



NATIONAL ASSOCIATION
OF WOMEN LAWYERS

2019 Survey Report

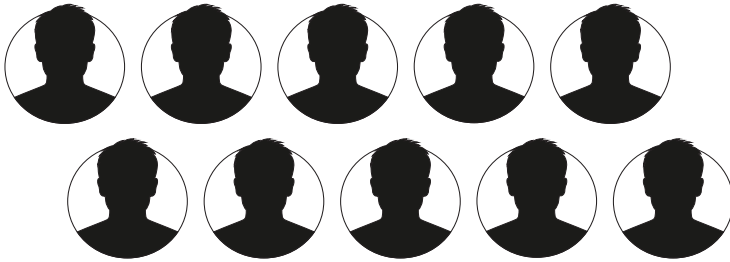
On the Promotion and Retention
of Women in Law Firms

2019 NAWL SURVEY AT A GLANCE

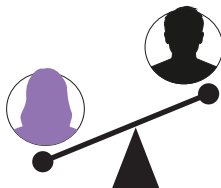


- Women remain about **20% of all equity partners**, with this representation holding steady for the last three years.

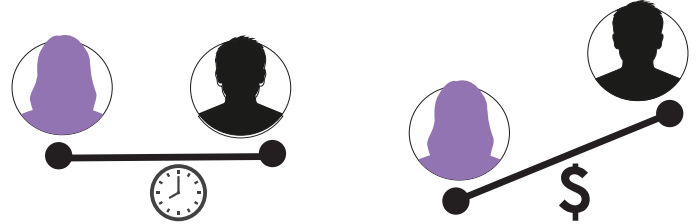
- **93% of responding firms reported that their most highly compensated attorney is a man, the same as last year.**



- Most firms reported **no women in the ranks of the top 10 attorneys** generating the most revenue or the top 10 most highly compensated attorneys.



- Across all types and levels of attorneys, **men are paid more per year than women**, and this pattern existed without significant variance across the AmLaw 200 for all attorney types and levels.



- **Women work the same hours as men** but their billing rates and client billings fall short of men's.



- Women are about 20 – 25% of governance and compensation committee members and office-level managing partners and practice group leaders, but are **largely unrepresented as firm managing partners**.



- In line with NAWL's One-Third by 2020 Challenge, for the last three years, **new equity partner classes have been about 1/3 women** (compared to women representing about 20% of all equity partners).



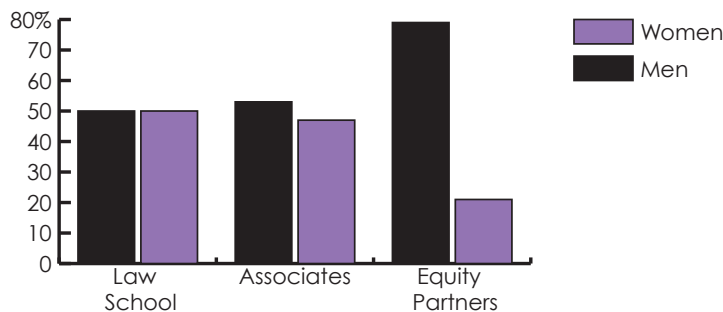
- In the last three years, **35% of new relationship partners** for the top-30 clients were women compared to 28% of the departing relationship partners and 23% of all relationship partners for the top-30 clients.



Introduction

NAWL has collected data for the last 12 years demonstrating a consistent and relatively undisturbed pattern showing the absence of women in the upper echelon of law firm leadership, and in the 12 years that NAWL has tracked the data, there has been relatively little progress made in the representation of women in these roles. With this year's survey, NAWL dug deeper into a more systematic study of the mechanisms underlying these well-known statistics, by asking more questions about policies, practices, and procedures that affect women in the law firm. In addition, the goal of the NAWL Survey has always been to provide objective statistics regarding the position and advancement of women lawyers in law firms in particular, and the NAWL Survey remains the only national survey that collects this industry benchmarking data in such detail.

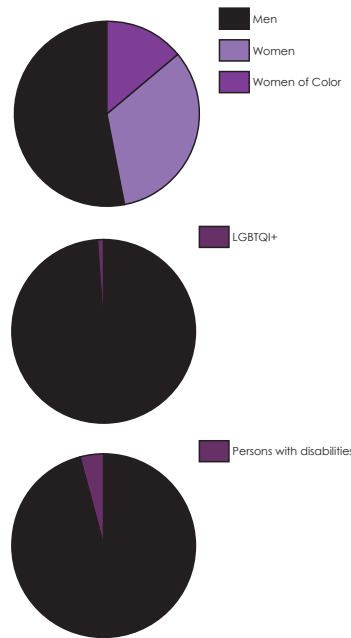
Women in the Law Firm



For over a decade, approximately 50% of law students nationwide have been women¹, law firms have recruited women as entry-level associates roughly in proportion to their representation among law school graduates, and yet the statistics repeatedly show that these women are not reflected in the numbers of non-equity or equity partners in those same law firms. This report proceeds by highlighting the representation at three key points in the career trajectory of law firm lawyers: associate, non-equity partner, and equity partner². In addition, practices and procedures that could impact the experiences of women and diverse attorneys and their continued success in the law firm are also discussed, including management of the client relationship and succession planning, credit assignment and sharing procedures, and the ways that firms internalize their commitments to gender and racial/ethnic diversity as part of these practices and procedures.

Women as Associates

As in previous years, women are about 47% of all law firm associates.³ Women of color (including Black, Asian/Pacific Islander, Hispanic/Latinx, Native American/American Indian, Middle Eastern/North African⁴, and multiracial women) are about 24% of female associates and about 14% of all law firm associates. For those firms reporting numbers⁵, LGBTQI+ individuals of all genders are still about 4% of associates. Persons with disabilities are still less than 1% of all associates.



As discussed further below, this year's survey again shows that while women start off in relatively equal numbers as men at the entry level, they are not represented in similar numbers at the non-equity partner level and are even less represented at the equity partner level.

In this year's report, we also break out the hours, billing rates, and compensation to better understand disparities and to compare data across attorney types in the law firm. Overall, the data shows relatively more equal representation of women among associates as compared to non-equity and equity partners, but also relatively more equal compensation, billing rates, and billable and total hours worked. This evidences the continued importance of investigating the variables that contribute to the underrepresentation of women at higher levels in the law firm despite the starting points of men and women in the law firm being relatively equal on a number of dimensions.

"...while women start off in relatively equal numbers as men at the entry level, they are not represented in similar numbers at the non-equity partner level and are even less represented at the equity partner level."

1 For all law schools, women made up a simple majority (51 percent) of all law students for the first time in 2016, as reported by Law School Transparency (LST), a non-profit organization aimed at making entry to the legal profession more transparent, affordable, and fair. Report available at www.lstradio.com/women/documents/MerrittandMcEnteeResearchSummary_Nov-2016.pdf. In the last 20 years, the percentage of women earning law school degrees has hovered between 45 and 50 percent according to statistics from the US Department of Education. Discussion of findings available at www.theatlantic.com/sxsw/archive/2012/12/more-women-are-doctors-and-lawyers-than-ever-but-progress-is-stalling/266115.

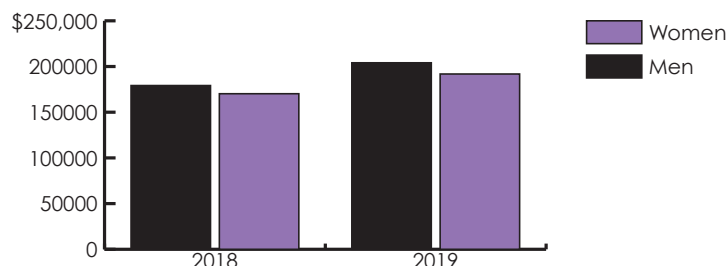
2 This year we paused data collection on counsel and other full-time, non-partner track attorneys in order to work on better capturing data on these attorneys. NAWL will return to asking about these populations of attorneys in more detail in next year's survey.

3 Associates are partner-track attorneys who have not yet achieved partnership.

4 Less than half (49%) of responding firms track Middle Eastern/North African identity in their demographic data. The Middle Eastern category has received attention as an identity that was once subsumed by the White racial category, but is increasingly understood to be an identity that operates more like a minority status identity rather than the majority status identity assumed by being included in the White category, particularly for Middle Easterners who are also Muslim.

5 For LGBTQI+ individuals and persons with disabilities, one hurdle to getting a fully accurate picture of their representation in the law firm is in the collection of data on these identities. About 8% of firms explicitly indicated that they do not collect demographic data on LGBTQI+ individuals, and about 27% indicated they do not collect data on persons with disabilities. This is an improvement over 2018 reports, where 10% of firms reported not collecting data on LGBTQI+ individuals and 36% indicated not collecting data on persons with disabilities.

Associate Compensation⁶: For associates, the mean⁷ male associate makes about \$12,272 more a year than the mean female associate (\$204,082 vs. \$191,810, respectively). Thus, the mean female associate made 94% of what the mean male associate made. Last year's data showed \$8,959 more for male associates, with women making 95% of what men made at the associate level⁸. While this does represent a compensation gap, it suggests, when data at later stages in the trajectory are considered, that men and women start off with relatively more equal compensation, and the gap widens over time.



Associate Hours⁹: Despite persistent hypotheses to the contrary, many years of NAWL data have shown that there are no significant differences between the hours recorded by men and women attorneys at different levels and in different roles. This year's data show the same pattern. Among all lawyer types, including associates and partners, there were no significant differences in total or billable hours based on attorney gender. Gaps were up to but not greater than about 72 hours for the year¹⁰, and there

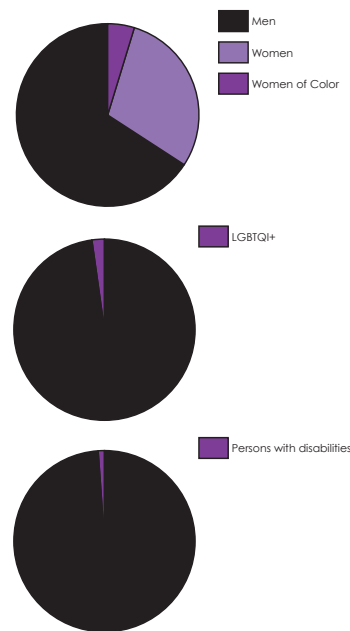
“There are no significant differences between the hours recorded by men and women attorneys at different levels in different roles.”

was no consistent pattern with respect to one gender recording more hours across the attorney types or the mean number of hours.

Associate Billing Rates¹¹: As part of the discussion about observable differences in both compensation and billings for men and women in the law firm, differential billing rates have been suggested as one possible source of a disparity that creates gaps at subsequent steps. NAWL again collected data on mean billing rates for men and women. We found that men and women start with relatively more similar, but still unequal, billing rates at the associate level and diverge further as they reach non-equity and equity partner. At the associate level, men billed an average of \$441/hour and women billed an average of \$425/hour, meaning female associates bill at about 96% the rate of male associates.

Women as Non-Equity (Income) Partners¹²

NAWL has previously documented the transition that many firms have made to a two-tier model of partnership¹³. One effect of a two-tier partnership model is that it creates an additional level before reaching the highest status (and most highly-compensated) equity partner role, possibly making it harder to achieve equity partner particularly for historically underrepresented groups, including women. With the move over the last two decades toward two-tier partnership models in most firms, women in non-equity partner have reached, and maintained but not surpassed, the 2006 NAWL Challenge goal of 30% representation, but the percentage of women equity partners has not followed suit¹⁴. Again this year, 81% of our sample reported that they are two-tier firms.



Similar to past years, women are about 31%¹⁵ of non-equity or income partners¹⁶. Women of color (including Black, Asian/Pacific Islander, Hispanic/Latinx, Native American/American Indian, Middle Eastern/North African, and multiracial women) are about 5% of all non-equity partners and about 17% of women non-equity partners. LGBTQI+ individuals of all genders are 2% of non-equity partners. Persons with disabilities are about 1% of non-equity partners.

6 As in the past and as mentioned previously, the response rate for the compensation and billing questions is lower than that for the other sections of the survey. For the compensation questions, we had an average n = 40, representing 20% of the AmLaw 200 and about 42% of the responding firms. As with the overall response rate, those firms in Quartile 1 (AmLaw rank 1 – 50) were the least likely to respond, with only 11% of the responding firms in Quartile 1 providing the data compared to up to 37% of the responding firms in Quartile 3 (AmLaw rank 101 – 150) providing the data. The response rates for these questions were up slightly compared to 2018 even though the overall response rate for the survey held steady.

7 In the 2018 NAWL Survey Report, we discussed how we collected data on both the median and mean compensation numbers in order to test whether what appeared to be the closing gap at the median of the distribution was also reflected in the spread of the data, which is better reflected by the mean. Overall, we found that there was little difference between mean and median numbers until equity partner, where the mean showed greater disparity between compensation of men and women than the median. We took this to demonstrate the fact that men and women are distributed differently on the spectrum of compensation and that men have almost exclusive domain at the upper end, thereby driving higher means and revealing greater disparities between men and women when the full range is considered. In this year's survey, we asked only about the mean in order to better capture the spread of compensation, including the extremes, and to simplify the responses firms had to provide.

8 Statistical testing reveals that this is not a statistically significant decrease in compensation (or increase in the compensation gap) from 2018 to 2019. This variation likely results from variances in the underlying data year-to-year.

9 The response rate for the client billing questions was consistent with that for the other compensation-related questions, n = 43. Billable hours include client billable hours and at most firms (75%) at least some pro bono hours. A minority of firms include administrative hours, service to firm, firm legal work, etc. as billable hours. Non-billable hours include administrative hours (94%), personal professional development (89%), business development (88%), practice group development (88%), all or some pro bono hours (65%), and some other categories of hours. Most firms said they compensate non-billable pro bono hours (74%), but a majority of firms said they didn't compensate other categories of non-billable hours explicitly. Some firms reported that they took non-billable hours into account in a non-formulaic way when reviewing attorneys and determining base and bonus compensation, recognizing exceptional service in these areas.

10 Male associates recorded an average of 72 more billable hours than female associates, but this was the largest gap between men and women lawyers at any level and between total and billable hours. The average gap between male and female attorneys of the same level was 26 hours, and there was no consistent pattern in terms of men or women recording more hours.

11 The response rate for billing rates questions was on par with that of the client billings data, with about n = 43.

12 Non-equity or Income Partners are those who receive more than half of their compensation on a fixed-income basis and may have voting rights on firm matters.

13 See e.g., 2017 NAWL Annual Survey on the Promotion and Retention of Women in Law Firms at page 4. Report available at <http://www.nawl.org/page/2017>.

14 We again found a pattern in the data that women may be slightly more likely to be equity partner in firms with a one-tier partnership model compared to a two-tier model (22% vs. 20%, respectively), consistent with past reports, but this difference is not statistically significant.

15 This number represents the overall averages in the sample. In other words, the average number of non-equity partners divided by the average number of female non-equity partners. Another way to look at this number looks at the average of each responding firm's percentage of women non-equity partners. This calculation shows that 30% of non-equity partners are women.

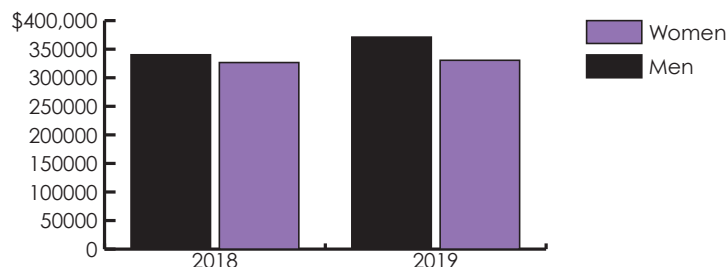
16 The 2018 NAWL Survey reported 30% of non-equity partners were women.

Non-Equity Partner Compensation: The mean male non-equity partner made about \$40,566 more per year than the mean female non-equity partner (\$371,137 vs. \$330,571, respectively), and this

“...women non-equity partners made 89% of what the mean man made, and this too was a noticeably larger gap than reported last year.”

is a larger gap than reported last year (\$13,609). Thus, women non-equity partners made 89% of what the mean man made, and this too was a noticeably larger gap than reported last year (female non-equity partners made 96% of what male non-equity partners made, as reported in last year's survey)¹⁷.

Non-Equity Partner Hours: As mentioned above, there were



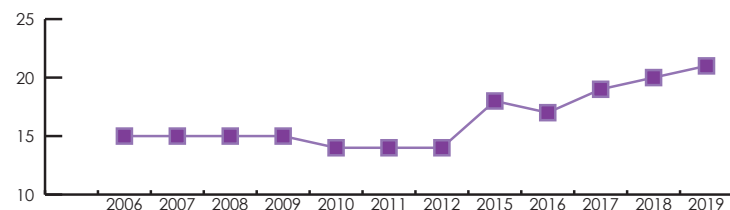
no significant differences between hours worked by non-equity partners based on sex or gender. And there was no pattern of men or women consistently working more hours than the other sex or gender.

Non-Equity Partner Billing Rates: As suggested above, the billing rates of men and women diverge more as associates move to non-equity partner roles. For non-equity partners, the mean billing rate for men was \$611/hour compared to a mean for women of \$577/hour. This billing rate gap is similar to that seen between male and female equity partners, and represents an average premium of about 5.5% for male non-equity partners compared to female non-equity partners.

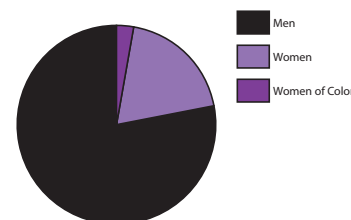
Women as Equity Partners

The number of women equity partners and women in leadership roles in the law firm are of primary interest, given the focus of the One-Third by 2020 Challenge issued by NAWL in 2016¹⁸. This challenge renewed the call for the legal field to increase its representation of women to one-third of General Counsels of Fortune 1000 companies, of new law firm equity partners, of law firm lateral hires, and of law school deans. The One-Third by 2020 Challenge also calls for an increase of at least one-third for diverse women attorneys, including LBTQ and women of color, in every segment of the legal profession.

This year's survey shows a similar¹⁹ percentage of women equity partners compared to the last two years (21% this year compared to 20% reported in 2018 and 19% reported in 2017).²⁰ Last year we reported that this represents a stable increase over the 15% - 16% reported in 2007,²¹ but it also highlights the uneven progression that often occurs whereby there may be larger increases over a period of time but incremental changes or plateaus in the short term. It also shows that firms are not on track to meet all dimensions of the *One-Third by 2020 Challenge* if the current pace continues.



Diversity among Equity Partners: The *One-Third by 2020 Challenge* explicitly identified goals related to the representation of diverse women attorneys in the legal profession, including women of color, LGBTQI+ individuals, and people with disabilities. This specific challenge is to increase the numbers of these diverse women by a third by 2020, with 2016 numbers (as collected by the 2017 NAWL Survey) as the starting point. As in past years, we found that White women represent 88% of female equity partners and about 19% of equity partners overall. In the aggregate, women of color (including but not limited to Black, Asian, Hispanic/Latinx women) represent only about 13% of female equity partners, on average, and about 3% of all equity partners.²² For all equity partners, people of color (men and women) account for only 9% of equity partners²² (Black equity partners are about 2% of equity partners, Asian equity partners account for about 3%, Hispanic/Latinx equity partners account for 2%, and all other racial/ethnic minorities combined account for about 1%)²³.



This represents a bump up from 6% equity partners of color reported in 2017 and a return to the levels reported in 2015.²⁴ For those firms reporting numbers,²⁵ LGBTQI+ individuals were about 2% of all equity partners and persons with disabilities were less than 1% of all equity partners. These numbers are unchanged since the 2017 report.

“For all equity partners, people of color (men and women) account for only 9% of equity partners...This represents a bump up from 6% equity partners of color reported in 2017.”

¹⁷ Statistical testing reveals that this is not a statistically significant decrease in compensation (or increase in the compensation gap) from 2018 to 2019. This variation likely results from variances in the underlying data year-to-year.

¹⁸ Full details of the One-Third by 2020 Challenge are available at <http://www.nawl.org/nawlchallenge>.

¹⁹ Basic statistical testing reveals that there is no statistically significant difference between the 2017 and 2018 numbers or the 2018 and 2019 numbers, although there is a statistically significant difference between the 2017 and 2019 numbers, suggesting that changes are small and not statistically significant year-to-year but they are accumulating into statistically significant changes over time.

²⁰ This number represents the overall averages in the sample. In other words, the average number of equity partners divided by the average number of female equity partners across all firms. Another way to calculate this number averages each responding firm's percentage of women equity partners. This calculation shows that about 20% of equity partners are women. If we look at the averages of each firm's percentage of equity partners, we see that in the 2017 report the number was closer to 18%, in 2018 it was about 19.5%, and in 2019 it is about 20%.

²¹ 2017 NAWL Annual Survey, available at <http://www.nawl.org/page/2017>. Here we cannot determine statistical significance of the 2007 numbers compared to 2017 - 2019 due to lack of access to past data, but the shift to 19% - 20% women equity partners demonstrated the last 3 years has clearly stabilized, thus suggesting a real jump in the numbers that likely would be statistically significant.

²² People of color of all genders (including but not limited to Black, Asian, Hispanic/Latinx individuals), make up an average of about 25% of associates. And their representation is higher at higher-ranked firms. Quartile 1 and 2 firms (AmLaw 1 - 100) report 26% associates of color, whereas the bottom two quartiles report about 20% associates of color.

²³ There was a noticeable difference especially in the percentages of Asian equity partners at AmLaw 50 firms (Quartile 1). These firms reported higher percentages of Asian equity partners (5% compared to about 2% in the other quartiles). For all other racial/ethnic groups, there was no noticeable difference across the AmLaw 200.

²⁴ 2015 NAWL Survey Report, available at <https://www.nawl.org/page/2015-nawl-survey>

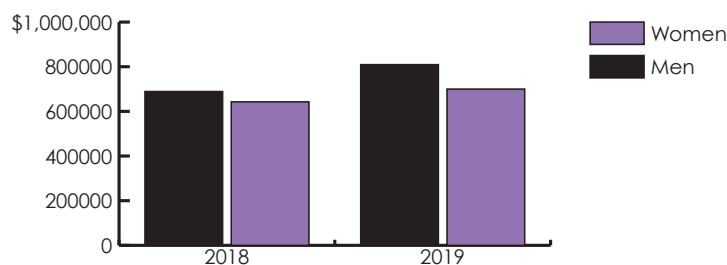
²⁵ As a reminder, for LGBTQI individuals and persons with disabilities, a hurdle to getting an accurate picture of their representation in the law firm is in the collection of data on these identities. About 8% of firms explicitly indicated that they do not collect demographic data on LGBTQI individuals, and about 27% indicated they do not collect data on persons with disabilities.

Equity Partner Compensation: Ninety-three percent (93%) of responding firms²⁶ reported that their most highly compensated attorney is a man, the same as last year. Also the same as last year, of the 10 most highly-compensated lawyers in the firm, on average, only 1 of those top 10 is a woman. We also asked firms about their top 10 revenue-generating attorneys, and firms reported that there was, on average, only 1 woman among them. Most firms reported no women in the ranks of the top

10 attorneys generating the most revenue or those being the most highly compensated.

Taken with the above-reported data on compensation at the associate and non-equity partner levels, across all types and levels of attorneys, men made more per year than women, and this pattern existed without significant variance across the AmLaw 200 for all attorney types and levels.

Among equity partners, the mean man made \$109,491 more on the year than the mean woman (\$809,279 vs. \$699,788, respectively). Thus, the mean female equity partner made 86% of what the mean male equity partner made, and this is a decrease from the same comparison recorded last year (88%).²⁷ When considering the full spread, men made more at both extremes, with the reported compensation for both the lowest and highest compensated male equity partner higher than the female equity partners at the same points in the distributions. These findings support the hypothesis that the compensation distribution skews higher for men than for women. This offers additional support to the data that shows that men tend to have near exclusive domain over the most highly compensated roles in the firm, whereas women occupy the least compensated positions in the firm even within the same role.

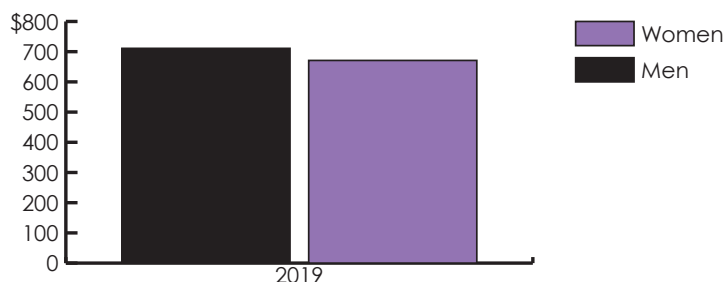


Equity Partner Hours: No significant difference was recorded for mean billable hours for female and male equity partners (1512 vs. 1509, respectively). Mean total hours also did not differ significantly between women and men (2140 vs. 2102, respectively).

Equity Partner Client Billings²⁸ & Billing Rates: For equity partner client billings, the mean male equity partner bills more than the mean woman (\$1,760,016 vs. \$1,450,521, respectively). On average, the mean female equity partner billed 82% of what the mean male equity partner billed, and this was a large drop compared to last year's data (where female equity partners billed 94% of what male equity partners billed).

It has been suggested before that disparities in compensation, at least among equity partners, may align with differences in client billings between men and women. In other words, men bill more and thus they are compensated more. On the other hand, this raises questions as to how client billings are generated and how credit is assigned for client billings. For this reason, we again collected data on billing rates since one reason for higher client billings could be a difference in the rates that underlie the billings.

As discussed above, we found that men and women start with relatively similar billing rates as associates but diverge by the time they reach non-equity partner. While billing rates go up overall for equity partners compared to non-equity partners, the same gap between men and women remains. By gender, the mean billing rate for male equity partners was \$711/hour compared to a mean of \$671/hour for female equity partners. This, again, represents an average premium of about 5.6% for male equity partners compared to female equity partners.



Taken together, women attorneys work the same hours as men but their billing rates and client billings fall short of the men's numbers. To get at perceptions of why these billing rate differences may exist, we asked firms which common anecdotal explanations they thought were tied to any billing rate between men and women. Most responding firms reported that they thought that men and women working in practice groups with different billing rates (68%) and men's longer tenures in law firms

²⁶ The response rate for these questions compared to the more detailed compensation questions was slightly higher, ranging from n = 51 to n = 59, depending on the question. This represents a little more than 25% of the AmLaw 200 and 57% of the responding firms.

²⁷ Statistical testing reveals that this is not a statistically significant decrease in compensation (or increase in the compensation gap) from 2018 to 2019. This variation likely results from variances in the underlying data year-to-year.

²⁸ NAWL defined client billings as the dollar amount credited by the firm to a given equity partner as their billings. Variations on what NAWL was trying to identify with its definition of "client billings" include origination credit, fee credit, book of business, credited revenue, and similar terms.

(73%) explained differences in billing rates. More work needs to be done to determine the more exact relationship between hours worked and billed, billing rates, client billings, and compensation, particularly at the level of equity partner.

New Equity Partners & Availability of Partner-Track: Firms were asked to report how many new equity partners they promoted in the previous two years (2017 and 2018). As shown last year, on average, 16 individuals were promoted to equity partner during the two-year period between 2017 and 2018. Of those 16 new equity partners, 5 - 6 were women (about 34%). This is similar to 2017 when firms reported that they had promoted, on average, 15 attorneys to equity partner in the prior two years, and 33% of those were women. In addition, 35% of the new equity partners were homegrown (i.e., started their careers at the firm), and 13% of the new equity partners spent three or fewer years at the firm before promotion to equity partner, suggesting recruitment of laterals that were expected to advance to equity partner. For homegrown partners, about 40% were women, and for recent laterals who were promoted to partner, 39% were women, on average. These numbers largely match those reported in 2017 and 2018, establishing a pattern suggesting that firms are promoting more gender equity in newer classes of equity partners, in line with the *One-Third by 2020 Challenge*.

Women in Leadership Roles in the Law Firm

Women on Firm Governance Committees

Women have been consistently underrepresented among the leadership positions in the law firm, such as on the governance committee(s) that oversee the operations of the firm and often set compensation. While the particular name and function of the highest level governance committee varies across firms, the responding firms reported an average membership for those governance committees of about 12 people,²⁹ and, on average, 3 of those 12 (25%) are women. These numbers are exactly the same as those reported in 2017 and 2018.³⁰ In the last 10 years, the participation of women on these committees has increased substantially, with the numbers from the last three years nearly double those from 2007³¹. This increase in representation for women has not resulted in similar levels of representation for other diverse groups. The average governance committee of 12 people has only one person of color and no LGBTQI+ person or a person with a disability.

For about 35% of responding firms, the highest governance committee sets compensation for equity partners. This is noticeably different

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“In the last 10 years, the participation of women on these committees has increased substantially, with the numbers from the last three years nearly double those from 2007.”

“Across the governance positions in the law firm, in terms of committees and managing positions, the results are consistent, with women representing about a fifth to a quarter of all of these positions.”

from the 47% of firms last year who reported their governance committees set compensation for equity partners. About 62% firms reported having dedicated compensation committees,³² compared to 53% of firms responding last year. These differences may indicate recent shifts in firms toward separating the governance and compensation committee tasks. The compensation committees do look quite similar to the governance committees. The average membership of the compensation committee is also 12 people, and the average number of women is 3 (25%). At best 1 member, on average, is likely to be a person of color, and none are likely to be openly LGBTQI+ or a person with a disability. These numbers, again, mirror those from 2017 and 2018.

Women as Managing Partners & Practice Group Leaders

In addition to serving on governance committees, managing partner roles at the firm, office, and practice group levels provide additional leadership opportunities. Like last year, the average firm has two firm-wide managing partners, and the average firm has no women, people of color, LGBTQI+ individuals, or persons with disabilities among those firm-wide managing partners. Only 26% of firms report having a woman among their firm-wide managing partners (compared to 22% last year). In addition, only 11% of firms have a person of color (compared to 9.5% last year), 4.6% of firms

have an LGBTQI+ individual (compared to 6% last year), and no firms have a person with a disability serving in this role (compared to 1.5% last year).

Most firms (90%) report having office-level managing partners. On average, firms have about 13 of these office-level managing partners, and, on average, 3 are women (about

“These shifts may indicate recent shifts in firms toward separating the governance and compensation committee tasks.”

23%), one is a person of color (about 8%), and none are LGBTQI+ or a person with a disability. Finally, 99% of firms report having practice group partners/leaders. Firms have an average of 27 practice group partners/leaders, and of those, 6 are women (22%), 2 are people of color (7%), and none are LGBTQI+ or a person with a disability. These numbers are also similar to last year.

Across the governance positions in the law firm, in terms of committees and managing positions, the results are consistent, with women representing about a fifth to a quarter of all of these positions.

²⁹ The size of Governance and Compensation Committees do differ across the AmLaw 200 given the differences in firm size. Quartile 1 and 2 firms (AmLaw 100) average 14 members on the Governance Committees compared to about 10 members on average for Quartile 3 and 4 firms. The AmLaw 100 averages about 12 members on dedicated Compensation Committees compared to an average of 9 members for firms in the AmLaw 101 - 200.

³⁰ The data did show that Quartile 1 firms (AmLaw 1 - 50) reported greater representation of women on governance committees compared to both their numbers last year and firms in the other quartiles this year. Quartile 1 firms reported 37% of their governance committee members were women compared to the 20 - 25% women reported by firms in the other three quartiles.

³¹ 2017 NAWL Annual Survey, available at <http://www.nawl.org/page/2017>

³² A couple of firms reported having no committee setting compensation because they offer lockstep compensation.

Building Business on the Path to Partner

Central to establishing the credentials for elevation to equity partner is building one's book of business and attaining and maintaining client relationships. Discussion in the field has begun to focus on the importance of client relationships and credit processes and procedures for partner promotion decisions. Better understanding of how law firms manage both the client relationships and credit processes allows for a more nuanced view of who is getting access to the crucial building blocks of a book of business that merits promotion to equity partner.

Client Relationships & Credit Origination

Most firms award credit for a variety of roles with respect to clients and matters at the firm:

- origination credit for relationship partners (86%),
- matter proliferation credit for partners eliciting new business from existing clients (71%),
- credit for management of the matter for partners and attorneys actively managing the client's matters (73%),
- production credit for partners and attorneys billing hours on the client/matter (57%).

Of the responding firms that have credit allocation structures, 93% of firms reported that they allow credit sharing, and 97% of those firms reported that they encourage credit sharing. They report that they do so by taking credit sharing into account for both bonus allocations (75%) and promotion reviews (80%). About a third of firms indicated that they had credit sharing requirements on at least some projects. Firms also offered that they further encourage credit sharing via the following:

- considering credit sharing in compensation in general not just for bonuses;
- developing a culture of credit sharing, starting with endorsement and encouragement by firm management;
- tracking credit sharing;
- allowing attorneys to report matters and clients they worked on.

Collecting more information from firms as to how they allocate credit and encourage credit sharing will better represent what firms, on average, are doing to this end and allow for discussion of whether what firms are doing is effective in increasing credit sharing overall as well as whether credit is being allocated to and shared with women and diverse attorneys in the same way as White men attorneys.

Managing Client Relationship Transitions

Succession Planning: We asked firms about the succession planning practices and procedures in an effort to uncover more detail about how firms handle the transfers of highly valuable relationships and status in the law firm. Compared to 59% last year, 48% of firms reported having formal succession plans that govern all or most successions.³³ This year we asked firms to share these plans, but firms were largely not willing to share information about those processes with NAWL.³⁴ With respect to succession processes and procedures, whether formalized or not, about 82% of firms reported that they have extended their diversity efforts to consider succession processes and outcomes, and 83% reported that they took gender into account in their succession processes. In addition,

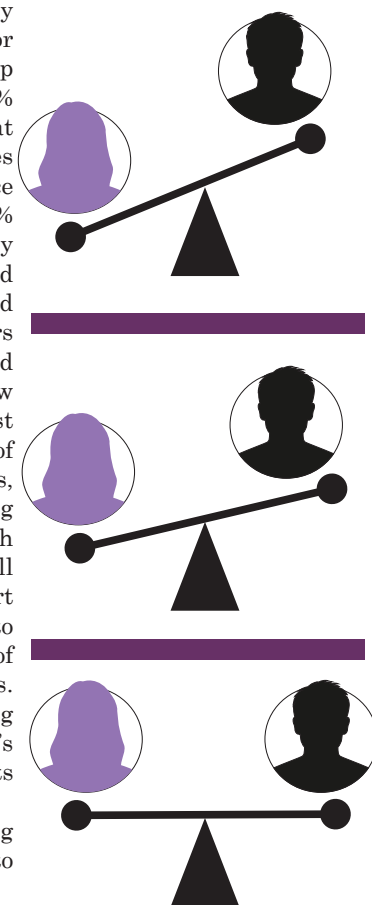
65% of firms reported that they had succession processes for transitions in practice group leadership (compared to 75% last year), and 72% reported that they had succession processes for transitions on governance committee(s), compared to 76% last year. Firms overwhelmingly (91%) reported that they allowed for relationships to be passed down to multiple new partners (i.e., shared), and the reported numbers of departing versus new relationship partners suggest there may be more sharing of these roles among new partners, with an average of 17 departing partners being replaced with 22 new partners. Nearly all responding firms (96%) report that they have made efforts to encourage the incorporation of women into client relationships. Some firms report fostering the development of women's relationships with clients through the following activities:

- hosting events, networking and substantive, for women to interact with clients;
- fostering ongoing collaboration and relationship-building between women in the law firm and clients, particularly women, through projects, pro bono work, and the development of mentoring relationships that pair women lawyers with clients;
- placing attorneys in-house at their client to serve as ambassadors for the firm and to learn the client and their business from the inside;
- training aimed at business development and client relationships.

Again, a minority of firms elected to submit responses to this open-ended request for firm practices that encourage client relationship-building for women. More sharing of firm practices and analysis of what firms are doing would better allow for development of best practices in this area.

As for who makes the decisions about a succession and when those decisions are made, there was no standardized approach across firms. Most

firms reported that some combination of the client (58%), the current relationship partner(s) (72%), firm leadership (58%), and the practice group leaders(s) (59%) determine how the succession will be assigned, and many firms acknowledged that exactly how the process plays out is dependent on the specifics of the particular



"Nearly all responding firms (96%) report that they have made efforts to encourage the incorporation of women into client relationships."

³³ Last year, we simply asked firms a yes/ no question about whether they had formal succession plans without any follow-up question. This year, we asked firms the same yes/no question, but then we asked them to share information about their plans if they indicated they had one. Although most firms declined to share any information, asking firms to consider whether they would share information about those plans may have led firms to reconsider responding that they had such plans in place at all. Further, in data presented below, when firms were asked if they had a formal succession plan in place (as a best practice for reducing bias in compensation), only 40% of responding firms indicated they had such plans. This highlights the challenge of self-reported data where there is no possibility to verify what respondents are reporting. It is clear that some firms are responding inconsistently across time and/or similar questions within the same survey.

³⁴ We asked firms that reported having formal succession plans to describe these plans, and only 42% of the firms who said they had these formal plans provided any information, although most provided relatively little detail, making any systematic study of the responses unreliable at this time.

client/matter. Further, succession planning is also largely an individualized and ongoing process, with 63% of firms reporting that the eventual succession is considered throughout the relationship and tenure of the existing relationship partner. Only 27% of firms reported that they started thinking about it either as the existing relationship partner approaches retirement age and/or once they announce retirement. While the idiosyncratic nature of existing succession planning and the eventual transitions afford firms flexibility, research suggests that less standardized, more subjective processes are ripe for the influence of biases that may lead certain groups or individuals to be disfavored in the process, such as women and racial/ethnic minorities.³⁵

Relationship Partners: This year, NAWL expanded our questions about relationship partners to a firm's top 30 clients³⁶ in order to capture more information about relationship partners. Specifically, firms were asked about recent transitions in relationship partners for these top clients and the representation of women and diverse attorneys among them. Among responding firms, 76% (73 firms) answered at least some questions about their relationship partners. On average, the total number of relationship partners assigned to the top-30 clients was 66. Of those 66, on average about 15 are women (23%), 5 are racial/ethnic minorities (8%), and 1 is openly LGBTQI +or and none are a person with a disability. Among the responding firms, about nearly 88% reported they had relationship partner transitions for their top 30 clients in the last three years (Jan 1, 2016 – Dec 31, 2018). On average, firms reported that

they had about 22 relationship partners change during that time. The results reflect that the new relationship partners were more likely to be women than the departing relationship partners were (35% vs. 28%, respectively). There was little change in the representation of racially or ethnically diverse attorneys between the departing and new relationship partners, and their representation was overall low (around 10%). LGBTQI+ individuals were nearly twice as likely to be new relationship partners compared to departing relationship partners (2.4% vs 1.5%, respectively), although their overall representation is still quite low. Persons with disabilities are essentially absent from both the departing and new relationship partner pools.

"...new relationship partners were more likely to be women than the departing relationship partners were (35% vs. 28%, respectively). There was little change in the representation of racially or ethnically diverse attorneys between the departing and new relationship partners, and their representation was overall low (around 10%)."

Supporting Women on the Path to Partner: Women-Friendly and Bias-Interrupting Processes, Policies, & Procedures

There are many practices that law firms can and do engage in that are meant to support women and diverse attorneys throughout their careers. These practices often focus on trainings, diversity and inclusion efforts, and implementing policies that help support women and families.

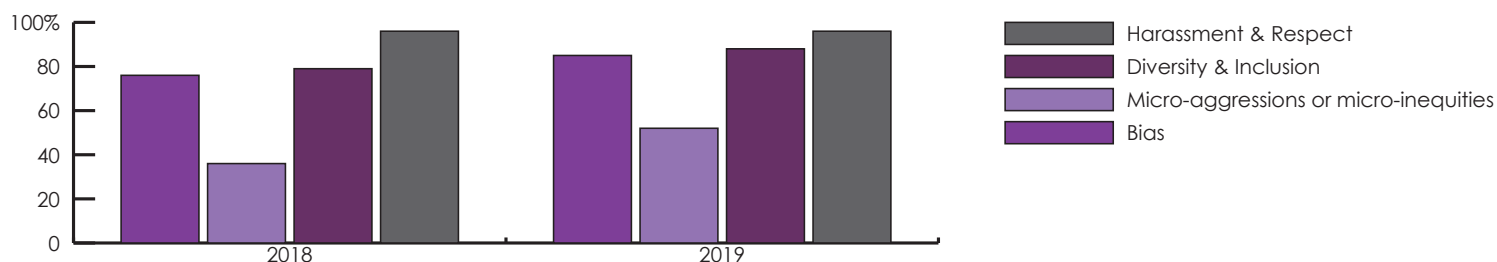
Diversity & Other Training: Firms engage in a variety of firm-wide training programs that often serve similar purposes as similar training and programming provided inside of women's or diversity initiatives. On the diversity training track, 85% of firms report offering firm-wide implicit bias training (compared to 76% last year), 52% report offering training on micro-aggressions or micro-inequities (compared to 36% last year), 88% report offering diversity and inclusion training (compared to 79% last year), and 96% report offering training in harassment policies and workplace respect. Overall, it seems that firms are increasingly offering at least some version of all these types of diversity and workplace culture trainings.

We asked firms to describe the above trainings they offered, and of the firms that offered each type of training, 75% offered some description of their implicit bias training, 67% offered some description of their micro-aggressions training, 73% offered some description of their

diversity and inclusion training, and 73% offered some description of their training on harassment and workplace respect. The common structure for all these trainings is one-off trainings lasting between 1 and 3 hours, with some firms offering CLE credit for participation and others making the trainings mandatory for at least some members of the law firm. Firms used both internal experts, such as diversity officers and partners, and external consultants/experts. Many firms report offering these trainings in an ongoing fashion and with a desire to reach all members of the firm, but some report offering it only for specific purposes, such as to OCI interviewers. Most firms provided little detail about the more specific substance or structure of these trainings.

"...it seems that firms are increasingly offering at least some version of all of these types of diversity and workplace culture trainings."

90% offer business development training, 72% offer management training, and 82% offer leadership training. These are most commonly reported to be made available to attorneys of all varieties and sometimes also include law firm staff.



³⁵ See e.g., Melissa Hart's "Subjective Decisionmaking and Unconscious Discrimination," 56 ALA. L. REV. 741 (2005).

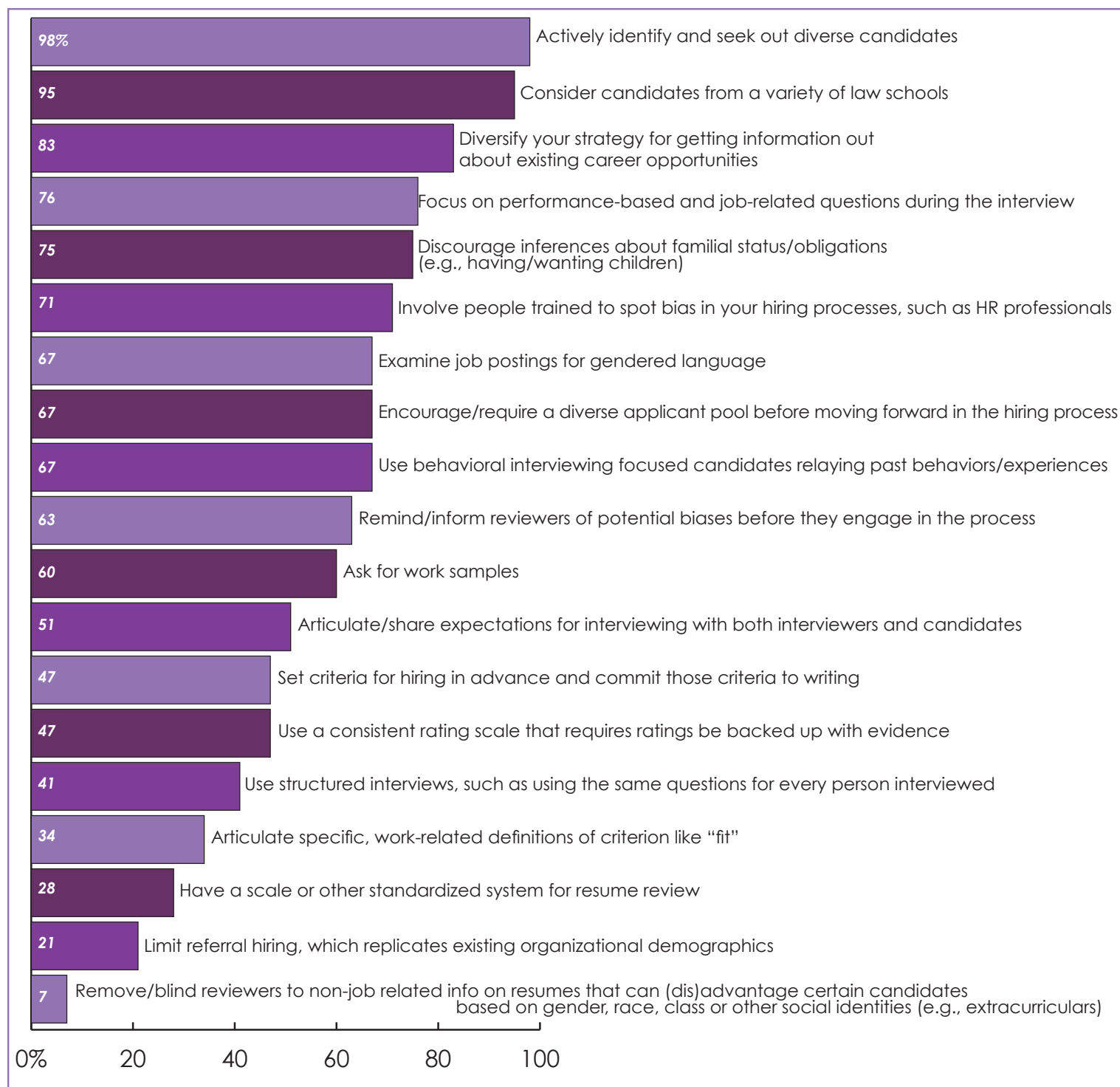
³⁶ Firms were allowed to consider their top-30 clients based on their own, unreported, criteria.

Bias-Interrupting Policies & Procedures: This year we also asked firms about bias reduction efforts. Specifically, we asked firms whether they had implemented bias interrupting procedures and processes meant to reduce the likelihood of biases (such as gender and racial biases) affecting evaluations and outcomes. A majority of firms (65%) reported that they had implemented bias interrupting procedures in at least one of the following areas: recruitment, hiring, performance evaluation, promotion (pre-partnership), elevation to non-equity partner, and elevation to equity partner. As was the case last year, the data showed again that the earlier in the employment relationship, the more likely firms were to report that they engaged in bias interrupting processes and procedures:

94% at recruitment (compared to 89% last year), 86% at hiring (same as last year), 76% for performance evaluations (compared to 70% last year), 57% at promotion (same as last year), 51% at elevation to non-equity partner (compared to 44% last year), and 55% at elevation to equity partner (same as last year).

“...the earlier in the employment relationship, the more likely firms were to report that they engaged in bias interrupting processes and procedures...”

Percentages of Firms using Best Practices³⁷ in Interrupting Bias in Recruitment and Hiring (based on 87 responding firms)

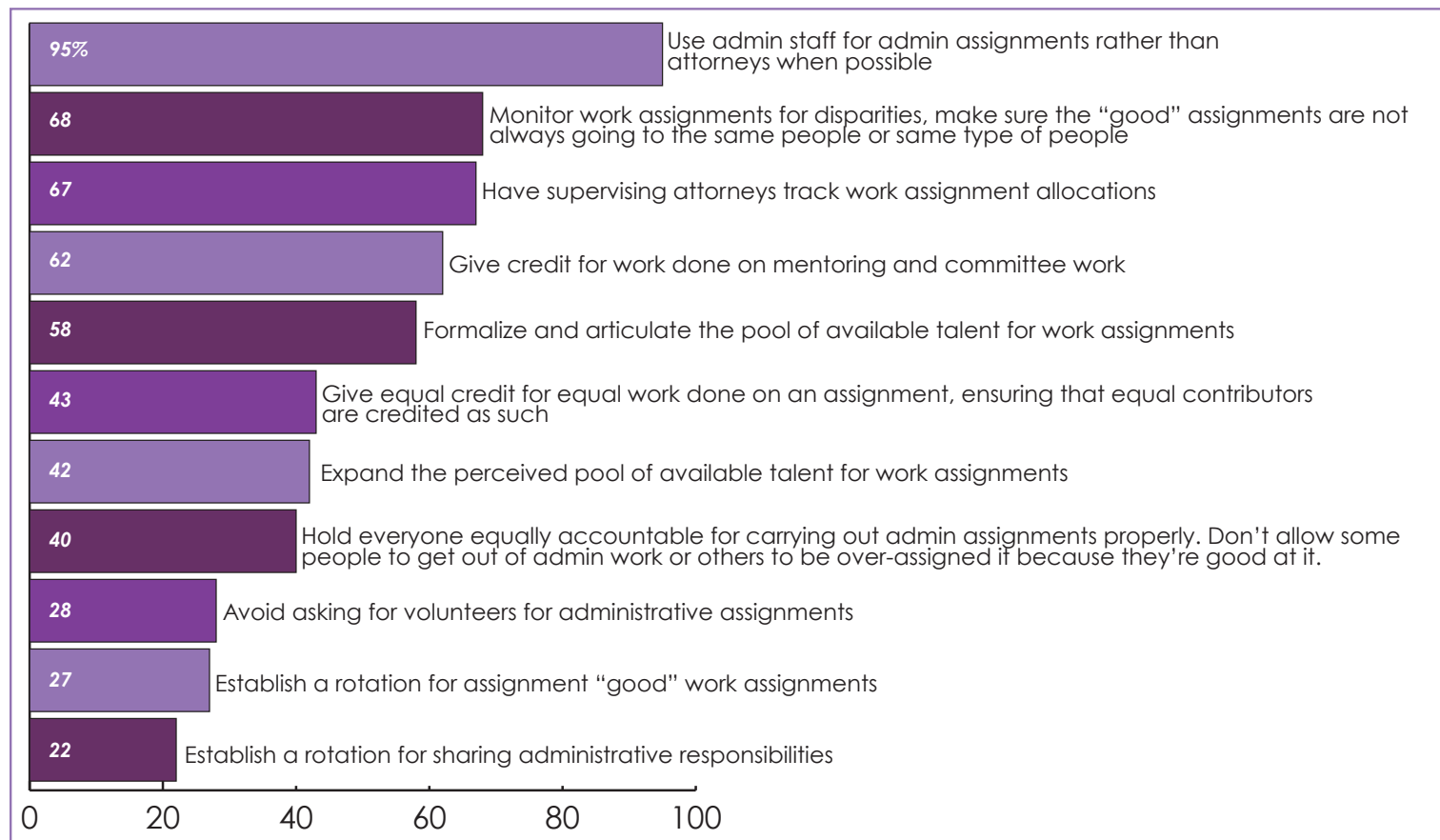


³⁷ These best practices were presented as part of the ABA’s Bias Interrupters Project and produced in the project’s report, *You Can’t Change What You Can’t See: Interrupting Racial & Gender Bias in the Legal Profession* (2018), available at http://americanbar.org/groups/diversity/women_initiatives_awards/bias-interrupters/

Firms seem much more likely to engage in bias reduction efforts that do not require changing or standardizing the hiring process or otherwise interfering with the discretion of the decision-makers in those decisions. In other words, that nearly all firms say they pursue diverse candidates, but fewer than half of the firms say that they engage in standard hiring practices used in other settings, such as setting hiring criteria, using consistent evaluation systems, or otherwise standardizing their processes to treat candidates as equally as possible, highlights a weakness in the bias-reduction efforts taken thus far by many firms; they are reluctant to engage in the processes most likely to reduce biased decision-making.

“...nearly all firms say they pursue diverse candidates, but fewer than half of the firms say that they engage in standard hiring practices...to treat candidates as equally as possible...”

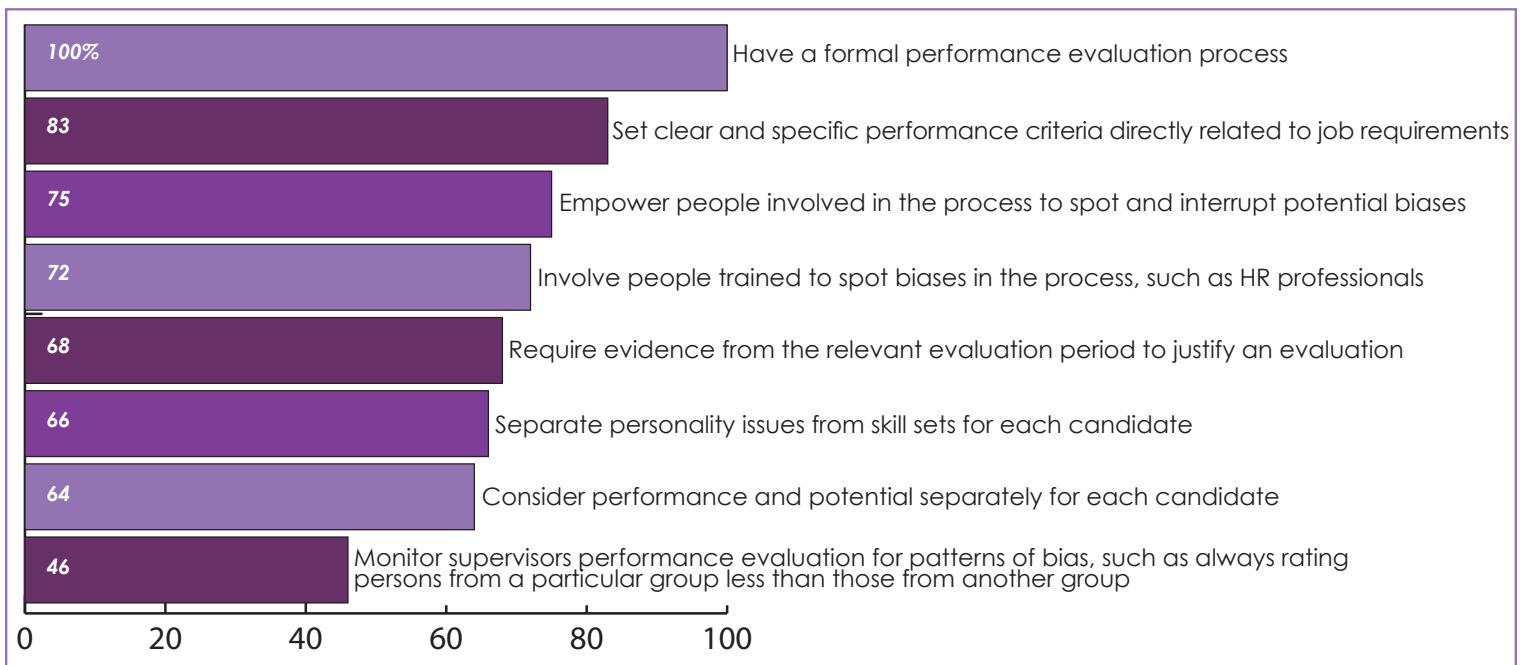
Percentages of Firms using Best Practices in Interrupting Bias in Making/Crediting Work Assignments (based on 60 responding firms)



With respect to work assignments, firms are most committed to bias reduction efforts that may already be part of the existing system, such as assigning administrative tasks to administrative staff, but they are not engaging in the monitoring or decision-making processes that may actually reduce bias in how work assignments are tracked and distributed.

“... [this] highlights a weakness in the bias-reduction efforts taken thus far by many firms; they are reluctant to engage in the processes most likely to reduce biased decision-making.”

Percentages of Firms using Best Practices in Interrupting Bias in Performance Evaluations (based on 76 responding firms)



Again, firms are most committed to reporting that they engage in a formal evaluation process, but they do not report engaging in many of the trademarks of a formal evaluation process.

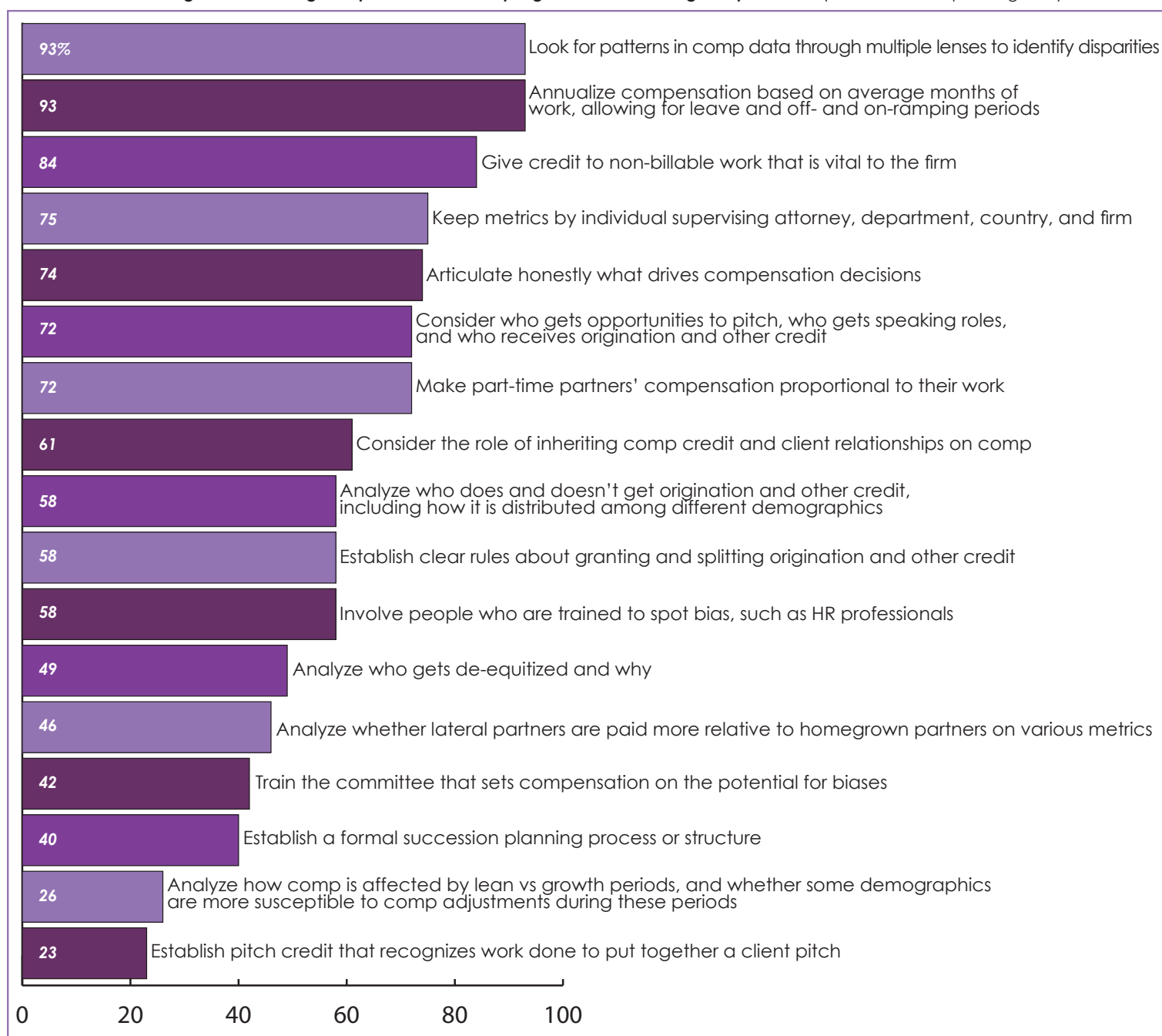
Finally, firms overall were much less likely to report information about their compensation processes, in line with reporting on compensation data. Firms were most likely to report looking at data and using objective compensation procedures like annualizing compensation in their processes. But they tend to look at data in higher level ways, such as looking at overall compensation data, but are less likely to report doing more targeted analyses that might reveal more nuanced underlying disparities. Further, unlike other decisions such as at recruitment and hiring and performance evaluations, firms were much less likely to involve people with expertise in bias reduction or to train or inform the decision-makers about the potential for bias in the compensation process.

It is important to point out that firms are much more likely to engage in (and report on) these bias reduction efforts at the earliest stages of an attorney's relationship with the firm, where the disparities between men and women are relatively small, but less likely to engage in similar efforts across the career lifespan when men's and women's trajectories diverge. Firms may have found ways to effectively reduce bias at the recruitment and hiring stages, as evidenced by smaller disparities there, but the stalled progress of women at subsequent levels combined with the decreased likelihood that firms are engaging in bias-reducing processes at these later decision points evidences a need for firms to consider expanding their bias-reduction efforts to decisions made once a woman is at the firm and advancing through her career.

"...firms were much less likely to involve people with expertise in bias reduction or to train or inform the decision-makers about the potential for bias in the compensation process."

"It is important to point out that firms are much more likely to engage in (and report on) these bias reduction efforts at the earliest stages of an attorney's relationship with the firm, where the disparities between men and women are relatively small, but less likely to engage in similar efforts across the career lifespan when men and women's trajectories diverge."

Percentages of firms using best practices in interrupting bias in determining compensation (based on 57 responding firms)



Family- Friendly Policies: In addition to active women's initiatives aimed at training and skill development (discussed in more detail below), we also asked firms about policies that are understood to benefit and support families and women in particular, such as flexible and part-time work schedules and help transitioning back into work after a family leave. Most firms reported offering both flexible (97%) and part-time work schedules (100%), the option to work from home (96%, compared to 88% last year), as well as on-ramping for those attorneys returning from leaves (82%, compared to 71% last year).

This year, we asked firms to describe their flexible and part-time work schedule policies, as well as their telecommuting/work-from-home and on-ramping policies. Of the firms offering these policies, 77% offered some description of their flexible schedule policies, 74% offered some description of their part-time work policies, 70%

offered some description of their telecommuting policy, and 73% offered some description of their on-ramping policies for attorneys returning from leave.

Parental Leave: The average number of paid weeks of parental leave offered was 15 weeks, and firms estimated that women take an average of 96% of the available paid time off, and men take an average of 72% of the available paid time off.

To supplement the paid leave offered, 66% of firms reported that they offer unpaid parental leave supplements, 20% said they did not offer any additional unpaid parental leave, and 14% reported that they determined it on a case-by-case basis but not as a matter of policy. Of the firms that offered unpaid parental leave in addition to their paid leave, they offered an average of 11 weeks of unpaid time off. Firms estimated that women take 46% of the available

unpaid time off, and men take an average of 22% of the available unpaid time off.

Finally, we asked firms to describe their parental leave policies, and 84% of firms offered some description of their policies. In these descriptions, firms largely noted that there are some differences in the treatment of primary versus secondary parents, birth mothers, and adoptive presents. In addition, it was commonly noted that the sources of paid leave can come from multiple sources, including firm-provided benefits and disability (for birth mothers in particular). What was also emphasized in these descriptions is that while paid leave tends to be standardized and formalized, unpaid leave was much more likely to be discretionary or otherwise determined on a case-by-case basis rather than by an articulated policy.

Women's Initiatives: All responding firms reported having a women's initiative program of some kind, and they reported that their initiatives had been in place for an average of 13 years, with a range from two years to a few decades. Overall, women's initiatives, once implemented, report similar longstanding practices over time, but it is unclear what impact, if any, these efforts have had on women's representation in more senior and higher status positions in the law firm. This year we scaled back our questions to focus on gathering more detail about what firms are actually doing in their women's initiative programming. Unfortunately, when asked to describe in detail their mentoring, sponsorship, and advocacy for women programming, we didn't receive enough responses to analyze.

Budget & Resources: In terms of resources, 90% of this year's firms report that they have specific budgets for their women's initiatives. Firms indicated that their women's initiative budgets often fall under the umbrella of their broader diversity budgets, but they reported more information this year about the portions earmarked for the women's initiative.³⁸ For the firms that have dedicated women's initiative budgets, the average budget was \$162,965 (compared to \$176,971 reported last year), and the range of women's initiative budgets was \$7,500 to \$1 million. This is compared to the firm's overall diversity budgets, with the average diversity budget (which in many but not all cases includes the women's initiative budget) was \$449,560 with a range of \$7,500 to \$2 million. Firms in higher-ranked quartiles reported larger budgets than those in lower-ranked quartiles. Firms in Quartile 1 (AmLaw 1 – 50) reported an average budget of \$335,834 compared to \$217,712 for firms in Quartile 2 (AmLaw 51 – 100), \$79,598 for firms in Quartile 3 (AmLaw 101 – 150), and \$100,129 for firms in Quartile 4 (AmLaw 151 – 200).

Monitoring for Equity: Many firms reported that there is active monitoring of the career trajectories of women in the firm. For example, most firms report monitoring promotion rates (88% this year compared to 83% last year) and succession plans (61%) by gender, taking into account the performance of women compared to men in these processes. Half of firms report monitoring work assignments by gender (50%, compared to 46% last year). We asked firms to describe how they go about monitoring promotions and work assignments by gender, and of those firms that reported monitoring, 55% of firms offered some minimal description of how they monitor promotions, and 62% of firms offered some minimal description of how they monitor work assignments. For promotions, firms overwhelmingly said that they simply tracked the demographics/statistics of the promoted attorneys, but they provided little additional information about what they did with that information. A handful of firms mentioned adhering to the Mansfield Rule procedures, and a handful of firms also mentioned monitoring their pipeline so that they're aware of who is (or is not) making progress toward promotion. For work assignments, again firms largely report that they look at the data,

but few provided any additional information about what they do with that information. A handful described that they have work assignment partners and/or practice group leaders, sometimes in conjunction with diversity officers or committees, do both the assigning and monitoring of work assignments with equity in mind within their groups or teams. Only one firm mentioned having a technology-based system that helps assigning partners distribute and monitor work assignments.

Programming: All firms report that their women's initiatives sponsor programming at least quarterly and 55% of firms hold programs monthly or weekly. A vast majority of firms report that their women's initiatives offer programming around business development (98%) and development of "soft skills" such as negotiation and navigating the law firm (87%), but only about a third offer programming around developing legal and research skills. Further, most firms' women's initiatives offer women management and leadership training (65% and 76%, respectively). Besides programming around business development, the most common activity for women's initiatives is networking, including opportunities for women to network with clients (95%) and for women within the firm to network with each other (99%). Women's initiatives are more likely to have mentorship programs than sponsorship programs (85% vs. 50%, respectively). Finally, most firms report that their women's initiatives highlight the achievements of women in the firm (87%), advocate for women- and family-friendly policies (79%), and advocate for individual women in the firm (70%).

"Overall, women's initiatives, once implemented, report similar longstanding practices over time, but it is unclear what impact, if any, these efforts have had on women's representation in more senior and higher status positions in the law firm."

"Despite the now universal adoption of women's initiatives, there is little evidence that these initiatives have led to substantial increases in the representation of women at the highest levels of the law firm, although they may be serving other useful purposes in the law firm."

³⁸ If firms indicated that their reported budgets were not funds earmarked specifically for the women's initiative, their reported numbers were not included in the calculations. We asked firms to report only budgets designated specifically for women's initiatives.

Despite the now universal adoption of women's initiatives, there is little evidence that these initiatives have led to substantial increases in the representation of women at the highest levels of the law firm, although they may be serving other useful purposes in the law firm. As suggested in NAWL's 2012 report on the efficacy of women's initiatives in particular, it is likely that firms still struggle to be strategic with their programming such that they do not tie it effectively to the goals and objectives they identify, they do not direct it specifically at different audiences (e.g., attorney type) with unique needs, or the programming is not deep or targeted enough to produce changes in the law firm where women's advancement is most affected.³⁹ Overall, what firms report doing within their women's initiatives has changed little since at least the comprehensive study of women's initiatives published by NAWL in 2012, and the progress of women in the law firm, especially at the higher levels, has remained similarly stalled. As called for in 2012, firms may need to rethink their women's initiatives and broaden diversity initiatives to better understand what purposes they are serving and to more effectively utilize them in service of supporting and advancing women and diverse attorneys.

Promising Trends for Women's Advancement in Law Firms

While the percentage of women equity partners (and diverse equity partners) has not changed dramatically in a decade, there are some promising results that may suggest focused attempts to increase representation that will translate into greater representation of women going forward. These results also show that firms seem to be taking NAWL's One-Third by 2020 Challenge seriously.

For the last three years of data reported, among recently promoted equity partners (those promoted in two years prior to data collection), about 33% have been women compared to 20% of equity partners overall. This is the exactly the standard set by the One-Third by 2020 Challenge, and should produce changes in the overall representation of women as equity partners over time.

Among new relationship partners, that is those that inherited clients due to transitions within the top-30 clients, 35% are women compared to 23% of all current relationship partners for a firm's top-30 clients.

Over the last decade, women have seen significant increases in their representation in firm leadership roles, including service on governance committees and compensation committees, and as managing partners and practice group leaders.⁴⁰ Firms in the AmLaw 50 reported that 37% of their governance committee seats were filled by women, an increase from their own numbers from last year, as well as a greater percentage than that reported by the rest of the AmLaw 200 this year or last.



Author Bio:

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Conclusion

Overall, the numerical results of the 2019 survey are an almost exact replication of those from 2017 and 2018. This may not come as a surprise, as NAWL has observed that the progress women have made in law firms over the last decade has been slow and incremental at best, and law firms continue to face challenges with respect to supporting and promoting women. Despite universal adoption of women's initiatives, a ramping up of broader diversity initiatives, and increased awareness of the challenges women face in their advancement through the law firm, there has been little progress made in recent years that is reflected in noticeable increases in representation of women and diverse attorneys, particularly at the more senior, higher status levels of the law firm. As law firms confront this reality, it has become clear that there is more that needs to be done to interrogate the processes and decision points for women's advancement to better identify where and why women's progress stalls during their careers. And what's needed most to do this is a willingness of firms to share their practices and data to provide as full a picture as possible of what is happening as attorneys progress through the law firm over the course of their careers.

"...it has become clear that there is more that needs to be done to interrogate the processes and decision points for women's advancement to better identify where and why women's progress stalls during their careers."

Many firms are hungry for best practices, and it is the collection of baseline data on practices, policies, and procedures currently in place that allows for a comparison to best practices from the organizational research literature, allows for benchmarking the existing practices of law firms and helps identify innovative practices and procedures that may not be well-known externally. Firms can benefit from leveraging well-established best practices for business that are more likely to reduce biases and ameliorate disparities, including changing how decisions are made or how policies are applied from how things have traditionally been done in the law firm.

"Firms can benefit from leveraging well-established best practices for business that are more likely to reduce biases and ameliorate disparities, including changing how decisions are made or how policies are applied from how things have traditionally been done in the law firm."

³⁹ 2012 NAWL Report of a National Survey of Women's Initiatives, available at <http://www.nawl.org/p/cm/ld/fid=82>
⁴⁰ See e.g., 2017 NAWL Annual Survey, available at <http://www.nawl.org/page/2017>

Survey Methodology in Brief

The 2019 NAWL Survey was sent to the 200 largest U.S. law firmsⁱ in February 2019 and responding law firms had until April 30, 2019 to submit their responses. This year, 96 of 200 law firms completed all or significant portions of the survey,ⁱⁱ a response rate of 48%.ⁱⁱⁱ An additional 10 firms formally declined to participate and these firms were given the opportunity to provide feedback about their reasons for declining to participate, leading to an overall response rate of 53%.^{iv} Firms completed questions regarding the demographics of attorneys at various levels, particularly women, as well as the structure of the partnership track, credit awarding processes, compensation and hours, and women's initiatives and other programming designed to support women in law firms.

The responding firms represent the full spectrum of the AmLaw 200 rankings. As in previous years, the quartile showing the lowest response rates were from Quartile 4 (AmLaw rank 151 – 200), with about 30% percent of those firms responding to the survey, and Quartile 1 (AmLaw rank 1 – 50), with about 42% of those firms responding. By comparison, 64% of those ranked in Quartile 2 (AmLaw 51 – 100) and 54% of Quartile 3 (AmLaw rank 101 – 150) responded.

ⁱ As reported in the 2018 AmLaw 200 Rankings.

ⁱⁱ As noted in more detail in the compensation sub-section, fewer law firms completed questions about compensation and hours, with many declining to provide the data, often noting that it's either considered confidential or is not collected in a way that matches the reporting format requested on the survey. As in most survey administrations, very few questions receive 100 percent response rates for various reasons, and firms were encouraged to complete as much of the survey as they were willing or able to complete while also maintaining the ability to skip other portions.

ⁱⁱⁱ This represents an increase in responses compared to the 2015 Survey (37 percent) and is consistent with response rates from 2017 (90 of 200 firms, 45%) and 2018 (97 of 200 firms, 48.5%). Firms that declined to participate cited reasons such as too many surveys, the length of this particular survey, and the sensitive nature of some of the data requested. NAWL will continue working to address some of these concerns to encourage increasing firm participation.

^{iv} The participation rate goes up to 66% (or 132 of the AmLaw 200 firms) when the participation rates for the last three years are taken together. There is a core group of firms that have participated in all three years, but there are a sizeable number of firms who participated in either one or two of the previous three years.