Mentoring to increase women and minority partners

By Neil Hamilton and Sarah Gillaspey, Guest Commentary

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Over the past two decades, the proportion of minority and female law graduates has increased dramatically. As these groups became far more represented in the profession, many assumed that large law firms would similarly begin proportionately to reflect this more varied and diverse population of lawyers.

However, this has not happened. Moreover, even when women and minorities have gained access to these large firms, they have been less likely than their white male counterparts to stay and become partners.

Bryant Garth and Joyce Sterling, in their 2009 article, “Exploring Inequality in the Corporate Law Firm Apprenticeship: Doing the Time, Finding the Love,” sought to understand why there are not more women and minorities becoming partners in large law firms. Their findings are based on the American Bar Association’s “After the J.D.” project, a series of 66 interviews with male and female lawyers in their third to sixth year of practice.

Lack of support for minorities

The ABA interviews made clear that some women and minority lawyers lack sufficient support systems to help them cope with the intense and stressful working schedules large law firms require.

Minority lawyers in particular often felt unsupported and disconnected from their firm culture. One African-American woman said that, “I went to a couple of law firm Christmas parties and just really felt out of place and weird. … ‘This is not for me; this is not [my] environment.’ … I thought they’re so fake. … Why are you sitting here talking to me about golf?”

An African American male interviewee stated about his experience at a large law firm, “I largely view myself as kind of faking it while I’m here, in terms of my work persona. … So I don’t think people who fake it have great success in making partner, ‘cause I’m just not that comfortable with the people. I think they’re wonderful, but we’re all very different. The partners here, they own yachts. … They’ve always gone to the best schools, and they didn’t have to deal with the same kinds of things I dealt with.”

When further questioned about his experience at his large law firm, he said, “It was … very inhospitable … for various reasons it was very inhospitable for people of color there. … You just feel like an outsider.”
The authors of the “Exploring Inequality” article label this as the female and minority lawyers’ inability to “find the love” within the firm. They found from the interviews that minority lawyers often see themselves as “outsiders” who do not feel supported or integrated into the firm community and thus face added obstacles to success.

“Success comes most easily to those who feel welcome and comfortable at work,” the authors wrote. A component of feeling comfortable or “fitting in” is bonding and establishing relationships with senior lawyers in the firm. Individuals of color may have a hard time establishing lasting connections with senior lawyers who come from different cultural or socioeconomic backgrounds.

A Hispanic lawyer said that during his first year as an associate, he would listen to senior associates’ discussions about their trips on the Concorde, or where they like to go yachting off the coast of France. But his life experience was different. He stated, “We could barely pay the electric bill growing up; I didn’t have a yacht.”

Some minority lawyers perceive themselves as being different, inhibiting their ability to reach out and make meaningful connections. As a result of this perceived status within the firm, some minority lawyers lack the support systems within the firms that could help them deal with the stress of large firm life and sustain them on their path towards partnership.

Garth and Sterling found “most minorities … typically leave [large law firms] voluntarily because they do not feel at home to the extent that they will do what it takes to withstand the [uncomfortable working culture] to move [up to partner].”

**Lack of support for women**

The women respondents in the ABA study did not generally feel like a “perceived misfit” or “outsider” at the large law firms. Rather the problem stems from the perceived lack of support both at the firm and at home.

One female interviewee gave a dramatic example of this feeling of lack of support. A female newlywed stated in her interview that in her opinion, her firm’s culture, as it related to women and their family life, was, “we don’t help you out.” When she began to question her role at the firm and whether she wanted to stay, she went to her female mentor for support. Her mentor told her that their firm was “very much a man’s firm.” The mentor went on to tell her “[it] is very hard to be newly married and trying to start a family … if that’s what you want — when I started this profession I was married and I stayed with the firm but I didn’t stay with my marriage. So you make that choice and if you want it then, it does work.”

Garth and Sterling suggest that this story may be indicative of the kind of support and advice female lawyers have been receiving about large law firm life.

Additionally, female lawyers often lack support systems at home that could both help them manage
the stress that comes with a large law firm position and sustain them as they make their way to partner.

Many of the female interviewees stated that their job interests usually came second to family. Some female interviewees stated they felt that the large law firm schedule jeopardized their time and relationships with their spouses and children. “Large law firms [are] firms [that] were built by and for white males with wives at home,” some women believe.

The hours and commitments are designed for lawyers who can put their careers first because they have a spouse who is able to take the lion’s share of care of the children and the home. This is often not the case for women.

Garth and Sterling found that “while there are certainly many examples of female partners at corporate law firms, sustained in part by the practical and emotional support of a spouse with a less demanding career, [there are] many more examples of male partners with supportive wives.”

The importance of mentoring

What can be done to help women and minorities feel more supported and more comfortable at large law firms?

Garth and Sterling’s data suggest that female and minority lawyers have a higher likelihood of success at a large firm when senior lawyers reach out and mentor them, offering a support system that might not exist without that mentoring relationship. A strong mentor can help these lawyers become more supported by and comfortable with firm culture.

The authors found as a whole that when female and minority lawyers feel like outsiders, they “do not feel welcome — much less loved — in the workplace that demands so much of their time.” Strong mentor relationships help minority and women lawyers feel more positive about their experience and could help them become more successful at large law firms.

One female interviewee stated that “the bond she formed with a partner mentor ‘carried her through.’”

Another interviewee referred to his mentor partner as someone who “takes pretty good care of me … makes sure that I’m meeting my billable quota … [and provides an] opportunity to push me to do the depositions, to do the court hearings. … He’s big on firm citizenship … and on guiding [me] to partnership. … He’s doing all he can [for me].”

These relationships can help many lawyers who normally would feel excluded to feel included and supported on the road to a long career with a firm.

The 2005 Minnesota State Bar Association Self Audit for Gender and Minority Equity Report on best
practices also emphasized formal and informal mentoring programs. It also proposed a number of other suggestions, including the closely related best practice of providing women and minorities with equal access to clients and equal opportunities for challenging work assignments through succession and practice plans reviewed and adopted by firm management.

Given the Garth and Sterling findings, I suggest that the senior lawyers selected to serve as mentors demonstrate high degrees of empathy and perspective-taking skills. It is possible to develop educational engagements that foster empathy and perspective-taking skills.

A key element of both formal and informal mentoring programs and access to client programs is to include regular assessment where women and minority lawyers can give feedback on the effectiveness of the program.

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