they just underrate you as an attorney, let them go on thinking you are just a pretty face and use it to your advantage to nail them. Mocking after victory is optional.

Apologies on behalf of male attorneys everywhere,

Lew Belvin, Tennessee

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You can't control anyone's behavior but your own. Be professional and do

your job well. You'll win the respect of those whose respect is worth having. Most importantly you'll respect yourself.

Trippe Fried, District of Columbia

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I have had male lawyers SCREAM at me at depositions because they know my screams are not as loud. I will wait until they are through and then say something like, "Are you through with your hissy fit now?" That gets them so mad!!!

I had a client once who got really angry at a deposition when the other (male) lawyer was screaming at me. He stood up and said, "I don't like the way you're speaking to my attorney and you'd better cut it out." Isn't that sweet? I told him later, don't worry about me, I can handle all of that nonsense just fine. And I can scream pretty loud myself when necessary.

Cindy D. Salvo, New Jersey

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I have not become the "bitch on wheels", I don't think, but I will call the, ahem, more senior male members of the bar, on their behaviour if I have to. I have on more than one occasion said "Don't be condescending" or "That was inappropriate". That usually snaps them awake.

I don't back down or let them intimidate me. I sometimes tend to over-research and be over prepared, since they (almost) always think I don't know what the hell I'm doing.

If they don't do what needs to be done, which in business transactions often means drafting something, I do it for them or set a deadline (after asking my clients of course). I have almost walked away from a deal due to inaction by opposing counsel. I think on several occasions what happens is that the mutual clients talk and my clients ask the other party to get their lawyer's ass in gear. I'm also a fan of letters setting out dates of communication, indicating where we are in the transaction and that I am waiting for their reply and cc'ing my clients on the letter, clearly, so the other lawyer knows my clients are fully apprised that the delay is with them or the ball is in their court.

It ticks me off, but as a woman doing business law, I'm in the minority. Actually, it is just me here in Cornwall, and in North Bay, Ontario where I used to practice. So, I'm the only chick and I'm young (34) and I look younger (bless the kids at the liquor store who still card me).

Michele Allinotte, Ontario, Canada

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For the most part, I totally ignore it, I act as if it's not happening. Early on, there was a matter where I finally said to the older male attorney "Jack (or whatever his name was), I would appreciate it if you would stop calling me 'honey' and 'dear' and 'sweetie'." His response was a sputtering "What do you want me to call you, Attorney Guy nap, or Jee nap or however you say it", and I said "It's pronounced Gienapp, but your certainly welcome to call me Laurie, as most of my colleagues do." He transferred the matter to another attorney in the office and we quickly resolved the matter.

But generally speaking, if I ignored the condescension and sarcasm and treating me as if I knew nothing, it went away.

Good luck. I know a lot of men who are supportive, and try to be understanding of this male/female prejudice, but they don't quite get it, or get how pervasive it is. I don't know what the current enrollment ratios are, but when I was in law school, the school I attended boasted that they had the highest female enrollment of all US law schools that year -- 31%.

That's not why I attended that school, and I didn't give it much thought at the time, but it is kind of interesting.

Laurie Axinn Gienapp, Massachusetts

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I know the appropriate answer is to be professional and prepared and just get on with it. I haven't been a "young lawyer" for quite a while now, but any lawyer my age (or even younger) that thinks they know everything just because they have years on the attorney across the table (regardless of gender) is definitely senile and should be handled accordingly (with kindness and sensitivity, of course).

Jon van Horne

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That's a good attitude for all young lawyers.

The hardest part in the beginning is not getting intimidated by threats of sanctions, personal lawsuits, etc. I picked up a case where an established Philadelphia lawyer threatened a young guy with a frivolous lawsuit type lawsuit if he defended what amounts to a breach of contract action. The young guy withdraw from the case when he got the "put your carrier on notice" letter.

But yes, I do agree that our young female colleagues have it worse because of the sexism. Sadly, even some judges act like that.

A. Jordan Rushie

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My favorite moment was after practicing for several years I was pat on the head by opposing counsel after a deposition after I had put on my hat and coat and was about to leave. He also made some comment about me being cute or my cuteness. And not in the nice kind of way, but more that George Bush smirk kind of way. This after a particularly hard hitting deposition in a very serious case. This particular attorney was one that I did not have that kind of relationship with and he was only about 10 years my senior.

I'm not one for physical violence, but I seriously could have clocked that guy. It didn't help that I truly did not care for him as an attorney or as a person, which only made his gesture all the more condescending. I don't see a male attorney patting another male attorney on the head after a deposition commenting on his cuteness.

It has also been my experience that in the field of litigation (and perhaps law as a whole) many women have either managed to take a more laid back, one of the guys kind of approach, or they become what you so eloquently referred

to as "a bitch on wheels." It's a hard balance to strike - being effective and being taken seriously but not becoming one of those nasty female attorneys. Personally, I just blow it off and come down on them twice as hard when they least expect it. Most times they don't even realize the strides I have made in a case or in a trial because they are busy underestimating the short, young female attorney. I also make it clear that

I have no delusions about my case and neither should they, and then I make sure they know that I am willing to take it all the way (sometimes irrespective of the merits) to help force a reasonable settlement. The opposition's shortcoming is in their underestimation of you because you are a women or because you are young. Let them have it, and then ride it all the way to the bank.

And finally, just for good measure: female or not, young or not, ALWAYS assume that opposing counsel is just stringing you along - that's their job.

Until the release is in hand and the check has been delivered, everything is a delay tactic.

Annie B. Hirsch, District of Columbia

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I'm not an attorney, but I've encountered the same BS, both in my present career (paralegal) and in my past one (15 years or so in the software/IT field). Occurrences of this kind of behavior are blessedly rare, but they still piss me off when they happen. That said, I totally agree with Lew's suggestions. On more than one occasion, I've had people underestimate me because I'm young (at least, compared to the median age of the lawyers who seem to have this problem), female and "just a paralegal". All I can say is, this is rarely a mistake that someone will make more than once. And, as one of my attorneys says,

"anyone who would discount you as 'just a paralegal' is obviously too stupid to live, and deserves none of your attention."

I think that confronting these sorts of folks head-on is likely to lead only to unnecessary conflict. But Matlock (and Columbo, and J.B. Fletcher on "Murder, She Wrote") for that matter) both knew how to use the experience of being underestimated to advantage. Layer on the sugar, catch 'em off guard, and get done what you need done for your client.

A story from my previous career: I worked for a while as a senior network administrator for a big networking company many years ago. Our team took turns interviewing job candidates, and one day I was tasked with interviewing someone who was openly scornful and disdainful of me because I'm female. (This was back in the days before the dot-com bust, when jobs were rather more plentiful.) Anyway, he spent the whole interview staring at my chest, trying to look up my skirt, and generally carrying on like a total pig and completely unlike the way anyone with manners would behave. Did I confront him? Did I get in his face? Did I go into "bitch on wheels" mode? Nope. I merely worked through the interview, taking notes of his dreadful behavior. Then I escorted him out of the building with a smile on my face, walked into my boss's office, and said "if you hire this candidate, you'll have my resignation on your desk five minutes later, and here's why." Needless to say, he didn't get the job, despite impressive qualifications.

There are always stupid, idiotic and ill-mannered people in the world, and they're just WAITING for you to confirm their stereotypes about you. As soon as you do, you'll lose any ability to get anything done where they're concerned. Out-think, out-maneuver, out-last — that's the name of the game.

Warmly,

Tammy Cravit

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I certainly can't speak with firsthand knowledge about how other women lawyers deal with these issues, but I have observed a number of different lawyering styles by women. There are definitely some chauvinist male lawyers as well as some very chauvinist female lawyers. Chauvinism is just a blind militant belief that your group, or gender, is superior. Some women are rather good at that haughty presumption.

My advice to any lawyer, male or female, is to be yourself; the person you want to be. Don't let the actions of other people cause you to change who you are. Cope with personalities and resolve issues; not vice versa.

D.A. "Duke" Drouillard, Nebraska

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In litigation, it helps to remember that the view from the bench gives tremendous perspective. The judge has seen all types, the judge appreciates cleanly presented facts and intelligent argument. As others have noted, it can be helpful if OC underestimates you; the payoff for this approach comes from the judge.

Rebecca K. Wiess, Washington

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I've dealt with a\_hole attorneys in transactions before, usually litigator refugees who haven't figured out that if you piss the other side off too much, they can walk away from a deal--and that's a loss for their client.

You haven't said how this guy is stringing you along, but when I get a bastard on the other side of a transaction there's a few things I can do:

1. Take control of the drafting process if possible. It's much easier to get your way (and move things forward) if you are writing what goes into the deal.
2. Keep your client in the loop at all times--not to "tell on" the other lawyer, but just to make clear what you've done, and that you are waiting for something from the other side. I have had clients push through deals by talking directly to their counterparts, and essentially telling them to get their lawyer in gear or find a new one.

In one memorable (and painful) case, a lawyer on the other side of a deal was being really obnoxious and aggressive--and sloppy. He insisted on revising the deal documents, but worked from his own original draft and consistently left out changes we had made that his client had agreed to. We finally made the agreed revisions ourselves, converted the document to a locked PDF, and the client shipped it off directly to the other side, saying they were tired of fooling around and they could either sign the agreement we provided or we'd take our marbles and go home.

And one final note: you might have to be a bitch once in a while, but if you do it effectively when someone is an ass, you shouldn't have to do it all the time. You may have to bite a few times for people to take your bark seriously, but once they know you have teeth, you shouldn't have to prove yourself over and over again.

Kevin W. Grierson

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My two daughters are Navy officers. They have similar issues in a mostly male world, plus they are often the superior officers to senior enlisted men who are much older and much more experienced in their jobs. In as sense they catch it from both sides. Probably, the same as a female attorney in certain law firms.

One was sent to a school half way round the world with one of her chiefs. He pulled the "cutie" insubordination stuff. Immediately upon their return to the ship, he "decided" to retire with just under twenty year's service.

Other daughter and I have discussed the issue. As she expresses it, "I can either be a pushover or a bitch, and I am not a pushover!"

James H. Pardue, North Carolina

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Obviously, I'm not a woman so I cannot address this from that perspective. However, I've been a lawyer for a long time, and have learned that not everything is a result of age/gender attitudes.

1. Just because older men treat you with deference reserved for the 1950's (Hon, Darling, Don't worry your pretty little head .. etc) doesn't necessarily mean they're chauvinistic. It just means they could be operating under outmoded conventions. They could - probably DO - think the world of you. They'd be baffled and hurt to find out they'd offended you.
2. In my experience, some (ineffective, also IME) lawyers think they have to constantly be pricks (or bitches on wheels) to be good lawyers. IMO, it just makes them A-holes and they usually come off that way in Court, too.
3. Some lawyers, seemingly, simply can't acknowledge or admit that there could possibly be any opinion or perspective other than their own, usually because they didn't fully analyze the situation and they don't have enough imagination, anyhow. When faced with a contrarian, they react with childish anger. These are the types you can have the most fun with!
4. Most germane to your problem, some people are just, simply, lazy. It has zero relationship to you or anyone else - they're just LAZY. I've had some unconventional responses to this - possibly on the edge of the envelope - including showing up, in person, at the other lawyer's office, with or without an appointment, with all documents and refusing to leave until any issues were settled.
5. If a lawyer's prepared, ready, and assertive for their client, they are formidable, regardless of age or gender. In fact, it's always better if OC underestimates you.
6. Do your job to the best of your ability. Treat all with respect (at least, initially) and expect the same. Treat inadvertent slights with humor and understanding. Treat intentional slights with a like level of disdain. Treat intentional disrespect with unacceptance. Cultivate a thick skin. If you laugh at someone - anyone - it immediately lessens the weight and import of whatever they say/do.
7. Forget about the battles. Win the war.



Good luck.

Russ Carmichael

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One caution I will give about women of my and slightly previous generations (I've been practicing 24 years) is that we sometimes see chauvinism even where it doesn't exist. We were conditioned to see every set-back as caused by the patriarchy, and therefore not our fault. I have many times worked on cases with women attorneys who complained that the judges, opposing attorneys, and the entire world in general made their lives difficult because they were women. I often thought to myself, "No, you are the one making your life difficult because you are thin-skinned, bitter, and obnoxious."

That being said, I also have encountered true discrimination. Like many other female litigators, I've gotten caught in the "men are aggressive, women are bitchy" double standard. I once explained to a supervisor that, if I were capable of being the compliant trial lawyer that he wanted, I would be back home in rural Georgia raising pigs & chickens while a different mouthy woman sat in his office arguing with him. No, it didn't make any difference, but it did make me feel better. So, I do think discrimination exists; I just don't think it is everywhere.

After all, I and no doubt many other lawyers on this list also have been mis-underestimated because we have a Southern accent, didn't graduate from an Ivy League school, don't care whether Brad and Angelina stay together, no longer work for BigLaw or never did, or any number of reasons. The best response to all of them is the same, and exactly what the list recommends. Do your job, ignore whatever doesn't get in your way, and move on past the jerks as quickly as you can.

FWIW,

Debbie Ausburn, Georgia

[don't care whether Brad and Angelina stay together]

Sorry, but that one is unforgivable.

'-)

James S. Tyre, California

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So which is it, Duke?

The 'bitch on wheels' advice, whether to avoid or be, really isn't helpful. BOW is in the eye of the beholder, and usually the beholder is a horse's ass.

Some ignorant people think I'm a bitch. One of my best friends is also a lawyer here. This is a small town, so I'm not surprised that some attorneys' opinions get back to me. Others think I'm a sweetheart, albeit straightforward. 'Bitch' is a compliment that means "you should agree with me" or "you should make this easier for me" or "you're making me look bad in front of \_\_\_." If I politely disagree or hold my position, I'm unreasonable at the least, but often 'bitch' is what they're thinking. If they're stupid enough to say it to my face, I give a modestly delighted smile and say, "Thank you!" Calling me a bitch means the other person is some form of bully or manipulator, or has no case, or can't make the case s/he has.

And about the staring, Duke. In an ideal sexism-free world, I used to think anyone could go 'round flaunting his or her physical attributes and no one would give it a second thought. At the same time, I thought people should be to a degree responsible for the reactions they get. I still think the latter. The former was naive. Men and women will always stare at each other without even a first thought; they'll never get to the second one.

CJ Stevens, Montana

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\*Some lawyers, seemingly, simply can't acknowledge or admit that there could possibly be any opinion or perspective other than their own, usually because they didn't fully analyze the situation and they don't have enough imagination, anyhow. When faced with a contrarian, they react with childish anger. These are the types you can have the most fun with!

\*Kevin:

This reminds me of an exchange I came across while researching for a recent speaking engagement. It was in a law review article, I think by Judge Kozinski of the Ninth Circuit. The judge was expounding on how to lose a case at oral arguments. It went something like this:

Lawyer: ....And the facts are not in dispute here....

Judge: Wait a minute, what do you mean the facts are not in dispute? We have an affidavit from the other party directly contradicting the affidavit from your client. That seems to be the classic factual dispute.

Lawyer: Well, yeah. But his affidavit is false, and ours is true. So, no dispute.

Meg Tebo, Illinois

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Another "tool" in a young woman lawyer's toolbox that many male lawyers lack: use the chauvinism to her advantage: set it up/persuade the person be distracted by her good looks and femininity to reveal/disclose things the person would not say or disclose to a male lawyer. This worked well with witnesses, older male attorneys and older male judges according to my wife, an attractive lawyer who clerked for a local Pub Defender after getting out of law school then went into private practice civil litigation ...

Michael L. Boli, California

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I don't know about the rest of you gals, but I'm really glad to see so many guys participating in this thread.

Most of us, I think, are so used to working with male attorneys who don't treat us any differently that when we run across one who doesn't, it comes as a really hard slap in the face. Maybe worse than the blatant behavior many of you have described is the otherwise-unexplained hostility -- you don't want to accuse anyone of being sexist if you don't know for sure, but sometimes you don't know what else it could be.

I expect many from racial or ethnic minorities would express the same sentiment: It's 2010 -- weren't things supposed to be different by now?

Kristen B. Patty, Kansas

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Interesting, isn't it. Katie's Navy Reserves now. Interesting that in basic she learned that "there is no gender in the Navy." However, she cannot wear short hair in a "mannish" cut, and her dress uniform is a skirt with black pumps. And, of course, she's had her share of discrimination, improper behavior, and sexist atmosphere. She puts up with none of it. She will be in your face, politely if you outrank her, not so politely if you're a peer, and woe betide the peer or lower rank who oversteps the 'forgiveable' line. Especially if it affects the mission, she will report any type of bad behavior.

CJ Stevens

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B.I.T.C.H. = "Being In Total Control of Herself"

If that's what it means, than, fine, I'm proud to be one.

Kristen B. Patty

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This thread is so timely! Tuesday gave me a horrible experience: a condescending, insulting, chauvenistic voice message from the Public Defender in response to a letter I felt compelled to send him as I couldn't get his ear in person or on the telephone. He is one month away from retirement, and I am a lawyer newly admitted to practice in September 2009.

This is a second career for me, but I still look and sound like a little girl to many of the older male attorneys. (I could write a book about the life experiences I draw from!)

I do immigration law and criminal defense, and was called begging for help by a client's fiancée. It ends up I am doing the deportation/immigration part of the case and she wants to let the PD do the criminal part of the case. I don't like to do that unless it's a defense attorney who will communicate well with me, but the PD talked Client out of using me for her Criminal Defense, saying that I don't know the hell what I am doing. (Does anyone? Don't you just do the best you can, even if you have 30 years experience?)

The PD was insulted by my letter, which followed the same guidelines that Deportation Attorneys normally use when advising criminal defense attorney,

giving the entire gamut of possibilities in this case, no matter how remote each possibility is, and the immigration consequences of each. I edited it 10 times to be sure it didn't sound insulting. He, nonetheless, was insulted that a young female attorney had the audacity to act like she should be taken seriously when dealing with a drug trafficking client. In the end, sanity prevailed when a male attorney friend of mine spoke to PD in my behalf. The door is now open to me.

Pre-law, I worked for 12 years as the only female in my area of a steel mill. I welded, ran a forklift and crane, turned wrenches, and won the hearts of many of my male co-workers--friendship only! There are some that just are not going to come around, and that's true for male lawyers as well. They are angry and do themselves in, just like the ones I used to work with who one by one got themselves fired for failing drug tests, coming to work drunk one too many times, or getting in fights with others. My mother was a deputy warden in a maximum security pen, and I suppose I got my toughness from her.

Diane Stamler Oraif, Alabama

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There is also a fallout from male chauvinism in the courthouse: woman on woman hostility. It's as if the ADA gets abused by her chauvenistic superiors, so her only recourse is to abuse the only one's left: female attorneys that she perceives to be younger and less experienced than herself. Sisters, let's not allow ourselves to fall into that trap.

Brothers, thanks for standing beside us!

Diane Stamler Oraif

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Obviously, I'm not a woman so I cannot address this from that perspective.

However, I've been a lawyer for a long time, and have learned that not everything is a result of age/gender attitudes.

1. Just because older men treat you with deference reserved for the 1950's (Hon, Darling, Don't worry your pretty little head .. etc) doesn't necessarily mean they're chauvinistic. It just means they could be operating under outmoded conventions. They could - probably DO - think the world of you. They'd be baffled and hurt to find out they'd offended you.
2. In my experience, some (ineffective, also IME) lawyers think they have to constantly be pricks (or bitches on wheels) to be good lawyers. IMO, it just makes them A-holes and they usually come off that way in Court, too.

Some lawyers, and in fact, some people in general (I'm including lawyers amongst 'people') are simply abrasive and condescending. They'll say whatever they want to get your goat, so to speak. If you're female, they'll act chauvinistic; if you're newly minted, they'll look down on you because you don't have experience; if you're graduate of bottom tier law school they'll sneer "Gee, is that a correspondence law school?" ; if you're solo practitioner they'll sneer about the fact that you couldn't get a job in a

real law firm. OK? To be crude, some people are assholes. And, for some reason, there seems to be a disproportionate number of them working as lawyers; not all, but a number of lawyers are, eh, jerks. And a jerk is a jerk is a jerk. You deal with jerks as you have to.

I'm not minimizing the difficulty of women dealing with men under these circumstances; it's very likely worse, but I kind of doubt that these are isolated cases; the type of man who would pull this sort of stunt is probably a jerk all around. How you deal with jerks in general is probably how you ought to deal with these particular jerks.

My sister used to complain about chauvinism when she was working for the Army as a contracting officer; a lot of them just couldn't believe this blonde

<http://www.pica.army.mil/voice/voice2002/020405/shakespeare.htm>

(3rd from the left)

had any brains; in spite of the fact she had a MBA out of Rutgers and was a GS-14. I do remember one story she told when a man said something disparaging to her and her reply was "You wanna take this outside?" And, that, at least metaphorically, is what you need to do when dealing with a jerk, though I don't know I'd use that exact language; if you get pushed, push back. Be professional, be polite, but make sure they know that you aren't going to take it.

Ronald Jones, Florida

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Oh, and I forgot to mention that although the men I have worked with have not been that bad, I am told by my male colleagues who were privy to a lot more boy's talk than I, that I would be horrified about what is said about me and other female lawyers behind my/our backs. Nice.

But it really doesn't bother me that much now that I've left that firm and I'm getting a lot of their business.

Michele Allinotte

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So these male colleagues are breaking Man Rule #1. We need names!

Robert Louque

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Who gave up the matlocking? Those are trial tactics. You cannot divulge these things!!!

Mirriam Seddiq

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I'll never tell

Michele Allinotte

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Part of my motivation to go out as a solo was because I was getting discouraged trying to deal with the negative attitudes and feeling like I couldn't respond the way I wanted to as a member of a firm and the only one in that environment who seemed to notice it (perhaps b/c I was the only female associate?). When you're solo in some ways it forces folks with chauvinist attitudes to deal with you instead of going around you to other associates in the firm. I dealt with condescending comments made in elevators or on the phone when there were no other witnesses. Just refuse to take it personally and instead take pity on them. Their world is fading fast and they are just feeling threatened and not sure how to adapt. I really think it's a generation thing.



Stephanie L. Kimbro, North Carolina

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I know where you are coming from, Stephanie. One of the reasons I bailed out of Big Law was that I had gotten really tired of rescuing secretaries and associates from senior partners. So much for collegiality. And I agree, it is most likely a generational thing. Some dinosaurs just haven't succumbed to the march of evolution - yet.

Jon van Horne

I'm sorry that you're facing this chronic problem. It is so frustrating, and disappointing to run into this wall. You have received some very good advice.

It is interesting that you ask about this problem today. Last night the author of "Best Friends at the Bar: What Women Need to Know About a Career in the Law" spoke at the Virginia Women Attorneys Association meeting. Afterward I spoke with her and asked whether she might be interested in speaking to some solo and small firm attorneys - thinking about the National Solo and Small Firm Conference. (Vicki - are you reading this?). I think you might find her book useful to read. Here's a link -

<http://www.amazon.com/Best-Friends-Bar-Women-Career/dp/073559385X>

For me, the answer has been that I need to be true to myself. I want to be proud of how I handled the situation. The more over the edge OC is, the more calm and collected I become. It makes me feel good about

myself - and it has the added benefit of making OC go stark raving nuts.

I am also most impressed by the three dozen responses I've read. This group continues to amaze me. This has been one of the finest and most civil conversations I've seen on this topic.

Deb Matthews, Virginia

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Good suggestion Deb. We're already looking at topics for the 2011 Conference as the 2010 one is set.

I've held the position for many years that gender neutrality is not equivalent to gender blindness.

I think Deb also takes a clear and level headed approach to how she responds to inappropriate behavior of others. I'd like to think that my response is similarly calm.

I suspect that many of us who were alive during the "women's lib" movement remain somewhat bemused that some of the work issues those activists sought to change still exist in some areas of the work force. But with each passing year and each maturing generation, the situation continues to improve.

Vicki Levy Eskin, Florida

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When I was a "fresh caught" attorney, I worked a lot with an older male attorney, Jack, who was very generous in crediting me with work done and in treating me as an equal colleague both in our working relationship and in our working with others (even though I clearly was his junior in age, experience and knowledge). We had a meeting with a male attorney who was also our client and every time I answered a question, the attorney/client would turn to Jack to verify my answers. Each time, Jack would refer him

back to me. After a point, Jack told the client that he could rely on my answers and that I was the one most up to date on this particular matter and stated how very prepared I was in this matter and all the ways in which I prepared. The client retorted that if I was \*really\* prepared, then I would be carrying a tape measure. Just by coincidence, I had earlier gone to a fundraiser (for a female political candidate!) and they had passed out tape measures (the kind that retract and have a tube of liquid built in for measuring whether a surface is plumb) as campaign handouts. The client's expression was priceless as I took the tape measure out of my purse and placed it on the table. I told the female candidate what happened later and she also really got a kick out of it.

But, as someone else mentioned, it's not just older men who sometimes give younger female attorneys a bad time. Some older women attorneys really give younger female attorneys a bad time ~ I've heard about cases where the older women attorneys think of it as some kind of hazing (that is, they went through a bad time so they're passing on the tradition) or screening (to make sure that the younger attorneys are tough enough/smart enough to make it and not embarrass female attorneys in general) or even as a form of trying to help the younger attorneys "succeed". There have been older female attorneys who express "rules" that the younger female attorneys purportedly must follow in order to be successful. Most of them sound pretty ridiculous to me and range from "you must always wear lipstick in public and always have your fingernails painted with a clear or light nail

polish. A darker nail polish either looks unprofessional or too frivolous or "girly" but no nail polish indicates a lack of care with grooming and lack of attention to details" to "you gotta be one of the boys and be as aggressive and tough as the men are and should not have any feminine traits. oh, and don't shave your legs." Seriously. I know a female attorney who spent weeks miserably with leg hair poking through her nylons in an effort not to run afoul of an older female attorney.

Overall, though, I have been extremely lucky in not being treated badly by other attorneys.

Naomi C. Fujimoto, Hawaii

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This has been an interesting thread. I particularly like Jon Van Horne's advice.

When I was practicing in Philly, there was an older defense lawyer who used to give the young female DAs a hard time. I learned a tremendous amount from one DA who, instead of trying to engage in a tit-for-tat with him as others did, treated him exactly as Jon suggests. She just smiled at him affectionately whenever he engaged in his behavior and otherwise ignored him. It completely turned the tables on him. She came across the reasonable, mature one. He looked like a petulant child.

Jamison Koehler, District of Columbia

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Firm:

A lot of interesting comments on this thread.

I've not been an attorney long enough to have seen this issue personally, but I joined the service when women were first being integrated. One of the other second lieutenants was a stunningly beautiful southern girl. One day, her platoon did something really bad (no recall at all what) and she marched them, in formation, out behind their barracks for a talking to. I was interested in how she would handle it, so I observed from a secured location (ie, I spied on them - some traits are genetic).

About halfway through her bitchout, she was obviously close to tears. I could literally see her trying to figure out what to do. She finally just let herself bawl - and continued to bitch them out.

One soldier, a very LARGE black guy, suddenly broke ranks, announced he was 'not gonna take no more of this from no bawlin white girl', and got perhaps three steps before she got in his...well, not his face -- she came up to about his belt buckle, or so it seemed, but she got in it anyway, and (still bawling) informed the guy that this was HER platoon, and she would bitch them out HER way, not his, and by the way if his ass was not back in line in about ten seconds it would find itself in jail.

This was significant because she dealt with both a gender and race issue in what seemed to me to be the perfect way. She neither tried to act like a man would act, nor surrendered her authority, nor allowed insubordination based on both race and gender. She simply did her job the way she thought best suited to her style.

That's pretty good advice for any of us. I wanted to be Patton when I joined the service (what officer didn't?) but quickly enough realized that with the personal charisma of a pit bull that was not going to work for me. I had to develop my own style, based on who I was as well as my current ability level.

Same applies to attorneys, of whatever gender.

If you're attractive, the other sex is going to look at you (and ladies, please, don't tell me you never look at a handsome attorney...but that's ok because you're female...). It's natural. As Duke pointed out, there is a difference between noticing and leering. Accept the latter as natural and inevitable. Frankly, if I were a woman and got leered at, I would opt for using it tactically as some others have suggested.

If a male lawyer is stupid enough to give you ground because you're cute, take it.

On the other hand, don't misinterpret aggressive tactics as due to your gender, either. Some lawyers are aggressive, and would be regardless of gender. And some are jerks, and would be etc. I suspect most of the ladies are smart and experienced enough by now to recognize the gradations of both.

One last thing: It's easy to notice, remember and gripe about the unpleasant encounters. Don't forget, as one of you did, to recognize those who help you. You encouragez les autres when you thank OC who are a positive model for professional interaction. We are all often guilty of worrying the bad to death but not encouraging the positive.

BTW, I don't think changes in social attitudes are an evolutionary thing...even though those comments were figurative. We are who we are genetically. Franz Wahl's 'Our Inner Ape' is worth reading for attorneys who run into this issue very much (not to Rebecca Wiess, who suggested I read it). Our evolutionary nature includes definitive, biological male/female behavioral differences. Better to understand than fight them. Good luck to you young female attorneys dealing with this. I would suggest that if a particularly bad case comes up and your client's interests are at stake, ask for some advice and help from a friendly male attorney. Gender point of view differences are real, and you might find a novel take on what's happening that would help you. Same goes for the gentlemen who think a problem with a female attorney is primarily gender-based.

Larry Frost

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I find this thread to be both amazing and depressing at the same time. I find it ironic that the old school lawyers are harping about professionalism and civility when my observations are similar to those on this list. Although I am not particularly young nor a woman, generally it seems that older are more offensive. Of course that too is probably too broad a characterization, just as is B^\*^\* on wheels to describe all female attorneys.

Do these same attorneys treat blacks, hispanics, muslims, etc with equal disdain? The experiences and comments of those on this list bear out that

there are problems in the profession; apparently beyond just a few bad apples.. I would encourage those that have been "abused" by such lawyers, young or old, to consider filing a bar complaint AFTER your lawsuit involving opposing counsel is resolved or you are no longer involved. A few years ago, I had an attorney about my own age that kept calling me a liar, responded to materials with very childish comments, literally scribbling responses on my letters and faxes to him, then sending them back. I testified at the hearing where the Bar sanctioned him.

Randy Birch, Utah

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There is a big difference between what you are saying in your case, and what happens to women on a daily basis. It's more subtle. We face exactly what you get and deal with it in like manner, but how to deal with the other stuff. Not all of it is due to sexism, some people are just assholes, but the other hard-to-put your finger on stuff is what is, well, hard to put your finger on.

Mirriam Seddiq, Maryland

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Interesting; it seems that the consensus of the Firm is that older attorneys are more likely to be offensive, and younger attorneys more likely to be enlightened. That fascinates me because it is pretty much the exact opposite of the experience I had when I was a young clergywoman. I guess I have been trying to compare the experience since the clergy is, of course,



also a highly male-dominated profession. But my experience (confirmed with a number of my colleagues) was that men \*under\* 50 were much more likely to be aggressively antagonistic toward women clergy, and men \*over\* 50 much more likely to adopt a laissez-faire approach. I \*assumed\* that it was the result of a mellowing process that came with age, or perhaps that the older men were more capable of integrating an idea that didn't fit into their ideological framework. (All of this was back in the 80's, which I realize was more than a lifetime ago for many on this list.)

By the time I became a lawyer, I was no longer young (I was older as a beginning associate than a good many of the partners in the Biglaw firm I was at) and, having "come out" in the meantime, was a lot more comfortable with myself, with life, etc., than I had been. And I had developed a better strategy for calling out sexism/idiocy without being unnecessarily hostile. So I have no way of comparing my experiences. I have no idea whether the differences from my experience as a young woman minister is due to our different professions, a different decade, or that the young men I had problems with 25 years ago are now the \*same\* older men that \*today's\* young female attorneys are having trouble with. [ Was it just my generation? ]

Or something else.

No idea. But I have been following this thread with interest, and keep wondering whether any of the women attorneys who have done this for a long time had experiences more parallel to today's young women, or more parallel to my experience. FWIW, I think Duke has pretty much given the best advice

so far. You have to get comfortable in your own skin, and just be who you are. You can never control how another person treats you, but you are in control of how and whether you react/respond to it.

Stephanie Hill, Minnesota

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I don't want to throw another log on an already heated debate, but what I've wondered is whether a woman's looks have any impact on treatment.

I first noticed this after a summer associateship at a 75 person firm in NJ after my second year. There were 8 summer associates - 4 women (myself included) and 4 men. My three female colleagues were extremely attractive.

They dressed very professionally - shoulder-pad suits (the 1980s style) and stockings -- not provocatively at all -- and were extremely intelligent.

However, they were hit on by the other male attorneys at firm-wide events, given low level assignments and none of them received an offer at the end of the summer. By contrast, I, along with 2 of the other male attorneys received lead assignments, like drafting federal court motions in top cases as opposed to research memos and got an offer. Our work was pretty much equal; but I think they were taken less seriously because of looks.

The same thing happened to a summer associate hired for the firm where I was an associate. She was extremely attractive, so much so that I think she wore severe glasses to make herself seem less "pretty." She was also denied an offer; the male partners told me that they didn't think she was "serious" enough. (She went on to become inhouse counsel at a firm in Paris - she

spoke French - and then an adjunct professor - so again, clearly, no shortage in the brains department).

Personally, I've never experienced any adverse treatment based on gender.

When I started my firm, I did tend to attract older gentleman types of clients (60+) who liked to have lunch with me when they were in town or called me "kiddo", but they all paid their bills and complimented my work and I didn't make an issue of it. And of course, I've had opposing counsel try to intimidate me, but it was definitely an age or experience thing, not gender based.

Granted, I am on the East Coast in the DC area where attitudes are likely a little more advanced than other parts of the country. Still I have always wondered whether looks play a role in all of this as well.

Carolyn Elefant

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I've always believed in focusing on the work. The best way to deal with it is to beat him. When I started, I routinely beat partners in big firms on various motions because I found they were lazy and assumed they would win. I actually did the work.

David Rubin, Missouri

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Unlike the clergy which is still very male dominated, the legal profession is more evenly distributed as to gender. My law school class was very close to 50/50. I think since then (which I only graduated in 2002) some schools now claim to have a higher number of women than men in their student bodies. I imagine that plays a role in the attitudes of older versus younger lawyers.

Lesley Hoenig, Michigan

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Yes, law schools graduate about 50/50 and then they all disappear!

There is a huge lady-lawyer eating monster roaming the country...

I know some go in house but I would love to see numbers showing that a higher number are in-house than men as I doubt it.

Women lawyers are NOT in the court houses outside of family law, especially if you do not count baby lawyers working for others. I have had days I've been in smaller courthouses and been the only woman lawyer I've seen, particularly in San Bernardino and Riverside. A colleague who practices in Southern California and Nevada has some awesome stories of the amazing things judges have said to her there as well.

I appreciate all the positive comments and the advice to just work hard -- that is really all one CAN do. However, I think it is important not to pretend this is just some small isolated issue that is aging out.

I do NOT think sexism is a generational problem -- I think the younger men usually know enough to keep their comments under wraps but when they don't watch, their attitude shows and it is the attitude that hurts. Watch how a bunch of young males in friendly company tear apart any female judge who dares to give them a bad ruling, or discuss an obnoxious opposing counsel who is a woman versus an obnoxious man.

There is a level of disrespect, of scorn, sometimes of outright repugnance that comes out in those conversations that is simply NOT there when discussing a man.

I've actually found some of the least amount of prejudice among SOME old men -- the over 60 crowd. They are not used to working with women and when one shows up, they just proceed like business as usual.

Maybe a few cute nicknames but they call the guys "boys" too so really, they are just old and think everyone is a baby, there seems to be less bias.

Our local trial lawyers association recently had a woman's only meeting -- some of the younger women are the only ones at their small firms. I was a bit disappointed that the only talk was about opposing counsel -- the politics of being solo mean that I see a lot of chauvinism amongst my colleagues as well.

I had some friends in law school who had worked New York and Washington, they could not wait to go back as they said it was better.

The rest of us just have to find a way to work with it -- either by coming on harder and more contentiously, by showing a little sass, by appreciating the value of being under-estimated (which does NOT help come settlement time, however) or by pointing out the comments that hurt.

-- Amy Clark Kleinpeter

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I see a lot of female lawyers in probate/guardianship; not that it tends to be real heavy duty "courthouse" work but they are court cases. Also, at least locally, I see significant number of women in criminal work; both for government (i.e., on prosecution and PD's office) and private practice.

Ronald Jones, Florida

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Yes, Carolyn, I feel that looks do play a role. I gained 35 pounds and now people seem more comfortable with me. I got tired of being told by those who haven't seen me in years that they remembered how attractive I was....when I wanted to be remembered for being competent.

Diane Stamler Oraif, Alabama

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From Amy Kleinpeter: "Yes, law schools graduate about 50/50 and then they all disappear!

There is a huge lady-lawyer eating monster roaming the country..."

This is the best quote on the entire thread.

Diane Stamler Oraif

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Congratulations, Carolyn, on picking the right DC firms to work at.

Neanderthals still lurk elsewhere inside the Beltway.

Jon van Horne

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That is a great line. I think the lady-lawyer-eating monster (or at least one of them) may be children. In the best sense, of course. There's just not much way of getting around the fact

that children take time. Forget the 80s & 90s mantras about "quality time." It just takes TIME. It is difficult to juggle a career, parent-teacher meetings, homework (Ohmigod, don't get me started on how 8th grade homework sucked up my time like a black hole), chauffeur duties, doctor's visits, music lessons, orthodontists, sports leagues, after-school practices, etc, etc, and ETC. Many of my friends eventually found it too much of a grind, and got rid of the thing that they found the least fulfilling, i.e., their jobs.

Or they switched to a field of law where their time is more their own. For example, I am seeing more & more women as GCs or in-house. Many of my litigator friends switched because litigation was simply too hard on their schedules. It's really no surprise to see women who have options decide to exercise them.

And, to be provocative, there was some wisdom in the conventions of the pre-feminist era. I am very happy that I can be a lawyer rather than a homemaker, and that I have many more options than my grandmother did. But, but, but . . . my grandmother was more wise than I realized when I heard her say that "it takes time to raise children right."

Debbie Ausburn, Georgia

But why does that time suck that are called children involve ONLY the lady lawyers? Why aren't the male lawyers chauffeuring the kids, helping with homework, attending parent-teacher meetings while juggling a career? It takes both parents to raise a child right.

Is it that we aren't that evolved? And raising children is still primarily a woman's job? Pay may play a role. But, I find it difficult in the days of lockstep associate compensation that it was because the man made more and had to keep his job.

Elizabeth Pugliese

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Debra Ausburn wrote, "I think the lady-lawyer-eating monster (or at least one of them) may be children."

But I know so many childless women lawyers such as myself who experience these same issues. With all due respect to Deborah, I think that's only a

relatively minor factor.

Diane Stamler Oraif

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And too often when the mother does all the child-running tasks, that means the father has to spend even longer hours at work to make up the income difference -- like to pay for all those activities and the minivan and the accessories.

If a father appears at a school activity, there are murmurs throughout the group how wonderful it is that he could make it. If a working mother is 15 minutes late, there are murmurs about how terrible she is...

OK, now I'm just bitching and we're off topic - but it's true!!

-- Amy Clark Kleinpeter

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As a full-time Mr. Mom, I see what a time-suck kids can be, and I have to disagree, Diane. At my last firm, at least 2/3 of the attrition of female associates was due to child-bearing/rearing issues. When I first got there, one of the older partners (who was not known for being politically correct) said that the firm had been hesitant to hire female associates "because they all get pregnant after a few years and leave." I was appalled, but in the 10 years I was there, his analysis was largely correct. Certainly, women left to go to other firms, etc., but I'd be willing to bet that they would have had to hire women 2:1 over men straight out of law school in order for



the ratio of men and women up for partnership to be anywhere close to 50:50.

I'm not saying it's right or that something doesn't need to change, just

that Debbie's observation is empirically correct, from my observation.

Kevin W. Grierson, Virginia

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I don't see LOTS of women attorneys here, but the general population of attorneys here is on the older side, like 50 or older. There are younger attorneys, but not many because it is not logical to move here to start a career. People either practice here because they're from here, or the university brought them here (that is seriously the main two reasons I'm given). I don't notice much in the way of issues when it comes to how female attorneys are treated. There are NO female judges in this county (and I don't think there are female judges in neighboring counties either) so who knows how people would react if there were a female judge (there is a rumor that the new tribal judge will be female, but I don't think they've appointed anyone yet). But at the same time, when I go to bar functions, the older male bar members will talk about how things were back in the day when there weren't female attorneys around here, but everyone here is pretty collegial in general. There's certainly more male attorneys than female, but there are plenty of female attorneys that do things other than family law (though I have to say, everyone male and female alike in this town was glad to hear I didn't do family law because they wanted to keep it for themselves, which is different than I'm used to hearing elsewhere).

Actually the town I practice in before here, Morris, IL, I was literally the only female attorney that took any family cases at all (there was one female that did juvenile cases, but she never took divorce/paternity cases) in that county. And I only took family law cases to pay the bills while I concentrated on other things like Bankruptcy and Collections to do what actually interested me. I suspect it varies from locale to locale as to how pervasive the issue can be.

Lesley Hoenig

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It depends on what you mean by "these issues." I was thinking mainly of the question of where the female law school graduates disappear to. There is not as strong a connection to how women are treated, only the indirect effect that Kevin noted.

Debbie Ausburn

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And yet other professions seem to keep mothers employed...

I am sure there are multiple reasons for this and plenty of blame to go around, but it still is bizarre to me...

How do these mothers pay their student loans? I was NOT the only independent student with only a few scholarships at law school, I am pretty sure!

-- Amy Clark Kleinpeter

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Maybe they opt to get careers in less stressful fields that pay as well?

Lesley Hoenig

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It is just as bad in academia. my sister had 2 sons before she got tenure and was about to be sent on her way when a 1 million dollar grant from NIH came through for her. Money talks and she got tenure 3 months later

Carolyn Elefant

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No, other professions DON'T keep women employed.

I don't have any figures from the law, but my wife is very involved in women in the sciences (usually part of a general issue called STEM - Science, Technology, Engineering, Math). I'm peripherally involved because the lack of native-born Americans willing to work hard enough to become engineers, in particular, is a serious national security issue.

Anita (my wife) has done a huge amount of work on all this. She's part of

the national STEM brain drain task force, does national work with the Society of Women Engineers and so forth. In engineering, the 'lady eating monster' is almost entirely kids. Over 75%, if I recall correctly, of women who leave engineering leave because of family/work issues. Almost none leave because of gender discrimination issues; if they encounter it, the shortage of women engineers is so acute they can simply jump to another job and sue. And the major companies are so lawsuit-averse they rarely have to do either. Again, I see that personally; Anita works for a major national company and I talk to their counsel fairly regularly at executive social event Anita goes to.

Anita has found that companies with serious work/life balance policies, like job sharing, ability to work from home a lot and so on, fare very, very much better than companies without. The Athena project does research on this angle -again, she's involved at the national level.

The law competes for entrants with medicine and the sciences. I bet the profiles of those who enter are very nearly identical except for math scores.

Ok, the controversial stuff.

Women leave firms because of conflicts over kids and job time. It is a true fact that companies are less willing to invest in women because, as Kevin noted, a much higher percentage of women drop out after a few years than do men. Simple economics: I don't have actual numbers, but let's use Kevin's. If women drop out at twice the rate of men, then every successful female

attorney making partner costs twice the investment of each man. Period. And they are statistically neither better nor worse than men, I would guess, so there is no compensating advantage.

Why don't men "do more"?

Well, first, part of our problem is that our kids do TOO MUCH. I have friends whose kids are in four sports, including one (swimming) which is year-round and involves 20 hours a week of practice and competition. TWENTY HOURS A WEEK.

We don't ALLOW our kids to do sports because the hyper-competitive atmosphere fosters (we think) undesirable character formation, plus it also endangers the kids physically. 13-year-old bodies were not meant to be doing adult level sports stress, and the price is lifelong.

We also strictly limit our kids "outside activities". We required them to bet a black belt in martial arts and learn one instrument. Other than that, they have to make their own entertainment with friends. Sandlot sports would be find. Playing in our woods is fine. Organized crap is not.

Personally I think our emphasis on making kids act like little scheduled adults is positively medieval. Literally. In the middle ages, kids were treated like miniature adults in most ways. Modern understanding of brain development makes it clear that is nonsensical.

So part of the solution is not having four sports and two

clubs to juggle.

Next, to be really controversial, a big chunk of this is genetic. We can insist on making men and women equal before the law, but no legislation will repeal genetics. We are not equal (meaning "of the same quantity, size, number, value, degree, intensity etc", first def of first listing, Webster's 20th Century Unabridged Ex latin, meaning 'flat, plain, even'). We are in fact very different psychologically as well as physically. I argue that the Brit study which found (very, very broadly) that women teach kids compassion and men teach them values is a prime example. Certainly, men teach combativeness and combat itself. It may be that changing diapers and spending hours with kids are not 'male assigned' roles. That's pure speculation; don't know. But all things human occur on a bell curve.

These are statistical claims, your personal experience may vary.... but with a nod to Deborah Ausburn, it may be that men and women have different roles with respect to time with kids. Or, for Elizabeth Pugliese, that men and women contribute different things to the raising issue; what is clear is that outcomes are far superior when a child has a stable mother and father.

I don't know that anyone has good data on all this.

What irks me about the issue is that any argument outside the politically correct boundaries is dismissed. We don't know much about human brains and evolution yet, so in my book anything is subject to question and discussion.

But I think it clear that difference in genetic makeup is part of the answer to the dropout rate.

Obviously, social attitudes are too. And so are individual differences.

Still recall youngest offspring bringing me a kindergarten math problem, and older offspring telling him contemptuously, "You don't bring DAD math problems. DAD does writing and social studies. MOM does math. She's the engineer."

Lot of moving pieces, no simple and certainly no politically correct answer.

I do know my brother in law bought a cheap (and very successful) in-house counsel by offering her unlimited job flexibility and performance measured by actual achievement. I think that may be part of the shift from Big Law, as smaller more agile firms realize the economic advantage of doing so and the relatively low cost of working from home (fewer office spaces required).

Larry Frost

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I know I'm REALLY late to this thread, but in my experience sexism in the legal profession is definitely alive and well, and not just from older men, although a lot of the older guys just don't bother to hide it. The worst part of the sexism is not the rude comments, though i've gotten plenty of those, from both a client who told me there was no way I could know something because I was so young (I was 25 at the time and looked 21) and from a 65-yr old co-counsel who sputtered "Get me someone who knows something about tax law" when I made a point that he hadn't thought of (I am a T& E lawyer by the way). No, the worst is the internal discrimination within law firms. I found out that my ex-boss (who was 37 at the time) told

several of my co-workers when I went on maternity leave that he didn't expect me to return. When I did return, I then found out that he'd been telling co-workers that I would probably leave when I had my second kid. Which I did, because I started getting crap assignments and was not given the flexibility in my schedule that I needed.

I went solo precisely because I knew I could not continue to work for a firm and have children AND retain my sanity. It's not easy not having a steady paycheck, but I need to have flexibility in order to have time for my children while they are awake. As many other female lawyers, I am married to a male lawyer who has almost NO flexibility in his schedule, and works for people who don't believe family time is important. Therefore, most of the childrearing duties fall on me. Many of the women with whom I went to law school have quit altogether to raise kids. It is very difficult to work in a law firm environment and raise a family.

Mary Kaplan, Florida

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My governing body has been digging deep into this issue the last couple of years. Here is a link to the materials for the Retention of Women in Private Practice Working Group:

<http://www.lsuc.on.ca/about/b/equity/retentionofwomen/>

< <http://www.lsuc.on.ca/about/b/equity/retentionofwomen/> > They are looking for the lady-lawyer eating monster who is here in Canada too.

Michele Allinotte

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Update: I was honest with my client that the word on the street was that the OC's stonewalling may be due to my age, gender, or both. I suggested he may have better luck with an older male attorney representing him. He assured me I'd done a great job and he was very happy with the work I'd done.

Today he fired me. I knew it was coming and I partly asked for it, but it still stung to be fired for something I had no control over and was unable to resolve despite my best efforts.

Now I'm going to go whine into my wine.

Gina Madsen

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I think your client made the mistake, not you.

D.A. "Duke" Drouillard

I went through a trial where the judge was openly leering as he stared down the shirt of his reporter every time she bent down (which was often) and flirted with her. During a break in that trial, my opposing counsel moved from counsel table to the gallery, sat next to his paralegal, put his arm around her and they started hugging and kissing. He didn't seem to mind that I was right there.

Pretty interesting trial. I won. I guess everyone else was preoccupied. For a moment, I thought about handing out my card and mentioning I handle sexual harassment cases.



Cheers,

Eugene Lee, California

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I agree.

How selfless of you, Gina. You epitomize looking out for your client's best interest.

E.J. Hong, California

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I've been hired because I'm a woman, and fired because I'm a woman.

Likewise, I've been hired because I'm a downtown lawyer, and ruled out of consideration for the same attribute, hired because I'm from two counties away, and avoided because I'm not a rural local. It's harder to accept when it's age and gender because these go to more fundamental parts of your personality than where you elect to have your office. But equally fundamental are being hired or fired because you are good at negotiating compromise, or because you are happy to beat the opposition to a pulp way beyond necessity. You need some emotional armor in this business, and, as you know, a good bottle of wine. You're fine.

Rebecca K. Wiess, Washington