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Why Law Firms Must Include Men in the Push for Increased Gender Equality

BY MELANIE BREAUX

Special to the Legal

These days, “diversity” and “inclusion” (or D and I, the catchphrase du jour) are hot topics in firms of all sizes. Despite the current popularity of these issues, too often there is much talk and little action, and these important discussion points are relegated to trivial buzzwords. Such dismissal is dangerous for law firms in particular, an industry in many ways under siege. Currently, clients of all varieties are questioning the value of traditional legal services and closely scrutinizing the bills for those services. Competition is fierce. If a client grows even mildly dissatisfied with its attorney, another is clamoring to service that client better, faster and cheaper. In order for a firm to maintain its edge, it is critical that it understand those values that are important to its clients



MELANIE BREAUX,
of Larsson & Scheuritzel, focuses her practice on a wide range of real estate transactional work, including the representation of developers, end users, borrowers and lenders in the sale and acquisition of commercial real estate, as well as the representation of commercial landlords and tenants in connection with retail and warehouse leases across the country. Contact her at mbreaux@larssonlaw.com.

beyond the requisite stellar, timely legal work, and to align itself as much as possible with those client values. Today, it is extremely likely that gender diversity is prominent among those values.

Businesses that form the core client base of many law firms are making real strides when it comes to gender equality, in particular in their legal departments. In 2016, women comprised 31.9 percent of all chief legal officers at Fortune 1000 companies, according to a survey by DiscoverOrg in partnership with

Fortune Magazine. More significantly, a study by Russell Reynolds Associates found that in 2017 women filled a full 38 percent of all new general counsel positions in Fortune 500 companies.

The rise in women at the helms of corporate legal departments is no accident. Companies increasingly understand what study after study has shown: The benefits of cultivating a diverse employee base are manifold and include increased innovation, efficiency and a strong correlation with profitability. In 2017 McKinsey & Co. reported that corporations in the top quartile for gender diversity were 21 percent more likely to experience above-average profitability (that number rises to 35 percent for ethnic diversity). As more women ascend to senior leadership roles within an organization, that organization as a whole strengthens. It is not a zero-sum game; both

female and male employees alike benefit from the advancement of women within their organization.

Yet, when it comes to gender parity, law firms are lagging behind. While the number of female in-house general counsels continues to grow, the percentage of women at the top ranks of law firms has remained relatively stagnant. A 2017 survey by the National Association of Women Lawyers (NAWL) found that the percentage of female equity partners in major firms hovered around 19 percent. That number reflects an increase of only 4 percent over the previous 10 years. And the picture for minority female partners is dramatically more dismal: The same NAWL survey revealed that in 2017 minority women made up only 2 percent of all equity partners in top firms. While we have seen progress, it's no wonder Stanford law professor and renowned scholar Deborah L. Rhode, in her excellent 2015 Washington Post article, dubbed the law "the least diverse profession in the nation."

Lawyers who care about profitability should pay careful attention to this widening gap between the corporate sector and law firms. Increasingly, it is a woman who is selecting her company's outside legal counsel, and (all other considerations equal) women frequently choose to support other competent

women. This provides those firms that can tout strong female senior-level representation with a distinct advantage. In other words, the advancement of women lawyers in law firms makes good business sense for women and men.

Despite this benefit to both genders, in most circles women are still charged with the task of implementing changes within

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an organization to support and advance female employees. We are socialized to think of women as the primary beneficiaries of female equality, and therefore its primary advocates. I frequently receive invitations to attend or participate in panel discussions centered on female empowerment and equality. The vast majority of invitees for these events include only women, with few or no men. Recently, when I invited a male friend to attend a workshop on advancing women in the law, he inquired with surprise, "Do men attend these things?"

This comment echoes other similar sentiments I've frequently heard from colleagues and acquaintances. When it comes to issues of gender inclusion, we tend to direct our focus almost exclusively toward women. This failure to hold men equally accountable in the movement for female advancement, however inadvertent, is indicative of our collective myopic view of women as the only champions of that cause. If any real strides are to be made in the push for true parity, we must take calculated measures to include men as advocates for the women around them.

As a black female whose primary focus is commercial real estate, one of the practice areas most heavily dominated by white males, I am excruciatingly aware of just how in the minority I am. At this point, however, I have been the "other" in so many contexts throughout my life that on a day-to-day basis I do not think much about it. I've learned to disregard any discomfort or potential intimidation. In certain situations, however, when my minority status is strikingly glaring and insecurity does seep through, I lean on my support system, the people who offer me wisdom, encouragement and advocacy. To be sure, this includes many strong and amazing women, and that is another topic for another article. My experience has also made me infinitely

grateful to the male mentors in my life, those who are mindful of the strides that must be taken and are making an individual effort to close the gap. Even in seemingly mundane ways such as stepping up and actively encouraging and sponsoring a female attorney like myself. I have experienced just how critical it is to have men's engagement and advocacy to promote gender parity, both on an individual level and in the broader organizational sphere.

In the movement toward equality for women in law, we must ensure that men are not just included in the conversation, but that they participate as active, invested sponsors for their female colleagues. Men have at least as much interest as women in cultivating an inclusive law firm environment in which female lawyers are supported and encouraged to thrive.

Women and men reap the benefits as more women ascend to the top. We will all see exponentially faster results if both genders strive to effect that change.

A GAME PLAN FOR CHANGE

The following offers a brief outline of actionable steps a firm can take to encourage active participation from employees of both genders to support and propel women within the organization.

- **Create a task force.** This team will lead the implementation of

the suggestions outlined below, as well as collect and analyze data to identify specific achievements, shortfalls and interim progress, and will periodically present these findings to the firm. The members of this task force should represent a diverse cross-section of the firm, and include men and women of various seniority levels.

- **Raise awareness and interest.** On a regular basis, disseminate articles and studies that evidence how diverse organizations are more innovative, productive, and profitable. Emphasize the benefits to the organization as a whole, not just to individuals or certain groups.

- **Identify real, firm-specific issues.** This can include shortfalls in the numbers of female partners, inadequate family leave policies or other issues specific to your firm.

- **Create a list of concrete goals and actions to address those goals.** These should include specific metrics, such as an increase in the number for female attorneys by 10 percent over the next two years.

- **Firm leaders must show that they take these issues seriously.** Senior attorneys should show enthusiasm for this process through their own participation, and by encouraging more junior employees to actively engage.

- **Follow up with ongoing progress evaluations.** Celebrate wins,

and analyze why the firm fell short of other targets. As you move forward, reassess goals and create new strategies to replace those that proved ineffective.

- **Establish formal mentoring programs.** Intentional mentoring is critical for providing mentees with direct, real world lessons and advice to which they might not otherwise be exposed, and for deepening relationships that are critical to an attorney's career advancement.

- **Get involved with external organizations.** Involvement with a diversity-focused group, like Philadelphia Diversity Law Group, can help inspire fresh ideas, renewed commitment to your firm's goals, and additional mentoring opportunities.