

Toolkit for Law Schools in Preparing Law Students for Handling and Addressing Gender Bias in the Practice of Law

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How to Use this Resource

This toolkit reflects the collective experience and wisdom of many attorneys and gender equity thought leaders throughout the United States and Canada and will serve as a best practice guide for any law school committed to addressing gender bias in our profession by offering a series of programming to its students.

Below you will find introductory content, followed by a few thoughts to address potential law school concerns, and then a quick summary of the topics that should be included in a strong series of programs addressing gender bias in practice. Next, you will see more detail on what should be included in programming for each topic, ideas on how to best put on that programming, and how to start taking action. Finally, you will find a wealth of materials at the end of this toolkit to help you take action, including materials, articles, panel questions, and additional resources.

Introduction to the Issue

Lawyers in the U.S. are not nearly representative of the population we serve. Discrimination and implicit bias significantly contribute to this lack of diversity and limit the effectiveness of our profession. Previous efforts to increase diversity among lawyers are not enough to address the problem.

Gender bias in the practice of law is a significant part of the diversity issue threatening our profession. For decades, the discussion of advancing women in the legal industry has taken place primarily among women. At women's bar events and conferences for women lawyers, women share staggering statistics demonstrating gender inequality in legal practice, women discuss the differences between the perspectives of women and men in legal practice, women analyze the way women communicate differently, and women share tips for thriving in the male-focused culture of the legal industry.

These women are working hard in the hopes that women will stay in the practice of law long enough to increase the number of women leaders and that those women leaders will effect broader change for other women lawyers, moving the profession toward gender equality. In the meantime, to succeed in the legal industry, women lawyers must spend time learning how to navigate a culture not built for their success and to minimize, where possible, the effects of implicit bias and blatant discrimination on their careers.

Women lawyers work to survive in a culture reflecting a history of the practice of law by men. The number of women graduating law school now equals, and sometimes exceeds, the number of men, but we know the percentage of women partners, women in-house counsel, and other women leaders does not come close to reflecting the percentage of women graduating law school. Although women may comprise around 50% of lawyers entering the profession, the culture of legal practice has not changed to eliminate discrimination or to reflect the number of women lawyers. In turn, the number of women partners and other women leaders in the legal industry has not increased at the rate one might expect when looking at years of law school graduating classes.

Approximately half of all law school graduates are women and that has been the case for at least 20 years.¹ However, approximately 65% of attorneys are men, and 35% of attorneys are women.² Over the past 25 years, the change in the number of women attorneys has been small, particularly in comparison to makeup of law school graduates and the population as a whole. Women attorneys represented 12.27% of partners in 1993 and now represent approximately 22.70% of partners.³ “While the number of women equity partners has increased from 16% in 2007, it remains largely unchanged in the last 10 years.” In addition, women make up only 25%

¹ “After entry-level, the representation of women at firms shrinks each subsequent year,” [NALP Diversity Infographic: Women, 2015-2016](#).

² [ABA 2017 National Lawyer Population Survey](#).

³ NALP [2017 Report on Diversity In U.S. Law Firms](#).

of high-level governance roles, such as serving on a compensation committee or as practice group leader.⁴ “Only four of the 112 Justices ever to serve on the highest court in the land have been women.” 36% of active judges currently sitting on the thirteen federal courts of appeal are women. 33% of active United States district/trial court judges are women.⁵ In a Florida Bar survey, 6% of women reported leaving an employer because of gender bias and 5% because of harassment. 43% reported experiencing gender bias in their careers and 17% reported experiencing harassment. In addition, 10% listed gender bias as one of the top three significant challenges faced as an attorney.⁶

⁴ 2017 National Association of Women Lawyers Survey on Promotion and Retention of Women in Law Firms [Summary](#).

⁵ National Women’s Law Center 2016 Report on [Women in the Federal Judiciary](#).

⁶ Florida Bar *Results of the 2015 YLD Survey on Women in the Legal Profession*; See also the ABA Commission on Women in the Profession’s [A Current Glance at Women in the Law January 2017](#).

Goals of Law School Involvement

Law schools can play a major role in tackling gender bias in our profession by solving two major issues that stall gender equity progress in the practice of law:

- First, female law students typically graduate law school unaware of the lack of gender equity in the practice of law, a damaging result. It often takes new women lawyers years to realize the issues they face our profession. By that point, their careers are typically already impacted by implicit bias, and they have lost countless opportunities to mitigate that damage. If law students instead built an awareness of gender bias in our profession before graduating law school, as well as tools for mitigating its impact, they would be empowered to protect their own advancement.
- Second, men graduating law school are also typically unaware of the gender bias awaiting their colleagues. Even in the best situations, where there is some awareness of gender equity issues, men are often unfamiliar with the specific challenges women face in the practice of law. As a result, both men and women are ill-prepared to avoid contributing to gender bias and are left without a strategy for handling situations where gender bias is present. By building awareness and providing tools for all law students, law schools can prepare the next generation of lawyers to spread awareness, serve as allies, and play a key role in more quickly eliminating gender bias in the practice of law.

In other words, with the active participation of law schools, we can finally start to see real, sustainable, faster progress for women in our field.

Broader Diversity Issues

Note: the law school programming described in this guide could easily be modified to include a discussion of broader diversity issues throughout the series of programming.

Student Interest; Messaging

Some law schools expect that student interest will be a challenge in implementing programming. However, this problem largely stems from students' lack of awareness about the seriousness of gender bias in practice and how it is likely to directly impact them. Appropriate messaging (to help students understand the importance of that first program introducing the issue) will go a long way. From there, the first program should capture interest and inspire students to continue learning at future programming. Additional thoughts regarding student interest:

- Some law schools may consider giving credit or otherwise including programming as part of their curriculum
- Students may be motivated by the “business case for diversity,” i.e., how diversity positively impacts the bottom line. This is covered in the information that follows.
- Students may be interested in efforts by in-house counsel to build diversity by requiring diverse teams of outside counsel
- Consider recruiting students who do have an interest in diversity to bring in friends; students can serve as ambassadors to help build initial interest
- This programming could be part of a larger series focused on professional development and what it takes to succeed as a lawyer, where this programming is one key element to success
- Messaging should make very clear programming is for all law students, not just women (even if law school chooses to tailor a subset of its programs specifically for women, in particular the law practice training)

Law School Perspective on Addressing Gender Bias

Some law schools may also be concerned about addressing gender bias on the theory that raising these issues highlights the issues for incoming students and may not paint the practice of law in a positive light. First, these issues arise in professional environments across industries and are not unique to the practice of law. Second, given the current environment, many people are attracted to the law school path because they want to help address issues such as lack of diversity and inequality in our society. It is therefore unreasonable to think that such incoming students would expect those issues do not exist in the practice of law or that they would be deterred by awareness of these issues. Failing to address equality issues or pretending they do not exist is of course not an appropriate or ethical approach.

Looking at it another way, being able to showcase concrete, impactful programing raising awareness and preparing students to address bias in practice can be a potential advantage not only to law school admissions but to law school career services as well. In addition, this programing can increase the likelihood and level of student success, building among alumni not only a stronger connection and commitment to their law school but also more capacity to give back to their law school, financially and otherwise.

Law School Programming – Generally

It would be very difficult for a law school to cover in one program/event all of the topics and issues required to fully address and prepare students for facing gender bias issues in practice. Instead, a series of programs, spaced throughout a student's law school career, would be more manageable for the law school and would give a student the opportunity to consider and reflect on each program, as well as to hear from a variety of thought leaders.

In addition, one program that informs students about gender bias would make small progress by building awareness. However, a series of programming that goes further, preparing students to address and interrupt gender bias in our industry, can change the culture of our profession, a much-needed step to reach gender equity. Below is a list of topics that should be included in a larger series of programs addressing gender bias.

Law School Programming – Specific Topics

A series of law school programming preparing students to address gender equity issues in practice should include the five main topics below. Please see below for specific programming options, ideas, resources, and materials for each of the below topics.

- **Introduction to the Issue.** Unfortunately, law students often view gender equity issues as solved or somewhat outdated. They look to their peers and see women represented equally in their law school classrooms, often not realizing the subtle gender bias appearing even in classrooms settings. They find it difficult to relate to gender bias speakers who describe facing blatant gender bias or gender bias in a decades-old setting. Students need to understand this issue is still real, current, and significant.
- **Gender Bias - What is Actually Happening.** Once law students have a picture of the disparities in the legal industry, they need insight into the cause, including an introduction to issues such as implicit bias.
- **Equal Pay Issues.** Looking at the pay disparity between male and female lawyers is one way to draw attention to the concrete impact of gender bias in our profession, and law students should be aware of this disparity.
- **Handling Gender Bias.** While women should understand how to navigate the gender bias they will face in practice, all law students should understand how to identify and address gender bias to help build awareness and to start reducing its impact.
- **Law Practice Training.** To level the playing field, women should understand how law practice actually works. In other words, because men are often taken under the wing of senior male supervisors and given credit for potential, failing to appreciate

how law practice works has less of an impact on men. However, when women do not understand and do not master issues such as billable hours, law firm hierarchy, firm politics, and marketing, they are at a significant disadvantage. (This also helps level the playing field between those who come from educated families and families that include lawyers and those who come from a less privileged background.)

Program Options, Ideas, Resources, and Materials

INTRODUCTION TO GENDER BIAS.

Coverage of this topic should include:

- How this issue will affect students personally as they head into practice
- This is a current issue
- Concrete, current, real stories of gender bias, including stories from attorneys who are newer to practice so law students will find more relatable
- Help students understand how recent the history of women in practice really is overall. For example, several states are celebrating the 100th anniversary of the first woman to pass the bar in their states. Watching documentaries and consulting with state women's bar associations regarding their histories of women in practice may help
- Stress the concept of “being invited to the dance versus being invited to dance,” i.e., women may be present but are not receiving equal treatment or opportunities to advance
- Contrast the often gender-balanced law school world with the realities of practice; Law school classes typically include equal numbers of women and men; Women may meet and exceed the academic accomplishments of their male colleagues, and they may get jobs right out of law school in equal numbers to men; The issues for women typically start a few years into practice; After the first few years, there will be very few female associates and even fewer will make it into partnership
- There is a temptation to think maternity and children are the issue – that is, women have children and cannot handle the hours that law practice requires; However, while maternity leave may affect a woman’s desire to continue in practice, it is typically their experience in law firms and the gender bias they face, rather than family obligations, that cause them to leave practice
- Women heading into practice are typically unaware that gender bias is playing a role from their first moments in practice; In other words, they never had the same opportunities or equal access to advancement as their male colleagues; It usually takes at least a few years of practice, after damage has been done, before they realize the impact
- Law firms are still primarily and overwhelmingly run by men; This gives men an advantage; For example, senior male partners are often more comfortable mentoring a younger man who reminds them of their younger selves; Senior male partners “grandfather” work and clients to young male associates

Programming Approach:

Because important issues in this topic include showing students that this is a real issue that affects them, this topic would be best addressed by bringing in relatable outside speakers that lend credibility to the above issues. A panel of 3-5 speakers would work well to address the above topics in one event, or this could be spilt into more than one

presentation. The panel should reflect a variety of perspectives while maintaining credibility and relatability. For example, a local women's bar association board member or officer, a senior practitioner, and an attorney in their first few years of practice (all familiar with the above issues) would work well.

Taking Action:

- 1) The above list of topics can be used in emails/conversations to help identify qualified potential speakers.
- 2) Please see the attached draft panel plan and question list to get started.
- 3) Please see attached list of concrete examples to use during discussions.

GENDER BIAS - WHAT IS ACTUALLY HAPPENING

Coverage of this topic should include:

- The book [Breaking Through Bias](#), by Andrea Kramer and Al Harris, a husband and wife attorney duo, serves as an ideal introduction to these issues and helps women navigate them as well.
- Examples of issues taking place in the legal industry every day:
 - The “Goldilocks” Issue: “...To simplify greatly, men are (or are expected to be) agentic: providers, decisive, and ambitious, even driven. Women in contrast are (or are expected to be) communal: caregivers, sensitive, and concerned with others. Women lawyers that understand these stereotypes and the biases that flow from them have the power to handle these biases by avoiding them, working around them, or tackling them head on... These stereotypes are at the very heart of why women are held back — by others and by themselves. Women become aware at a young age that when they act forcefully or competitively, they are diverging from gender stereotypes. If they push to get a job done, if they focus on results rather than pleasing others, they are acting like a man. If they act like a man, people dislike them. And, women don’t like not being liked. So, they hold back. We call this the Goldilocks Dilemma. Women are viewed as too tough, too soft, but rarely just right. If they defy expectations, behave against stereotype and grab those opportunities, they are viewed as pushy, selfish, and just plain not nice. If they act in stereotypically feminine ways, they have great difficulty in reaching for and taking advantage of the same opportunities as men. In other words, women are literally damned if they do and damned if they don’t.” - Andrea Kramer & Al Harris
 - “Men are presumed to be competent and get judged on their potential. Women are presumed not quite up to snuff and must prove their competence – over and over and over again. How many times have we heard something like: ‘She’s just lucky. He’s skilled.’ ‘She’s hesitant. He’s thoughtful.’ ‘She’s impulsive. He’s decisive.’ ‘She has trouble balancing work with her family. He’s busy.’” - Andrea Kramer & Al Harris
 - “Women in traditionally male careers – lawyers, doctors, tech entrepreneurs, fighter pilots – just about all, high status high financial rewarded careers – face negative stereotypes about women, family, job commitment, and leadership. As the stereotypes go: A woman just doesn’t have the right set of characteristics to be an effective successful lawyer. And if she does, then there is something wrong with her: she is not a nice person, she is a b*tch, she is a bad mother, and she is certainly not feminine.” - Andrea Kramer & Al Harris
 - So-called “benevolent sexism” happens when someone says or does something that appears to be positive but can actually hurt women. For example, a female junior partner being left out of networking events where potential clients would be. When she expresses an interest in joining, the leaders of her practice group tell her they were trying to be helpful – they

assumed she wouldn't want to be away from home in the evenings. This can also show up in assignments; women may be given less challenging assignments than men, based on the assumption they are not as competent. Come time for compensation changes or advancement, women will not be rewarded as much because, although they did well on all assignments, they were never given assignments as challenging as their male colleagues and did not have the opportunity to prove their capabilities.

- Women then need an introduction to techniques for identifying gender bias and managing its impact on their careers. The Breaking Through Bias book does exactly this and serves as a powerful starting point.

Programming Approach:

This topic can be addressed in a number of ways. Like the previous topic, this would also be served well by a panel presentation or by smaller discussion groups covering similar topics. The Breaking Through Bias book would serve as a helpful resource to anyone speaking on the panel or moderating discussion groups. However, a more effective and likely more thorough way to handle is through a book club approach using the Breaking Through Bias book. Finally, a similarly knowledgeable solo speaker on this topic is also an option.

Taking Action:

Please see the attached discussion questions to accompany the Breaking Through Bias Book. These questions will be helpful to dig deeper into the bias discussed in the book, regardless of the presentation format.

Equal Pay Issues.

Coverage of this topic should include:

- All law students should be given information about pay disparity, including women are likely to get lower offers right out of law school. This is a huge problem - initial pay disparity compounds over time and is difficult to correct.
- Women should also understand how to negotiate for more and what to say to help ensure their value is understood.

Programming Approach:

This topic can be addressed in a number of ways. This topic may be more approachable in a small group discussion format, i.e., volunteers from the local legal community would each discuss pay equity issues and negotiation strategy with a small group of students where students would be encouraged to ask questions.

In addition, it would be helpful to provide students with starting salary information for law firms of different sizes and different geographic areas. This can be coordinated through the law school's career services office, and resources such as [NALP](#) may be helpful.

Please note: this discussion pairs well with a discussion of the review process inside legal employers, including self-review best practices which is discussed under Law Practice Training below.

Taking Action:

Please see the attached list of resources to help guide pay equity discussions at your school.

HANDLING GENDER BIAS

Coverage of this topic should include:

- How to recognize bias
- Benevolent bias/sexism
- How to address and interrupt bias that affects you or others.
- This discussion should include concrete examples, such as strategies for handling gender bias in the moment, e.g., “mansplaining,” idea stealing, interruptions.

Programming Approach:

This topic can be addressed well in either a small group discussion format or a panel presentation format.

Students should first have the benefit of participating in the above Gender Bias – What is Actually Happening presentation as a foundation to this How to Handle Gender Bias program.

This topic is well served by the introduction of concrete examples. Role playing/skits may be introduced as well. Lawyers in the community may be helpful in providing real examples to be analyzed.

The ABA Commission on Women in the Profession and Minority Corporate Counsel Association [Bias Interrupters project](#) is a great resource and will be helpful in preparing for panel/small group discussions and/or role playing activities. Please see attached for additional information.

In addition, helping men understand the importance and value in addressing gender bias is key. The National Conference of Women’s Bar Associations (NCWBA) “[GOOD Guys](#)” (Guys Overcoming Obstacles to Diversity) program features panels of men who talk to an audience about why they value diversity and how to be an ally in addressing gender bias. NCWBA offers a toolkit organizations can use to host their own GOOD Guys event. A GOOD Guys program at your school is an important addition to your gender bias program. Please see attached for additional information.

Taking Action:

Please see the attached list of questions to be used for small group or panel discussion as well as the attached resources, including additional information about the NCWBA GOOD Guys program.

Law Practice Training

Coverage of this topic should include:

- Billable hours
- Law firm hierarchy, politics, and unspoken codes of behavior
- How law firms work, e.g., structure, importance of origination credit, rising through the hierarchy
- Pay equity and negotiating compensation (for example, see the ABA Commission on Women in the Profession's [resources on negotiating compensation](#))
- Finding and working with sponsors and mentors, and the difference between the two
- Building confidence
- Building a support group and finding resources
- Getting quality, challenging assignments
- Maximizing the type of work that will count, knowing what will not count
- Building a competitive resume
- How to be successful in the review and evaluation process
- Marketing and networking (research shows marketing and growing a book of business are flagged by law firms as a key reason why women do not advance as much as men)

Programming Approach:

This topic can be addressed best addressed by a series of workshops (whether throughout a day long event or spread out over time) but would work well in a small group discussion format or in a panel presentation format.

Regardless, there are too many topics to be effectively covered in one presentation. Instead, the above topics can be divided up as follows:

- Compensation (billable hours, pay equity and negotiation, evaluation process including self-evaluations)
- How law firms work (hierarchy, structure, politics, etc.)
- Seeing Success (building confidence, finding resources, mentors, assignments, resume, etc.;
- Marketing (marketing, networking, business development).

Lawyers in practice are a must for tackling these topics and should typically be able to easily discuss these topics with students, including real examples, concrete strategies, and practical tips.

Taking Action:

Please see the attached, extensive collection of resources to assist in covering the above topics. Ideally the panel/discussion group will include both junior and senior practitioners.

Additional Resources

Students should also be provided with resources to help them continue their education on these issues, during law school and as they head into practice, and should be introduced to national gender equity thought leaders. To get started, students should be aware of local and national organizations providing support and further education, including national organizations such as the National Conference of Women's Bar Associations (NCWBA), the ABA Commission on Women in the Profession, the National Association of Women Lawyers (NAWL), and Ms. JD. Students should also be connected to the local women's bar association in the area where they plan to practice. NCWBA is a great starting point to connect students to those organizations. From there, students will be well-positioned to follow the national conversation on gender equity in the practice of law.

These organizations also hold events and conferences throughout the year, including:

- NCWBA Annual Women's Summit – typically held in August in the same city as the ABA Annual Meeting
- ABA Commission on Women in the Profession – typically held in August at the ABA Annual Meeting
- NAWL Annual Meeting – typically held in NYC in July
- Ms. JD holds an Annual Conference on Women in the Law around spring break

**ADDITIONAL RESOURCES, MATERIALS, ARTICLES, AND
DISCUSSION QUESTIONS TO ASSIST IN CARRYING OUT
REFERENCED PROGRAMING**

INTRODUCTION TO GENDER BIAS PRESENTATION PLANNING TEMPLATE WORKSHEET & GUIDE

Event Information:

[Date]

[Location]

[Time]

[Additional Details]

Program Description:

Please join us for “TITLE” ...where an experienced panel of lawyers discuss...[Please see the Introduction to the Issue and Law School Programing – Specific Topics in the above Toolkit for language you can use to craft a program description that fits your school’s coverage of this topic.] Our panel brings together [note varied experience/expertise of your panel] for a conversation about gender bias in the practice of law. The panel will offer key takeaways for law students, such as the current status of gender bias in our profession and how it will affect you in practice.

Panelist Bios:

[A panel of 3-5 speakers would work well to address the above topics in one event, or this could be spilt into more than one presentation. The panel should reflect a variety of perspectives while maintaining credibility and relatability. For example, a local women’s bar association board member or officer, a senior practitioner, and an attorney in their first year of practice (all familiar with the above issues) would work well.]

Sample Moderator Questions, Notes, and Time Estimates:

[Refer to Introduction to Gender Bias Under Program Options, Ideas, Resources, and Materials as well as the below sample questions]

- **[NAME] first welcomes audience, introduces self, reminds audience of topic, “E.g., Today we’re here to dig into ...,” then introduces panel - see panel bios**
(X minutes)
- Would each member of the panel just take a minute or two to summarize what you see as the current status of gender bias in the practice of law? Where are we now, how far have we come, how far do we have to go?
(X minutes)
- How should law students expect this issue to affect them as they head into practice? Why is this a current issue they should care about? *[Women heading into practice are typically unaware that gender bias is playing a role from their first moments in practice; In other words, they never had the same opportunities or equal access to advancement as their male colleagues; It usually takes at least a few years of practice, after damage has*

been done, before they realize the impact; Law firms are still primarily and overwhelmingly run by men; This gives men an advantage; For example, senior male partners are often more comfortable mentoring a younger man who reminds them of their younger selves; Senior male partners “grandfather” work and clients to young male associates]

(X minutes)

- Do you have an example of gender bias that you have seen or experienced? *[Encourage panel to share examples of hidden bias not just obvious discrimination.]*

(X minutes)

- What does it look like when women are included? Are they truly included? *[Stress the concept of “being invited to the dance versus being invited to dance,” i.e., women may be present but are not receiving equal treatment or opportunities to advance, they may be placed on a team to make the team look diverse but not be included or receive credit.]*

(X minutes)

- Do you think this is just an issue for mothers or for all women? *[There is a temptation to think maternity and children are the issue – that is, women have children and cannot handle the hours that law practice requires; However, while maternity leave may affect a woman’s desire to continue in practice, it is typically their experience in law firms and the gender bias they face, rather than family obligations, that cause them to leave practice.]*

(X minutes)

- ***[Questions from the audience if time. If not, encourage audience to discuss any questions with each other at a networking event to follow.]***

INTRODUCTION TO GENDER BIAS

LIST OF EXAMPLES

Katie A. Ahern

Sadly, there are many subtle gender bias and communication issues out there that can women back, and until we're able to eliminate those issues from our profession, it's important to be aware. Here are four examples to keep in mind:

1. **The expectations of your behavior are different.** Stereotypes cause people (both men and women) to unconsciously expect different behavior from women. For example, men are expected to be ambitious, competitive, and to aggressively pursue their goals. Women are expected to be caring and sensitive to others.
2. **Behaving outside of those expectations can hurt you.** When men behave in an ambitious and aggressive way, as expected, they are also exhibiting qualities that conveniently align with leadership and success. When women exhibit those qualities that align with leadership and success, they are not acting as expected and may be disliked. You may recall a situation where you or another woman acted competitively and were viewed as pushy and faced backlash. Without even realizing exactly why, you likely intuitively feel that tightrope we walk, balancing between what is expected of us and what we need to do to succeed.
3. **You may be held to lower standards too.** It's common for women to be held to a different standard – watch out for lowered expectations that can limit your success. In other words, if you are meeting expectations but your supervisor's expectations of you are lower than others, you will not grow or advance as quickly, even if you are doing an amazing job on your matters. Pay attention to what is expected of others and whether goals set for you are realistic.
4. **You may be asked to do things others are not.** Women are often asked or expected to perform "team player" tasks that do not help you succeed, from so-called "office housework" such as buying the administrative assistants day gifts or booking a room for a meeting to non-billable work such as serving on firm committees that do not advance your career. Think about whether you're being asked to do more of these tasks than others and how much time you are spending on that type of work.
5. **You may get interrupted.** It's very common for women to be interrupted, and we are interrupted much more often than men. Yet, we're also punished for being outspoken. Pay attention to how often this happens to you. If you're struggling with this issue, check out [these practical tips](#) for handling interruptions.
6. **Bias against can come across as well-intentioned or "nice."** So-called benevolent sexism happens when someone says or does something that appears to be positive but can actually hurt you. For example, a female junior partner once complained to me that,

unlike all the men in her department, she was never invited to networking events where potential clients would be. When she expressed an interest in joining, the leaders of her practice group told her they were trying to be helpful - they assumed she wouldn't want to be away from home in the evenings. Beware this type of bias, which can be harder to identify and more difficult to deal with but is still very harmful.

7. **People will make you feel like you're imagining this stuff.** Once you're aware of gender equity issues, you'll likely see very obvious gender bias often. But people that don't have that awareness will think they are simply having a logical reaction or making a neutral, harmless statement. People will even make you feel as if you're making too big a deal, making something out of nothing, or "playing the gender card." You are not imagining things, you are not alone in facing this ["gaslighting" issue](#), and it's very ok to think and say that gender bias is not ok.

INTRODUCTION TO GENDER BIAS

ARTICLE: Why Your Hard Work Alone Might Not Work

Katie A. Ahern

It's tempting to think that if we just work hard, people will notice, and we will be rewarded. Sadly, it rarely works that way.

First, decision-makers typically notice and remember much less than you think. That means, you're going to need to tell them how incredible you are. If you are not already in the habit of tracking your accomplishments, now is a good time to start. It is unlikely that you will remember all the amazing things you do on a daily basis, so regularly write them down in one place. You'll be in better shape for end-of-calendar-year reviews and you'll have a great habit started for next year.

Next, you may be putting your all into a project and knocking it out of the park, but perhaps you weren't given an appropriately challenging assignment. It's common for women to be held to a different standard – watch out for lowered expectations that can limit your success. In other words, if you are meeting expectations but your supervisor's expectations of you are lower than others, you will not grow or advance as quickly, even if you are doing an amazing job on your matters. Pay attention to what is expected of others and whether goals set for you are realistic.

Finally, be sure your hard work is allocated to the right tasks – those that will meet your goals and move you forward. For example, watch out for “team player” tasks that do not advance your career. This may be “office housework” (e.g., choosing the menu for the client event, booking the holiday party, getting the administrative assistants day gifts) that tends to be handled by female professionals. It may also be more substantive work that doesn't really get rewarded, or “good citizen” work that doesn't connect to the factors your supervisors consider when they evaluate you. This is the type of work that everyone has to pitch in to accomplish, but women tend to carry more of the burden. Think

BREAKING THROUGH BIAS DISCUSSION QUESTIONS

(SEE ATTACHED)



What follows are some questions to start a discussion about Breaking Through Bias. There is no magic to these questions, just a way to get a discussion going.

Chapter 1: The Elephant in the Room

1. Do you see any of the gender stereotypes discussed in Chapter 1 at work? Did some of these stereotypes surprise you? Do you think that gender stereotypes are persistent? Why?
2. How would you describe the women who have advanced in your organization? Do they use a mix of both “communal” and “agentic” characteristics?
3. Have you – or a woman you know – faced the “Goldilocks Dilemma” at work, where you are ignored if you are seen as too communal, and unlikable if you show agentic behaviors? Do you worry about being likeable?
4. Have gender stereotypes held you back in your career? Would you handle a gender-biased situation differently now that you have read *Breaking Through Bias*?
5. Do you know of some examples of how gender stereotypes affect the ways that women interact with other women?
6. Benevolent bias is often a surprise to see how it holds women back at work. Have you experienced or seen benevolent bias against women? What would you do now to overcome a benevolent bias situation after reading *Breaking Through Bias*?

Chapter 2: The Apple in the Room

7. Can you think of a work task or project that is viewed as a “man’s job”? Any that are viewed as “women’s work”? Would your career benefit if you were assigned a job viewed as suitable for a man?
8. Have you ever applied for a position or a project in which you did not already have all the job criteria? Does knowing that men typically apply if they meet only 60% of the criteria change your opinion about which jobs and project you will apply for in the future?

9. Do you have the same expectations of senior women that you have about senior men? Have you ever expected senior women to be more supportive than senior men? Why?

Chapter 3: Managing the Impression You Make

10. Have you ever changed your behavior in dealing with a colleague based on previous interactions you’ve had with that colleague? If so, what prompted the change?
11. Do you dress in a particular way at work? Can you think of situations when different clothes are more appropriate?
12. Do you factor nonverbal cues in addition to the words to determine what another person is actually saying? Can you give examples?

Chapter 4: Your Attitudes Matter

13. Has grit ever been an important factor in your success? Explain how you face difficult situations?
14. Do you ask for comments about your performance even if you think comments might be critical or negative? Why or why not?
15. Was there a time when you used humor to overcome an uncomfortable situation? If so, explain?

16. Do you “mind prime” before an important event?

17. Do you “power pose” before an important event?

Chapter 5: Nonverbal Behavior

18. Have you made room for another person in a meeting by giving up some of your space? What have you observed about other people using person space at meeting?
19. Do you ever stop to think about how to shake hands as a greeting? Do you ever hug or kiss a business associate as a greeting?

20. Do you nod your head when you are listening to another person who is talking? Will you change your behavior after having read Chapter 5?

Chapter 6: Spoken & Written Behavior

21. How do you convey a relaxed, friendly, and happy tone of voice? What do you do to make sure your tone of voice reflects what you are feeling? What do you do if you don't want your voice to give your feelings away?

22. Do you say, "I'm sorry" for things in addition to transgressions and mistakes?

23. Do you feel uncomfortable when someone gives you a compliment? How do you respond?

Chapter 7: Difficult & Tricky Interactions

24. Have you ever been asked to handle a project without being totally clear as to what you were expected to do? How did you handle that?

25. Are you ever able to say "no" to a project? Under what circumstances?

26. Is it ever appropriate to cry at work? Do you have any "tricks" you use to avoid crying if you think you're about to cry?

Chapter 8: Meetings

27. Do you ever arrive early to a meeting? Where do you sit if you are one of the first people to arrive?

28. How do you handle being interrupted? Is there a way you avoid unwanted interruptions?

29. Can women help each other avoid idea theft by piling on to another woman's ideas?

Chapter 9: Advocating for Yourself

30. When have you successfully advocated for yourself?

31. In seeking a raise or a promotion, what personal characteristics do you focus on?

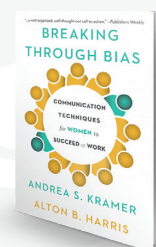
Chapter 10: Work & the Rest of Your Life

32. What qualities in a spouse or life partner do you view as important? Would these qualities allow you to pursue your career?

33. What sorts of maternity leave policies should be available to working mothers?

34. Have you ever discussed your career with your children to positively influence them?

Share Your Questions
with Andie & Al at
Info@AndieandAl.com



EQUAL PAY ISSUES RESOURCES FOR DISCUSSION

The American Bar Association Gender Equity Task Force has the following tools to help assist with salary negotiation:

https://www.americanbar.org/groups/diversity/women/initiatives_awards/gender-equity/negotiation/

In addition, in coordination with the ABA Commission on Women in the Profession, this negotiation resource is available as well:

https://www.americanbar.org/content/dam/aba/administrative/women/negotiations_guide_task_force.authcheckdam.pdf

AndieAndAl.com offers the following tip sheet on asking for a raise:

https://andieandal.com/wp-content/uploads/2020/03/AndieAl_BTBTB_AskingForRaise_TipSheet.pdf

The National Conference of Women's Bar Associations has the following page on pay equity issues:

<https://ncwba.org/resources/workplace-issues/pay-equity/>

Finally, some of the reports and resources referenced in the below guide address salary disparity facts and figures:

<https://ncwba.org/resources/diversityrules/information-about-diversity-in-our-profession/>

HOW TO HANDLE GENDER BIAS

PANEL / SMALL GROUP DISCUSSION QUESTIONS

- What is implicit bias?
- Can you give an example of how this commonly shows in day-to-day practice?
- What are some ideas and best practices for how to address bias when it happens to you?
- To others?
- What is benevolent sexism? *[This can be especially challenging to navigate.]*
- What is office housework? What do I do if I see that happening to me or others? *[Sheryl Sandberg / Adam Grant articles on “office housework” may be helpful here]*
- What are the potential issues that come up when addressing bias? How can I avoid those issues? *[E.g., damaging a relationship, awkward moments]*
- What is gaslighting and how should I handle it?
- What are some specific examples of common bias and an appropriate response?

HANDLING GENDER BIAS BIAS INTERRUPTION RESOURCES

The ABA Commission on Women in the Profession and Minority Corporate Counsel Association [Bias Interrupters project](#) includes a research report called “You Can’t Change What You Can’t See” which aims to lower the effects of bias in legal practice.

The executive summary is available here:

<https://www.americanbar.org/content/dam/aba/administrative/women/you-cant-change-what-you-cant-see-print.pdf>

and includes the bias interruption toolkits to interrupt bias in areas including hiring, assignments, performance evaluations, and compensation.

Please note that www.biasinterrupters.org is also a helpful resource.

These resources, as well as the Breaking Through Bias book previously discussed, will be helpful in preparing for panel/small group discussions and/or role playing activities.

HOW TO HANDLE GENDER BIAS
GASLIGHTING TIP SHEET

SEE ATTACHED



What do you do when someone gaslights you to challenge your judgment of what is or has actually happened?

Here Are Two Examples of Gaslighting

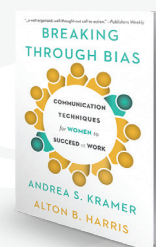
1. In a meeting considering promotion candidates, a senior man tells the group that a woman up for promotion did not need to be considered at that time because she was pregnant. When a woman at that meeting later confronted him in private to tell him that his comment was “actionable,” he denied making the comment, calling her a “liar.”
2. Before her presentation to a sizable group of other professionals, a woman asked the audience about the extent of their experience in the subject matter. After her introduction, a man said to the group that she would have made a great kindergarten teacher. When the woman took him aside to tell him his comment was insulting to her, he told her he did not mean anything disparaging because “kindergarten teachers are the backbone of America.”

What to Do

There are two things you should not do: automatically second-guess yourself, or get visibly angry due to what you thought you saw or experienced. Instead, consider doing the following:

1. Take a reality check and assess the objective facts. Depending on the situation, this might include:
 - Counting the number of women in senior management;
 - Assessing who consistently gets good assignments;
 - Thinking about who has been promoted over the past five years.
2. Compare your views and reactions with trusted colleagues.
3. Discuss this with a close friend to provide you with a reality check.
4. When your perceptions don't match up with what the gaslighter is telling you, politely challenge her or him.
5. Never let gaslighting hold you back, make you afraid, or prevent you from taking the risks you need to advance in your career.
6. Have a more in-depth conversation with the gaslighter. Is she or he being disingenuous, ignorant of the facts, or simply naïve?
7. Don't let gaslighting wear you down. Keep raising your hand, asking for leadership opportunities, and pointing out instances of gender discrimination.
8. Gaslighting often happens over time, so that it chips away at your confidence and your sense of reality.
9. Build, use, and contribute to a network that will support you.

Share Your Questions
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HOW TO HANDLE GENDER BIAS
INTERRUPTION TIP SHEET

SEE ATTACHED



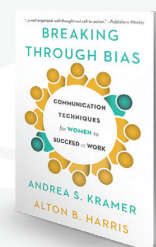
Preventing Interruptions

1. Remain confident
2. Ignore signals that someone wants to interrupt you
3. Don't look at people who want to interrupt you
4. Use non-verbal behavior that shows you are in control (think power posing)
5. Don't pause in a way that provides others with the opportunity to interrupt you
6. Keep your volume up
7. Form alliances and agree to "protect" each other at the meeting, [like the women on Obama's staff](#)
 - If one of you is interrupted, have the other say, "I'd like to hear what she has to say," or "I want to hear this idea"
 - Speak up for others who are interrupted; it is harder for someone to take control from a speaker when there are two people to contend with
8. Talk with other participants before the meeting to share and discuss your ideas; develop a strategy to make your points without interrupting one another

Dealing with Interruptions

1. If the interrupter is more senior to you, you can use an approach such as: "Joe, would you mind if I finished my point? It will only take a minute..."
2. Depending on the context, if a person routinely interrupts you, a firm but still pleasant tone may be justified. In this case, you may use language such as: "Excuse me, Jason, I am not finished yet. The point I was about to make is..." or "Justin, I'd appreciate you not interrupting me. You can speak when I'm finished."
3. Don't forget the power of your coping sense of humor. Even a wry smile can help you stay focused on your objective of keeping the floor.

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HANDLING GENDER BIAS INCLUDING MEN IN THE CONVERSATION

ARTICLE: Why aren't things changing for women lawyers?

Katie A. Ahern

For decades, the discussion of advancing women in the legal industry has taken place primarily among women. At women's bar events and conferences, women share staggering statistics evidencing gender inequality in legal practice, women discuss the differences between the perspectives of women and men in legal practice, women analyze the way women communicate differently, and women share tips for thriving in the male-focused culture of the legal industry.

As women, we work to survive in a culture that reflects a history of the practice of law by men. Women lawyers are working hard in the hopes that women will stay in the practice of law long enough to increase the number of women leaders and that those leaders will effect broader change for other women lawyers, moving the profession toward gender equality. In the meantime, to succeed in the legal industry, women lawyers must spend time learning how to navigate a culture that is not built for their success and to minimize, where possible, the effects of implicit bias and blatant discrimination on their careers.

The number of women graduating law school now equals, and sometimes exceeds, the number of men, but we know that the percentage of women partners, women in-house counsel, and other women leaders does not come close to following the percentage of women graduating law school. Although women may comprise around 50% of lawyers entering the profession, the culture of legal practice has not changed to reflect the number of women lawyers. In turn, the number of women partners and other women leaders in the legal industry has not increased at the rate you might expect when looking at years of law school graduating classes.

Even though approximately half of all law school graduates are women, only approximately 65% of attorneys are men, and 35% of attorneys are women according to the ABA 2017 National Lawyer Population Survey. Disappointingly, research shows that the representation of women in our practice is not improving significantly and certainly not as quickly as it should. At the rate things are going, women graduating from law school this year will not see gender equality for women lawyers during their careers.

"The percentage of associates who are women has grown at times, stalled at other times, and decreased at others. The figure peaked in 2009 and has decreased in five of the eight years since, and in 2017 remains slightly below its 2009 level." NALP Women and Minorities at Law Firms — What Has Changed and What Has Not in the Past 25 Years, 2018.

This is not ok.

We need to include everyone in these conversations and efforts in order to effectively change the culture and to achieve gender equality. (Programs like [NCWBA's GOOD Guys](#) are an important step forward.)

But, what can you do in the meantime?

1. Make use of opportunities to discuss these issues and to educate others, men and women.
2. Develop awareness of gender bias, keep an eye out for it, and learn to minimize the harm it does to your career. (Don't worry, we'll talk more about that here in the WLN community.)

Here's to a bright future for you and all the amazing women lawyers to come!

HANDLING GENDER BIAS

GOOD GUYS PROGRAM AND RELATED RESOURCES

The National Conference of Women's Bar Associations (NCWBA) launched the GOOD Guys (GOOD = Guys Overcoming Obstacles to Diversity) program and toolkit to help organizations, such as women's bar associations and other groups, host their own GOOD Guys events. The program was "designed to appeal to men, honor their efforts, engage them, and provide information about...efforts to advance diversity, education about bias disruptors and diversity initiatives, and examples of the incredible positive impact diversity has on a corporation's social responsibility and profitability." Your school can host its own program to engage men in the conversation and to introduce your students to role models that are taking a proactive approach to tackling gender bias.

See attached for additional information and the full toolkit resource at:

<https://ncwba.org/programs/good-guys-toolkit/>

"Putting on a GOOD Guys event, women and diverse professionals invite GOOD Guys to get involved in women's organizations and issues. Event components are based on studies showing the best ways to engage men, including:

- **Give GOOD Guys an award** – Each male invitee is given a ribbon identifying him as a GOOD Guy, and all GOOD Guys present are honored.
- **Highlight men whom other men want to know and emulate** – GOOD Guys includes a panel presentation with local, prominent GOOD Guys (and a GOOD gal or two) who discuss their efforts to advance women and diverse lawyers.
- **Show GOOD Guys diversity and inclusion is where the money is** – GOOD Guys includes a presentation about the eye-popping value of diversifying firms and companies at the highest levels of management and ownership.
- **Provide implicit bias training in a straightforward and non-judgmental environment** – GOOD Guys includes a presentation about bias disruptors, with practical information about what can be done right now to disrupt bias.
- **Tell GOOD Guys what they can do to contribute** – Our Monday Morning To Do List walks GOOD Guys through a candid assessment of where they stand in terms of true diversity, and provides a list of specific things they can do instantly.

These are the basics of the GOOD Guys program." See the link above for a virtual toolkit to plan your own GOOD Guys event, including fillable pdf invitation and programs, video clips, and other necessary materials. In addition, an introduction, program information, and resources link from the toolkit follows.

Please note: Finally, be sure to see the electronic materials linked to in the GOOD Guys toolkit for very powerful resources, including a discussion of the business case for diversity (why diversity is a profit driver) by Sheryl Axelrod, as well as a role reversal article presented by Ms. JD that helps men step inside a woman's shoes to better understand gender bias.



INTRODUCTION

Women attorneys in the National Conference of Women's Bar Associations, its member organizations, and the legal community at large have expressed frustration over the "echo chamber." Within our organizations, we hear and share many great ideas about how to promote the advancement of women in the law and the legal profession, but then we see those same great ideas fail to break through to the wider audience of the general attorney population.

The GOOD Guys Program was born out of our desire to take the message to the masses and engage all attorneys – men and women alike – to be one of the "GOOD Guys" in the fight for gender equity. "GOOD" stands for "Guys Overcoming Obstacles to Diversity," and "GOOD Guys" include all people who are dedicated to seeing these efforts succeed.

Progress in gender and racial diversity in the legal profession has stalled over the last decade. In 2006, the National Association of Women Lawyers conducted its first annual survey regarding the retention and promotion of women in law firms, issuing the challenge to the legal community to "[i]ncrease the number of women equity partners, women chief legal officers, and women tenured law professors to at least 30 percent by 2015" (essentially doubling the numbers of that time).ⁱ In 2015, NAWL issued a failing grade to the legal community, noting that "[f]irms have made no appreciable progress... [as] women still comprise only approximately 18 percent of equity partnership"; the picture is even bleaker for minorities, as women of color make up only 8 percent (or 1 in 25) of equity partners.ⁱⁱ

Traditional diversity programs have failed, and things need to change. Research has repeatedly shown that the key to achieving diversity is to engage men, not blame them, and a number of efforts are based on this principle.ⁱⁱⁱ We need a program that will bring together all attorneys to increase diversity in the legal community, and more importantly, we need a program that can be replicated across the country by organizations of all types and sizes. This is where the GOOD Guys Program comes in.

As inspiration for the GOOD Guys Program, NCWBA looked to the success of the programming it jointly hosted with the ABA Commission on Women in the Profession at the 2015 ABA Midyear Meeting in Houston, Texas, entitled "Men Joining Women for Change: Harnessing the Power of Inclusivity."^{iv} Building on this program, NCWBA again partnered with the Commission to plan the inaugural GOOD Guys Event for the 2016 ABA Midyear Meeting in San Diego, California.^v NCWBA then packaged the best information and tools from the GOOD Guys Event to create the GOOD Guys Toolkit.

This Toolkit contains everything your organization needs to replicate a successful GOOD Guys Event in your area:

- **Programming Guide** – This guide outlines the most important considerations for planning a successful event. Considerations include date, time, location, target audience, topics, speakers, format, budget, marketing, and general preparations.
- **Panel Presentation Questions** – These questions can be used in guiding a moderated panel presentation or a prompted question-and-answer session. The questions can be narrowed to a select number and tailored to a specific audience or topic.



- **Resources** – This list of resources gathers a ton of information provided by those already working for diversity in the legal industry and workplace. There are links to nationwide initiatives and training programs, exemplary presentations, and well-researched publications.
- **Blank Forms** – These blank, fillable forms can be used to promote an event. They include a flyer for general distribution to the legal community and an invitation for women attorneys to give to their male colleagues.
- **Sample Forms** – These sample forms were used to promote the inaugural GOOD Guys Event in February 2016 in San Diego. They are the basis for the blank forms in the Toolkit.
- **Monday Morning To Do List** – This list will help attendees hit the ground running when they return to the office the Monday morning after the event. They can start taking immediate action to promote gender and racial diversity in their workplace.
- **Electronic Materials** – These electronic materials may be distributed at an event in accordance with the policies of the GOOD Guys Program.
- **Electronic Swag Bag** – This electronic “swag bag” is a good takeaway for attendees.
- **Policies** – These policies cover a few rules for replication of the GOOD Guys Program and use of the GOOD Guys Toolkit.

This Toolkit is a dynamic resource that we plan to update frequently with new ideas, information, and research. We hope it will prove to be invaluable for your organization and its members, and we believe it can even be tailored to address other types of diversity beyond gender diversity. We welcome you to contribute your questions, comments, and stories of success at the GOOD Guys Program website: <http://www.goodguysinlaw.com>

ⁱ “Women Lawyers Continue to Lag Behind Male Colleagues: Report of the Ninth Annual NAWL National Survey On Retention and Promotion Of Women In Law Firms” (“NAWL 2015 Report”), Lauren Stiller Rikleen, p.1.

ⁱⁱ NAWL 2015 Report, p.3.

ⁱⁱⁱ There are a number of articles citing this research in the Toolkit Resources, “Engaging Men in the Efforts” section.

^{iv} “Men Joining Women for Change” was co-sponsored by NCWBA, the Commission on Women, and Texas Women Lawyers. The programming centered around a discussion panel featuring moderator Ida Abbott, author of *Sponsoring Women: What Men Need to Know*; and panelists Amy Chronis, partner at a national accounting firm; Mark Coffin, office managing partner with a national law firm; the Honorable R.K. Sandill, a Texas state district court judge; and Michele Coleman Mayes, Chair of the ABA Commission on Women.

^v “Why GOOD Guys — Guys Overcoming Obstacles to Diversity — Are So Important” was co-sponsored by NCWBA, the Commission on Women, California Women Lawyers, and Lawyers Club of San Diego. The programming began with a presentation of research on implicit bias by Joan C. Williams, Distinguished Professor of Law and Hastings Foundation Chair at University of California, Hastings College of the Law. The programming continued with a panel featuring moderator Malissia Clinton, general counsel of a large aerospace corporation; and panelists Alan Bryan, senior associate general counsel for a national retailer; Bill Sailer, executive and legal counsel for a national communications company; Tom Sager, partner at a national law firm; and The Honorable Irma Gonzalez, retired Chief Judge of the United States District Court for the Southern District of California. The program concluded with another presentation by Sheryl Axelrod, law firm owner and Co-Chair of the National Association of Minority and Women Owned Law Firms, explaining why diversity pays off on the bottom line for firms and corporations.



PROGRAMMING GUIDE

Successful replication of a GOOD Guys Program will depend on all the usual considerations for planning a speaking event: convenient date, time, and location; known target audience; engaging topics, format, and speakers; realistic budget; effective marketing; and general preparations.

DATE, TIME, AND LOCATION

The most important things to determine at the outset are the date, time, and location, which may in turn depend upon other key components, such as a particular speaker you have tapped for the event. These things should be set as early as possible and be convenient for your target audience.

The time should be set according to the format, anywhere from a short half-hour speaker presentation to a full-day program with multiple presentations and panel discussions. Set the start and end times to avoid busy times for traffic.

The date may not have as much flexibility, as events are often planned just a few months in advance, but there may be a particular month or day of the week that is best. Check the event calendars of other local organizations for avoidable conflicts.

The location should be at a convenient and high-profile venue, but the cost should be kept to a minimum. Consider asking a local organization, law firm, or law school to donate space.

AUDIENCE

Identify the target audience for your event. While the event is aimed at teaching men the importance and benefits of being a GOOD Guy, the ideal attendees may vary depending on the specific topics chosen for the event, such as an event tailored toward corporations versus law firms.

Invitees do not necessarily have to be men who are known to have championed women or diverse professionals. We want to get influential men in the door in order to offer them high quality programming about being GOOD Guys. We want men with potential to act as agents of change.

Encourage your organization's members to issue invitations to their personal and professional contacts. Get them to think strategically about high-powered men who have supported their career or the careers of other women. These can be men in their firm or organization, clients and other outside contacts, and even well-known individuals they may not have met before.

Reach out to leadership of corporations, law firms, and organizations in your city, particularly high level men who will have the most impact. Even better, identify people who are connected with these leaders and have them reach out for you. These leaders do not necessarily have to be in the legal field.

TOPICS

Decide on the topics to be covered during the event. The overall theme of the event is GOOD Guys, but a particular event can focus more heavily on a specific subject, such as implicit biases or the business case for diversity.



FORMAT AND SPEAKERS

Determine whether your event format will have a speaker presentation, moderated panel discussion, or both. There are benefits to each type.

The speakers can be a main driver for attendance at your event. Well-known professors and consultants can use their own research and information to give a cutting edge presentation. Judges and general counsel are good draws for attendance and make good panelists.

Once you have confirmed your speakers, make sure you follow up with them regularly, to confirm what additional support is needed, such as transportation, accommodations, and audio-visual equipment set-up and operation. Conduct pre-event conference calls with the speakers to confirm their expectations and rehearse for the event.

BUDGET

Establish your budget, considering all costs you may encounter – speaker fees, travel costs, venue, furnishings, audio-visual equipment, food and drink, marketing, and preparations. Expenses can add up quickly, so try to anticipate everything, including the small details like name tags and speaker gifts.

Cover anticipated costs through sponsorships and donations. It is of paramount importance that admission to the event be free, particularly for men. An admission fee would be a barrier to attendance and counter to the objectives of the program.

MARKETING

Make a marketing plan that takes advantage of multiple inexpensive or free methods for inviting your target audience. This plan should reach people on both group and individual levels.

Fill out the flyer included in the Toolkit and distribute through traditional channels, including email lists, websites, Facebook, and LinkedIn. Then, fill out the invite in the Toolkit and send it to your organization's members for forwarding to their male supporters, mentors, and colleagues.

Reach out to other organizations and media. The unique nature of the event may garner free PR in email lists, newsletters, and publications.

GENERAL PREPARATIONS

Create a schedule for event preparations, and delegate specific tasks to your organization's members. Use the resources in the GOOD Guys Toolkit to plan an unforgettable GOOD Guys Event.

Above all, ensure this will be a comfortable place for men to discover their potential to lead change. Set ground rules for discussions: keep things positive, avoid blaming, recognize the importance of everyone's contributions, and step in to steer the conversation if necessary.

We welcome you to contribute your questions, comments, and stories of success at the GOOD Guys Program website: <http://www.goodguysinlaw.com>



RESOURCES

These resources are useful in learning more about the subjects critical to holding a successful GOOD Guys Event, such as recognizing implicit bias, engaging men as agents of change, and addressing inequalities in the legal industry and workplace. The publications provide important research and information in these areas, the initiatives and training serve as good examples of programs already working to support diversity efforts, and the presentations can be used as inspiration for speaker presentations at your own GOOD Guys Event. For more considerations regarding the best format for your GOOD Guys Event, refer to the Programming Guide in the Toolkit.

A. RECOGNIZING AND OVERCOMING OBSTACLES

1. Initiatives and Training

[Project Implicit](#), Project Implicit

[Understanding Implicit Bias](#), Kirwan Institute for the Study of Race and Ethnicity

[Look Different](#), MTV

[Bias Cleanse](#), Kirwan Institute and Look Different

[Bias Interrupters](#), The Center for Worklife Law, UC Hastings College of the Law

2. Presentations

[Implicit Associations Tests](#), Project Implicit

[Worksheet Provides Tips on Bias Interrupters](#), Joan C. Williams, Leadership Institute, Argonne National Laboratory

[Understanding Unconscious Bias](#), The Royal Society (YouTube)

[Implicit Bias, Lifelong Impact](#), Kirwan Institute (YouTube)

[Are You Biased? I Am](#), Kristen Pressner, TEDxBasel (YouTube)

[Implicit Bias Training](#), Lindsay Murdock, Presence (SlideShare)

[Unconscious Bias: Do Race and Gender Really Matter?](#), Career Communications Group, Women of Color STEM Conference 2015 (SlideShare)



[Implicit Bias in the Age of Colorblindness: New Challenges to Combatting Prejudice](#), Charles A. Gallagher, Department of Sociology and Criminal Justice, La Salle University (SlideShare)

[Our Hidden Bias: Convergence of Bias and Reason—How to Recognize and React to Implicit Bias](#), Wei Wei Jeang, Andrews Kurth LLP (SlideShare)

[Reading Between the Lines: Uncovering Unconscious Bias](#), John A. Powell (SlideShare)

3. Publications

[Implicit Bias](#), Stanford Encyclopedia of Philosophy, Michael Brownstein

[Implicit Bias](#), Rutgers School of Arts & Sciences

[Researchers Find Everyone Has a Blind Spot: Believing You're Less Biased Than Your Peers Has Detrimental Consequences](#), Shilo Rea, Carnegie Mellon University

[Bias Blind Spot: Structure, Measurement, and Consequences](#), Irene Scopelliti, Carey K. Morewedge, Erin McCormick, H. Lauren Min, Sophie Lebrecht, and Karim S. Kassam, Management Science

[The Courage to Pay Heed: Knowing and Responding to Implicit Bias](#), Sarah Redfield, ABA Section of Litigation, The Woman Advocate

[Thinking Your Way to Success](#), Hon. Bernice Donald and Sarah Redfield, ABA Section of Litigation

[Inclusive Leadership: The View From Six Countries](#), Jeanine Prime and Elizabeth R. Salib, Catalyst

B. ENGAGING MEN IN THE EFFORTS

1. Initiatives and Training

[Breakfast for Champions](#), Ida Abbott Consulting

[WMFDP Learning Labs](#), White Men As Full Diversity Partners

[Men Who "Get It"](#), The Glasshammer

[MARC: Men Advocating Real Change](#), Catalyst



[MenEngage: Men and Boys for Gender Equality](#), MenEngage

2. Presentations

[Why Gender Equality Is Good for Everyone – Men Included](#), Michael Kimmel, TED Talks (YouTube)

[Wanted: Male Engagement!](#), Jeffery Tobias Halter, TEDxCentennialParkWomen (YouTube)

[Men in the Workplace: An In-Depth Exploration of What Men Think of Gender Diversity in the Workplace](#), Todd McBrearty, Fairy Godboss and Artemis Connection (SlideShare)

[Hacking Gender Diversity: A Token Man Event](#), Daniele Fiandaca, Creative Social & Innovation Social (SlideShare)

[Quiz: Are You an Inclusive Leader?](#), Catalyst

[Engaging Men and Boys in Gender Equality and Health](#), United Nations Population Fund

3. Publications

[Sponsoring Women: What Men Need to Know](#), Ida Abbott, Ida Abbott Consulting

****FLYER INCLUDED IN TOOLKIT ELECTRONIC MATERIALS**

[5 Ways to Engage Men in Gender Diversity Initiatives](#), Elizabeth Harrin, The Glasshamer

[Men, This is How to Become True Advocates for Women](#), Jacki Zehner, LinkedIn

[Building the Gender Pipeline: Engaging Men, Advancing Women](#), Effenus Henderson, LinkedIn

[Moving Mind-sets on Gender Diversity: McKinsey Global Survey Results](#), Sandrine Devillard, Sandra Sancier-Sultan, and Charlotte Werner, McKinsey

[Standing Up for Equality](#), Ilene H. Lang, Catalyst

[Engaging Men in Gender Initiatives: What Change Agents Need to Know](#), Jeanine Prime and Corinne A. Moss-Racusin, Catalyst

[Engaging Men in Gender Initiatives: Stacking the Deck for Success](#), Jeanine Prime, Corinne A. Moss-Racusin, and Heather Foust-Cummings, Catalyst

[Calling All White Men: Can Training Help Create Inclusive Workplaces?](#), Jeanine Prime, Heather Foust-Cummings, Elizabeth R. Salib, and Corinne A. Moss-Racusin, Catalyst

[Actions Men Can Take to Create an Inclusive Workplace](#), Catalyst



[Actions Women Can Take to Support Men's Engagement](#), Catalyst

[How to Get White Men to Join the Diversity Movement](#), Melissa J. Anderson, The Glasshammer

[Inclusiveness Best Practice Series: Engaging Men in Women's Activities](#), International Financial Law Review, Women in Business Law Group

[For a More Inclusive Workplace, Train Men First, Specifically White Male Managers](#), Lisa Quast, Forbes Woman

[Diversity Training Must Include White Perspective, Experts Say](#), Sarah Fister Gale, Workforce,

[How Corporate Diversity Programs Alienate White Men](#), Erik Sherman, Fortune

[Diversity Policies Rarely Make Companies Fairer, and They Feel Threatening to White Men](#), Tessa L. Dover, Brenda Major, and Cheryl R. Kaiser, Harvard Business Review

[Engaging, Instead of Blaming, Managers](#), Frank Dobbin, NY Times

C. ADDRESSING OBSTACLES IN THE WORKPLACE AND LEGAL INDUSTRY

1. Initiatives

[ABA Task Force on Gender Equity](#), ABA Commission on Women in the Profession

[ABA Implicit Bias Initiative](#), ABA Section of Litigation

[Employment, Education, & Economic Change Initiatives](#), Institute for Women's Policy Research

[Unconscious Bias Project: 100% Empowerment, 0% Guilt Trip](#), Social Good Fund

2. Presentations and Training

Implicit Bias Training: Recommended Training Schedule, Sarah Redfield, Hon. Bernice Donald, Jason P. Nance ****COPY INCLUDED IN TOOLKIT ELECTRONIC MATERIALS**

[Google Video on Unconscious Bias: Making the Unconscious Conscious](#), Life at Google (YouTube)

[Business Case for Culture & Gender Balance in Management](#), Bayer Group (YouTube)

[The Surprising Solution to Workplace Diversity](#), Arwa Mahdawii, TEDxHamburg (YouTube)

[Diversity: How Do I Get Involved?](#), Apple Chow, Uber (SlideShare)



[Women Matter: Making the Breakthrough](#), McKinsey (SlideShare)

[What Works for Women at Work](#), Joan C. Williams, The Center for WorkLife Law, UC Hastings College of the Law (SlideShare)

[Implicit Bias in Workplace Scenarios](#), Tayah Lin Butler (SlideShare)

[Unconscious Bias in the Workplace: How Hidden Biases May Be Affecting Your Decisions and What You Can Do About It](#), Katrina Hendrix, Houston IIA Annual Conference 2017 (SlideShare)

[How to Help Managers Counter Unconscious Bias at Work](#), Jhana (SlideShare)

[Breaking the Code of Interview Implicit Bias to Value Different Gender Competencies](#), Bonita Banducci, Banducci Consulting, Global Tech Women Voices Conference 2015 (SlideShare)

["Balancing the Scales"](#), Sharon Rowen, Skydive Films & R&K Productions, LLC

[Implicit Bias in the Legal Profession](#), Janie F. Schulman and Stephanie L. Fong, Morrison Foerster

[Implicit Bias in the Legal Profession: Its Impact and How to Overcome It](#), Chicago Bar Association (West LegalEd Center)

[Elimination of Bias in the Legal Profession: 2013](#), David Maggiore-Anet, Lexis-Nexis

[ABA Toolkit for Gender Equity in Partner Compensation](#), ABA Commission on Women in the Profession

3. Publications

[Banking on Diversity: Diversity and Inclusion as Profit Drivers-The Business Case for Diversity](#), Sheryl L. Axelrod, ABA Section of Litigation, Diversity and Inclusion Committee

****COPY INCLUDED IN TOOLKIT ELECTRONIC MATERIALS**

[Six Steps to Minimizing Gender and Minority Bias](#), Sheryl L. Axelrod, ABA Solo, Small Firm and General Practitioner Division, GPSolo eReport

****COPY INCLUDED IN TOOLKIT ELECTRONIC MATERIALS**

[Walk a Mile in My Heels, By Anonymous Woman Attorney](#), Anonymous, Ms. JD Website

****COPY INCLUDED IN TOOLKIT ELECTRONIC MATERIALS**

[Walk a Mile in My Heels Posts](#), Ms. JD Website

****COPY INCLUDED IN TOOLKIT ELECTRONIC MATERIALS**



[Ending the Gauntlet: Removing Barriers to Women's Success in the Law](#), Laura Rikleen, Rikleen Institute for Strategic Leadership

[Women in S&P 500 Companies](#), Catalyst

[Creating an Inclusive Company: Challenging Our Biases](#), Kayley Robsham, Presence

[The Opt-In Project: Making the Case for Balance](#), Patricia K. Gillette, Opt-In Project

[Implicit Gender Bias and the Legal Profession: An Empirical Study](#), Justin Levinson and Danielle Young, Ms. JD

[Lessons From the Leading Edge of Gender Diversity](#), Joanna Barsh, Sandra Nudelman, and Lareina Yee, McKinsey

[Older Women Are Being Forced Out of the Workforce](#), Laura Rikleen, Harvard Business Review

[Leadership in the Profession of Law and How it is Changing](#), Laura Rikleen, ABA Solo, Small Firm and General Practitioner Division, GPSolo

[Big Law's Intractable Problem: Implicit Bias](#), Eli Wald, Bloomberg BNA

[Implicit Bias in the Courtroom](#), Jerry Kang, Judge Mark Bennett, Devon Carbado, Pam Casey, Nilanjana Dasgupta, David Faigman, Rachel Godsil, Anthony G. Greenwald, Justin Levinson, and Jennifer Mnookin, UCLA Law Review

[Implicit Bias and the Legal Profession's "Diversity Crisis": A Call for Self-Reflection](#), Nicole E. Negowetti, Scholarly Commons @UNLV Law

[Difference Blindness vs. Bias Awareness: Why Law Firms with the Best of Intentions Have Failed to Create Diverse Partnerships](#), Russell G. Pearce, Eli Wald, and Swethaa S. Ballakrishnen, Fordham Law Review

HANDLING GENDER BIAS

Article: Five Ways to Help Women Lawyers

Katie A. Ahern

See attached.

Article: Five Ways to Help Women Lawyers

Katie A. Ahern

1. Promote Women Lawyers

If you are a woman lawyer, make it easier to promote yourself by starting a Word document, Evernote file, email folder (whatever works for you) and have it handy - every time you impress someone, tackle a goal, add value, do something great for a decision-maker/client, write it down or move over an email that will trigger your memory to a separate email file.

It is unlikely that you will remember all the amazing things you do on a daily basis, so write them down to give yourself the best advantage. In addition to remembering your many accomplishments more easily, you may see that patterns emerge, e.g., there may be little things you do that don't seem worth a mention but doing them in volume is a different story.

This is a handy resource during review time, client pitches, marketing efforts, etc. In addition, it serves as a nice confidence boost when you need it and helps overcome our tendency to be shy about advocating for ourselves. Be sure to teach other women to do the same.

If you're supporting women lawyers, encourage them to promote themselves, look for their accomplishments, and don't assume that their lack of proactive discussions about their accomplishments means that those accomplishments aren't there. Share their accomplishments with others, especially key decision-makers. Women are less likely to advocate for themselves and often even downplay accomplishments.

If you have more time, [read this article](#) by Andie Kramer on self-review/promotion best practices.

2. Build Your Awareness of Gender Issues

Build awareness of gender bias and gender communication issues bit by bit to help avoid misinterpretation about you and others. Join a local or national women's bar association, or women lawyers blog - sign up for emails, scan them as they come in, and build awareness over time. Attend women lawyers events as you have time, and bring someone with you. Be sure to educate others when the opportunity presents itself.

If you have more time, read the Breaking Through Bias book and check out the GOOD Guys Toolkit.

3. Challenge, Correct, & Educate

When the opportunity arises, correct and challenge assumptions in a respectful way to build awareness and help change the way people think. In other words, when you see someone making an assumption based on gender, e.g., if the way a woman is presenting herself leads people to believe she is not confident or competent, challenge that assumption by focusing on substance. Challenging your own assumptions is a great place to start and will make it easier to see when others are in need of a reframe.

4. Support & Reinforce Women

Pay attention to what women do, say, and accomplish - do what you can to reinforce their contributions and to be sure that credit is given where due. This discussion of women in the Obama administration is a good example.

5. Share Resources & Ideas with Others

When you find a great resource/tool/idea, learn something new about gender issues, or find a good approach to dealing with these issues, share it early and often. From something simple, like a mindset shift that might help someone else, to a more extensive resource or an event that someone should attend - take a moment to share in conversation, by email, or on social media. It takes seconds and makes a huge difference.

LAW PRACTICE TRAINING COMPENSATION

The Compensation program should include:

- Billable hours
- How lawyers are paid, e.g., associate/partners at the salary level versus equity partners
- Compensation outside of law firms
- Origination credit
- Negotiating pay
- Evaluation process
- Self evaluations

The above list can serve as a guide for presenters in your Workshop/Small Group Discussion, or can be easily turned into a question list for a panel discussion.

Be sure to see the pay equity discussion as well for additional resources. The compensation discussion could easily be combined with the pay equity discussion.

Please note: The evaluation process is a very important part of the gender equity picture. Be sure to cover as part of your programing and to see the additional resources that follow.

LAW PRACTICE TRAINING
SELF EVALUATION RESOURCE

See Attached

Bragging Rights: Self-Evaluation Dos and Don'ts

Andrea S. Kramer • McDermott, Will & Emery LLP

Most lawyers are expected to submit self-evaluations as part of annual compensation review processes. Although the process varies from firm to firm and from legal department to legal department, one thing is constant: women lawyers should approach their self-evaluations with the same planning, determination, and effort they put into their client projects. In this article, I offer some observations and provide some suggestions gleaned from my experience as Chair of my law firm's Gender Diversity Committee, Member of our Management and Compensation Committees.

At my firm, our Compensation Committee recommends to our Management Committee compensation for all of our lawyers. Self-evaluations are part of this compensation process. To fulfill my responsibilities during my three-year term on our Compensation Committee, I carefully reviewed more than 1,000 self-evaluation memos submitted by my partners. In reviewing them, I was struck by the differences between those self-evaluations submitted by men and those submitted by women. Indeed, it got to the point where I would know, without looking at the name, whether the memo was submitted by a man or a woman. The self-evaluation memos submitted by men were self-laudatory and carefully recounted their strengths and successes. This was not the case for my women colleagues. Men (as a group) were much more comfortable than women singing their own praises; sharing their achievements; and clearly making their career and compensation expectations known to their supervisors. Men easily wrote sentences that started with phrases such as "I accomplished X" or "I successfully completed Y." On the other hand, women (as a group) not only were generally unwilling to state and explain their successes but actually downplayed their overall contributions.

Women lawyers should approach their self-evaluations with the same planning, determination and effort they put into their client projects.

How could there be such a huge disparity between the self-evaluations of my male and female colleagues at the same stages of their careers and professional development? They all had the same superior educational backgrounds. They all worked on the same types of projects. They were all offered the same sorts of professional development opportunities. So, what could explain these striking differences?

Gender Differences

As I reflected upon this, I read about biological, psychological, and environmental gender differences. What I learned was that some gender differences are rooted in brain development, while others are culturally ingrained from an early age, and still others might be tied to personality differences. From early childhood,

boys are observed to be much more comfortable than girls in tooting their own horns and "talking up" their successes. They are observed to be much more comfortable than girls with bragging about their strengths and totally ignoring or downplaying their weaknesses.

These gender differences—whatever their source—carry over into our professional lives. While men and women have the same intellectual capacity, potential for success, and brain capacity, gender differences do exist in behaviors and instincts. Numerous scientific studies have shown that men are drawn to seeking status and rank, while women are drawn to belonging, building consensus, seeking harmony, and being part of a "team." It is these gender differences and instincts that were being played out in the self-evaluation process.

I was struck by the differences between those self-evaluations submitted by men and those submitted by women.

I shared my observations and concerns with a female managing director friend at a major investment bank, and she raised them with her male boss. He immediately saw the truth in what I had identified. He said that year after year (during their firm's annual promotion cycle), only male promotion candidates would seek him out—some candidates on a daily basis—to tell him why they should be promoted and why "this" was their year for promotion. In most promotion cycles, not one woman candidate would make such a promotion "pitch." I am certain that the women candidates wanted to be promoted just as much as the men. Yet, unlike their male colleagues, they were not discussing their career goals with their supervisors. For whatever reason—biological, psychological or environmental—these women were simply not comfortable telling their supervisors about their professional objectives. I truly did not see any other way at the time. The firm was all that I knew; I had been there for my entire legal career.

Getting to a Level Playing Field

To compete on a level playing field—for plum assignments, fair compensation, and equal promotions—women lawyers must change. We must confidently explain our achievements and advertise our interests in—and qualifications for—promotion. We must recognize that our supervisors and colleagues cannot—and do not—automatically know our thoughts, feelings, desires, and accomplishments. We must force ourselves to step out of our comfort zones and proactively develop and use self-promotion skills—that are second nature to many of our male colleagues—to enumerate our accomplishments and to clearly articulate our career and compensation expectations. Our male colleagues have always been doing this. After observing these shocking gender differences in the

self-evaluations of my partners, I prepared a list of “Dos and Don’ts” for my women colleagues. It is a “how to” guide to prepare self-evaluations. These “Dos and Don’ts” have now been incorporated into our firm-wide professional development program, but my original purpose can be met by sharing them in this article. I very much hope that these “Dos and Don’ts” will provide food for thought before your next round of self-evaluation memos. I also hope that this article will help empower you to cultivate the necessary self-promotion skills critically needed by all of us to survive and thrive in today’s highly competitive legal environment.

The Suggested “Dos”

- Carefully read and follow the instructions before beginning your memo.
- Lead with your strengths: identify them before starting to write your memo.
- Dig out “golden nuggets” about yourself. Keep an organized file of your accomplishments.
- Pull together the information about your client and administrative projects before you start your memo.
- Examine firm and department marketing materials to refresh your understanding of firm and department goals.
- Reconcile your instinct for humility with the need to promote yourself.
- Showcase your accomplishments in a straightforward way, with authenticity, pride and enthusiasm.
- Mention issues (such as health-related, leaves of absence, or family problems) in the back of your memo or as an appendix, unless they account for a significant amount of your time, in which case address them at the beginning of your memo.
- Lead with a discussion of larger clients or more important assignments.
- Provide a context for the projects you discuss in your memo.
- State the dollar value of your transactions/trials or the benefits received by your clients.
- Save e-mails and letters praising your work, turnaround time, or other areas. Quote that praise directly in your memo when you discuss the work you did for that client or project. Consider attaching a copy of the originals at the end of your memo.
- Include any cross-selling you have participated in and mention the type, quantity, and value of the projects you were able to secure from clients and other attorneys at your firm.
- Let other lawyers in the firm know who you are and what you have accomplished throughout the year, not just at compensation time.
- Reference clients you work with.
- Discuss who you work with: partners, peers, junior lawyers, and staff. Your interactions can help showcase your professional development.
- Step into the spotlight. There is nothing worse than credit theft on the job!
- Discuss your management skills, including strengths and areas for improvement.
- Ask a more senior colleague or friend to comment and make suggestions on your memo after you’ve carefully thought out, written, and edited it.
- Ask yourself: If I didn’t know myself and I read this memo, would I know me?

The “Don’ts”

- Don’t turn your memo in late!
- Don’t assume anything! Be explicit! Don’t assume the readers already know your successes and their significance to your practice and clients.
- Don’t use emotional words (such as “disappointed” or “hope”).
- Don’t use vague terms or sweeping generalities that leave no impact on the readers.
- Don’t be afraid to take full credit for your accomplishments.
- Don’t attribute your accomplishments to others.
- Don’t allow your memo to exceed four pages. If it does, edit and tighten it up.
- Don’t exaggerate—but be sure to cover the key points without modesty.
- Don’t spend a lot of time focusing on activities you’re involved in outside of the firm.
- Don’t let your numbers do the talking. Highlight your responsibilities and accomplishments, while tying them to your numbers and explaining where your numbers don’t show important contributions.
- Don’t spend time discussing peripheral activities. Stay on track, discussing your core responsibilities or “mission critical” accomplishments.
- Don’t wait until the last minute to start writing your memo! If you do, you will not be able to put your best foot forward. •

Words and phrases to consider using in preparing your self-evaluation:

- “This has been a year of phenomenal growth for my practice because of X.”
- “The projects I’ve taken on have greatly increased my ability to do the following: _____.”
- “I have expanded my practice in the following ways: X, Y, and Z.”
- “I have supplemented my experience by doing the following: _____.”
- “I took on a lead role in this trial/transaction by handling the following: _____.”
- “I have worked with a large number of associates, partners, and staff to _____.”
- “My assignments are completed in a timely and efficient manner.”
- “I work independently.”
- “I seek out assignments from other offices and departments.”
- “I have immersed myself in _____.”
- “On this transaction/case, I have effectively handled _____.”
- “I took on a key role when I did _____.”
- “I have successfully completed a _____.”
- “I have been very active in _____.”

LAW PRACTICE TRAINING COMPENSATION

Article/Tip:

Make it Easy to Promote Yourself

Katie A. Ahern

You need to promote yourself at least annually during review/promotion/compensation time, whether you are asked to or not. Make it easy! Right now, start a Word document, Apple/Evernote file, email folder (whatever works for you) and have it handy - every time you impress someone, tackle a goal, add value, do something great for a decision-maker/client, write it down or move over an email that will trigger your memory to a separate email file.

It is unlikely that you will remember all the amazing things you do on a daily basis, so write them down to give yourself the best advantage. In addition to remembering your many accomplishments more easily, you may see that patterns emerge, i.e., there may be little things you do that don't seem worth a mention but doing them in volume is a different story.

This will also help you prepare your reviewers. For example, when done in the right way, you can actually help the people reviewing you. E.g., in firms, it's common for partners to submit evaluations of you that are all reviewed together. You can put together a nice email reminding a reviewer of all the wonderful things you did for them. Reviews are work for them, and you just made things much easier by jogging their memory. Of course, this must be done thoughtfully and carefully, just like self- promotion itself.

LAW PRACTICE TRAINING

HOW LAW FIRMS WORK

Discussion Questions:

- What does the hierarchy and structure of most law firms look like?
- What about other types of legal practice environments?
- What surprised you about law firm practice?
- What has been your experience of “office politics” where you work?
- How can a new lawyer navigate structure and politics when they start practice?
- Can you share any examples of these types of issues that came up for you and how to navigate them? [*E.g., how to learn more, find a mentor*]

LAW PRACTICE TRAINING SEEING SUCCESS

Discussion Questions:

- How confident did you feel when you started practice? Now?
- How did you build confidence?
- Is there a difference between feeling confident and appearing confident? *[See attached.]*
- Why does confidence matter? *[Refer back to gender bias discussions.]*
- How can a new lawyer find good resources to help them in practice? What types of resources will a new lawyer need?
- How can a new lawyer find a good mentor?
- Should mentors be inside or outside the firm?
- How is a sponsor different than a mentor? Does a new lawyer need both?
- What are best practices for getting and completing assignments? *[Refer back to gender bias discussion. See bias interruption resource re: assignments. Remember, women may be given less challenging assignments than men, based on the assumption they are not as competent. Come time for compensation changes or advancement, women will not be rewarded as much because, although they did well on all assignments, they were never given assignments as challenging as their male colleagues and did not have the opportunity to prove their capabilities.]*
- What tips do you have for resumes and cover letters? How can a new lawyer approach this important first impression? *[Revisit self evaluation resource above and consider similar advice for resumes and cover letters.]*

LAW PRACTICE TRAINING
SEEING SUCCESS

Conveying Confidence Checklist

Katie A. Ahern

1. Does my tone sound confident?
Avoid sounding hesitant, or like I am asking a question instead of making a statement.
2. Does my posture convey power and confidence? Am I standing/sitting tall with shoulders back and an open posture, taking up enough space?
Avoid slouching with shoulders curled or up by my ears, with my limbs and body pulled in.
3. Am I confidently making statements?
Avoid including necessary caveats, “maybe”s and “I think”s or discounting what I am saying before I say it. (e.g., “I don’t know if this is right but [brilliant insight].” “I’m not sure if this will work but [brilliant idea].”)
4. Am I pausing to take a breath? Am I letting my breath out evenly to support my words?
Use my breath to support my words so I do not trail off, talk too fast, or let my words run together.

LAW PRACTICE TRAINING MARKETING

Discussion Questions:

- What is marketing and business development?
[See attached article.]
- How do lawyers market and develop business?
- Why does it matter?
[See attached article.]
- Why is it important?
[See attached article.]
- Do I need to start right away? Why?
- How can I start now?
*[Maintain contacts, including fellow law students.
Identify efficient ways to follow news/resources of interest to your clients.
Pay attention to your firm's existing connections and marketing efforts.
Internal marketing, market yourself.
Articles and presentations (basics articles are a great way to start)
Join boards, organizations, etc.
Identify marketing mentors and observe them in action.]*
- What are best practices?
*[E.g., Be concrete about it, have a plan.
Get leverage out of your efforts.]*
- Is this important even if I don't expect to be in private practice?
[Importance of networking, lateral moves, internal marketing.]

LAW PRACTICE TRAINING MARKETING

Article: Business Development and Why it Matters Right Now

Katie A. Ahern

Marketing is an important part of private practice, but students do not typically learn marketing skills in law school. Unfortunately, lawyers rarely learn business development skills or focus enough on marketing efforts until considering partnership. Starting earlier requires effort, time, and self-discipline, but the result is worth the early investment.

What is marketing/business development?

Lawyers and law firms spend significant time and money marketing their services to attract new clients and developing business from new and existing clients. However, marketing legal services is different than marketing other products and services. Lawyers write articles, give presentations, build networks, and work to increase their visibility in certain communities, groups, and industries in hopes of attracting new clients and referrals from other professionals.

Why is business development important?

Law firm partners are typically held responsible (financially and otherwise) for bringing in and maintaining a “book of business.” Lawyers with existing clients are generally more attractive to law firms considering a lateral hire of a new practitioner. Marketing is a substantial part of the practice of law.

So, why start now? Don’t I have plenty of time?

Given this, why should women law students and new lawyers be focused on business development at this point in their career?
more

- First, it takes years to learn marketing skills and to develop your own marketing style and starting later than your first few years in practice puts you at a disadvantage. Instead, start from the first day of practice to help maximize your chance of success.
- Marketing is very important for women. Research shows that lack of business is a major reason why women struggle to succeed in private practice and to achieve equity partner status. (See for example the [NAWL Annual Survey on Retention and Promotion of Women in Law Firms](#).) In addition, women are less likely to “inherit” existing firm business from other partners, increasing the pressure on women to bring in new business.
- It also takes years to develop your network and connections. For example, if you make a great connection with an industry contact at your level today and foster that relationship in the next few years, you will have a strong relationship down the road when that person is in a position of authority and able to give or refer business to you. Those who attempt to begin a relationship with that person after they reach that level of authority are at a disadvantage.
- Business development efforts are an efficient way to learn other skills that are key to a successful legal career, such as leadership and management skills.
- Finally, the changing nature of the legal market means increased competition in the legal job market as well as increased competition among practitioners for client

business. Because law firms are aware of the importance of business development, demonstrating marketing awareness and potential early in your legal career can set you apart and give you an advantage.

How do I start? What can I actually do at this stage?

New lawyers often struggle to get started on business development, typically due to a few misconceptions, such as there is nothing to be done until they have enough experience to “pitch” their services to potential clients, that they need to be able to discuss complicated legal or industry topics to be able to market, or that there are no meaningful connections to be made at lower levels of practice.

Fortunately, none of these are true, and there are many things you can do right now! For example, as you start practicing, work on developing and maintaining your list of contacts, identify efficient ways to follow news and resources that will be of interest to your contacts, pay attention to your firm’s existing connections and marketing efforts, and work on your internal marketing by getting to know people in your firm and making sure they understand what you do. As you move forward, start building your experience and credibility by participating in articles and presentations, join legal or industry organizations, identify marketing mentors and observe them in action, continue to build and maintain relationships, and offer to help people (e.g., send an article of interest to someone in your network, or introduce two of your connections to each other). If you’re still not sure exactly what to do, don’t worry – we’ll dig into this topic in more detail down the road.

Identifying business development goals and creating a plan to increase your marketing skills will leave you better positioned for successful career development down the road and will set you apart from your peers.

Article: Get More from Your Marketing Time by Doing These 6 Things

Katie A. Ahern

You get it – business development/marketing is an important part of being successful attorney, but it can take lots of your time, and you don't have that much to spare. So how do you get the most from the time you do spend on marketing?

1. **Know what you really want out of *each* one of your marketing efforts.**
Get specific. Lawyers often spend time spinning their marketing wheels, because they know they should spend time on business development, but they don't really know what to do or what they are going to get out of a particular task, other than the feeling that they are doing something.
2. **Know whether you will get it.**
Once you know what you want out of a potential marketing effort, think about whether that proposed activity will get you there and is in line with your marketing plan. For example, some attorneys might see a change in the law that they think they should write about. Maybe they think commenting on this change gives them some credibility. If that's all they're looking to get out of such an article or client alert, great. However, if their goal is to bring in business, this effort may not be one that gets them there.
3. **Know who you *will* reach, who you *want* to reach, and what they want.** The above client alert is problematic because it starts with the attorney thinking about what would make a good article, rather than focusing on the audience that the attorney wants business from, or to connect with, so it will not be as helpful in accomplishing the attorney's marketing goals. If the attorney writes a client alert about a nuanced change in the law that only affects a small percentage of the attorney's clients in a small way, the time spent to write that alert will not go too far in bringing in new business. Perhaps the attorney would get more new business by writing an article about a common, basic issue that many clients are likely to see. Focus on the people on the other end of your marketing efforts, make sure you put the right people on the other end of those efforts, then think about whether they want to hear the information you are thinking about delivering, or whether they are likely to share that information with people that you are trying to reach.
4. **Know whether you will reach those people, how many of them you will reach, and how you can reach them.** Efforts spent on marketing are wasted if the information is not reaching the intended audience. In fact, the effort spent to create an article, for example, is just the beginning. You must also put effort into making sure that information reaches the right audience, in the right way, at the right time. Think twice about leaving that effort solely to any marketing people at

your firm. They are often very helpful but if they do not understand your goals, or have your insight into a particular industry or type of client, they cannot do as much as you can do by working with them.

5. **Give your audience a reason to look at what you are putting out there.** We are all flooded with lots of information these days, so your potential reader/listener needs to know why you are sending/telling them something valuable. Think about your title, introductory language, and setting the stage for the rest of the information you will share. Notice titles that catch your attention and note trends among them. You can even keep a file of them as inspiration for your own marketing efforts.
6. **Know how much you can use that same item you produce.** This is an often-missed step. Your time is valuable, and you probably have little to spare, so make sure the time you spend on business development gets you as much value as possible. For example, that client alert on a shiny, new, subtle change in the law that is complicated and took forever to write may go out, be skimmed by a few people, read by even fewer, be irrelevant a week later, and never see daylight again. A straightforward article on a basic topic in your industry that is constantly relevant may be much more valuable for your desired audience and much easier for you to write. Maybe you even explain that issue regularly and can pull and edit the last email you send explaining it to turn that into an article. That is an item that you can use over and over again, that is easier to do in volume, that a reader may reference repeatedly, that they will share, and that you can build into a library to increase your credibility in a given area.