



Lowenstein Sandler's Women's Initiative Network Podcast: Real Talk

Episode 14 Part II: Why Are Women Leaving Big Law? More Surprising Reasons

By [Megan Monson](#), [Nicole Fulfree](#), [Rachel Moseson Dikovics](#), and [Laura Leopard](#)

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Amanda Cipriano: Welcome to the Lowenstein Sandler Podcast Series: The Women's Initiative Network, Real Talk. I'm Amanda Cipriano, an associate attorney and member of the Women's Initiative Network at Lowenstein Sandler. Before we begin, please take a moment to subscribe to our podcast series at [lowenstein.com/podcasts](https://www.lowenstein.com/podcasts), or find us on iTunes, Spotify, Pandora, Google Podcasts, and SoundCloud. Now let's take a listen.

Rachel Dikovics: Welcome back to the Women's Initiative Network. Real talk. This is part two of our conversation with Laura Leopard regarding Leopard Solutions' report titled Women Leaving Law. Let's jump back in.

Megan Monson: So, moving on to another topic. We've touched on previously in this podcast, a lot about work life balance and Laura, you mentioned that was one of the second items that respondents were leaving the law, because of work life balance issues. So, I wanted to highlight another quote from one of the respondents to the survey. "Female attorneys have to work harder to achieve the same goals and show twice the commitment of their male counterparts. Work life balance is more difficult to attain for female attorneys because they often have more obligations both inside and outside of work without the same amount of support." Has your research identified ways that law firms can provide for better work life balance or help support women and male attorneys navigating these issues?

Laura Leopard: Well, I think all of the 11 points that we sort of outlined, many of those points help support women in the workplace. The fact that they have to work twice as hard as their male counterparts means that that workplace isn't working for them as well. So, if you look at some of the points that we put out there, give women opportunities, make sure that opportunities are doled out on a really equal basis. And that's for people of color, that's for ethnically diverse people, it's for women, make sure all those opportunities are given out equally. Make sure that you are listening to everyone in the room. So, there's that, men don't listen to women talk in the boardroom kind of thing. So, listen to what they have to say, because they are contributing to your conversation and there's strategies to do that, which you guys know very well, I've heard all about that amplification strategy.

Not tolerating sexism when you see it. There's lots of things. There's other quotes in there about women with microaggressions and being shut out of

different conversations. And so, there's other things that play at the workplace that make them feel that they have to work harder.

The fact that women really are uncomfortable tooting their own horn and talking about their accomplishments. When we did a webinar on this very topic, as we were talking about, women are notoriously bad about saying, "Yes, I did this and I did that. And that was a great thing." And people were literally typing in, "But if I do that, people don't like me. If I do that, people call me names and that kind of stuff." So, firms acknowledging women's success without them having to try to toot their own horn, being given proper credit on cases that they work on, all of that is important.

So, if they don't feel they have to work twice as hard, then maybe they can. But I think work life balance really comes back down to being able to take the time you need when you need it. Being able to work sane hours, especially when you have other obligations. I mean, to be fair, everybody has other obligations, whether you're a man or a woman, it just depends on who actually fulfills those obligations on a day-to-day basis. So, women get stuck with a lot of that, but fairness in the workplace would certainly help with that work life balance, helping them feel supported and confident in what they do at work can only help them do a better job. Being noticed for the good job that they do helps relieve that pressure.

If every Sunday night, you have a migraine thinking about going to work the next day and what you're going to have to do, that can destroy that work life balance. So, all of those factors that they talk about, feeling supported, feeling heard, knowing that the firm has their best interests at heart when it comes to the healthcare decisions that they make, all of that stuff, all of that stuff really play into that work life balance. So, it's not just hours and it's not just flex time. It's also about feeling that you are wanted, belong and appreciated in your job, and that can help alleviate a lot of the stress that goes along with any work life.

Nicole Fulfree:

And Laura, I think you spoke with Linda Bennett in connection with your survey. She's the chair of the insurance recovery practice at Lowenstein and she's also the founder of the firm's women's initiative network. And she talked about the amplification strategy and how important it is to supporting women coming up in the ranks. And as I want to say victim, but I won't for purposes of encouraging this practice, but as a person who has been subjected to Linda's amplification and giving people shout outs about things that they might get bashful about, it might be a little bit off putting in the moment, which it shouldn't be because it's nice to be heard and have your horn tooted once in a while. But I think that it's so important for women to do that sort of thing. And it really seems like a small thing in the moment, but it really does encourage you and makes you feel part of the team and makes you feel heard. And that goes a really long way.

Laura Leopard:

Indeed, it makes you feel safe too. It makes you feel safe because you have people around that are going to hold you up. And for your listeners, the amplification strategy that you're speaking of started in the Obama administration. When people in cabinet meetings, women would say, "They were talking over me. He made a point just now that I made 15 minutes ago,

and now he's getting credit for my idea." So, they all decided to band together. And Linda said that you do that at your firm, so if someone in a meeting, a woman, has an idea and talks about it, then it doesn't get a lot of attention. 20 minutes later, a man has the same idea and everyone says, "Oh, that's a great idea, Bob." I mean, there are certain ways you can say it, but the way that she put it was to say "Yes, that is a really great idea. I really thought so when Linda brought it up a few minutes ago, so thank you for picking that back up." You've done the attribution of where the idea came from. You haven't made him look so bad, but everyone now knows where that idea came from. That's really important, and the fact that the other women in the room are going to help support you in that makes you feel quite safe.

But here's another thing to remember. There are other women in the room. That's another point. You have to get women in those meetings where decisions are being made and give them a seat at the table. And not just one. So, the amplification strategy is great at helping women be heard and helping them not being shouted down by their male counterparts. And the other thing that Linda told us about was how opportunities are assigned there and that you have a centralized assignment database and they're able to scan it and see who's not getting opportunities, who has not had the chance to work with this particular partner. And then they can look and really assign all those opportunities on a real equal basis. And that too is also very important. But yes, letting women speak and hearing them and assigning credit for ideas in those meetings, I think is all very important. And it's great that you do it there.

Rachel Dikovics: I think it's important for women to remember too, the amplification principle only works if everybody buys into it. So, it really requires women to prioritize supporting their women colleagues. I think sometimes, somewhat disappointingly, we can see women occasionally being even more problematic than men. I think this kind of thing only works when women really make it a priority to try to help women. I think that the importance of that can't be overstated.

Nicole Fulfree: Yeah, and Rachel, in addition to making the speaker feel supported, I think the other really important related point is that the person who interrupted the speaker initially also gets ... and in the example that you had given Laura and that Linda talked about it, wasn't a firm slap on the wrist. It was lighthearted reference back to the initial speaker, done in a very polite and courteous way, but it also makes the interrupter stop and think like, "Oh, I did something that I wasn't realizing I was doing maybe, or didn't know that I had been doing." And it makes them realize, and maybe they'll think twice before they interrupt, or idea steal again.

Laura Leopard: Exactly, exactly. So, many things that human beings do. We are just unconscious about it until it's brought to our attention. And that's another point about having to fight unconscious biases at work. And as long as they remain unconscious, you really can't do anything about them. We all have them. Every human being has unconscious bias about something, but when that bias can be brought to your attention, you can then begin to pay attention to it and be aware of it and start to fight it.

There are so many things that roll up into problems for women at law firms. Sexism is one, I was really shocked to see examples of overt sexism in the workplace from some of these women's comments. I really thought we had gone to a different place, but it takes a really long time to stamp that out. And I think that's one thing that's very important, sort of like, that amplification strategy to really call it when you see it. And it's important to call it as it's happening. So people recognize it, see it and understand that that's not a term, a word, a phrase, or behavior that will be tolerated in the workplace. I think that's really very important.

The unconscious bias that deals with sexism is harder to fight because so many people don't believe they have a bias at all. And that's where training, education, all of that, can really come into play. So, having people come in and lead seminars, I don't think you can do it within your own firm easily, but having someone else come in and go through an unconscious bias training seminar would help women. It would help diverse or underrepresented attorneys at your firm and help really those people understand that, "Oh yes, it is there. When I have two resumes in front of me, exactly the same qualifications, they both seem like terrific candidates. I tend to always go with the male choice. Why is that?"

That's a question that people should ask. And that's also a question that women, when they have a seat at the table can also say, "Why are we hiring so few women. Don't you find them qualified?" "Well, yes. I find them qualified." "Don't you find them to be personable and they have ... " "Yes, I do." "Then why aren't we hiring them?" And really getting down to the nitty gritty.

Or like Christy Tosh Crider did at Baker Donelson, the minute they hired a new lateral recruitment director, she went right in and she said, "Okay, let's talk about how we can hire more women." You just have to make these opportunities and make people aware of what's important to you and what's important to the firm.

Recently, everyone has put a big focus on hiring more ethnically diverse attorneys. How come? Well, because clients are demanding it. Clients are saying, "You really have to become more diverse." Well, it's the same thing for attribution of credit on cases. Now clients are saying, "I want to know who all worked on this case and I want to know how many women, how many diverse attorneys, I want to know all of that." So hopefully, that's another client driven push to get firms to go in the right direction as well.

So, knowing that all of that is important to clients can help push firms into the right space, but here's something they may not be aware of. And that is, as young people are making decisions today and as people are looking at the lateral landscape, if you have 5% of women in your partnership, you have 2% of women in your partnership, people pay attention to that and they make decisions about going to your firm based on that. If I'm a woman who's at the top of my game, am I really going to go to a firm that doesn't value women? They don't hire them, they don't promote them. There's no one within my practice area, that's a woman. Am I really going to go to your firm? I don't

think so. I don't think so, unless you can convince me that you're really going to make a change in that area. People are becoming a little bit more savvy.

There's been many examples where firms have tried to hire a single diverse attorney to come join their firm and make them look slightly better. But once they get there, they don't feel supported. They feel too alone. They're the only person there who could be classified as ethnically diverse and they don't stay and they move on. So, all of that rolls up into things that firms are going to have to really start paying attention to. There's a lot involved when you are adding to your roster and there's a lot involved into trying to retain those people that you do hire.

Rachel Dikovics: So, speaking of making changes based on these kinds of issues, I want to talk a little bit about some of the takeaways from the survey that you feel large law firms should be keeping in mind as they consider how best to retain all attorneys but specifically female attorneys. And in particular, I'd like to hear what the survey found about the advancement gap of women, as it relates to mentorship and the importance of women. You touched on this a minute ago, the importance of seeing women in leadership roles at the firm.

Laura Leopard: Oh, incredibly, incredibly important. Seeing women in leadership roles, seeing women now as managing partners, sends a huge message to women below them and to women associates, that there is a path to the top. There is a path to success and having a woman at the top of a firm also means that you have a woman in there making big decisions that will affect their life, making what healthcare provider to go to, what kind of flex opportunities might they have at the firm? How are they going to develop a path for partnership? All of that's really important.

The mentoring aspect is also incredibly important, not just for women, of course, but for all people at the firm. And it can make such a huge difference. There were several people that responded saying, "I really longed for a mentor. If I'd only had a mentor, I felt I could've done so much better. Things would've been so much easier."

And then we did talk to some folks who had great mentorship, stories to tell. Molly Singer said she had been given a mentor who was a quite famous appellate attorney, but she's felt perfectly comfortable going to him and asking quote unquote, "Silly questions." And she didn't feel that she was going to get in trouble for asking something so simple and that he was incredibly helpful to her in her career.

They have a women mentorship program at Baker Donelson, along with a traditional firm mentorship. So, for women, they have a path to equity partnership program, where they mentor women throughout the entire process to help ensure that they're going to reach equity partnership, show them how, teach them how, give them goals, make sure they're reaching those goals. It's a really structured program and has paid huge dividends for that firm.

So, mentorship can make such a huge difference. We're actually going to be doing a webinar, mentorship and sponsorship, which is also a different way

to offer mentorship opportunities, I believe early next year, because it's a really exciting program and can make such a difference. So if the top 200, especially because they're the big guys, you're lucky if you can join us and be part of the top 200 gang, it's always been a sink or swim kind of deal when they hire folks. Good luck, I hope you do well. So, you've got a large number of people that totally flame out or decide to leave after a short period of time, or even a long period of time, they just can't do it anymore.

So, wouldn't it be better to teach everyone how to swim? Not just see if they can, but to teach them all how to swim, show them the moves they can make in the water in order to succeed. I mean, the funny thing is, they go to such links in the hiring process to make sure they're getting the best and the brightest and the people with the most potential. And they pay a lot of money to do it. They spend a lot of time courting those law students and through the summer associate programs and all that stuff. But then once they really start working it's, "You're on your own." That's a really bad strategy. That's a really bad strategy.

So, putting together a real meaningful, thoughtful, structured mentorship program is really going to teach a lot more people had to swim. And when they do that, those people will be much more successful at their firm. And hopefully in turn, that will roll into a much better retention rate for the firm.

Megan Monson:

Well, I think everything you've touched on so far, Laura, are really good tips for law firms in terms of trying to retain their women, trying to have women be successful at the firms. I'm asking this question to the group, but what factors do you think hold law firms back when it comes to making these changes? Because clearly, there's data out there that's showing that these are things that women attorneys in particular are looking for. And so how can we suggest to law firms to make these changes, so that we continue to retain top women?

Laura Leopard:

Well, I'd like to just tell them to look at their numbers. Look at your numbers, look how much poor retention is really costing you at your firm because at a certain point, if you continue to lose people mid-career, it's not just a single loss, you really are undergoing a brain drain. And to try to replace those people at the same level is going to be quite a costly action.

I think the quickest way to any law firm's heart to do things and to change things, is to really point to the pocketbook. And if you can say, "This is what's costing you money, this is what's costing you money. Here, you can save money. This is a great way to skill people, to be able to make more money for the firm. If you teach them how to fish, they can go out and fish and they can bring in more clients for the firm. You're going to have a greater level of tenure at the firm, where people stay longer and your firm is going to benefit longer from their expertise and knowledge and business acumen."

But I think really instilling the idea that it is a great money-making enterprise for them to increase retention, to keep their employees happy. Let's go back to what I said earlier, where Molly was getting ready to leave her firm and she offered maybe part-time. And he said, "I would rather have you 50% of the time than most of those associates out there 100% of the time." You don't

want to lose your best and brightest because they can't work the number of hours that you're requiring. They don't feel supported, they don't see a path to partnership. That brain drain is really going to cost you money in the end. It's incredibly expensive to replace mid-career and partner level attorneys. It's very costly and all of those moves don't always work out, and they always don't work out to what the firms thought they were going to deliver when they brought them in as a lateral. So, retaining those people that are already doing a good job for you, just makes economic sense. And to stop that stop churn at your firm.

Nicole Fulfree:

What you just said, Laura, it reminds me of a quote that I think I saw somewhere on LinkedIn. Unfortunately, I can't remember the attribution, but the quote said, "What happens if I invest all of this time and effort into this young associate and they just leave the firm?" And then the response was, "What if you don't and they stay?" And so, I think that's exactly the point that you're hitting on, which is it's expensive. Retention is a major issue and why not invest the money in your people? Which I think also encourages them to stay because they feel valued in all of these things. So, I think you're making such an important point.

Laura Leopard:

And here's something else. So, when somebody leaves a firm because they find their culture is untenable and that's what it is, because you're having to work longer hours. I mean, that's what it is. And they go in-house or they start working at another firm. If they left with really negative feelings about your firm, you've really lost another business opportunity. Some people won't stay forever, but they might stay 10 years, you have done well with that hire. You've done well with that hire. They move on to somewhere else. Well, that person is a business opportunity for you.

So, the better you treat your people while they're with you, the better it is for you one day, when they move outside the firm for business development down the line. So, doing the right thing all along the way is going to pay huge dividends, huge dividends. So, not thinking in the short term, but thinking in the long term is really the best play to really do well with your firm.

Rachel Dikovics:

I think buy-in from the top is also incredibly important to making any of the changes that we've talked about because when it comes to determining what workplace culture is, the people who really control that are senior leadership at the firm, there can be microcultures within different practice groups and even within teams within those practice groups. But in terms of setting the tone for what is considered valuable, what is getting compensated, what is just considered acceptable in terms of behavior, that all has to come from the top, or there's no consistency across the firm. And you have people getting these really varied experiences just depending on what department they're working in or what partners they're working with.

I think for a lot of these issues, everybody needs to have the same experience if we want people to be retained longer term. And that even comes back to not promoting a 24/7 work culture. If management makes it clear that there are certain expectations for how many hours people are going to be working, but that there are also certain expectations about when people won't be working, I think that's really positive. And it takes people

being willing, people at the top being willing, to step away from the status quo for any of these changes to really take effect.

Laura Leopard: Yes. And quite possibly, it takes people at the top to really understand what their culture is at the firm. They may think it's one thing, but it's really the person on the lowest rung of the ladder of the firm that knows what the firm culture is because they live it every day. The ideals that people say that have it at the top, "This is what we believe." The person at the bottom might say, "No, it's not that way at all." And from the people that responded to my survey, what they're telling us in essence is, "Yes, the firm culture was a detriment to me. The firm culture wasn't working. The firm culture was bad." And this is where they have to start to pay attention because their actions decide what their culture is, not their goals and their lofty ambitions, but their actions and decisions.

Rachel Dikovics: Well, thank you so much again for joining us today, Laura. You can check out the complete Women Leaving Law survey on leopardsolutions.com and we'll include a link to the survey in our episode notes. We hope that law firm leaders seriously consider the results of this survey and the issues that we discussed in this episode. And we encourage our listeners to champion these issues at their own firms as well. Thanks for joining us for another episode of the Women's Initiative Network Real Talk. We'll see you next time.

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