

# FIRMS LEVERAGE DIVERSITY

The 2022 NLJ Women in Law Scorecard breaks down female attorney head counts at 263 firms.

BY JESSIE YOUNT

**LAW FIRMS ARE MOVING BEYOND JUST MEASURING THE** representation of women lawyers, implementing systemwide changes that aim to institutionalize gender diversity across all ranks. Female representation in the legal industry is the strongest at the lowest rungs of the hierarchy and drops off at partner and leadership levels.

There was relatively little movement at the top of the rankings. Immigration firms Berry Appleman & Leiden and Fragomen, Del Rey, Bernsen & Loewy retained their spots at No. 1 and No. 2. Miami-based Kubicki Draper and New York-born Kaufman Borgeest & Ryan—both new entrants in 2021—remained at No. 3 and No. 4. Littler Mendelson, one of the few large firms at the top of the list, rounded out the top five.

And one modest, but positive trend—though there were nine fewer participants compared to the year prior—female representation ticked up about 1% in nearly every category: overall lawyers, overall partners, equity partners and associates. The only exception was for the nonequity partner category, which increased about 0.5%.

Given the competitive talent market and the frequency with which women are entering the legal field, it's more important than ever for law firms to support the advancement of female lawyers in order to build for the future, according to Sonya Erickson, a partner and member of the board of directors at Cooley.

"If you look at the talent in the industry, law school classes have been majority female for a while and summer associate classes are commonly majority female," she said. As a result, "as an industry, we have a huge self-interest in figuring out how to bring women forward."

## OPENING UP THE BLACK BOX OF PARTNERSHIP

Erickson, who has eight years of experience on the firm's partnership nominating committee, said that Cooley has



SONYA ERICKSON

turned the rather Darwinian idea of "seeing who rises to the top" with respect to partner prospects upside down. Instead, the committee seeks to identify promising candidates and start the conversation as early as an associate's third or fourth year.

The approach is starting to speak for itself. Cooley rose from No. 69 to No. 47 in this year's rankings, with 44% of overall attorneys identifying as female and 27% of overall partners identifying as female.

Part of this shift in thinking stemmed from the realization, according to Erickson, that it is not necessarily "the talent in front of us, but the talent that is not opting into the pathway to partnership" that needs to be addressed.

The firm has changed the framework on who is opting in by prioritizing output and efficiency rather than simply rewarding time. This includes allowing for more flexibility and providing more training opportunities.

Training is a key piece of the path to partnership program at Atlanta-born midsize firm Drew Eckl & Farnham,

according to chief operating officer Christy Walsh—the firm ranked No. 72 this year, up from No. 149 the previous year. The firm identifies partner candidates using objective criteria including years of experience, time at the firm and performance goals over a three-year period. This more long-term approach ensures the firm does not miss out on talent due to a career break such as parental leave.

One crucial aspect of the program is that training goes beyond legal work, Walsh said.

“We realized we’d spent so long training our lawyers to do good legal work. But there were things about the business of law that were overlooked and weren’t setting people up for success,” she said, pointing to leadership, communication and understanding financial reports as key skills.

Meredith Riggs Guerrero, chair of the firm’s diversity committee, said she is a testament to Drew Eckl’s nontraditional approach that dispels the “up or out” model of Big Law. She joined the firm 14 years ago, starting as a summer associate and taking time as a contract attorney for several years. Currently, she serves as of counsel.

Guerrero added that as a result of the firm offering flexible career tracks, it has been able to retain a robust group of female lawyers who can come together and effectively advocate for their needs, such as more parental leave.

### REDEFINING—AND SPECIFYING—EXPECTATIONS

Melissa McGonigal Berry, director of professional development and diversity at Lane Powell, agreed that flexible, tailored and transparent training is crucial to lifting up young attorneys.

The Pacific Northwest midsize firm, which is in its second year of a three-year diversity, equity and inclusion (DEI) strategic plan, has implemented several initiatives including a list of clearly defined core competencies for associates at junior, mid- and senior levels. The core competencies were developed to provide equitable access to information, but also to address systemic barriers. For instance, research shows that men typically receive more detailed feedback on career growth, so the core competencies were designed to increase the amount and specificity of feedback for attorneys, Berry said.



GINA SHISHIMA

The firm, which jumped from No. 116 to No. 41 and reported about 36% of its head count is female across all attorneys and all partners, has created a holistic approach that “fosters inclusion, holds leadership accountable and champions DEI in its communities,” which ultimately benefits all attorneys, she said.

Norton Rose Fulbright has also redefined, through a group effort, how it provides guidance to high-potential women and other attorneys in recent years.

The firm’s leadership development program helps associates understand the expectations of partnership and other leadership roles. Crucial to this is ensuring that when a woman is appointed to a leadership role, that does not stand in her way of serving clients or business generation, according to U.S. chief strategy and operations partner Gina Shishima.

“We want to help balance the responsibilities, so that a promotion is not detrimentally affecting their careers, with respect to individuals’ potential,” Shishima said. She also served as the firm’s chief diversity officer.

While Shishima pointed out that progress with respect to diversity is often incremental, there are signs that suggest the industry is moving in a positive direction.

“We’ve seen more women, and more women of color, stepping into highly visible roles. That is incredibly inspirational,” she said.

Norton Rose’s U.S. chair Shauna Clark is one of the few women of color in a major leadership role at one of the largest law firms. The firm, which ranks No. 14 on the Am Law 100, increased its spot from No. 41 to No. 16 on the Women’s Scorecard.

Shishima added that, “to the extent that we as an industry and as individuals can collectively work to make progress, that is where I see the 1% [increase] becoming 2%, and the 2% becoming 4%.”

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