

# Delaware Law Weekly

November 26, 2008 •

Volume 11, Number 48 \$10.00

An incisivemedia publication

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## Survey of AmLaw 200 Reveals Gender Gap in Pay, Leadership

By Elizabeth Bennett  
*Of the DLW*

Women equity partners at AmLaw 200 firms make on average \$87,000 less per year than their male counterparts, according to a survey done this year by the National Association of Women Lawyers.

The pay disparity is present at all levels, according to the survey. For associates, the difference is \$7,000. It grows to \$32,000 at the non-equity partner level, heading to that even larger gap for equity partners.

NAWL's findings were released this month as the "Report of the Third Annual National Survey on Retention and Promotion of Women in Law Firms." The Chicago-based organization does not break its statistics down by state or region, so there is no information specific to Delaware.

In addition to pay disparity, the survey also found a paucity of women in leadership positions.

"In spite of more than two decades in which women have graduated from law schools and started careers in private practice at about the same rate as men, women continue to be markedly underrepresented in the leadership ranks of firms," the survey report says.

Women lawyers account for fewer than 16 percent of equity partners. Only 15

percent of the members of the average firm's governing committee are women, and 15 percent of the country's largest firms have no women at all on their governing committees, the survey report says. Only about 6 percent of managing partners are women.

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# Survey

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Lisa Horowitz, the president of NAWL and senior manager of professional development for international firm McDermott Will & Emery, said the survey got started in 2006 as part of a challenge the organization issued to double the number of female equity partners from 15 percent to 30 percent by 2050.

"Issuing the challenge was not enough, so we started doing a survey three years ago to measure, because you accomplish what you measure," Horowitz said.

NAWL was formed in 1899, "before women got the right to vote," Horowitz pointed out. Its national membership includes law firms and their attorneys, corporations and in-house counsel, government attorneys, law schools and law school professors.

Stephanie Scharf, designer of the survey, chairwoman of NAWL's survey committee and a partner at Schoeman Updike Kaufman & Scharf in Chicago, said that while the survey does not address the reasons for the wage and leadership gaps, "anecdotally, NAWL understands there are several factors at work."

Scharf noted that the numbers of women fall off among midlevel and senior-level associates, "but this doesn't explain the gap among counsel or non-equity partners. One would expect women and men to earn about the same within those tiers."

At the highest levels, Scharf said, perception matters.

"The subjective evaluation of equity partners combined with how fee credit is given out can lead to higher income on average for men than women," she said.

Women tend to be team players, who are not as intent as their male colleagues on obtaining fee credit, she explained.

"It depends to some extent on which squeaky wheel gets oiled. Women are known not to self promote as much. They often have the assumption that merit will

be rewarded, but to some degree compensation is a function of internal politics."

Although the 2008 survey did not measure the effect of women who work part time, Scharf said NAWL did crunch that data in 2007 and found only about 6 percent made this move.

"There was not a big enough percentage of part-timers to account for the fact that women were being promoted at a lesser rate, Scharf said. She noted that women achieve equity partner status at only about half the rate of men.

Ellisa Habbart, a founding partner of

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— Ellisa Habbart

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Wilmington firm The Delaware Counsel Group, said women lawyers hold the power to change things in their own hands.

"I really don't think it's an issue of male versus female. What I really think might be the issue, you've got to have your own business and develop your business," Habbart said. "I meet so many women who are basically service partners. They are assisting others in taking care of the others' clients."

These women need to "get out there and figure out how to get business," she said.

Habbart's firm advises nationally and internationally on Delaware corporate and alternative entity law. She said when she attends trade conferences or sits at closing tables that she is inevitably surrounded by men.

Philadelphia.

One of the country's leading academic experts on consumer health law, Jost is the Robert L. Willett Family Professor of Law at Washington and Lee University School of Law. His lecture, "Health Care at Risk: A Critique of the Consumer-Driven Movement," explored one of the most pressing legal policy issues of our time.

Jost is a co-author of the casebook,

Despite the situation described above, the survey has hopeful signs.

"There is evidence that more recent women graduates are being promoted to equity partner at a somewhat greater rate. Women constitute fewer than 10 percent of equity partners who graduated from law school before 1982. Of those equity partners graduating from 1982 through 1997, women comprise roughly 19 percent of equity partners. And, for those relatively few equity partners who graduated in 1998 or later, women constitute 24 percent of the total," the survey report says.

Scharf said unless a healthy number of women sit on a firm's governing committee; the pace is likely to stay glacial.

"Yes, it's progress, but it's awful slow," she said.

In another hopeful sign, 97 percent of the firms who responded to the survey said they have implemented women's initiatives.

Business development skills can be especially important when it comes to salaries and advancing in the leadership ranks, as Habbart suggested. The survey showed 95 percent of firms offered some kind of training along these lines, but only nine percent of firms target these programs specifically to women.

As manager of professional development for her firm, Horowitz has direct experience in this area. She said women do benefit from the programs that are offered to everyone.

Horowitz sees the high number of firms with women's initiatives as a reason for optimism and noted that NAWL issued a report this summer with recommendations called "Actions for Advancing Women Into Firm Leadership."

Steps outlined in this report included sustaining and nurturing women partners, correcting for hidden bias and stereotypes, promoting meaningful mentoring and workplace flexibility for women and men, refining the compensation process and encouraging effective self-promotion. •

# News in Brief

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to the area to deliver the fourth annual Raynes McCarty Distinguished Lecture in Health Law on Widener's Delaware campus and at the Union League in Philadelphia Nov. 17. The lectures were sponsored by the Raynes McCarty law firm, based in

"Health Law," used widely in teaching. He also wrote "Disentitlement? The Threats Facing our Public Health Care Programs and a Rights-Based Response" and "Readings in Comparative Health Law and Bioethics," the second edition of which appeared this spring. His most recent book bears the same title of his lecture. It was published by Duke University Press in 2007. •