

NCWBA 2013 Summit
August 9, 2013
Gender Equity – Moving the Bar Forward
San Francisco, California

Group on Gender Equity in the Legal Profession, Sherrie Phillips - moderator

Group Six discussed a possible new program to address gender equity in the practice of law. The program recommended by our group is an on-going program to be used to hold firms and organizations accountable for their actions or inactions regarding gender equity practices.

The group proposed a Lecture Series of Six Sessions, along with a Certification Process by the state bar association, or some other local bar association if a state bar is not available. The sessions will target men in decision-making positions within law firms or other legal organizations/positions. All attorneys will be welcome and encouraged to attend, as one of the goals is to have dialogue with men and women in the same room. The Lecture Series will focus on areas of specific concern, unique to the geographical area of the particular women's section or association that is hosting the Lecture Series. Areas of focus might include: gender pay gap, retention of female attorneys, viability of flex time, sponsorship of female attorneys, etc. These sessions will be half-day events occurring on a monthly basis.

After completing the six session series, each firm or company representative will meet with a representative from the ABA to help the organization write a comprehensive Gender Equity Plan to implement over time within that organization. Each plan will be uniquely tailored to the specific organization with input from that organization's representative who should be someone with decision-making capabilities. The organization will then have some input and ownership into its Plan, but will also have the experience of ABA personnel to help identify any potential issues or areas of concern.

Six months after completion of the Lecture Series and a written Plan, a Gender Equity Interview will be conducted at the firm or organization. The person or group conducting this interview might be different for each state or section. Most states in our group have a State Bar Association that includes some type of Diversity Section, Equity in Law Section or some equivalent group that could do these follow-up interviews. The interviews will be based on each organization's individualized Gender Equity Plan; however, our group also determined there should be a template of questions which are asked at each interview (if the template questions are applicable to that organization). The template questionnaire could include such questions as : how many motions, trials, court hearings, etc., do female attorneys attend in a first chair/second chair position; is

the sponsorship of female attorneys active and effectively handled and monitored by the organization; is there an annual review of compensation and how do female attorneys fare under that structure; are the names and types of partners and partnership levels disclosed; and, are female attorneys actively involved in client relationships?

After the completion of this initial review, the interviewing group will award the organization a certain number of stars based on how well the organization implements its Gender Equity Plan and the responses received to the template questions. Stars will range from one to five, with five stars being the highest rating. These ratings will be published on the State Bar's website (if applicable), the Women's Section's website, and any other media outlet appropriate. The organizations will be re-interviewed either annually or bi-annually and the stars will be adjusted at the conclusion of each interviewing process.

The primary "hook" to get firm and organization involvement is marketing. For example, if the organization receives five stars, then it can market itself as being rated as a "Five Star Award Winner for Gender Equity" by the Alabama State Bar (fill in your bar association, state or local, here). This is not only important for recruiting female attorneys, but also important for corporate clients specifically, many of whom require gender equity at some level before hiring a firm. The long-term goal will be to have this award be a badge of honor for firms across the area.

To implement this program successfully, the local Women's Section will need the cooperation of the state bar association (if applicable) or perhaps neighboring bar associations, as well as the cooperation of the section which would conduct the interviews. Obviously, firms will need to be on board. Big firms should be interested as a marketing tool as mentioned in the above paragraph. Majority-owned female firms can also be approached. Although this is not likely necessary in those firms, the more firms involved, the more interest created and subsequently, this becomes an award firms and organizations want to achieve. As these sessions will be costly, there might be costs not covered by tuition paid by the participants. Majority female owned firms can be a good resource of sponsorship for these costs.