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NAWL'S MID-YEAR MEETING IN ATLANTA, GEORGIA

At NAWL's Mid-Year Meeting in Atlanta, Nelson Mullins hosted "Cocktails on the Couch" featuring, from left to right, Lisa Borders, President, Henry W. Grady Health System Foundation and President, Atlanta City Council; Louise Sams, Executive VP and General Counsel, Turner Broadcasting System and President, Turner Broadcasting System International; Donata Russell Major, President, The H.J. Russell Foundation; and Joia Johnson, Executive VP, General Counsel and Secretary, Hanesbrands Inc., all of whom were classmates together in high school. The lively panel was moderated by Mary Gill, a partner at Alston + Bird, not shown above.







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ABOUT WOMEN LAWYERS JOURNAL

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Women Lawyers Journal is published for NAWL members as a forum for the exchange of ideas and information. Views expressed in articles are those of the authors and do not necessarily reflect NAWL policies or official positions. Publication of an opinion is not an endorsement by NAWL. We reserve the right to edit all submissions.

ARTICLES

Book reviews or articles about current legal issues of general interest to women lawyers are accepted and may be edited based on the judgment of the editor. Editorial decisions are based upon potential interest to readers, timelines, goals, and objectives of the association and the quality of the writing. No material can be returned unless accompanied by a self-addressed, stamped envelope.

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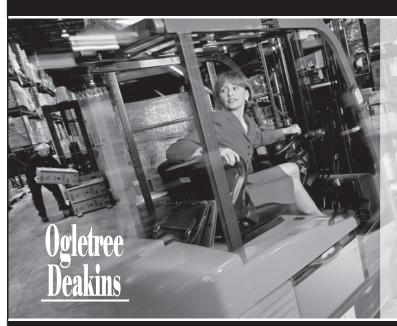


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NATIONAL ASSOCIATION OF WOMEN LAWYERS



About NAWL

Founded in 1899, NAWL is a professional association of attorneys, judges and law students serving the educational, legal and practical interests of the organized bar and women worldwide. Both women and men are welcome to join. Women Lawyers Journal®, National Association of Women Lawyers®, NAWL, and the NAWL seal are registered trademarks.

By joining NAWL, you join women throughout the United States and overseas to advocate for women in the legal profession and women's rights. We boast a history of more than 100 years of action on behalf of women lawyers. For more information about membership and the work of NAWL, visit www.nawl.org.

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EDITOR'S NOTE

Our last issue showed that, while women in law firms have come a long way, they still have a long way to go to be proportionately represented in law firm leadership and the partnership ranks. In this issue, we address the road being traveled by women of color and the obstacles they face—some of which are the same as white women lawyers but others which are very different. The Executive Summary from the Minority Corporate Counsel Association's report "Sustaining Pathways to Diversity: The Next Steps in Understanding and Increasing Diversity & Inclusion in Large Law Firms" provides a glimpse into the research and analysis being done in this area as well as recommendations on how to achieve diversity and inclusion. The article on the Women's Bar Association of the District of Columbia's report, "Creating Pathways to Success for All," also provides action steps for law firms to meet the diversity challenges being demanded by clients. I urge you to circulate these articles to your colleagues and think about ways to implement changes to promote diversity in your organization.



As you can see in the President's letter on the opposite page, the Women's Power Summit on Law and Leadership was a wonderfully empowering event and I highly recommend that you take a look at *The Austin Manifesto*, available on our website (www.nawl.org) and especially the pledges made. Commit yourself to fulfilling at least one of those pledges over the next 12 months.

In addition, we have a great book review of Susan Jacoby's book, "The Age of American Unreason," which is thought-provoking and challenging.

One of NAWL's greatest strengths is its programming and the pictures included in this issue are from some of the great events that NAWL has put on over the past few months, including the wildly successful and sold-out Mid-Year Meeting held in Atlanta, Georgia in February and highlights from our national Nights of Giving held in five different cities this spring.

I love hearing from our members and readers about what they like and don't like about the *Women Lawyers Journal*. If you have suggestions or want to write an article, please drop me an email. I hope you enjoy the issue!

Warm wishes,

Deborah S. Froling, Editor Arent Fox LLP Washington, D.C. froling.deborah@arentfox.com

PRESIDENT'S LETTER

I am writing this column as I am returning, as NAWL's representative, from the Women's Power Summit on Law and Leadership sponsored by the Center for Women in Law at the University of Texas. The event took place April 30 and May 1. It was billed as "an historic gathering of leading women in law, ranging from those at the highest echelons of private practice and the corporate sector to their counterparts in government, non-profits, academia, and the judiciary." Its purpose was to provide a forum for the exchange of ideas and solutions and culminate in a commitment to take specific collective actions to eliminate pervasive barriers to women's advancement in the legal profession.



The Women's Power Summit achieved its purpose. It was, in fact, attended by leaders in the legal profession from all walks of legal life, including leaders from a cross-section of organizations committed to the advancement of women lawyers. It was an extraordinary meeting that may well turn out to be a "tipping point." It culminated in *The Austin Manifesto*—a commitment of those present to work together collaboratively and to use their voices collectively and powerfully to eliminate the barriers that have, for way too long, thwarted the advancement of women in the legal profession. The Manifesto can be found in its entirety on the NAWL website at www.nawl.org.

The Summit itself was preceded by another historic event. On April 29, a Pre-Summit meeting of Thought Leaders was co-sponsored by NAWL, the ABA Commission on Women, the Minority Corporate Counsel Association, the Opt-In Project, the Project on Attorney Retention, and Flex-Time Lawyers. A smaller group of 26 leaders from many of the same organizations who would be attending the Summit, took time out of their very busy schedules, to convene and "put on the table" the research, programs and related activities in which they were currently involved that were aimed at advancing women in the legal profession. The goal was to identify activities on which collaboration and our collective voices would serve to maximize resources and accelerate change. The Pre-Summit meeting also achieved its purpose with the identification of activities on which collaboration is possible and a commitment to do so.

I am very proud that NAWL was a co-sponsor of the Pre-Summit and a participant at the Women's Power Summit. NAWL has always been committed to working collaboratively. Here was an opportunity to take our efforts to the next level. NAWL played an integral role in helping to bring together this outstanding group of women leaders. The NAWL Challenge to increase the number of women attorneys in equity positions in law firms, as general counsel in legal departments, and as tenured professors from 15% to 30% became a specific goal of *The Austin Manifesto*. The results of our *Annual Survey on the Retention and Advancement of Women Attorneys* as well as the recommended actions contained in NAWL's 2007 Summit Report: *Actions for Advancing Women into Leadership Positions in Law Firms* served to inform the Summit's discussions and provide direction.

The Women's Power Summit concluded on May 1 shortly after Justice Souter announced his decision to retire. Justice Souter's decision provided the Summit participants with an opportunity to take their first collective action: to call upon President Obama to nominate a woman to fill the vacancy and to commit to work individually and through our associations for the nomination of a woman to that position. NAWL will be doing its part through its Supreme Court Committee to do just that.

Stay tuned.

Warm wishes,

Lisa Horowitz
NAWL President 2008-2009
McDermott Will & Emery LLP
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EVENT HIGHLIGHTS

NAWL's Mid-Year Meeting

February 5, 2009 Atlanta, Georgia

NAWL's sold-out Mid-Year meeting was held in Atlanta, Georgia on February 5, 2009 at the Twelve Hotel. Co-chaired by Mary Gill, a partner at Alston + Bird LLP, and Anita Wallace Thomas, NAWL Board Member and partner at Nelson Mullins Riley & Scarborough LLP, the event included CLE programs and NAWL award recipients, Turner Broadcasting System, Inc. (NAWL Challenge Award), Roxanne Douglas, Chief Counsel, McKesson Corporation (Leadership Award), and John Childs, Chief Counsel, Georgia-Pacific LLC (Leadership Award). In a change of venues, mid-year meeting participants headed over to the offices of Nelson Mullins for Cocktails on the Couch, a discussion with four women leaders who were high school classmates and are now leaders in the fields of politics, philanthropy, business and the law. Below are some pictures from the event.



A view of the filled room at the Twelve Hotel during the luncheon award presentations.



NAWL President-Elect Lisa Gilford and Vice President Dorian Denburg pose with a few of their friends.



One of the day's speakers, Monique Hunt McWilliams, mingling with the crowd.



Mid-year meeting co-chair Anita Wallace Thomas and NAWL Leadership Award recipient Roxanne Douglas, with others, pose for the camera.

NAWL's National Nights of Giving

Spring 2009

Following a fabulously successful inaugural **Night of Giving** in Washington D.C. NAWL sponsored five more Nights of Giving across the country, including Los Angeles (benefitting Step Up Women's Network) and Boston (benefitting Dress for Success Boston). In Hillside, New Jersey, pictured below, the NAWL event was held at the Community Food Bank of New Jersey, a member of Feeding America, which fights hunger and poverty by distributing food and grocery products, education and training and creating programs to meet the needs of low-income people by involving all sectors of society in the battle.





In Miami, the NAWL Night of Giving event at the offices of Shutts & Bowen LLP benefitted Casa Valentina, an organization that addresses the unique, gender-specific needs of young women transitioning from foster care to independent living by providing them with up to two years of safe and affordable housing, life skills and self-advocacy training and support services.

In Chicago, at the offices of Drinker, Biddle & Reath LLP, NAWL, along with BWLAW of Greater Chicago and LGBA of Chicago sponsored a Night of Giving benefitting Sarah's Circle, an organization which provides a refuge for women who are homeless or in need of a safe space, providing housing assistance, case management, referral services and life necessities.





Photo by CarlosBaez.com

Creating Pathways To Success For All: Achieving The Diversity That Our Clients Want From Law Firms

By Lorelie S. Masters



Lorelie S. Masters is a partner in the DC office of Jenner & Block LLP. As President of the Women's Bar Association of the District of Columbia for 2007-2008, she led the WBA's effort to organize its March 19 Diversity Summit and publish its 2008 Report, *Creating Pathways to Success for All.* The WBA report is available at www.wbadc.org.

"As we increase diversity and inclusion in our profession, we will help ensure the continued credibility of lawyers as leaders in our society—and increase the success of our lawyers, and law firms, to win the battle for talent and increased inclusion." Clients increasingly are demanding that law firms provide diverse teams of attorneys to staff their matters. At the same time, women and women of color, leave law firms in disproportionally high numbers. Less than 20% of law firm partners nationwide are women. Even today, after years of focus on diversity and inclusion, only 1.65% of law firm partners nationwide are women of color. Our statistics in DC are marginally better, with slightly more than 2% of partners being people of color. In 2006, the ABA Commission on Racial and Ethnic Minorities reported that less than one percent of women of color stay at their law firms through their eighth year.

The Women's Bar Association of the District of Columbia (WBA) took these statistics as a call to action. We know that women lawyers and women lawyers of color are ambitious and want to succeed. Therefore, beginning in 2005, the WBA began its Initiative on Advancement and Retention of Women to study the reasons why the numbers of women and women of color at the top ranks of our profession have stagnated since the mid-1990s. Given the continuing paucity of women partners and managing partners in our law firms, it is apparent that the solutions to the need for increasing diversity and inclusion in law firms will not simply happen as the numbers of women and women of color in the profession increase. Women have made up half of our law school graduates since the mid-1980s, but that success has not translated commensurately into continued increases of women at the top ranks of our profession.

Continuing the work of the WBA's Initiative on Advancement and Retention of Women, the WBA, this year, addressed these issues through its Diversity Summit. The WBA published its 2008 Initiative Report, *Creating Pathways*

to Success for All, to set forth both the findings from its March 19 Summit, held at Howard University Law School, and the WBA's recommendations for increasing stemming the disproportionately high attrition of women of color from law firms. We firmly believe that we can reverse the trend confirmed by the stagnating statistics and promote diversity and inclusion if all stakeholders work together to address the issues that, for too long, have prevented us from increasing the number of women, and women of color, at the top ranks of our profession. As we say in our 2008 Report, available at www.wbadc.org, we win when all stakeholders—law firms, clients, lawyers, law schools, and bar associations—work together, without preconception or fear, to address the root causes of attrition and failure to thrive in law firms.

Importance of Efforts to Achieve Diversity and Inclusion

Moreover, if we can address the causes of attrition for women of color, it is likely that the problems of attrition for women lawyers generally, and for men lawyers of color, will also abate. The overall finding of our Summit and work on these diversity and inclusion issues shows that women of color largely face the same issues confronting women and men of color—but they experience them more intensely because women of color confront the assumptions arising from both gender and race.

The WBA's 2008 Report builds on our effort, begun in 2005, to study why women lawyers leave law firms in disproportionally high numbers. In this work, the WBA, with help from other bar association sponsors and leaders, seeks to dispel myths that retard women's success in law firms and help law firms, clients, and lawyers identify

strategies that will stem attrition and increase inclusion at all levels of the law firm. All ideas need to be on the table. As we increase diversity and inclusion in our profession, we will help ensure the continued credibility of lawyers as leaders in our society—and increase the success of our lawyers, and law firms, to win the battle for talent and increased inclusion.

Why Women Stay, and Why They Leave

To understand why women of color leave law firms in high numbers, it is important to understand why lawyers, regardless of gender, stay. Lawyers are accustomed to success. Lawyers therefore, like all high-achievers, are more likely to stay if they see a realistic possibility of success, and if they believe that benefits in the law firm are distributed on a level playing field, pursuant to an understandable system of rewards.

Contrary to long-standing assumptions, statistics show that the majority of women who leave law firms continue to practice law. Therefore, the lack of women and women of color in the top ranks of our law firms does not emanate from a lack of ambition or interest in success. On the contrary, the lack of women at the top rank of law firms is a self-perpetuating prophecy. In these days when 50% of law school classes are women, the obvious lack of women and people of color role models and successes at the top of our law firms communicates a clear message to women of color. Increasing the numbers of women and people of color at all levels of law firm management will help communicate the unmistakable message that women of color have as great an opportunity to succeed as anyone.

In 2005, the WBA began its Initiative on Advancement and Retention of Women based on the premise that law firms cannot continue to afford to lose half the talent pool on whom they spend so much to recruit and train. Pursuing a theme identified in the Initiative's 2006 Report, *Creating Pathways to Success*, the WBA in 2007-2008 sought to focus on the combined effects of race and gender as they affect women of color in the law.

Common Themes Retarding Women's Efforts to Reach the Top of the Legal Profession

With 83% of law firm partners being men, women lawyers often report feeling alienated and isolated in the law firm environment. In 2008, we saw themes that came up in our 2006 Report rise again—only with more intensity. Thus, our Diversity Summit showed that, for women of color, their sense of isolation is compounded by their race. A web-based survey conducted in advance of the Summit and discussions at the Summit confirmed

that women of color face many of the same barriers and challenges as white women. However, because women of color struggle with additional stresses of being a "standard bearer" for their race or ethnic group and of exclusion from both formal and informal networks that help members of the majority group succeed, barriers facing women of color are more pronounced.

What are the common themes and obstacles identified in the WBA's 2006 and 2008 Reports?

- Unexamined bias presents a major barrier to success and to failure of recognition by management to recognize the challenges faced by women and women of color in law firms.
- Unexamined bias and inability to facilitate honest communication leads to "micro inequities"—verbal and non-verbal messages that communicate discomfort and lead to negative perceptions of competence about women of color, so-called "soft" evaluations (lack of specific, substantive feedback) and non-substantive or uninteresting work assignments.
- The inability to access both formal and informal networks in the same way that men can, greatly diminishing the opportunities to develop and inherit business.
- Lack of concrete standards about requirements and competencies needed to ascend to law firm partnership. Because women and women of color tend to have greatly diminished access to informal networks and mentoring by business generators in law firms, they are much less likely to have a clear understanding of how partnership decisions are made and the "hard" and "soft" requirements that must be met on the road to partnership.
- A lack of structures to help ensure that all lawyers, regardless of gender or race or ethnicity, have equal access to quality assignments and training throughout their careers from first-year associates through the partner ranks.
- A general lack of accountability and lack of periodic evaluations of partners and their efforts to help the firm achieve diversity goals. A growing recognition that law firms have not caught up to corporate America's focus on management and statistical analysis of law firm efforts to achieve diversity and inclusion. The lack of statistics and metrics helps perpetuate myths surrounding reasons why women and women of color leave law firms and prevent clear understanding of the causes of the disproportionately high attrition of women and women of color from law firms.

"Common obstacles include recognition that law firms have not caught up to corporate America's focus on management and statistical analysis of law firm efforts to achieve diversity and inclusion."

- Lack of objective criteria used in the compensation process and lack of women and people of color on law firm compensation committees.
- Lack of oversight of evaluation processes to ensure that all associates receive substantive, constructive evaluations that lead to professional growth and substantive skill development. Women of color, in particular, from our Summit reported a widespread tendency to give women of color "soft" evaluations.

These themes serve as a backdrop for recommendations that will help our law firms and our profession become more diverse and inclusive.

Inclusion Is the Key

With a sustained focus and commitment to change, we can achieve the diversity we seek—and, increasingly, our clients demand. All stakeholders—law firms, clients, lawyers, law schools, and bar associations—have a role to play. Success will require communication among all stakeholders and a willingness to move beyond the myths and assumptions that have in past years been the driving force behind efforts to increase diversity. The time to act is now. Success is achievable if all of us work together.

The WBA's Report challenges all of us to act within our spheres of inf uence to effect change. We recommend that law firms, clients, lawyers, law school, and bar associations take the following actions:

Law Firms:

Strengthen law firm culture:

- Include women of color in all key committees, firm programs, client pitches, and day-to-day client relationships, demonstrating a top-down commitment to inclusion and advancement for all lawyers.
- Recognize that women of color do not wish to be "the standard bearer" for their race or gender, and that such roles can, to a disproportionate extent, divert women of color's time from activities, like substantive training and client development, that have a much greater effect on promotion and success in a law firm.
- Ensure that, in organizing internal and client events, theme and focus are not geared solely to the interest of the majority to the discomfort of women of color or other minorities.

- Recognize the role of micro-inequities and unexamined bias, and provide strategies for correcting previously unexamined biases.
- Support efforts by bar associations and other groups seeking to advance and increase retention of women of color.

Evaluate law firm leadership structures:

- Promote women of color to leadership positions in practice groups and law firm decision-making structures.
- Groom individual women of color for key roles in client relationships and firm leadership.
- Devise a structure that allows for anonymous exit interviews as a means of obtaining accurate data about why women of color leave the firm.
- Devise systems that establish accountability by individual supervisors for achieving results in advancing and retaining women of color. Develop metrics to monitor progress.
- Equalize work on firm committees and assign credit, especially for lawyers who may do more than "their share."

Active involvement in attorney development:

- Communicate directly with women lawyers of color regarding their experiences at the firm from entry to exit.
- Ensure that practice-related and training information is disseminated through organized settings, rather than informal structures that benefit the majority group.
- Communicate to all lawyers the skills and capabilities that are key to advancement in the firm. Monitor assignments and evaluations to ensure that women of color get equal opportunities.
- Offer skills-based training, including networking, business development skills, and practice group procedures and protocols.
- Collect objective statistics on participation of women of color in client relationships and businessdevelopment opportunities.
- Hold practice group leaders accountable.

Clients:

- Articulate your company's diversity goals to outside counsel. Hold them accountable.
- Communicate directly with women of color assigned to your matters and invite them to participate in meetings and other events.
- Maintain a visible and vocal presence in law school and bar association efforts trained toward clientdevelopment and client management skills training.

Lawyers:

Active career management:

- Be proactive and persistent. Ask for what you want. Begin managing your career actively on day one. Have a five-year, ten-year, and longer career plan. Focus early on developing internal relationships and your reputation in the firm. The first few weeks at a law firm are crucial to maximizing opportunities for success, especially for women and women of color.
- Develop a group of partners who rely on your work and attract business internally. "Internal marketing" is as important as external marketing.
- Be an active firm citizen. Seek out interesting projects, initiatives, and committees at the firm.
- Proactively seek out high-quality assignments. Talk directly to lawyers and ask for the work you want.
- · Ask for meaningful feedback on all assignments.

Excel in core skills:

- · Learn the business of law as well as legal skills.
- Understand the core skills that the firm values and work to obtain them.

Learn business development:

- Manage client relationships. Ask clients what they need and how you can better serve them.
- Cross market with colleagues because it is easier to develop business from existing clients.

Cultivate a broad network:

- Cultivate relationships with "sponsors" in the firm and ask for their help and advice.
- Seek mentors of all backgrounds and levels of seniority both inside and outside the firm.
- Use bar associations and other non-profit and affinity groups to expand your network and identify

opportunities for professional development and advancement.

Work for positive change:

- Present arguments for change in a meaningful business-oriented fashion to help strengthen your opportunities for advancement.
- · Initiate your own programs and invitations.
- Expect adversity and persevere. All lawyers encounter challenges—work to learn and maximize the advantage in every situation.

Law schools:

• Educate law students, especially women and people of color, about the practice and business of law, the importance of networking, and the process of cultivating client relationships. Communicate with law firms to find out what skills-base and business development training firms seek. Coordinate with bar associations and other groups promoting inclusion and developing skills-based trainings.

Bar Associations:

- Ensure that women and people of color are represented throughout the leadership of your organization.
- Communicate the business case for improving retention and inclusion.
- Develop and publicize best practices and law firm structures to increase diversity and inclusion. Provide objective data on retention statistics, compensation, and other metrics.
- Issue reports and develop programs addressing retention and advancement issues.

Conclusion

The time to act is now. Our clients and our prospective employees graduating from law schools expect it, and it is the right thing to do. With NAWL and other groups, the WBA has sought to lead the way with its Initiative, its Diversity Summit, and its 2006 and 2008 Reports. Let us all continue that momentum by working for change. Working together, we can change our profession for the better for the benefit not only of women of color but for our firms, our clients, and our society as a whole.

Sustaining Pathways to Diversity: The Next Steps in Understanding and Increasing Diversity & Inclusion in Large Law Firms

Executive Summary

Strategic Leadership and Commitment

The majority of respondents reported overwhelmingly that the leadership of their law firms have communicated a commitment to diversity. However, minority lawyers and female associates rated the strategic leadership and commitment to diversity in their firms lower (81% and 79%, respectively) than did whites and male partners (90% and 94%, respectively).

Many white men reported their perceptions that their firms were committed to diversity, but it was at the expense of the opportunities available to white men and there was some resulting resentment.

The results of the survey suggest that, while law firms are communicating their commitment to diversity more effectively, the commitment may not always be accompanied by a clear message explaining why diversity is important.

Recommendations

Strategic Leadership and Commitment

- Law firms should continue to stress the strategic importance of diversity and inclusion from the leadership level, including why it is a priority.
- Law firms should ensure that white male voices are included in dialogues on diversity and inclusion, and focus on how more-inclusive workplaces are better for everyone.
- Law firms should regularly "check in" with their lawyers to ensure that the diversity and inclusion efforts are working effectively.

Recruiting and the Myth of Meritocracy

Research in this report illustrated that for many law firms, the standards for recruiting minorities was actually higher than it was for recruiting whites, and that the myth of meritocracy (i.e., that law firms hire and promote on purely objective merit criteria) continues to exist at law firms. A strong sentiment continues to exist among white men that racial/ethnic minorities who are hired into law firms are less qualified than other candidates. This perception is reinforced by a related sentiment that even minorities who graduate from top law schools are less qualified because they entered those law schools through racial preference programs.

The survey findings indicate that minorities were less likely than whites to view the criteria of law school ranking and law school grade point average as important. Nevertheless, the group most likely to disregard the primacy of these criteria—female associates—is made up mostly by white women. The group most likely to hold these criteria as critical to recruiting new lawyers was white male partners.

Women generally reported that these two traditional criteria should be balanced with other criteria (e.g., judicial clerkships, prior work experience, and interview performance), whereas men generally responded that these other criteria were less important than the traditional "pedigree" criteria (i.e., law school rank, and law school grade point average or individual class rank).

In spite of the perceived tensions between pedigree and diversity, many respondents discussed how law firms have closed off their opportunities to recruit highly qualified and diverse lawyers by staying frozen in historical recruiting models, instead of broadening the recruiting pool.

Recommendations

Meritocracy Perceptions

- Law firms should candidly assess the criteria that lead to success in their workplaces, and create interviewing and hiring protocols that ref ect their realities, instead of perpetuating the myth that success is predetermined by the rank of the law school candidates attended or their law school grade point averages and/or individual class rank.
- Law firms should articulate and communicate their "reality-based" hiring criteria, and ensure that they are consistently and uniformly applying the criteria to all candidates.
- To increase diversity among interview candidates, law firms should focus on attending regional job fairs that focus on diverse candidates, increase the universe of schools from which they recruit, and participate in collaborative efforts with other law firms to attract diverse candidates to regions that historically may not have attracted these candidates.

Inclusion and Work Environment

As previous studies have documented, even when law firms improve their performance in hiring a more diverse lawyer workforce, they continue to struggle in their ability to retain the minorities, women, and lesbian, gay, bisexual, and transgender (LGBT) lawyers that they hire. Current data¹ indicate that the overall levels of inclusion in the workplace have not yet caught up with the commitment to diversity expressed by law firms.

This study closely examined six key inclusion and work environment criteria that lead to greater retention of all lawyers in general, and minority and female lawyers in particular:

- Overall parity in treatment as compared to peers;
- Absence of discrimination (which instead may frequently take more-subtle forms);
- · Access to good work;
- Balanced and candid performance evaluations;
- · Inclusion in informal networking opportunities; and
- Inclusion in the development of clients and client relationships.

As the responses to this survey illustrate, women and minorities are less likely to feel that they are treated as equals by their peers, and they are more likely to experience disparities that are not reported by those outside of their race, gender, and/or sexual orientation (*i.e.*, straight white males). This research indicates that women and minorities are less likely to receive the work that they are looking for, and they are also more likely to report unfair performance evaluations. Furthermore, women and minorities are less likely to feel included in informal networking, as well as opportunities to develop clients and client relationships.

Minorities and women were less likely than male partners and male associates (most of whom were white) to rate their work environments as places where they were treated as peers by their peers.

African American lawyers were the most likely to rate their work environments as the least inclusive, whereas white lawyers were the most likely to rate their work environments as highly inclusive.

Only 58% of minorities reported being satisfied with the opportunities they had to participate in business development efforts with important firm clients, in comparison to 73% of whites.

Inclusion and Reverse Discrimination

Tensions between pedigree and diversity resurfaced in many white men's comments on what they perceived to be "reverse discrimination" in inclusion efforts. These expressed perceptions highlight the communication challenges that law firms continue to face in promoting inclusion in a way that embraces the perspectives of white men, who may see inclusion efforts as a challenge to their perceptions of their workplaces as bastions of meritocracy.

In practice, however, the significance of this resentment by many white men in law firms may be that it perpetuates the disparate treatment that many women, minorities, and LGBT lawyers report.

Work/Life Balance

For many participating in the survey, the work/life balance options offered by their law firms were a direct ref ection on the inclusive nature of their workplaces. Respondents also differentiated between the existence of these options and their ability to exercise these options without negative consequences to their careers.

Overall, minorities and women responded more negatively than white men about work/life balance in their law firms. It is interesting to note, however, that the perspectives shared by female associates were much closer to those of male associates than they were to female partners, illustrating a generational difference on this issue that appears of greater impact than a gender difference.

Recommendations

Inclusion and Work Environment

- Law firms should create an action plan that proactively increases inclusion in the way attorneys experience work and life at their firms.
- Law firms should expand their definitions of and trainings on discrimination to include subtle forms of discrimination, as well as examples of disparate treatment.
- Law firms should create an ombudsperson role in their firms, so that attorneys who want to discuss their experiences have a well-trained and well-informed person to whom they can turn for guidance.
- Law firms should regularly evaluate their workallocation protocols to ensure that everyone in the firm has equal access to the quantity and quality of work they need to effectively develop and advance in their careers.

Recommendations (continued)

Inclusion and Work Environment

- Law firms should ensure that all senior lawyers who play a role in the evaluation of attorneys are well-informed and well-trained in effective feedback and evaluation techniques.
- Law firms should gather data on how people perceive their experiences and opportunities, as well as create networking, client-relationship building, and client-development activities that ensure that everyone feels included in these integral efforts.
- Law firms should focus on the development of inclusive work/life balance programs as well as the cultural change necessary for people to take advantage of these programs without penalty.

Professional Development and Retention

Coaching, Mentoring, and Supervision

Although the survey revealed that law firms have a lot of work to do to provide adequate coaching and mentoring for all lawyers, one recurring theme ref ects the disparity between whites and minorities— as well as the disparity between men and women.

In this survey, 71% of whites felt that they had adequate coaching and mentoring to be successful in achieving their career goals, compared with only 62% of minorities who felt the same. When asked whether they had a mentor who was an inf uential sponsor and can advance their career, only 58% of minorities responded positively, as compared to 74% of whites. Similarly, only 61% of female associates responded positively to the question regarding influential mentors, in comparison with 68% of male associates; only 76% of female partners responded positively to the same question, in comparison to 82% of male partners.

Minorities who attended Top 10 schools reported having less access to mentoring, coaching, and sponsorship than did all white lawyers without regard to what law school they attended. These responses underscore a startling fact: The reality experienced by "top minorities" (i.e., graduates of elite law schools) in law firms is inferior to that of whites who graduated from second- and third-tier law schools. This finding evinces a level of disparate treatment and/or discrimination that is entirely inconsistent with the assertion of a meritocracy within law firms.

The good news is that the majority of women and minorities do not believe that they are victims of discrimination based upon their race or gender. Many did report, however, that various forms of subtle and often-unconscious bias permeate workplaces today, as compared to the more-traditional forms of discrimination that involve overt and explicit articulation of stereotypes and prejudice.

Training and Development

Overall, 75% of whites perceived that they had access to the training and development that they needed in order to grow and advance professionally, compared to only 59% of minorities. Similarly, 69% of male associates indicated that they had adequate training and development, as compared to only 59% of female associates. Furthermore, 84% of male partners reported having adequate training and development, as compared to only 72% of female partners.

Only 65% of minorities reported that they received appropriate training for the work that they did, compared to 78% of whites. Only 71% of minorities responded that they were satisfied with the level of client contact they received in connection with their development, as compared to 85% of whites.

One area of specific concern to women and minorities was the perception that allocation of work is often dependent on the "old boy network" instead of knowledge, skills, and experience.

Less Support, Higher Standards

Women and minorities reported that they had to perform at a higher level to gain the same credibility and career opportunities as their white male peers. For example, 40% of minorities responded that they had to perform at a higher level to gain the same credibility and career opportunities, as compared to only 19% of whites. Similarly, 31% of female associates and 37% of female partners perceived they had to perform at a higher level, as compared to only 19% of male associates and 15% of male partners.

Advancement and Leadership

Many women and minorities saw their opportunities for advancement and leadership as less realistic than their white and male counterparts. This perception not only affected their perceptions of long-term success at their law firms, but also increased the likelihood that they would leave their law firms for other opportunities.

Although minority lawyers and white lawyers alike aspired to advance into leadership positions within

their firms, only 59% of minority lawyers reported understanding what the criteria were for advancement, as compared to 75% of white lawyers. Moreover, many minority lawyers expressed that the criteria for advancement were both subjective and shared selectively by partners with associates with whom the partners were comfortable. These results indicate that minority lawyers often feel excluded from gaining the information they need in order to advance.

Further, 23% of female associates and 18% of female partners felt that their gender would hinder their advancement in the firm, as compared to only 3% of male associates and 2% of male partners. The white men who indicated that gender would hinder their advancement did so due to perceived harm by reverse discrimination.

Among LGBT respondents, more male LGBT lawyers than female LGBT lawyers believed that their sexual orientation would constitute a barrier to advancement. Female LGBT lawyers reported that gender was a greater barrier than their sexual orientation.

Recommendations

Professional Development and Retention

- Law firms should implement training programs for partners that focus on unconscious and subtle biases to ensure that personal subjectivities do not hinder equality in opportunities for professional development for all attorneys. This anti-bias training must include sexual orientation.
- Law firms should develop and implement "upward review" or 360-degree processes for junior lawyers to provide feedback on how partners are assigning work and providing feedback to junior lawyers, as well as evaluating, mentoring, teaching, and developing them. The information gathered through the "upward review" or 360-degree processes can be used to identify opportunities for improvement in the professional development and retention of younger lawyers, as well as hold partners accountable for fully participating in the equitable professional development of all junior lawyers. Without the input of younger lawyers on how senior lawyers are participating in their professional development, the biases of partners to select the lawyers they mentor and develop, based on their own comfort zones, continues unchecked.

Recommendations (continued)

Professional Development and Retention

- Law firms also should have comprehensive exitinterview protocols so that departing attorneys are afforded an opportunity to provide feedback on their experiences, their reasons for leaving, and their suggestions for workplace improvements. These data should be aggregated and reviewed to ensure that the firm draws lessons from current attrition that help increase retention in the future.
- Law firms should create leadership development and succession-planning programs that articulate the appropriate skills and characteristics for advancement in order to create a diverse pipeline into leadership positions within the firm. With regard to succession planning in particular, law firms should pay specific attention to ensuring that a diverse group of lawyers is being groomed and mentored to assume relationship and/or billing responsibility for key clients of the firm. It is especially critical to focus on leadership development and succession planning early on in the careers of young lawyers.
- Law firms should acquire and apply a thorough understanding of generational differences when creating communication, work allocation, feedback, professional development, and retention strategies to ensure that changes in expectations and perceptions from generation to generation are respected, valued, and accounted for in the workplace.

Personal Involvement and the Commitment to Diversity

Although all groups universally reported high rates of support for the desire to work in a diverse and inclusive law firm, the survey results indicate that women and minorities displayed a disproportionately higher level of participation in diversity-related events and initiatives.

Nevertheless, women and minorities reported being significantly less comfortable voicing their disapproval if they overheard negative comments based on race, gender, and/or sexual orientation. Many female and minority lawyers expressed concerns that they would be viewed as "troublemakers" if they spoke out against inappropriate comments.

Recommendations

Personal Involvement in Diversity Efforts

- Law firms should continue to monitor the hours that every attorney devotes to diversity and inclusion efforts in order to ensure that the work is being shared by people of all backgrounds.
- Law firms should create innovative methods to reward contributions to diversity and inclusion efforts in order to ensure that everyone in the workplace is incentivized to support these issues, particularly white males.

Special Report on Women of Color

The results of this study confirm that the experiences of women of color need to be examined separately, rather than as a subset of gender or race issues, in order to increase retention and promote advancement among female attorneys of color.

Women of color consistently reported more-negative experiences than their white female or male minority counterparts within law firms in several categories, including exclusion from work opportunities, networking opportunities, and substantive involvement in developing client relationships. Women of color also perceived their firms as less committed to diversity than other groups; they also reported experiencing discrimination and bias more often than other respondents.

Finally, women of color had the highest incidence of any demographic group with regard to identifying themselves as personally committed to their firms' diversity and inclusion efforts.

The American Bar Association (ABA) Commission on Women published a series of two comprehensive research reports ("Commission on Women Reports") on the challenges faced by women of color attorneys in law firms. Both MCCA's executive director, Veta T. Richardson, and Dr. Arin N. Reeves, MCCA's research consultant on Sustaining Pathways to Diversity,® served as members of the ABA's research advisory board. That group oversaw all aspects of the ABA's research project, including research design, development of surveys and focus groups, and review of all findings and final recommendations. The findings and recommendations were published by the ABA Commission on Women in Visible Invisibility: Women of Color in Law Firms in 2006, followed by From Visible Invisibility to Visibly Successful: Success Strategies for Law Firms and Women of Color in Law Firms (Visibly Successful) in 2008.2 Rather than devoting time and resources to repeat in this report the challenges faced by women of color in law firms, it is recommended that one read and adopt the recommendations set forth in Visibly Successful.

Recommendations

Women of Color

- Law firms should continue to measure women of color as a separate demographic with respect to the recommendations in this report in order to determine whether the firms' diversity efforts fully benefit women of color.
- Law firms should carefully consider the findings and adopt the recommendations found in the Commission on Women Reports.

- * Reprinted with permission from Minority Corporate Counsel Association.
- See, e.g., National Association of Women Lawyers, National Survey on Retention and Promotion of Women in Law Firms (2007 and 2008 surveys available online at www.nawl.org/Publications/Surveys.htm); NALP—The Association for Legal Career Professionals, Diversity & Demographics reports (available online at www.nalp.org/diversity2); American Bar Association Commission on Women in the Profession, Visible Invisibility: Women of Color in Law Firms (2006), (available online at www.abanet.org/abastore/index. cfm?section=main&fm=Product.AddToCart&pid=4920037).
- ² American Bar Association Commission on Women in the Profession (Commission on Women), Visible Invisibility: Women of Color in Law Firms (2006), (available online at www.abanet.org/abastore/index.cfm?section=main&fm=Product.AddToCart&pid=4920037); Commission on Women, From Visible Invisibility to Visibly Successful: Success Strategies for Law Firms and Women of Color in Law Firms (2008), (available online at www.abanet.org/women/woc/VisiblySuccessful.pdf).

The Age of American Unreason

by Susan Jacoby (2008, Pantheon Books) Reviewed by: Colonel Maritza Sáenz Ryan



Colonel Maritza Sáenz Ryan, since September 2006, is the Professor and Head of the Department of Law, United States Military Academy at West Point. Upon graduating from the United States Military Academy at West Point in 1982, she was commissioned as a Lieutenant in the Field Artillery. Colonel Ryan received her Juris Doctorate, Order of the Coif, in 1988 from Vanderbilt University Law School. Among her positions with U.S. Army, Colonel Ryan served as Senior Trial Counsel (Prosecutor) at Fort Sill, Oklahoma. In 1990, she deployed to Operation Desert Shield/ Desert Storm as a Brigade Legal Counsel, returning to Fort Sill to be the Senior Defense Counsel. Other assignments include Assistant Professor, Department of Law, West Point; Chief of Military

Justice and Officer-in-Charge, Fort Shafter Branch Office, 25th Infantry Division (Light), Hawaii; Deputy Staff Judge Advocate for the Army Medical Department Center and School, Ft. Sam Houston, Texas; and Academy Professor and Deputy Head, Department of Law, West Point. Colonel Ryan, a member of the New York State Bar, holds a Master of Laws in Military Law from the Army Judge Advocate General's School, and a Master of Arts in National Security and Strategic Studies from the Naval War College. She is a cancer survivor, and is married to a West Point classmate and retired Army officer and has two children.

There is a moment's pause upon first reading Susan Jacoby's dire warnings of an "overarching crisis" accustomed as we are to the linkage of those terms lately with the word "economic" or "credit"—before one realizes that her book, The Age of American Unreason, describes a very different crisis, as disturbing and perhaps even more challenging in the long-term than our f oundering financial markets. Ms. Jacoby is a modern-day Sybil Ludington, the Revolutionary War heroine who rode through the night (allegedly twice as far as her more famous compatriot, Paul Revere) to alert sleeping Americans that the redcoats were already burning a nearby town, and absent immediate action by a united citizenry-would soon be upon them. In The Age of American Unreason, the enemy that Ms. Jacoby urgently warns us about is "a powerful mutant strain of intertwined ignorance, antirationalism, and anti-intellectualism" that has already infected America. The tell-tale symptom is a growing "national deficit" of "knowledge and memory" such that Americans today may already be lacking in those vital capabilities— among them, critical thinking skills and a grasp of basic civics-needed to face successfully the challenges of the 21st century. A master of dark humor, Ms. Jacoby wittily but relentlessly sounds her call to arms, aptly citing Thomas Jefferson's rhyming admonition that "[i]f a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be." Now, when "the scales of American history" appear to have "shifted heavily against the vibrant and varied

intellectual life so essential to functional democracy," the author vows to "suppress the fear" and cling to the "obdurate hope" that there is yet time to take immediate and forceful action against what she portrays as an existential threat to our nation.

Despite (and, Ms. Jacoby posits, partly because of) the overwhelming amount of information, much of it unreliable, available for instant consumption on the internet and through mass media, America today suffers from a pandemic of ignorance. Ms. Jacoby cites numerous studies to support her claim that Americans, though enjoying an overall adult literacy rate of 99%¹, are nevertheless aff icted by functional illiteracy across a number of fields of knowledge, among them, civic, historical, scientific, mathematical, and foreign languages. A national survey conducted in 1997 by the National Constitution Center revealed that, though claiming to hold it in "high esteem," Americans knew "relatively little about our nation's founding document." Few respondents could name more than one freedom secured by the First Amendment; 42% thought the Constitution explicitly listed English as our "first language;" and 25% thought that Christianity was likewise recognized as our "official government religion." Only 50% of adults could list the three branches of our government, and "the vast majority of both adults and teens have no idea when or by whom the Constitution was written."

A public opinion poll released by the Pew Forum on Religion and Public Life the day after Hurricane Katrina "Ms. Jacoby
unfortunately
does not lack
for evidence
to support her
contention that
—as the National
Geographic report
suggested is true
for our youth—
the country as a
whole is painfully
'unprepared for
an increasingly
global future.""

BOOK REVIEW

"[a]II Americans, regardless of political leanings, have a common stake in raising our level of civic literacy, and yet it is a cause which neither end of the political spectrum champions in an effective wav."

hit in August of 2005, according to Ms. Jacoby, "revealed an intellectual disaster as grave as the human and natural disaster unfolding in New Orleans." Nearly two thirds of Americans surveyed favored the teaching of creationism, based on the Old Testament Book of Genesis, in public schools, and 42% rejected Darwin's theory of evolution, agreeing that "all living beings, including humans, have existed in their present state since the beginning of time." According to a 2006 survey of geographic literacy conducted by National Geographic-Roper, nearly half of Americans between ages eighteen and twenty-four did not think it important to know the location of other countries. Predictably, two-thirds of respondents could not successfully locate Iraq on a map, even though the United States had already been at war there for three years. More than a third of those surveyed rated knowledge of a foreign language as "not at all important," and we could go on ad infinitum with the parade of damning statistics. Ms. Jacoby unfortunately does not lack for evidence to support her contention that—as the National Geographic report suggested is true for our youth—the country as a whole is painfully "unprepared for an increasingly global future." Given the rampantly anti-intellectual attitudes it revealed, Ms. Jacoby suggests that the report could more accurately have been entitled, "Ignorant and Proud of It."

Although long an identifiable trend in American society, anti-intellectualism has not always been a prominent force in America, and --but for that fact-- we might not exist as an independent and free nation today. "One of the most remarkable characteristics of America's revolutionary generation," writes Ms. Jacoby, "was the presence and inf uence of so many genuine intellectuals," "men of extraordinary learning and intellect" who were "disproportionately represented among the politicians who wrote the Declaration of Independence and the Constitution, and led the republic during its formative decades." Imbued with the ideas of the Enlightenment, "they saw no contradiction between their roles as thinkers and actors on the public stage." The most inf uential and admired of these early founders-- leaders such as James Madison, Benjamin Franklin, Thomas Jefferson, John Adams, Alexander Hamilton, and Benjamin Rush-- "were also polymaths at a time when it was still considered possible and necessary to comprehend every area of human knowledge and experience."

By contrast, contemporary political leaders must guard against being cast as members of the "intellectual elite," effete "eggheads" assumed to be out of touch with average Americans and incapable of understanding, much less caring about, their everyday problems. The suggestion is

"that there is something sinister, even un-American, about intense devotion to ideas, reason, logic, evidence, and precise language." Moreover, anti-intellectualism's kissing cousin, anti-rationalism, eschews the need for evidence to support even the most important policy decisions, favoring instead "faith and emotion" over "facts and logic." According to Ms. Jacoby, these bad actors in American public life are aided and abetted by a couple of strange bedfellows, namely mass entertainment media, or "infotainment," and modern American fundamentalism, "America's endemic anti-intellectual tendencies," combined with "a new species of semiconscious anti-rationalism," alleges Ms. Jacoby, feed on "an ignorant popular culture of video images and unremitting noise that leaves no room for contemplation or logic." Infotainment and junk science, which has even made its way into Supreme Court opinions,2 are natural partners in "dumbing down" already low levels of scientific literacy across the nation. Meanwhile, modern American fundamentalism -- with its insistence on the inerrancy of the Bible and distrust for any "secular knowledge" that might seem to contradict "revealed truth"-openly aspires to a greater role in public life and foreign policy, and perhaps even, for some in the movement, the establishment of a form of "right-wing Protestant theocracy." The continuing controversy over evolution, which our peers in the developed world regard with something between befuddlement and shock, "is really a microcosm of all of the cultural forces responsible for the prevalence of unreason in American society today," writes Ms. Jacoby.

As to our poor showing in basic civics, says Ms. Jacoby, all Americans, regardless of political leanings, have a common stake in raising our level of civic literacy, and yet it is a cause which neither end of the political spectrum champions in an effective way. Too often, right-wing intellectuals, while professing enthusiasm for teaching the Constitution, take great pains to ignore the framers' "pointed and deliberate omission" of religious tests and references to God. Likewise, liberal intellectuals are too often willing to "gloss over" basic knowledge and concrete facts "in favor of multicultural issues that, however important they may be today," require a sound historical frame of reference in order to be understood properly. The United States' invasion of Iraq—which the author presents as the Exhibit A in the case against rampant unreason—led many Democratic politicians and liberal intellectuals to decry the "rightwing deceptions employed to sell the war in Iraq." Their time would have been better spent, argues Ms. Jacoby, examining instead "the ignorance and erosion of historical memory" that made the American public such easy marks.

BOOK REVIEW

As American Unreason went to press, the 2008 Presidential Campaign was already in full swing. "It remains to be seen, as the current presidential campaign unfolds," wrote Ms. Jacoby, "whether Americans are willing to consider what the fight from reason has cost us as a people, and whether any candidate has the will or the courage to talk about ignorance as a political issue affecting everything from scientific research to decisions about war and peace." The race wound up pitting two candidates, both Senators of rationalist bent, in a battle over which one could better address any number of major domestic and international challenges facing the nation, to include the conflicts in Iraq and Afghanistan, energy, terrorism, the environment, and the financial meltdown—the one issue that, in the end, eclipsed all others. The ongoing, multi-faceted economic mess might seem to provide ample justification for Ms. Jacoby's worst fears about the prevalence and bitter price of American unreason. From the mathematical illiteracy of those seduced by sub-prime mortgages for over-priced homes, to investors' uncritical acceptance of the Madoff Fund's incredibly high returns, to the blind faith of the finance world's best minds in the supernatural powers of the market to regulate itself: ignorance, anti-intellectualism, and anti-rationalism seem to have left their fingerprints all over the current state of affairs.

At the same time, the global financial downturn and the American people's reactions to it might also offer some reason for clinging to that earlier mentioned obdurate hope. At this writing, Americans do seem keenly focused on the urgent need for rational, reality-based solutions to the rather frightening problems now facing us. Perhaps this explains how a president—whose intellectual, coolly detached manner and ability to deploy thoughts in coherent paragraphs have earned him the title of "Professor-in-Chief" — is still doing remarkably well in public approval polls. Responding to a question as to why he had taken so long to register outrage about the AIG executive bonus scandal—an issue already receiving constant play in the 24-hour cable news cycle—Mr. Obama actually said, "Well,

it took us a couple of days because I like to know what I'm talking about before I speak."4 In announcing a new Executive Order overturning the ban on stem cell research, Mr. Obama insisted that "we make scientific decisions based on facts, not ideology."5 During his first address to a joint session of Congress, the president noted the need for a better educated populace if we are to compete globally, and set a new goal for the country: "by 2020, America will once again have the highest proportion of college graduates in the world."6 Meanwhile, retired Supreme Court Associate Justice Sandra Day O'Connor, as co-chair of the Campaign for the Civic Mission of Schools, recently announced a new initiative to teach young people civics, featuring an interactive internet website and educational video gaming. "A thorough civic education creates citizens who have a grasp of history and the fundamental processes of American democracy," said Justice O'Connor, echoing Ms. Jacoby, "an understanding and awareness of public and community issues, and the ability to think critically..."

Perhaps Susan Jacoby-whose provocative, often bitingly funny, and illuminating, if sometimes disquieting, book is essentially an intellectual history (or perhaps better, an anti-intellectual history) of the United States—finds these recent developments encouraging. The author might even consider adding a new, more optimistic chapter to future editions of her extraordinary book now that the press of events seems to have turned more Americans against unreason. At least she'll always have that droll sense of humor to rely on, much as did one self-admitted "egghead" mentioned admiringly in The Age of American Unreason. Legend has it that, while running for President back in the 1950s, Adlai Stevenson once heard a supporter call out, "You have the vote of every thinking American!" Without missing a beat, the quick-witted Stevenson allegedly shot back, "That's not enough, madam, we need a majority!" Would it be too Pollyannaish to wonder whether, now, some fifty years later, the scales of history might not be shifting back in favor of thinking Americans, just a tick?

- United Nations Human Development Report 2007/2008, at http://hdr.undp.org/en/reports/global/hdr2007-2008/chapters/
- ² Ms. Jacoby points to Justice Anthony Kennedy's mention of the scientifically-suspect "post-abortion syndrome" in his 2007 majority opinion for *Gonzales v. Carhart*.
- ³ See "In a Volatile Time, Obama Strikes a New Tone," by Peter Baker and Adam Nagourney, March 24, 2009, *The New York Times*, at http://www.nytimes.com/2009/03/25/us/politics/25obama.html?pagewanted=1&_r=2&hp
- 4 Ibid.
- 5 "Obama Puts His Own Spin on Mix of Science With Politics," by Sheryl Gay Stolberg, March 9, 2009, The New York Times, at http://www.nvtimes.com/2009/03/10/us/politics/10obama.html?ref=politics
- ⁶ Remarks of President Barack Obama, As Prepared for Delivery, Address to Joint Session of Congress, Tuesday, February 24th, 2009, at http://www.whitehouse.gov/the_press_office/remarks-of-president-barack-obama-address-to-joint-session-of-congress/
- Getting Students in the Game for 21st-Century Civics," by Sandra Day O'Connor, 2007 Address to the American Association of School Administrators (AASA), at http://www.aasa.org/publications/content.cfm?PreviewContentItem=52072; see also "Sandra Day O'Connor: Game Designer," by Chris Baker, June 04, 2008, WIRED, at http://blog.wired.com/games/2008/06/justice-oconnor.html

Upcoming NAWL Programs

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Honoring: Marcia Greenberger, General Mills Holly Fujie, LexisNexis Saretta McDonough Nicole M. Liechty

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Upcoming NAWL Programs

JULY 23, 2009

Workshop

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JULY 23, 2009

Workshop

SARA HOLTZ
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TELECONFERENCE

FACILITATED BY KAREN KAHN ED.D. PCC

Reaching The Bar: Stories of Women at All Stages of Their Law Career, edited by Robin Sax, JD.

Reaching the Bar provides the perspectives of women lawyers to their peers and to women just getting started in their legal careers. From their first torts class to their final case studies, women at law have to make choices about what specialty degrees to pursue, whether or when to have children, and how they are going to respond to sexism in the workplace and the courtroom.

APRIL 30, 2009

Bringin' In the Rain: 7 Habits of Successful Women Rainmakers

FEATURING SARA HOLTZ JONES DAY, WASHINGTON, DC

Over 100 attendees joined NAWL for this great FREE educational and networking program, *Bringin'* in the Rain: Seven Habits of Successful Women Rainmakers featuring Sara Holtz, who focused on the most effective methods and activities for business development.

APRIL 30, 2009 NEW YORK, NEW YORK
APRIL 14, 2009 CHICAGO, ILLINOIS
APRIL 2, 2009 COSTA MESA, CALIFORNIA
APRIL 1, 2009 OMAHA, NEBRASKA

From Backpack to Briefcase® A Transitional Program for Law Students, Recent Graduates and Junior Associates

This event is a transition program for law students, new graduates and junior associates who have recently moved or will be moving from the classroom to the workplace. The program is especially important in these turbulent economic times and focuses on real life experiences and practical suggestions on how to manage your career, deal with senior colleagues and clients and survive real work situations. Panelists are practicing women attorneys from diverse backgrounds and levels of authority.

APRIL 28, 2009

Take Charge of Your Career: Best Practices for Women Attorneys®

HOSTED BY: DORSEY & WHITNEY LLP MINNEAPOLIS, MN

Minnesota Women Lawyers (MWL) and The National Association of Women Lawyers (NAWL), together with Dorsey & Whitney LLP, presented: "Take Charge of Your Career: Best Practices for Women Attorneys"." An event designed to advance women attorneys within the legal field by developing the skills critical to sustaining the long-term practice of law. The Take Charge seminar is uniquely designed to guide, grow, and encourage women in law, as well as provide a wonderful networking opportunity.

APRIL 14, 2009

Connect, Listen and Learn

TELECONFERENCE

FACILITATED BY KAREN KAHN ED.D. PCC

The Secret Currency of Love: The Unabashed Truth about Women, Money and Relationships, by Hilary Black.

In Connect, Listen and Learn's focus on women's relationship with money, we look at some of the underlying issues that may block women's efforts to becoming successful rainmakers. In Hilary Black's The Secret Currency of Love: The Unabashed Truth about Women, Money and Relationships, Hilary explores the impact that money has on our connections. Through the essays of many women, she exposes home and shame, envy and security, fear and joy. At the end of the day, she illustrates that money is a highly charged issue for women.

Member News

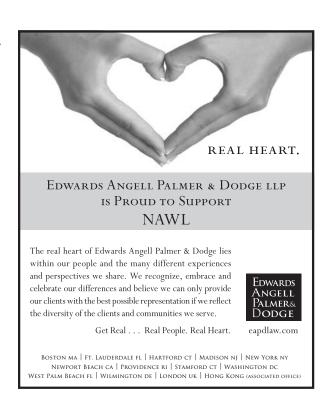
Kimberly Ruch-Alegant, Esq. recently launched her new firm Alegant Law, P.C. out of Huntingdon Valley, Pa. (Montgomery County) which specializes in plaintiffs' personal injury and workers compensation. The firm provides services to Bucks, Montgomery and Philadelphia residents. Previously, she worked with Brett Tessler & Associates in Philadelphia and she now sits on the board of directors of the Coalition of Labor Union Women, co-chairs the Philadelphia Bar Association's Women in the Profession Committee and serves as a managing director of the Bucks-Montgomery County Chapter of eWomen Network.

Nicole De Bello, an associate with Dickstein Shapiro LLP's Business & Securities Law Group, and Nicholas J. Zoogman, a partner in the firm's Insurance Coverage Group, were recognized by inMotion with a Legal Team Award as part of the non-profit organization's 2009 Commitment to Justice Awards. InMotion provides legal and social services to address the unique needs of low-income women in New York City who suffer from abuse. In addition, Ms. De Bello was pictured in the New York Times as part of Bernie Madoff's defense team.

Julie Braman Kane, a partner at Colson Hicks Edison and president of the Miami-Dade Florida Association of Women in Law, won a \$38 million verdict in a medical malpractice and pharmaceutical negligence suit where she was lead counsel and was assisted by partner Joseph J. Kalbac, Jr. as well as Maureen E. Lefebvre and Barbara A. Silverman. Ms. Kane is a recent recipient of the American Association for Justice's Tonahill Award given by the New Lawyers Division and the Marie Lambert Award, given by the American Association for Justice Women's Caucus.

Stephanie Scharf, of the woman-owned firm Schoeman Updike Kaufman and Scharf (NY and Chicago), obtained a defense verdict in March 2009 after six days of trial in an age discrimination case in federal court in Chicago. The plaintiff, a pharmaceutical sales representative who had been terminated by Reliant Pharmaceuticals after a physician complained about her inappropriate marketing techniques, sued Reliant and its successor, GlaxoSmithKline, alleging that the stated basis for her termination was pretextual and that she was actually a victim of age discrimination.

Stacie I. Strong recently published an article entitled "Enforcing Class Arbitration in the International Sphere: Due Process and Public Policy Concerns" in *30 University of Pennsylvania Journal of International Law* (2008). Her book, Research and Practice in International Commercial Arbitration: Sources and Strategies, is due to be published by Oxford University Press in April 2009. Stacie is currently an Associate Professor of Law at the University of Missouri and Senior Fellow in the Center for the Study of Dispute Resolution.



Law Firm News

Cooper & Walinski elected Jodi D. Spencer, Nicole K. Schwieterman and Marguerite E. Waldo shareholders in the firm.

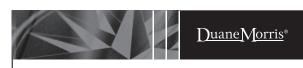
Jodi Spencer practices with the Insurance Recovery group in the Cleveland, Ohio office. Jodi is Co-Chair of the firm's Insurance Recovery Practice Group. She practices primarily in the area of insurance coverage. Jodi received her JD cum laude from The University of Toledo and her BA from Bowling Green State University. She was a Note and Comment Editor for The University of Toledo Law Review. She is a member of the Order of the Coif.

Nicole Schwieterman serves as the Co-Chair of the firm's Litigation Management Practice Group. She practices in the areas of litigation management and products liability litigation. Nicole is a former judicial law clerk for the Honorable Ronald E. Hadley at the Third District Court

of Appeals. Nicole received her law degree cum laude from The University of Toledo and was a member of the Moot Court Team. She received her Bachelor of Science degree cum laude in Business Administration from Bowling Green State University.

Marguerite Waldo is Co-Chair on the firm's Litigation Management Practice Group. She practices in the areas of litigation management and insurance recovery. Marguerite received her JD cum laude from Case Western Reserve University School of Law and a Bachelor of Science degree magna cum laude in Business Administration and English from Westminster College. She is a member of the Order of the Coif.

Cooper & Walinski was recently certified as a Women's Business Enterprise by the National Association of Minority & Women Owned Law Firms (NAMWOLF) and accepted into membership with that group.



The Duane Morris Women's Initiative is proud to sponsor the

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Duane Morris LLP, a full-service law firm of more than 650 attorneys, offers innovative solutions across diverse industries in the United States and internationally to address the legal and business challenges of today's evolving global markets.

For more information, please contact:

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WLJ: Women Lawyers Journal: 2009 Vol. 94 No. 1

New Members

From January 10, 2009 to April 5, 2009, the following have become NAWL individual members. Thanks for your support of NAWL.

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Kimberly B. Altschuler, Esq. Gibbons PC

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Cecilia Andrews

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The NAWL Networking Roster is a service for NAWL members to provide career and business networking opportunities within NAWL. Inclusion in the roster is an option available to all members, and is neither a solicitation for clients nor a representation of specialized practice or skills. Areas of practice concentration are shown for networking purposes only. Individuals seeking legal representation should contact a local bar association lawyer referral service.

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Augusta S. Dowd

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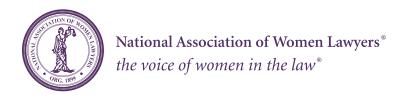
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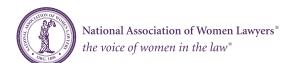
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