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"The Mission, If They Choose to Accept It: Workplace Battles for the Next Generation of Women Lawyers"

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In December 1997, I wrote my first column for *Texas Lawyer*. Titled "A Woman Lawyer's Survival Guide," it was the first of many looking into issues affecting women in the legal profession. As I enter my 10th year writing about these issues, I wanted to look back at what has changed over the past decade — for better and for worse — and look forward to what the next 10 or 20 years may bring.

First, the good news: I've lost count in recent years of the number of firms that have started some kind of committee aimed at recruiting, retaining and developing the talents of their female attorneys. Some critics say these initiatives are merely window dressing, and some of them probably are. But the mere fact that firms bother to look like they care about women is certainly a step up from a decade ago when most wouldn't have even cared.

Besides, many firms do more than give lip service to such efforts. In recent years, a handful of prominent firms have kicked off marketing events aimed at women attorneys and their female clients, mentoring circles and other efforts to develop the talents of women lawyers — mine among them, I am proud to say. It's too early to declare them all resounding successes, but their mere presence is a shot in the arm.

The other development that has benefited women over the past decade is technology. With BlackBerry devices, ubiquitous Wi-Fi, better mobile phone technology and electronic filing, lawyers can be available to clients and productive to firms outside the confines of their offices. That makes it possible to juggle client demands with those of our families.

Yes, technology can be a pain, and it often means lawyers are never fully off-duty. But there's nothing worse than waiting in the office until 10 p.m. for a fax that never comes while your son is on-stage dressed as a Greek god, scanning the audience for his mom.

How has all this affected the actual progress of women over the past 10 years? The best answer I can give is this: 10 years just isn't enough time to measure significant change. Sadly, the glaciers are melting faster than women are progressing. But, slow as it may seem, female attorneys are advancing.

The most dramatic changes reveal themselves when compared with data from more than 10 years ago. Here are some numbers, compliments of the State Bar of Texas' Department of Research and Analysis:

* Percentage of women lawyers in Texas:

1900: less than 1 percent
1982: 13 percent
1996: 26 percent
2005: 30 percent
2035: 50 percent (projected)

* Percentage of women in the Texas Young Lawyers Association:

1996: 38 percent
2005: 44 percent

* Percentage of women in Texas law schools:

1996: 42 percent
2005: 47 percent

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Basically, the younger the group surveyed, the more women are represented. That's not bad.

It's hard not to be grateful for how far women have come. Fewer than 90 years ago, women couldn't even vote. A few decades ago, they couldn't serve on juries — not that any of us are dying to serve on them now. A few years ago, a reporter for a television station interviewed me on my thoughts about a judge who had recently issued an order allowing women to wear pants in his court. This was a big news story.

So maybe the past 10 years haven't brought about a female-friendly revolution in the legal profession. But they have seen continued incremental progress, the kind that takes women from less than 1 percent of all Texas lawyers to 30 percent in a little more than 100 years.

The Next Step

What happens next is up to the women lawyers coming out of law school. Every generation of women plows the ground the generation before them didn't. And, like every generation, my generation thinks the generation coming up doesn't appreciate the sacrifices we made to pave the way for them.

That's probably for the best. I wouldn't want today's women to have to go back and fight for the right to vote or own property or get a job. This generation's challenge is to figure out a way to stay in the game. And if anybody can do it, it's the women working their way through the educational pipeline right now. I don't know if it's Title IX, Girl Scouts or something in the water, but this is one high-achieving, multitasking generation entering the work force now and over the next decade.

And they're competitive. Almost without exception, the rĒsumĒs I see today have significant sports experience. We're not talking third-grade soccer; we're talking college-level athletics.

The legal world is about to see a generation of hyperproductive, hyperambitious women hit the work force. And, yes, many of them will be slapped in the face by the demands of the real world, and many of them will scale back their careers once they hit their childbearing years. But hopefully fewer of them will opt out of the work force, hopefully because their firm employers will have found a way to adapt to their lawyers' obligations outside of the office.

One of the frequent raps on this generation is that they expect some level of flexibility from their employers. They seem to think they can have a life outside of work and that their firms should accommodate that.

While that may be heresy to my generation, that's how progress is made. Isn't it? Each generation demands something the last generation didn't think they had the right to even ask for. So this generation seems to think they can have it all — a great job, a great husband, great children and time to enjoy all of those things without the liberal use of caffeine and Xanax.

Hey, it sounds like a pipedream to me. But, then again, I didn't think I would ever get to wear pants to the office.

If this generation wants to take on work-life balance as its mission, I say go for it. Like everything else, it'll take far longer to achieve than they think, but if they don't think to ask for it — no, demand it — nobody will think to offer it.

The truth is, the world is a better place when women have a place at the table. And we, as lawyers, are uniquely suited to making that happen. So let's see if we can.

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