

The Movement Blog

Law, Order & Pantyhose: Law Firm Addresses Gender Parity Fairly

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by Michele Weldon

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Christina Vander Werf, a partner at Gordon Rees, says some law firms have work to do for gender equity.

What's fair is fair.

Christina Vander Werf, a partner with Gordon & Rees LLP, who works out of the San Diego, Los Angeles and Phoenix offices, says at her law firm, gender equity is a top priority.

"There is a very intentional effort to make the office more diverse and bring more women in," says Vander Werf, the single mother of an almost five-year-old daughter. "I

have a lot of flexibility, am on reduced time at 90 percent, and there is a lot of support for parents here.”

A partner at the firm since November 2017, after practicing at two other firms since graduating from University of Arizona law school in 2010, Vander Werf says she began at Gordon & Rees four years ago as an associate and moved up to partner.

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Several efforts to ensure gender equity are in place at the firm, she says. For instance, the firm reimburses the cost of [MilkStork](#), a service that ships breast milk home for traveling nursing mothers. The firm also has a Women’s Initiative with events, support programs and policies that help working mothers, parents and all women employees.

“I have always been passionate on the topic of diversity,” says Leon B. Silver, co-managing partner at Gordon & Rees, heading the Phoenix office. One of the fastest-growing law firms in the country, Gordon & Rees is a national litigation and business transactions firm with more than 800 lawyers and 52 offices in 36 states.

In the [2017 report](#) from the Institute for Inclusion in the Legal Profession, Silver writes, “Reaching full equality in the legal field is an important and ongoing struggle, but it is not a challenge to fear, and we must recognize the progress that has been made.”

Read more from [Leon Silver in Take The Lead](#)

Founded in 1974, Gordon & Rees is ranked 59th by The National Law Journal on its list of the largest U.S. firms and The American Lawyer ranked the firm at No. 103 on the Am Law 200 and at No. 32 on its Diversity Scorecard in 2018. The firm has also been recognized on the ‘BTI Client Service A-Team’ survey and has been honored as a “Go-To Law Firm” for Fortune 500 companies.

Such efforts are changing the present and the future of the legal profession, a necessary move.

“(Equity) is definitely not consistent across the legal field,” Vander Werf says. “At prior firms, I had an issue just being a female attorney. I definitely felt I was not given the same opportunities as my male counterparts. It was very much related to implicit bias.”

She adds, “So it was huge for me at Gordon & Rees to be at a place where I could get that experience and I did have face time with clients and I could take the deposition myself. I do think women at some firms struggle with some men who are several generations older and believe this profession is not a place for us.”

Rebecca Cain, a litigator with Gordon & Rees in the Phoenix office, agrees her law firm is fair and progressive. A 2007 Arizona State University law school graduate who has worked at two other firms prior to Gordon & Rees says, “There is a definite commitment to diversity here as well as to attracting and retaining female attorneys. There is definite flexibility and they are good about you working remotely.”

Cain adds, “Motherhood has an impact on your career and your career trajectory.”

Cain, a mother of two and stepmother of two, adds, “There are lots of stories you hear from women attorneys at other firms who have had issues with the partnership track.”

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Cain explains that she hears from female attorneys at other firms, “Women have been taken off teams because the man running the team says the female attorney doesn’t want to be put on the trial. There are assumptions the female attorney will not want to travel. There are all kinds of ways motherhood impacts your practice.”

She adds that efforts by a firm to be equitable can be measured and have impact. And that as a female attorney looking to join a law firm, it is important to investigate what

the culture is and to seek out a firm that is intentional about gender parity. That means asking questions about how attorneys are treated.

“Being included in significant cases, being included in significant matters and being included on teams with significant deals, all matters,” says Cain. “Being included in client development, that’s where your power comes from, developing your own book, being exposed to referral sources, from clients and potential clients.”

Read more in [Take The Lead on change needed in law firms](#)

The legal profession in the U.S. does not have a great track record for gender parity.

A new “study of 1,300 respondents from the nation’s 350 largest firms, conducted in partnership with ALM Intelligence, underscored the disparate challenges, stereotypes and burdens women lawyers faced compared to their male colleagues, even at the senior level, “ according to the [ABA Journal](#).

- 81 percent of women say they were mistaken for a lower-level employee, but this didn’t happen to men.
- 60 percent of women said they’d left firms because of caretaking commitments, compared to 46 percent of men.
- 54 percent of women said they were responsible for arranging child care, as opposed to 1 percent of men.
- 39 percent of women said the task of cooking meals fell on their shoulders, compared to 11 percent of men.
- 34 percent of women say they leave work for children’s needs, versus 5 percent of men.

“Half of the women who join Big Law leave before they are eligible for partnership, and only 19 percent of equity partners in law firms are women,” writes Gwen Mellor in [American Lawyer](#).

Some of the retention problem can be attributed to harassment at some firms and these law firms can change their cultures.

Some of the retention problem of women in Big Law can be attributed to #harassment at some firms and these law firms can and must change their cultures. [CLICK TO TWEET](#)

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“There are concrete steps that leaders can take to improve their firms’ environments. While firms can’t control the actions of their attorneys and other employees, they can revamp their programs for reporting and resolving misconduct. The revised programs should be comprised of a variety of options for employees, including an ombudsman (or ombud), an informal resource to whom an employee can turn to report misconduct,” Mellor writes.

“Offering employees an array of opportunities, both formal and informal, to communicate inappropriate behavior achieves several priorities for law firms and their leaders. Not only can a blended program stem the female flight from Big Law and correct the misperception that firms have become inhospitable places for women to work, it can also provide competitive advantage with talent, clients and potential clients,” Mellor writes.

[Read more in Take The Lead on change needed in law firms](#)

“The double standard for male and female attorneys applies to attire, too,” Aphrat Livni writes in [Quartz](#). “Men show up in a suit and tie and they are fine—that’s it. Women lawyers are much more intensely scrutinized—the height of their heels, length of their

hair and skirts, and whether they wear pants or pantyhose or makeup is all up for discussion among judges, counselors, jurors, and clients.”

Vander Werf concurs. At many firms, “Emphasis is on appearance for women and not for men. I feel a lot of things women hear about are how you present yourself outwardly,” she says. Women lawyers are asked, “Did you wear pantyhose to court? Did you wear a skirt suit or a pantsuit?”

“Sexism infects every kind of courtroom encounter, from pretrial motions to closing arguments—a glum ubiquity that makes clear how difficult it will be to eradicate gender bias not just from the practice of law, but from society as a whole,” [Lara Bazelon](#) writes in [The Atlantic](#).

“A new study of 3,000 lawyers by the Center for Worklife Law together with the American Bar Association Commission on Women in the Profession and the Minority Corporate Counsel Association, to be released in September shows ‘fewer women than men felt free to express anger at work when it’s justified,’” according to [Bloomberg Law](#).

“Only 44 percent said they were free to do so compared to 56 percent of white men who felt that they could. Even fewer women of color – only 40 percent – felt they could show anger at work on an appropriate occasion,” Elizabeth Olson writes in [Bloomberg Law](#).

Female litigators also face demeaning name calling, with men calling them “honey” or “darling,” in an attempt to undermine their authority in the courtroom.

“Female lawyers had long complained that use of such demeaning and misogynistic terms – and sometimes gestures – were not infrequent in the courtroom and served to undermine opposing counsel.” Olson writes. “Women lawyers said belittling remarks were used to throw them off balance while they were representing their client.”

Speaking at the recent ABA conference, Stephanie Scharf, co-chair of the presidential initiative's advisory council and a partner at Scharf Banks Marmor, says, "We don't say 'fix the women,' we say let's fix the workplace so these talented women have a good basis for staying in the legal profession."

According to the [ABA Journal](#), "Scharf, who also chairs the ABA Commission on Women in the Profession, says, 'It's a series of small steps, like crawling to walking to running. I truly believe we're in the midst of a change. The more we're talking about it and trying to get solutions, even if they're not perfect, change is coming.'"

Both Cain and Vander Werf agree they are hopeful for the future of the legal profession, using their own firm as an example of what is possible.

"Things change slowly," Cain says. "I think law firms are making progress."

Silver writes, "Let us not be discouraged. A law firm is a living and malleable body that is constantly changing. At the end of the day, you don't create a diverse workforce for appearance. You do it because it's the better practice—because you want the best people at the table. And the best people don't all look the same."