
FINAL REPORT

2001 Self-Audit for Gender and Racial Equity

A SURVEY OF WASHINGTON LAW FIRMS

Conducted For

The Glass Ceiling Task Force:

King County Bar Association

Washington Women Lawyers, State and King County Chapters

Washington Supreme Court Commission on Gender and Justice

Washington State Bar Association

Northwest Women's Law Center

Washington Women Defenders

Conducted By



Northwest Research Group, Inc.

Executive Summary

For more than twenty years, women have entered the legal profession in steadily increasing numbers, and more and more women have risen to prominence in the legal profession, serving as justices and judges, representing clients in high profile cases, and being tapped as bar leaders. Yet despite these gains, many women attorneys believe a “glass ceiling” exists that prevents them from reaching the highest levels of status and compensation in the law. In 2001, a committee of women attorneys and legal professionals conducted a survey to determine whether this subjective view is warranted.

The Glass Ceiling Survey, which was underwritten largely by the Washington Supreme Court Commission on Gender and Justice, was administered in 2001 by Northwest Research Group. Seven general areas were included in the survey: hiring, compensation, work life and firm culture, firm governance, discrimination and harassment policies and practices, professional growth, and promotion and retention. Respondents were asked to complete the survey with reference to attorneys in their firms, providing discrete responses for men, women, and people of color. The survey was sent to all Washington law firms with five or more attorneys. Completion of the survey was voluntary: it was hoped that firms would be interested in participating in this survey and learning about the status and progress of women and people of color in the legal profession in Washington state.

The results of the survey bear out the subjective view of its originators: while there has been progress in the status of women attorneys, they have not reached the level of compensation, participation in firm governance, and professional attainment of men. People of color similarly lag behind whites in the indicia of power and control within the legal profession.

The demographic makeup of the legal profession resembles a pyramid: the large base is composed of women and men in roughly equal numbers as they leave law school. Once in a firm, women begin to play a smaller role, both numerically and functionally, until the top of the pyramid is overwhelmingly male. Between joining a firm as an entry-level associate and partnership, the number of women attorneys in law firms decreases by more than 50%. Women are likely to leave firms for public sector service or solo practice, which may indicate the relative sense of comfort and acceptance they experience in private firms.

The results with respect to attorneys of color also show marked under-representation. Lawyers who identify themselves as persons of color constitute a small percentage of attorneys in private firms, with even fewer reaching the top of the pyramid. While the population of people of color in Washington State as a whole is approximately 19%, minorities make up fewer than 10% of all attorneys in private practice in firms of five or more attorneys, and only 3% of equity partners.

An empirical study reveals a statistical picture of the profession, but it can also point to possible explanations for the data or potential avenues for further exploration. The trends identifiable in the results of the Glass Ceiling Survey represent not only a reflection, but also opportunities for the profession to expand and become more inclusive.

A theme emerging from the data is that women in private law firms are underrepresented in the decision-making processes of firms. In hiring authority, partnership determinations, compensation, long-term planning, firm governance, and business management, women make up a small percentage of the decision-makers, and people of color are even rarer in these processes. Perhaps ironically, women are fully (and sometimes over-) represented in firm committees dealing with such matters as diversity, artwork, public relations, philanthropy, and human resources. It appears that traditional notions of women’s roles persist.

Among the patterns the data reveal is a statistically significant difference in the representation of women and people of color at all levels between firms in eastern Washington and those in western Washington. Fewer firms in eastern Washington have women or minority partners, formal anti-discrimination policies and training, or hiring committees that include women and lawyers of color. These tend to be attributes of larger law firms, and the number of larger firms is much smaller in eastern Washington.

Some signs of progress arise from the data. For example, private law firms appear to take seriously issues of sexual harassment and race and sex discrimination. Most firms have policies prohibiting such behavior, though relatively few provide regular training on how to recognize, respond to, or avert it. Firms also increasingly take into account attorneys' attitudes toward women and people of color, with most assessing gender and ethnic bias at some point in a lawyer's tenure with the firm. Additionally, a significant number of firms have parental leave policies and/or accommodate alternative schedules, although a minority of firms have written policies. The greatest number of those using such policies and schedules are women, though men also take advantage of them.

In many ways, it appears that private law firms have responded to the influx of women over the last twenty years in a somewhat haphazard way: women have been absorbed into the firms, but firms have not made deliberate, systematic efforts to integrate women into their power structures. Thus, women participate in recruiting and interviewing new hires, but not in the final hiring decisions. They provide input about compensation, but do not make ultimate financial determinations. Moreover, most firms do not have formal systems for distributing work among partners or associates. This finding may represent an opportunity for firms interested in reaching parity among women and men and white and non-white lawyers. One way to systematically increase the participation of women and people of color in private firms would be to formalize work distribution to ensure that all attorneys have the chance to undertake high-level, lucrative work, rather than leaving it to chance.

Firms could also improve the climate for women and people of color by adopting and consistently communicating the criteria for promotion to partner or shareholder. The largest firms in the state are most likely to do so; smaller firms appear to operate in a more *ad hoc* fashion, which is likely to favor those who are most like the current partners — white men.

The Glass Ceiling Survey originated from a desire to explore in an objective way the subjective sense of many women who practice law in Washington. The results both affirm that subjective sense and provide reason for hope. Women's increased presence in private firms, if responded to appropriately, can spur further improvement in their professional status, financial security, and sense of personal satisfaction and achievement. The profession owes no less to all its members.

Introduction

The Glass Ceiling Survey was designed to answer the following question: Based on objective data, what is the status of women and minority lawyers in private law firms in the state of Washington? After years of pondering the question, sharing anecdotes, and examining the results of studies conducted in other states and nationally, a coalition of organizations determined it was time to get an accurate answer to that question.

The Glass Ceiling Task Force, composed of representatives from the King County Bar Association, Washington Women Lawyers, state and King County chapters, the Supreme Court Commission on Gender and Justice, the Washington State Bar Association, Northwest Women's Law Center, and Washington Women Defenders,¹ worked for more than two years to devise a plan for conducting the survey, design a survey instrument, raise money to administer a survey, and employ a research firm with the expertise to ensure valid and reliable results.²

In the spring of 2001, a 30-page survey was sent to all private law firms in Washington state with five or more attorneys. A firm administrator or designee was asked to respond on behalf of the firm, providing information based on the firm's circumstances during the year 2000. Questions covered recruitment and hiring, promotion and retention, compensation, professional growth, work life and firm culture, and anti-discrimination and sexual harassment policies and practices. The results were tabulated and analyzed, and are included in this final report.

Despite wide-spread acceptance of the principle of equality for women and minorities in the legal profession, the data show that these groups are substantially under-represented in the law firm power structure. These results are similar to the findings in other state and national surveys. Even with the many advances made by women and minorities in recent years, a glass ceiling predominates in the legal profession in Washington.

The survey results can be a valuable diagnostic tool to help us identify weaknesses in our institutional structures. As lawyers entrusted with enforcing the law, protecting individual rights, and advising decision makers in other industries, we must make sure our house is in order. It is our ongoing challenge to devise strategies to address these weaknesses to ensure a strong, diverse, and inclusive environment in private law firms in Washington.

¹ Individual task force members include: Judith H. Ramseyer, task force chair and chair of the King County Bar Association's committee on Gender Equality in the Legal Profession; Gender Equality Committee members participating in the Task Force include Nashra Rahman, Judith Andrews, and Hon. Catherine Shaffer, King County Superior Court; Trilby Dorn and Jennifer Johnson Grant, Washington Women Lawyers; Lorraine Lee, King Co. Chapter WWL; Eileen Concannon, Supreme Court Commission on Gender and Justice; Jan Michels, Executive Director, and Jerri Ninesling, Administrator, Washington State Bar Association; Lisa Stone, Executive Director, Northwest Women's Law Center; and Kris Costello and Catherine Chaney, Washington Women Defenders.

² The Glass Ceiling Task Force gratefully acknowledges the Minnesota Bar Association for allowing it to use Minnesota's Self-Audit for Gender Equality as a template for our survey. The task force is also grateful to the Washington Supreme Court Commission on Gender and Justice, the King County Bar Association, the Washington State Bar Association, and Heller Ehrman White & McAuliffe LLP for their generous monetary and in-kind contributions. The survey could not have been conducted without the help of these organizations.

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Discussion

This section discusses survey findings in the seven general topics on which questions were posed: hiring, compensation, work life and firm culture, firm governance, discrimination and harassment practices, professional growth, and promotion and retention. Following this general discussion, specific findings for each survey question are reported and, in many cases, displayed graphically.

I. Hiring

Because the number of women lawyers has been steadily growing and men and women are now admitted to law schools in roughly equal numbers, one would expect women to populate law firms in similar proportions. The data bear this out for lawyers entering practice. Almost half (47%) of all associates in Washington law firms are women. Half of all summer clerkship offers, and 43% of associate offers, were made to women in 2000. In striking contrast, however, only 18% of equity partners in Washington firms are women. Thirty-one percent of non-equity partners are women. Women advance through the ranks to partnership in much smaller numbers than men. Perhaps predictably, given the decrease in the number of women equity partners as compared with associates, just 22% of equity partner offers were made to women. Offers were accepted in approximately the same proportions.

Women, on the other hand, received offers for contract positions twice as often as men (66% women, 33% men). This may be explained by women taking themselves off the partnership track to raise families. It is also possible that firms are less supportive of women in a partnership track, making contract work a more attractive alternative.

Racial/ethnic minority lawyers are represented in Washington law firms in even smaller proportions. Only 8% of all lawyers employed by the firms surveyed are ethnic minorities. Among associates, 11% are minorities. Minorities comprise just 3% of equity partners in Washington law firms. Large firms, those with more than twenty attorneys, are more likely to employ minority lawyers than mid-size firms (11 to 20 attorneys) and small firms (ten or fewer attorneys).

While women play a substantive role in interviewing and recruiting new law school graduates and lateral hires, they are underrepresented on firm committees that make final hiring decisions. For example, 89% of female lawyers make hiring recommendations of new law school graduates, and 94% of women attorneys make recommendations to hire lateral associates and partners. Most firms (95%) report that the final decision about hiring is made by a group of people, but only 26% of the committee members are women. Approximately one-third of Washington firms surveyed have hiring committees chaired by women. Women in western Washington firms tend to be more involved in hiring committees than women in eastern Washington firms.

II. Compensation

With regard to monetary compensation, the percentage of female lawyers in the bottom 25% of salary ranges is higher than the percentage of female lawyers in the top 25% across most attorney categories.

In Washington firms, 77% of the lawyers receiving the top 25% in monetary compensation are male. Lawyers in the lowest quartile for compensation are twice as likely to be female associates than those who are compensated in the top quartile.

Only 9% of those in the top 25% of monetary compensation are female equity partners; 13% of those in the bottom 25% of compensation ranges are female equity partners.

To make compensation decisions for associates, the criterion most often considered is billable hours (79%). Larger firms are more likely than mid-size and small firms to use performance evaluations, seniority, supervisory experience, bar association work, or professional contributions as criteria for associate compensation.

Although billable hours remain a top consideration, business generation is the number one criterion used when making compensation decisions for equity partners. These same factors, billable hours and business generation, are the top criteria used to make compensation decisions for non-equity partners.

III. Work Life and Firm Culture

Parental leave and child rearing responsibilities most often fall to women for both physiological and cultural reasons. The cultural reasons can be modified; the physiologic cannot. Strikingly, only four out of ten (39%) firms surveyed have a written parental leave policy. In nine out of ten of the firms with a written policy (91%), the policy applies equally to men and women. Large firms and mid-size firms, those located in western Washington, and those with minority lawyers are more likely to have a written parental leave policy.

Approximately half the firms surveyed report that both associates (53%) and partners (47%) receive paid parental leave, averaging six to ten weeks in length. Large firms are more likely to provide paid parental leave than firms with twenty or fewer lawyers. On average, female associates and female partners receive more paid parental leave than do their male counterparts.

Sixty-four percent (64%) of responding firms allow partners to take unpaid parental leave, while 71% provide unpaid parental leave to associates. In length, unpaid leave typically ranges from eight to ten weeks.

Of those lawyers taking parental leave in 2000, two-thirds (65%) were women. Nearly 70% of the lawyers taking parental leave were full-time associates.

Most firms surveyed (78%) indicated they do not have a sabbatical policy. Large firms in western Washington with more than twenty lawyers are more likely to have a sabbatical policy than smaller firms or those located in other parts of the state.

More than half of the firms responding (58%) have a policy regarding part-time work, job sharing, and alternative work schedules. Three-fourths (75%) of the firms with a policy make it available to all lawyers in the firm. Only one in ten firms (10%), however, has a written policy addressing alternative work schedules.

Among the firms allowing alternative work schedules, 60% indicate that at least one lawyer in the firm was working on an alternative schedule in 2000. Of these firms, eight out of ten (81%) had lawyers working part-time, approximately three-fourths (73%) allowed flexible hours, approximately half (46%) had lawyers telecommuting, and 2% participated in job sharing.

The most common reason given for alternative work schedules is child rearing (81%). Additional reasons cited include nearing retirement (27%), other interests/avocations (25%), personal medical needs (25%), and medical needs in the family (21%). With one exception, women lawyers at all levels within a firm are more likely to participate in an alternative work schedule. The exception is for full-time equity partners, where more men (53%) than women (47%) were reported to have used alternative work schedules in 2000.

Virtually all responding firms provide benefits to full-time attorneys. Benefits for full-time attorneys include medical insurance (99%), 401(k) or retirement plans (79%), dental insurance (77%), profit sharing (68%), and life insurance (68%). Other benefits, such as disability insurance, parking, and transportation subsidies are offered by small numbers of firms.

Larger firms, those with more than twenty attorneys, are more likely to provide pre-tax deductions to its attorneys. For example, 94% of larger firms provide pre-tax deductions for health care, while 65% of the mid-sized firms (11-20 lawyers) and 44% of the smaller firms (ten lawyers or less) provide this benefit. Other benefits provided by law firms include pre-tax deductions for childcare (43%), weekend parking (50%), evening parking (47%), health care reimbursement (40%), and taxi service (25%). More than half (54%) of the firms do not contribute in any way to childcare costs.

Forty-five percent of responding firms have lawyers who work less than half-time. Of the firms that have lawyers who work less than 50%, two-thirds (66%) reported that these attorneys receive fewer benefits than full-time lawyers. Benefits are generally eliminated for part-time lawyers at an average of 62% of full-time. Almost all firms eliminate all benefits when an attorney works less than 40% of full-time.

IV. Involvement in Governance

Men are far more likely than women to determine compensation awards. Women are underrepresented whether the firm conducts the process by committee or by a sole decision-maker. Women lawyers account for just twenty-two percent (22%) of the membership of reported compensation decision-making groups. Even fewer minority lawyers have a voice in this process.

An overwhelming percentage of firms (93%) determine issues of compensation by committee. The average size of a committee making compensation decisions is six lawyers, typically composed of one woman and five men. On average, less than one member of the group is a minority.

Only 5% of firms have a single person who makes compensation decisions. Three out of four lawyers (75%) who are the sole compensation decision-maker are men. In no reported instance was the decision-maker a racial minority.

Representation on various law firm committees shows male dominance in important areas. For instance, male lawyers are more involved in committees geared toward business management and firm growth. Men dominate in partnership selection (86%), compensation (82%), executive management (81%), long range planning (81%), and business development and marketing (80%). Dubbed the “glass wall,” male dominance in these areas results in women being left out of the firm power structure and, as they are often related, higher compensation levels. It also contributes to a perception that women are less powerful in the profession than men.

Women lawyers tend to be more involved in committees concerning human resources, public relations, and philanthropy. For example, women make up at least half of the diversity (62%) and artwork (50%) committees. They also have a greater presence on party/celebration (41%) and hiring/recruitment (39%) committees.

V. Anti-Discrimination/Sexual and Gender Harassment

A minority of firms responding to the survey reported that they have policies and training covering gender and ethnic discrimination and sexual harassment. Fifteen percent (15%) of the firms provide training on gender and ethnic discrimination, while 20% cover sexual harassment. None of the all-male firms or firms in eastern Washington, however, reported training on any of these issues. When firms provide such training, they typically do so for all employees. The presence or absence of minority lawyers does not indicate a statistically significant difference in whether a firm provides ethnic discrimination training.

While training is provided in relatively few firms, a majority have written policies covering gender (56%) and ethnic (57%) discrimination and sexual harassment (61%). Large firms and mid-size firms and those with at least 25% women are most likely to have written gender discrimination policies.

Similarly, firms with at least one woman attorney are more likely to have written policies about sexual harassment (63%) than all-male firms (20%), while a greater percentage of mid-size and large firms (87%) have such policies than do firms with ten or fewer attorneys (39%). This pattern continues with regard to ethnic discrimination: firms with minority lawyers are more likely to have written ethnic discrimination policies (74%) than firms without minority lawyers (45%). Firms in western Washington (60%) and large and mid-size firms (87%) more often have these written policies than firms in eastern Washington (25%) and small firms (32%).

Among all firms that offer anti-discrimination training, sexual harassment training is the most common subject (90%), followed by gender and ethnic discrimination (both 68%). Written policies are more common than training. Among firms that have such policies, sexual harassment is again the most common subject (94%), followed by ethnic (91%) and gender (89%) discrimination.

Policies and procedures for responding to complaints of discrimination or harassment are a roughly equal mix of formal (43%) and informal (36%). Where policies designate a specific person to receive such complaints, the person is most likely to be a male partner (40%) or a female staff person who is not a lawyer (34%). Female partners are designated as the person to whom complaints should be directed by 25% of the firms responding, and in 10% of firms, no one person is specified as the appropriate recipient of such complaints. Twenty percent (20%) of firms reported never having received such a complaint or they do not have procedures for formally responding to complaints.

Most firms that responded to the survey evaluate lawyers' attitudes about gender and ethnic bias at some point during the lawyer's tenure with the firm. Initial hiring is the most common point to make an assessment (58% of firms), but 40% of firms reported they always evaluate lawyers for bias when making a partnership determination, and an additional 15% sometimes make that evaluation when considering partnership. Promotion (49%), periodic evaluations (44%), and compensation evaluations (31%) also provide an opportunity for firms to assess lawyers' attitudes with regard to gender and ethnic discrimination.

VI. Professional Growth

Three-quarters of the firms surveyed (74%) have a mentoring program for associates. Of those firms with a mentoring program, fifty-eight percent (58%) have an informal program, while 16% have a formal program. Male and female associates receive mentoring equally. Most of the firms surveyed do not have a formalized system for distributing work to associates (85%) or partners (94%). Because 81% of the partners at Washington firms are men and people tend to gravitate toward that which is familiar, informal mentoring or work assignment practices may favor male associates.

Most firms (84%) conduct periodic performance reviews of associates, while only 19% do so for partners. Large and mid-size firms are more likely than small firms to conduct associate reviews. These reviews are performed on an annual basis at most firms. At least half of the firms that conduct performance reviews for associates and partners have written criteria for the review.

Washington firms pay for a variety of marketing and business development activities for attorneys. The most common activities reported are bar association events, meals, charitable and community events, and tickets to sporting events.

VII. Promotion and Retention

Almost two-thirds (63%) of the responding firms do not have specific criteria for promotion to partnership or shareholder positions. Firms with more than twenty attorneys are more likely to have specific criteria (82%) for promotion than small and mid-size firms. In firms with specific promotion criteria, the most common method to share the criteria with associates is by an oral report at meetings.

During the calendar year 2000, approximately two-thirds of lawyers who were eligible (63%) and 67% of those considered for equity partner or shareholder status were men. Of those promoted to shareholder status, 61% were men; 39% were women.

Similarly, seven out of ten (70%) lawyers who were eligible for non-equity partner positions and 67% of those who were considered were men. Sixty-five percent (65%) of those promoted to non-equity partner positions were men; 35% were women.

Lawyers who left their firms in 2000 were predominately women. One hundred percent (100%) of the part-time associates and part-time equity partners who departed were women. Among full-time associates, the gender split was roughly equal: 52% men, 48% women.

The most common reason for leaving a firm was to take a job with another firm. A substantial majority of women associates left to enter the public sector (73%) or solo practice (75%). More men than women associates left law firms to become corporate counsel (63% men; 37% women), or because they were asked to leave (60% men; 40% women). Men and women associates left a firm to join another law firm at about the same rate (55% male; 45% females).

Gender differences were marked when the reason for leaving a firm was to take time for family responsibilities. Among associates, 92% were women and 8% were men. Among equity partners leaving for the same reason, 75% were women and 25% were men.

VIII. Subjective Statements

In addition to the objective questions that formed the bulk of the survey, respondents were given the opportunity at the end of the survey to add subjective comments related to these topics. Those comments, which are not representative of all firms surveyed, are summarized below.

A. Minorities

Some respondents volunteered their views on what they believe to be the experience of racial minorities in their firm. Just over one-third (36%) of the firms responding to the survey, however, currently employ minority attorneys. For those firms without minority representation, narrative responses indicate a belief that minority attorneys are hard to come by. There was no consensus as to why minority applicants are scarce.

Some attribute it to a lack of interest on the part of the minority attorneys. According to some, minority attorneys are simply not interested in working for a smaller firm. Small firms with ten or fewer attorneys and firms located in outlying or rural areas feel that minorities are not seeking employment with them.

One firm considered it less a question of geography than society: it reported they were “open to minorities – but find most prefer to work in more metropolitan areas where there is a community of their race, etc. – and not deal with what they see as the social isolation of smaller outlying county.”

Some respondents believe they are unable to attract the minority applicant because they are unable to pay larger salaries. One respondent felt this was why an offer made to an African-American woman was rejected.

Some attribute it to the number of minority attorneys practicing law. Some respondents stated that resumes from minorities were rarely or never received. One firm commented that law schools should increase diversity to “make it easier to hire minority attorneys.”

One firm attributed the problem to the quality of minority attorneys practicing law: “We hire the best lawyers we can get, period.” That firm also noted that in three years, “headhunters” had never sent it a minority applicant.

Feedback from firms with minority attorneys was overwhelmingly favorable. For instance, one firm reported, “For the most part, all the racial minorities hired have been comparable to non-minorities. I see no difference whatsoever.” A positive effect of employing several African-American attorneys, stated one firm, was an increased sensitivity to the concerns of minority lawyers, staff, and clients.

B. Women

The subjective comments offered display the same range of experiences women encounter in the profession. Some were extremely positive. For example:

“We have 2 equity partners. One male, one female. We treat all our lawyers and non-lawyer staff with respect and hire/promote people without taking gender into account.”

“Firm founded by two women and two men; power shared equally.”

“Has worked well that we have equal number of men and women as partners in firm.”

Other comments demonstrate that the perceptions of and experiences for women continue to differ from those of men:

“We have come to a point where women have proven they make very capable lawyers. I see no need to try to show that they are somehow receiving second class treatment. The problem only arises in the situation where the woman wants to work part-time.”

“I, as a female partner, am profoundly disappointed in the ‘drive,’ attitude and overall performance of the female associates and clerks who have been hired over the last four years.”

“I have found the attitude toward parental leave to be cool – I am allowed to take it but made to feel as if I am less dedicated to the firm because I do. Other than this issue, a big one! – I have always been treated equally.”

"I was the only woman at my firm for years. I successfully recruited two more women during the last year. My partners are terrific, but do not realize the ways in which women are treated differently. I was not invited to play golf with clients."

"They tend to take more time off than the male lawyers."

"After spending several years and considerable expense to develop her legal expertise, our last woman associate decided to get pregnant and stay at home."

IX. Conclusion

Although these findings are merely representative and not descriptive of all law firms in Washington, some important trends emerge that warrant scrutiny. For example, between joining a firm as an entry-level associate and partnership, the number of women attorneys in law firms decreases by more than 50%. Numerous factors may contribute to this attrition. The most obvious reason is childbirth, a task that cannot be shared with men. Some percentage of women will likely always choose to leave the practice of law when they have children. Child-rearing tasks, however, can be shared with men. Nonetheless, the survey results show that an overwhelmingly higher percentage of women than men leave law firms for family responsibilities.

But family responsibilities alone do not explain the severe decrease in women becoming shareholders in Washington firms. Among associates, much higher percentages of women than men are also leaving firms to enter the public sector or solo practices. This could indicate that, at least for associates, law firms are less hospitable for women than for men. The survey data may provide some insights:

- Men predominate on firm committees that determine issues of firm management, promotion, and compensation.
- Men predominate in the highest quartile of compensation levels in firms.
- Billable hours, business generation, and involvement in firm governance/firm fit are the top three criteria used to make compensation decisions.
- A majority of law firms do not have specific criteria for promotion to partnership decisions.
- A majority of law firms do not have a formal policy for distributing work assignments to associates or partners.
- A majority of law firms do not have written parental leave policies.
- A majority of law firms do not provide childcare assistance.

If during the five to ten years between entering the profession in a person's mid-twenties and partnership (at least for traditional applicants), billable hours, business generation, and firm governance/fit are the primary criteria used to determine status within a law firm, women will always be disadvantaged because they are, for the most part, the same years when child-bearing is at its peak. Do all women choose to end their legal careers when they have children? Not at all. Will a woman leave a law firm to find a more supportive work environment, for instance the public sector or solo practice, if she feels she must choose between having children and irreparably harming her career? Perhaps.

The disparity is even more pronounced for minorities. Due to the relatively small numbers, minority lawyers in no way approach parity with non-minorities. If full participation in a law firm's culture requires a critical mass of people with common experiences, these lawyers have no baseline from which to draw.

Law firms are businesses that must make sound business decisions. One substantial expenditure law firms have is for associate compensation and development. Over the long term, it is more economical to develop a talented associate into a fully performing partner than to hire new associates to fill vacancies at the mid- to senior associate level. A junior associate costs the firm more than a senior associate who can work more efficiently and bill at higher rates. This should be an incentive for firms to examine whether their own practices encourage or discourage women and minorities from sharing fully and equally in the firm culture.

Despite important gains made by women and minorities in the legal profession in recent decades, this survey shows that more can be done to ensure the full participation of women and minorities in the private sector. The first step is awareness, and a commitment to addressing the disparities that remain. This survey and future surveys can help us gauge how successful our efforts have been.

In addition, certain strategies can promote success. Formalized policies that deal with mentoring, work assignment, performance evaluation, promotion, compensation, parental leave, alternative work schedules, and harassment or discrimination help eliminate the subjective or *ad hoc* decision-making that permits inequity. It is not enough to have a policy “on the books.” To be effective, a policy must be used to guide decision-making.

Women and minorities must also have opportunities for leadership and professional development within and outside of the law firm. For example, work assignments should be monitored to ensure that career enhancing opportunities such as interesting assignments, working for important clients, and client contact are enjoyed by all. Likewise, a person’s stature within a law firm is enhanced by key committee or administrative assignments. These, too, must be made with a commitment to diversity.

Quality of life issues are a concern for all lawyers and can be especially difficult to manage while raising a family. Policies that accommodate flexible work arrangements can make it possible for both men and women to juggle the demands of family and career. The more receptive a law firm is to these arrangements, the more likely it is that both men and women will avail themselves of the practices and remain committed to their law firm as a consequence. Any law firm that genuinely attempts to accommodate quality of life concerns without requiring a lawyer to sacrifice career development or fair compensation will see its lawyer attrition rate decline.

A law firm, however, can also gather useful information about its culture when a lawyer leaves. Confidential exit interviews, given in circumstances that promote candor, can help a firm identify areas of particular concern. If certain topics are mentioned repeatedly, concerted remedial measures in those areas are warranted.

With persistence, a person taking small steps can cover great distances. Setting concrete goals in hiring, promotion, compensation, and firm administration can help a law firm measure its commitment to and success in eliminating bias. A sustained effort will carry us, step by step, closer to the goal of a diverse work force in which barriers to success that are based on stereotypes or prejudice have been removed.

Hiring

Firm Size

Q1a *In total, how many lawyers were employed by your firm at ALL locations on June 1, 2001?*

Q1b *How many lawyers were employed by your firm at WASHINGTON locations on June 1, 2001?*

Law firms responding to the survey are reporting information on 2,083 total lawyers at Washington locations.

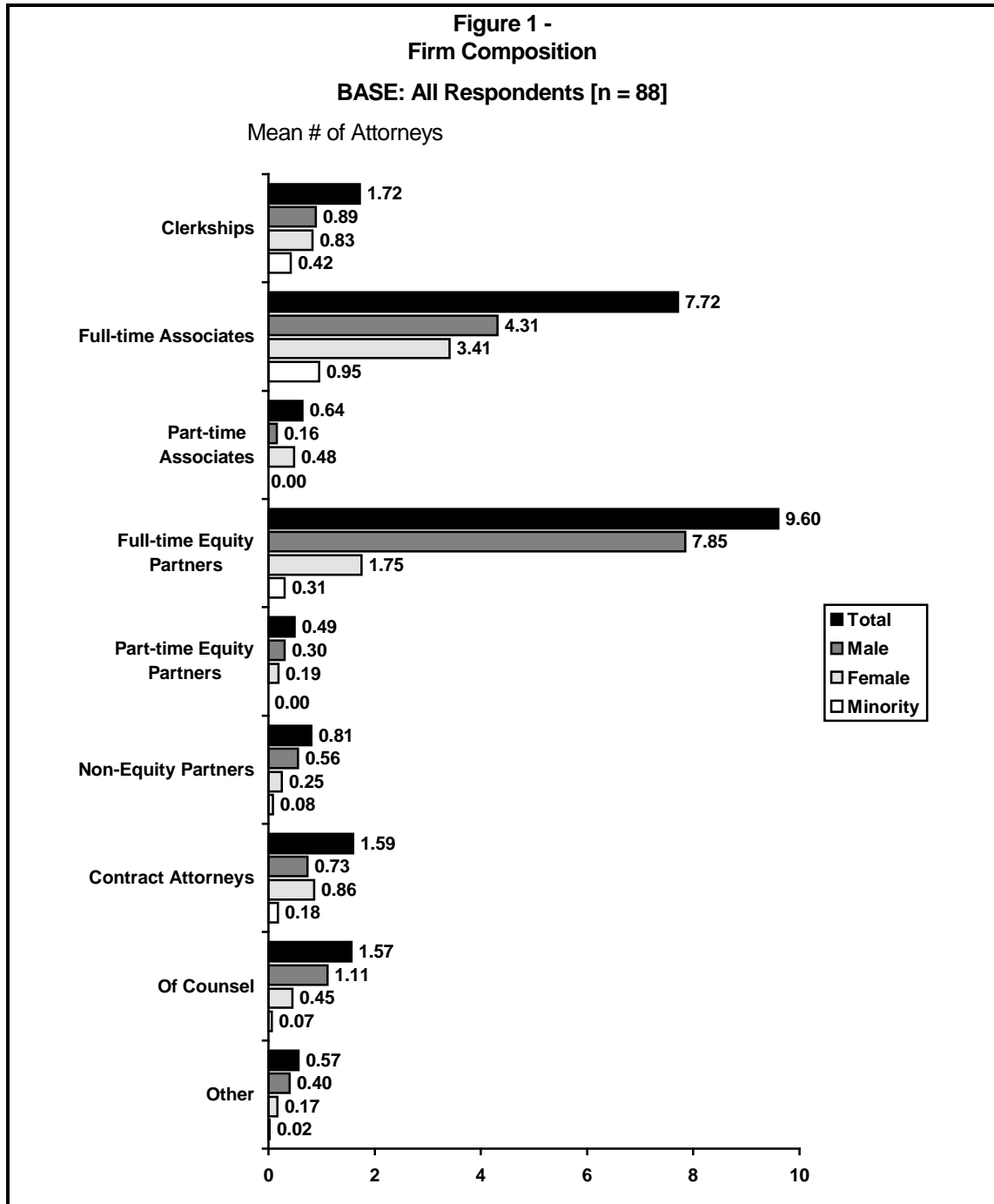
TABLE 1 FIRM SIZE		
Number of Lawyers Employed	All Locations	Washington Locations
5	18%	18%
6 – 10	36	38
11 – 20	24	24
21 – 50	11	11
51 – 100	2	6
101 – 150	2	1
Over 150	6	2
Mean	36.4	23.7
Standard Dev.	90.2	47.7
Minimum	5	5
Maximum	532	312
TOTAL LAWYERS	3,206	2,083

- Firms employing minority lawyers are more likely to be larger firms – firms with more than twenty attorneys. The average firm size with minority lawyers is 76.4, while the average size of firms without minorities is 10.1 lawyers.
- Firms with a written anti-discrimination policy that covers gender discrimination are more likely to be larger firms. The average firm size with a written gender-discrimination policy is 57.3 lawyers, compared to the average firm size of those without a written gender discrimination policy – 11.2 lawyers.
- The average firm size in eastern Washington is 8.6, compared to 40.9 at western Washington firms.

Firm Composition

Q2 How many male and female lawyers were employed by your firm on June 2001 in the following types of positions?

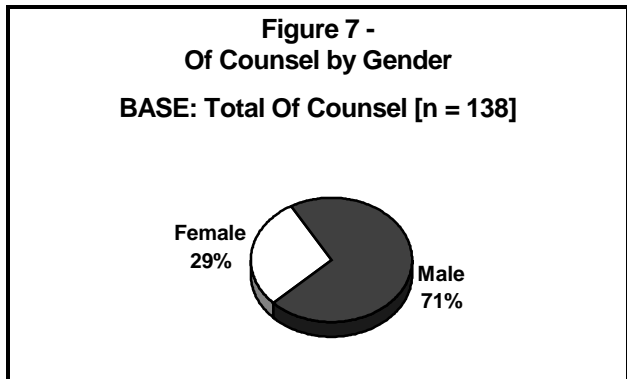
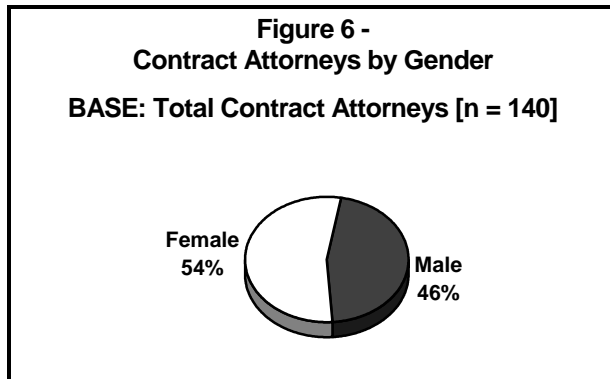
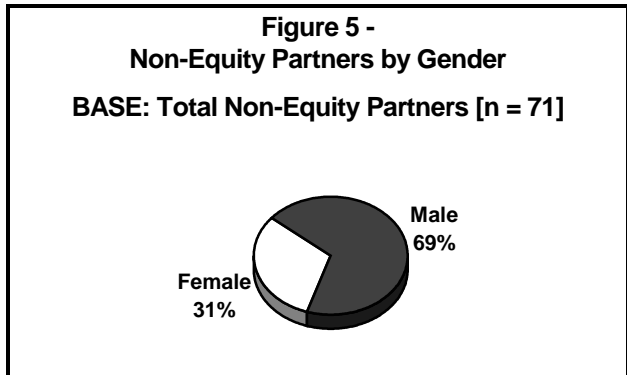
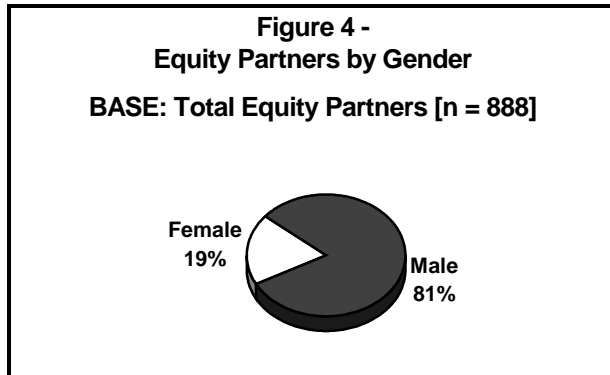
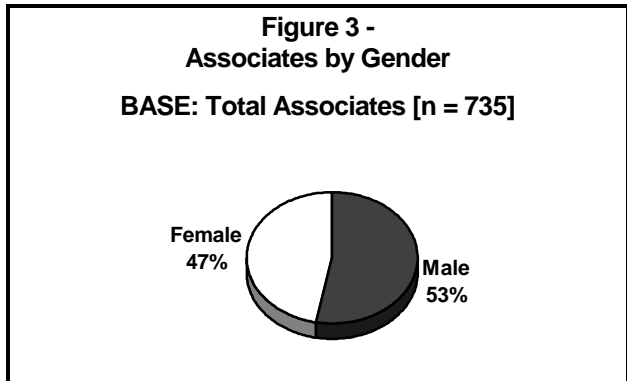
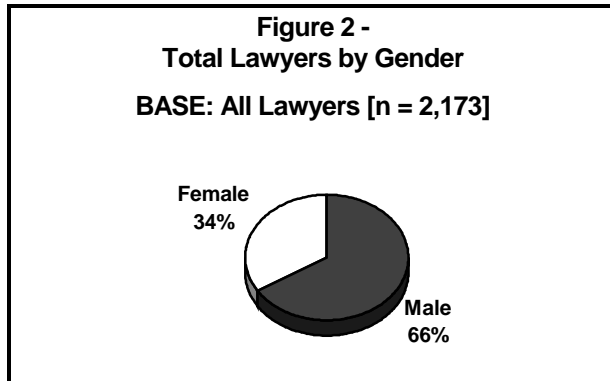
During June 2001, the staff of the Washington law firms surveyed consisted of 151 clerks, 735 associates, 888 equity partners, 71 non-equity partners, 140 contract or staff attorneys, 138 of counsel, and 50 lawyers in other positions.



Gender Distribution

Women make up about one-third (34%) of all lawyers employed by the Washington law firms participating in this study.

- While nearly half (47%) of the associates at the law firms surveyed are female, women make up only nineteen percent (19%) of equity partners at the same firms.

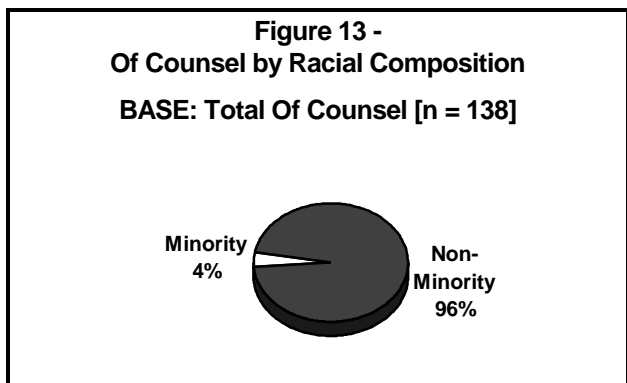
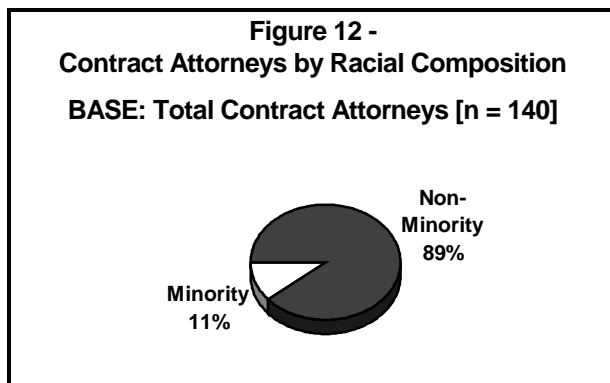
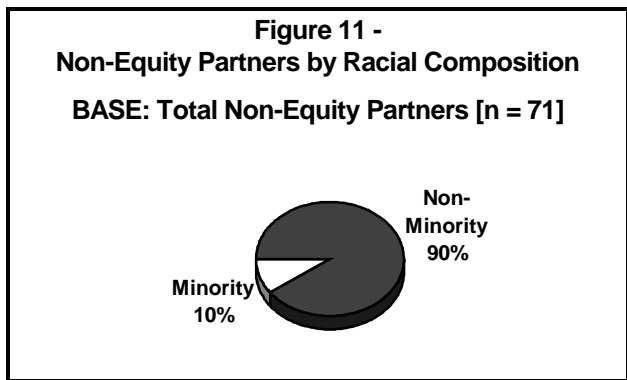
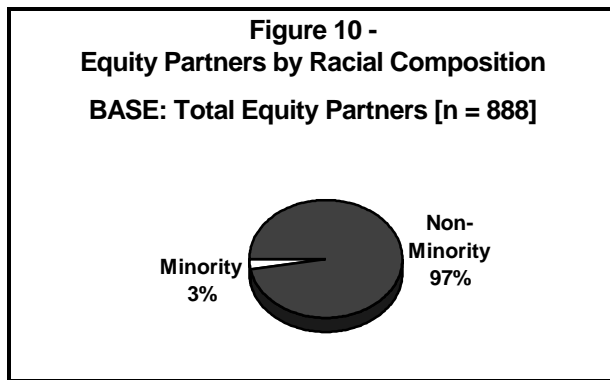
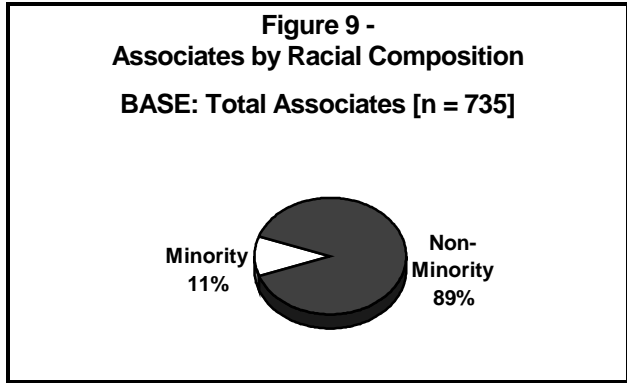
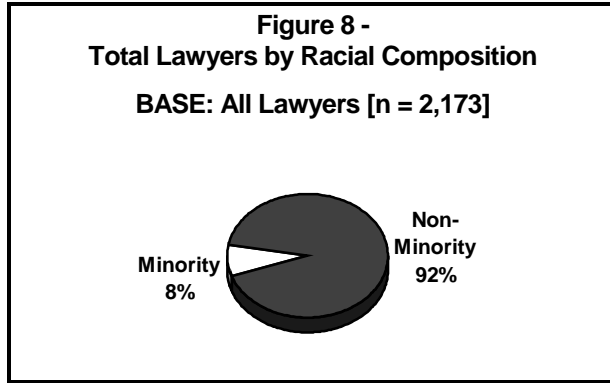


- None of the firms surveyed in eastern Washington have more than 5 female lawyers.

Minority Distribution

Eight percent (8%) of all lawyers employed by the Washington firms participating in this study are ethnic minorities.

- While one out of ten (11%) associates are minorities, minority partners are less prevalent among Washington firms. Only 3% of equity partners reported are minorities.



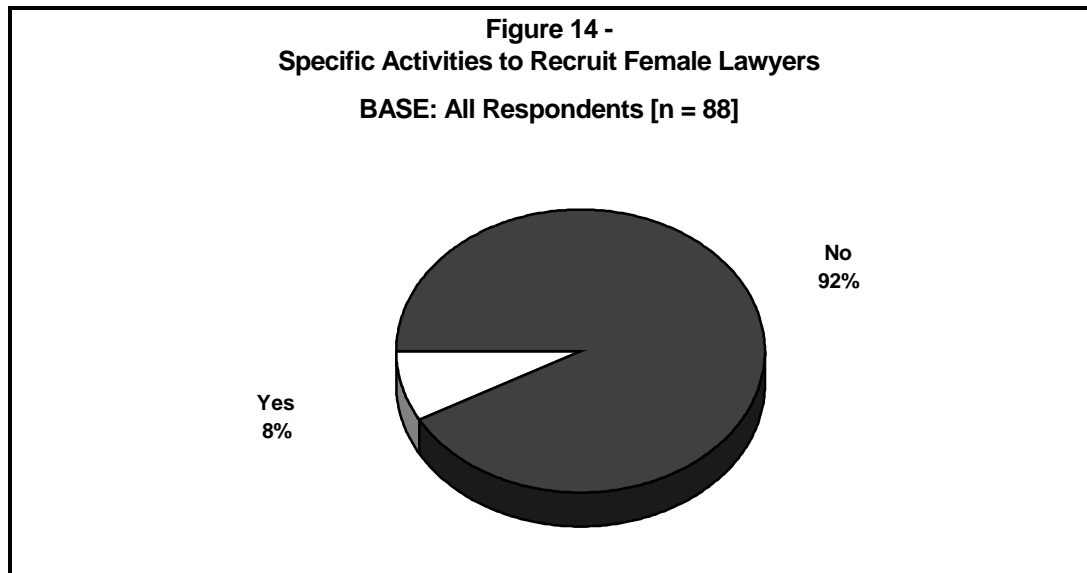
Recruiting

Recruiting Process

Q3 Does your firm conduct activities specifically designed to recruit female lawyers?

Only eight percent (8%) of firms surveyed say they conduct activities specifically designed to recruit female lawyers.

- None of the eastern Washington firms participating in this study report conducting specific activities to recruit female lawyers. Eight percent (8%) of western Washington firms conduct such activities.



Q3a Please describe your firm's activities specifically designed to recruit female lawyers.

The seven firms participating in activities specifically designed to recruit female lawyers describe these activities as personal contacts (100%), advertising (29%), receptions (14%), and other efforts (29%), depicted as “letting search firms know that the candidates they send to us should be diverse as possible,” and “we personalize interview schedules to ensure that female candidates meet with a variety of female attorneys (partners and associates) in all practice areas.”

Q6 In what ways do female lawyers in your firm participate in the recruiting and hiring of new law school graduates?

At the firms surveyed, female lawyers participate in recruiting and hiring new law school graduates in the following ways: interviewing job applicants (96%), making recommendations about hiring (89%), screening candidates (82%), taking part in recruiting candidates (60%), or participating in some other capacity (5%).

Moreover, sixty-seven percent (67%) of the firms surveyed say that women are involved in making the final decision about hiring, and a female lawyer chairs the hiring committee at one-third (33%) of the Washington law firms responding to the survey.

Q7 *In what ways do female lawyers in your firm participate in the recruiting and hiring of new lateral associates and partners?*

Similarly, female lawyers participate in recruiting and hiring new lateral associates and partners by interviewing job applicants at nearly all of the firms surveyed (99%), making recommendations about hiring (94%), screening candidates (85%), and taking part in recruiting activities (73%).

Seven out of ten firms (70%) say that women are involved in making the final decision about hiring new lateral associates and partners, and a female lawyer chairs the hiring committee at thirty-five percent (35%) of law firms.

Q8 *Is the FINAL decision about whether a lawyer is hired made by one person or by a group?*

Q8c *How many lawyers are in the group that makes the FINAL decision about whether a lawyer is hired?*

The final decision about hiring is made by a group of people at nearly all of the law firms surveyed (95%). These groups are made up of an average of seven lawyers, including an average of five men and two women. The overall proportion of female lawyers in these hiring decision-making groups is twenty-six percent (26%).

Also among this group, there is an average of less than one minority lawyer.

- Women in western Washington law firms tend to be more involved in such hiring decision-making groups, compared to those in eastern Washington law firms. Eight out of ten (79%) Washington firms in the west have female members in their hiring groups, while the same is true for thirty-seven percent (37%) of law firms in the east.

Q8a *Is the person male or female?*

Q8b *Is the person a racial minority?*

Of the five firms reporting that a single person makes their final hiring decisions, one reports that this person is a female lawyer, while the other four decision-makers are men.

None of the lawyers solely responsible for making hiring decisions at the firms surveyed is a person of color.

Q9 *Does your firm have written criteria or policies for recruiting and hiring other than equal opportunity policies?*

Twelve percent (12%) of Washington law firms participating in this study have a written policy for recruiting and hiring other than equal opportunity policies.

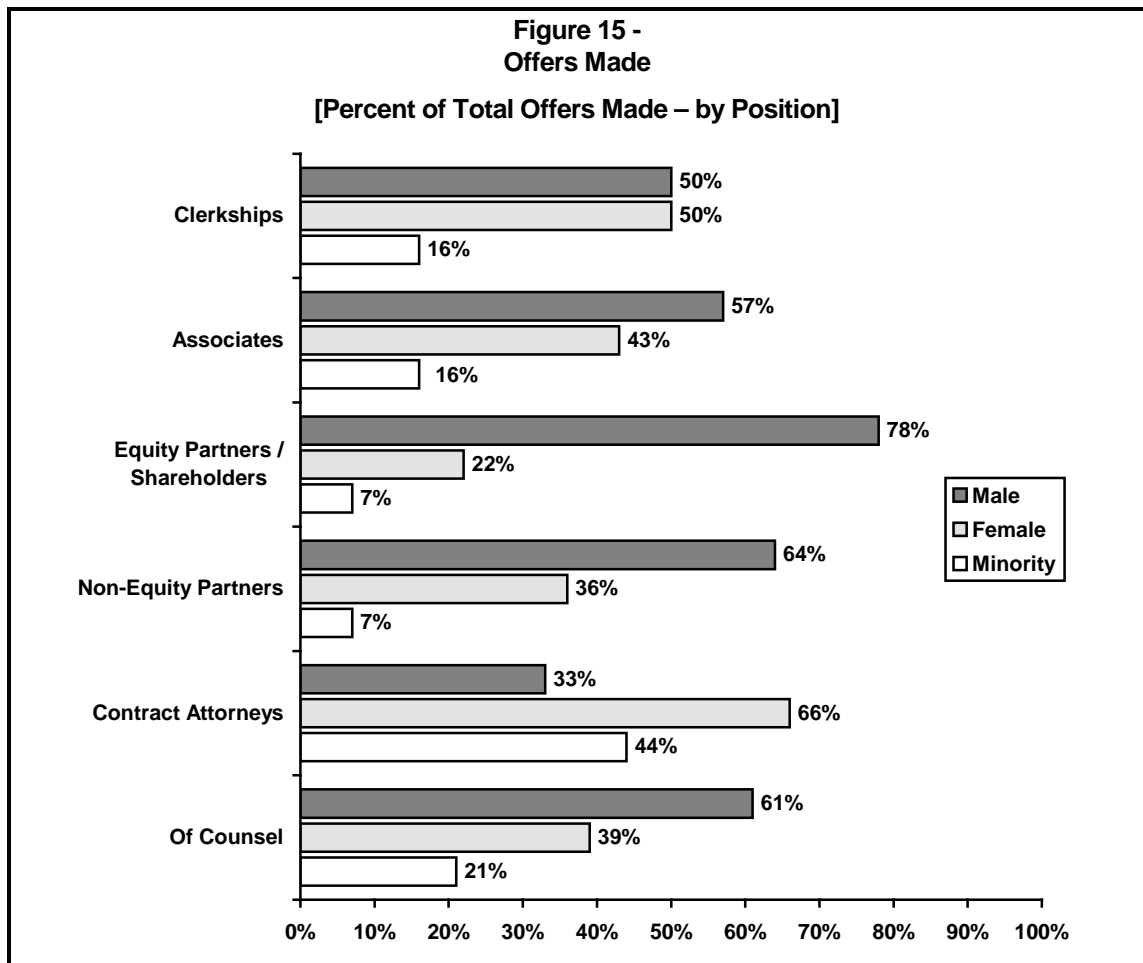
Offers Made and Accepted

Q4 During the calendar year 2000, how many OFFERS did your firm make to male and female lawyers for the following positions?

Potentially reflecting the higher number of females who are attending and graduating from law firms nationwide³, half (50%) of all summer positions / clerkship offers made were made to women. Sixteen percent (16%) of all summer position / clerkship offers made were made to minorities.

Slightly fewer offers were made to female associates than male associates – 43% compared to 57%, while significantly fewer equity partner offers were made to women than men – 22% compared to 78%.

Interestingly, twice as many contract or staff attorney position offers were made to women than men – 66% compared to 33%.

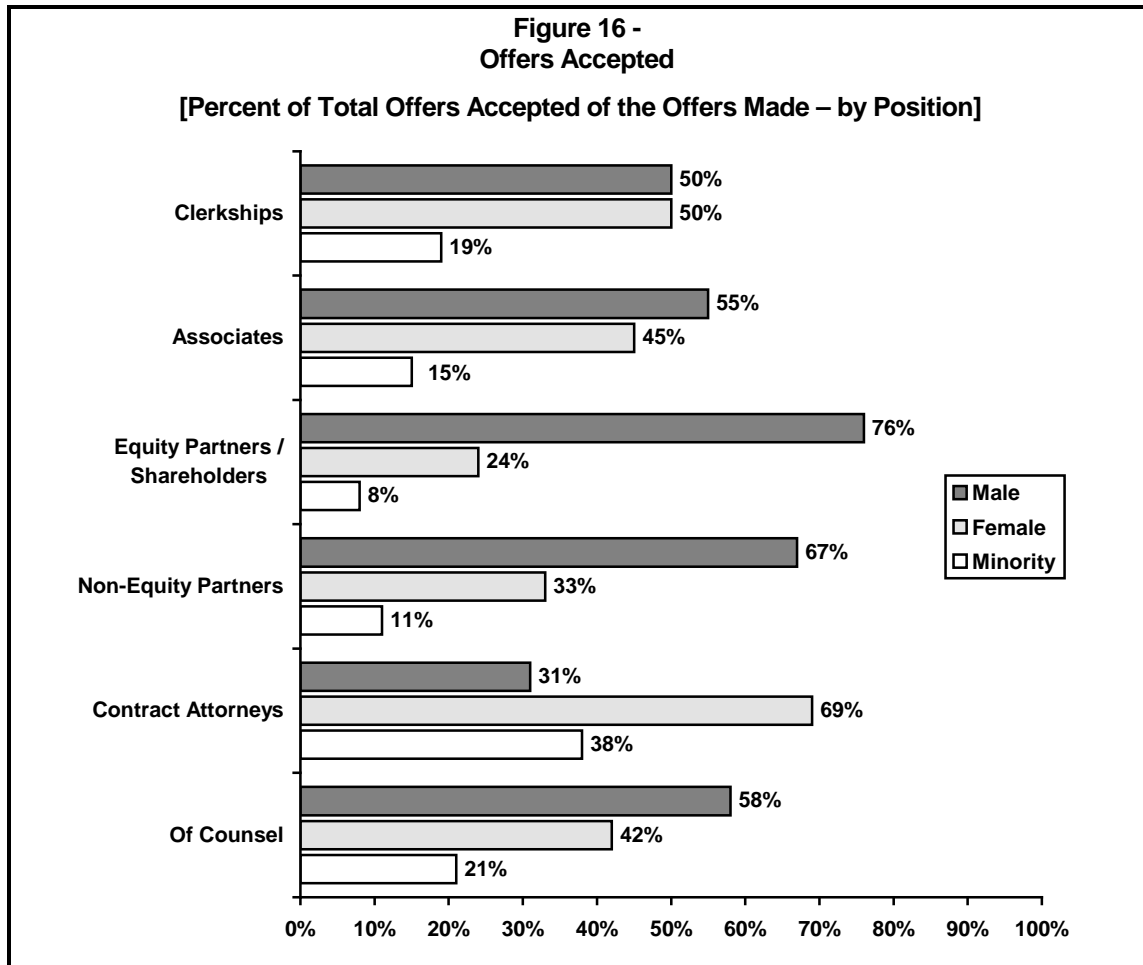


- Of all associate offers made, over half (57%) were lateral associate positions.
- Similarly, fifty-four percent (54%) of all partner/shareholder offers made were lateral positions.

³ Female enrollment in the class of 2004 is nearly 50 percent nationally. Gust, Ted. 2002 "Law", US News & World Report 2002 Edition, page 43.

Q5 During the calendar year 2000, how many ACCEPTED offers from your firm for the following positions?

The gender splits among lawyers who accepted offers from law firms are similar to the proportions of male and female lawyers who were offered positions. The gap narrows slightly for of counsel positions, with fifty-eight percent (58%) of accepted offers coming from men, compared to sixty-one percent (61%) of offers being made for male of counsel positions.



- Of all associate offers accepted, fifty-seven percent (57%) were lateral associate moves.
- Moreover, fifty-six percent (56%) of all partner/shareholder offers accepted, were lateral positions.

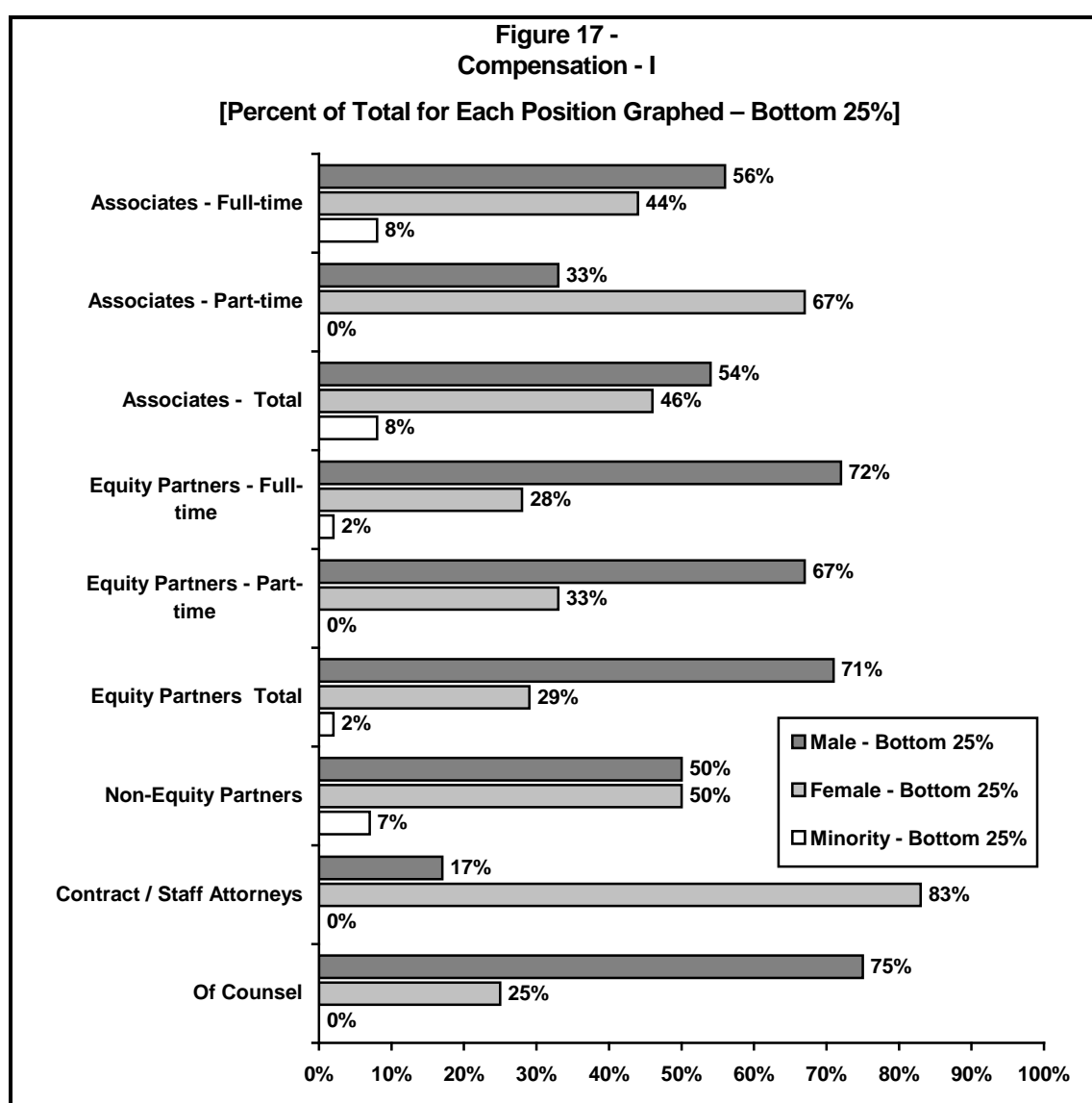
Compensation

Q17 How many lawyers within your firm receive the top 25% (the highest quartile) monetary compensation in each of the following categories?

Q18 How many lawyers within your firm receive the bottom 25% (the lowest quartile) monetary compensation in each of the following categories?

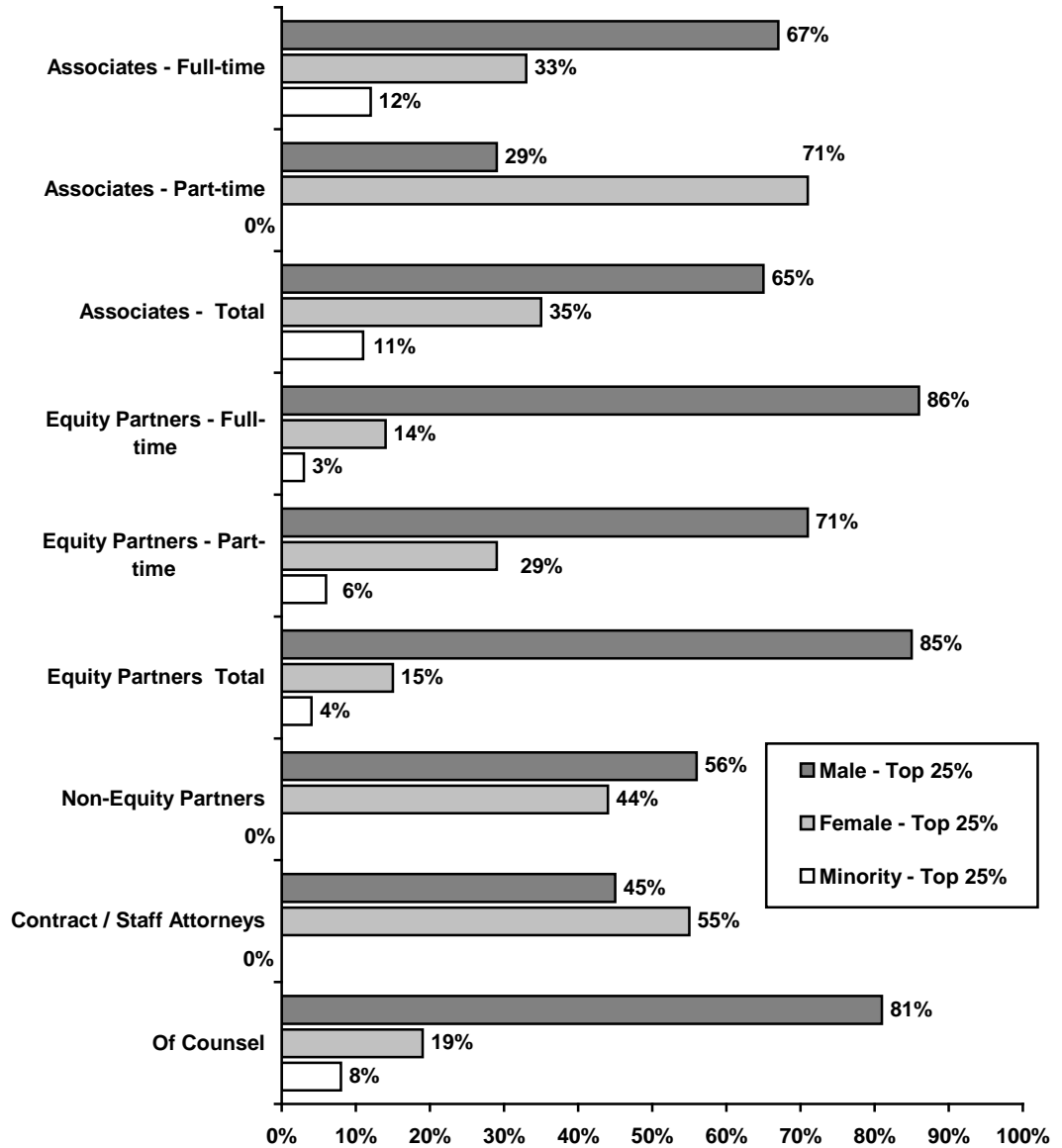
Note that the percentage of female lawyers who are in the bottom 25% for monetary compensation is higher than the percentage of female lawyers in the top 25% across most staff categories. The only exception is that the percentage of part-time female associates who earn in the highest quartile (71%) is greater than the percentage of part-time female associates who earn in the lowest quartile (67%).

- Seventy-seven percent (77%) of all lawyers receiving the top 25% monetary compensation are male lawyers. Comparatively, sixty-two percent (62%) of all lawyers receiving the bottom 25% monetary compensation are male lawyers.



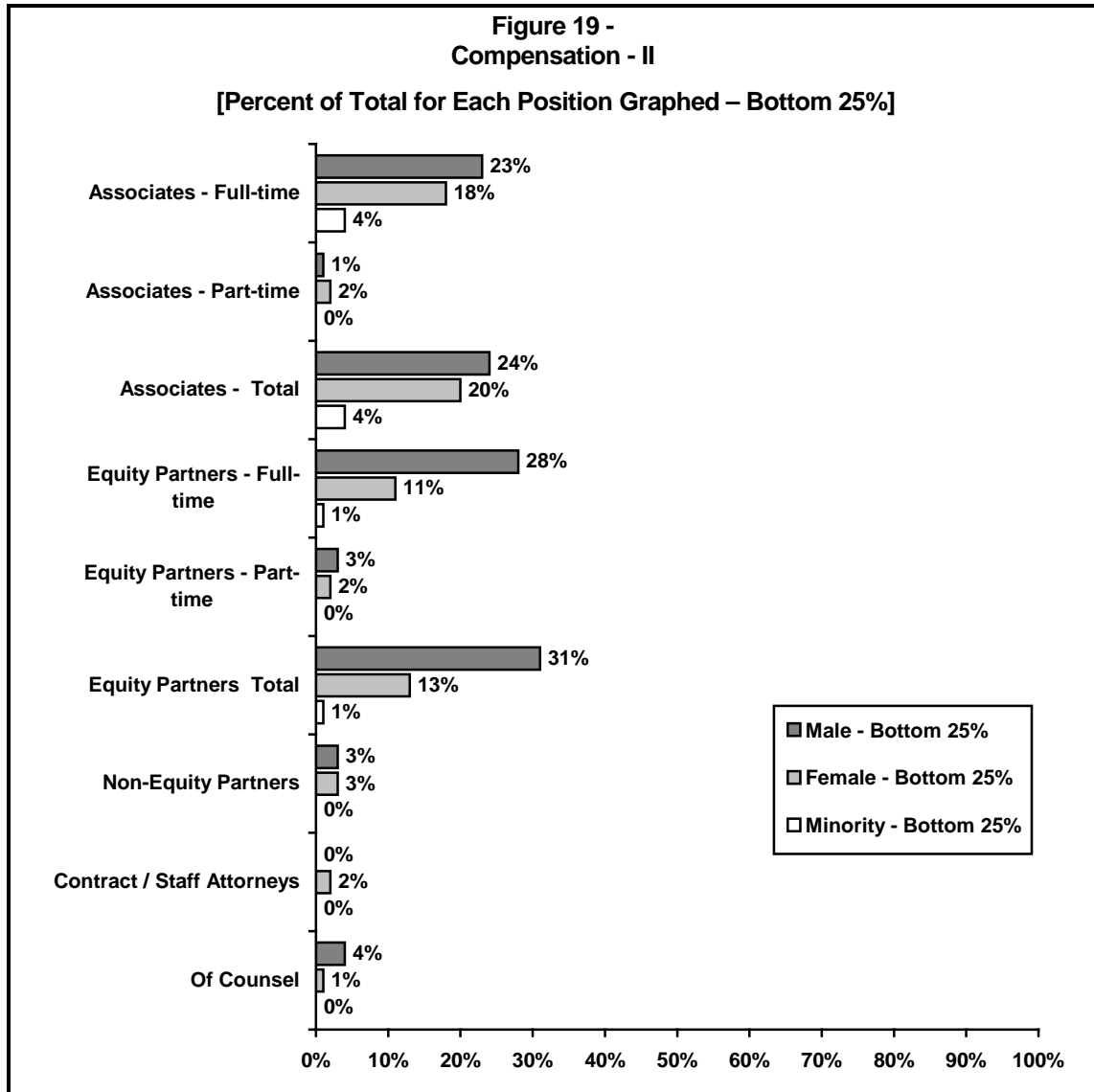
**Figure 18 -
Compensation - I**

[Percent of Total for Each Position Graphed – Top 25%]



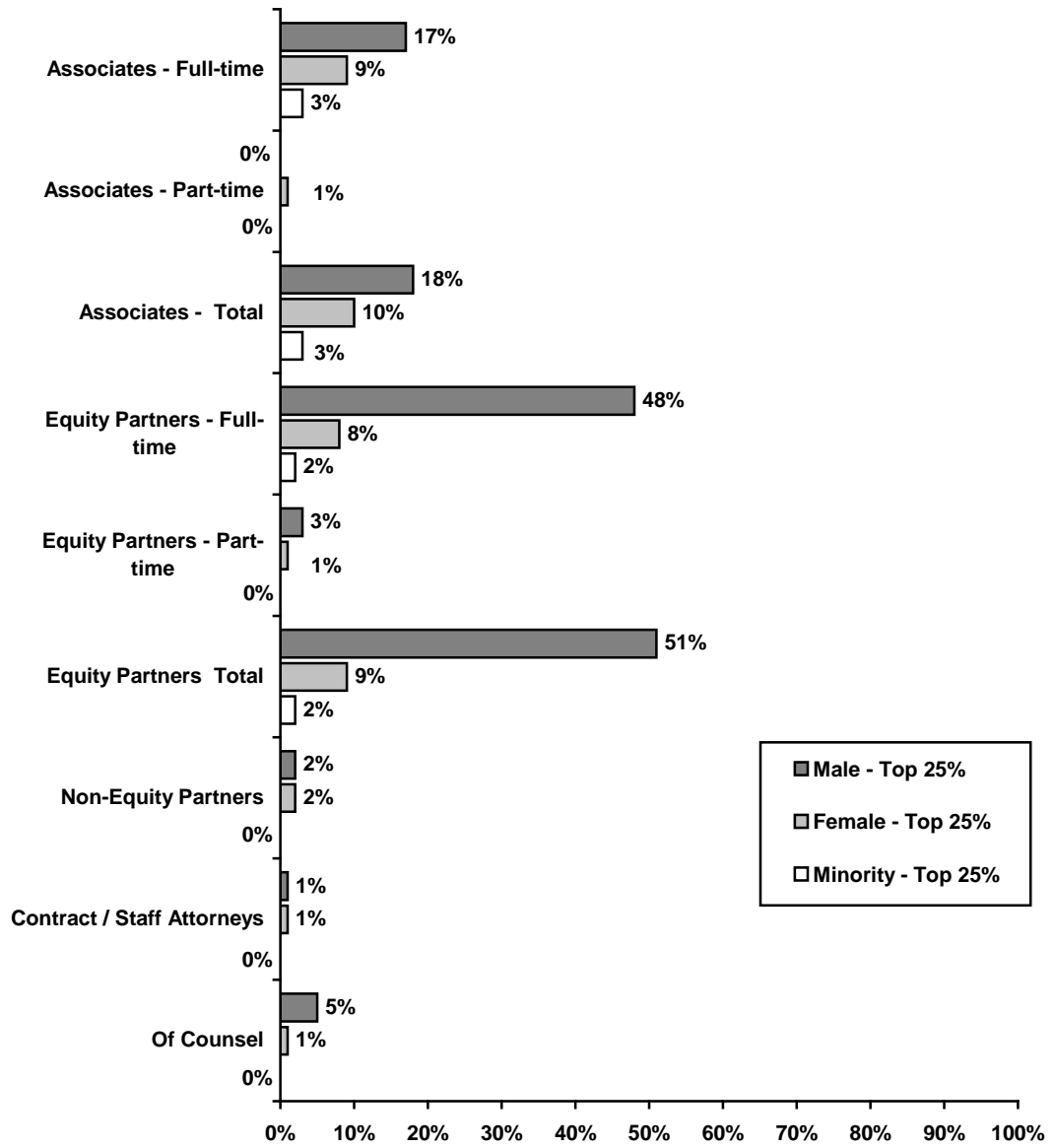
Another way of looking at the compensation information shows that of all lawyers reported, those in the lowest quartile are twice as likely to be female associates than those who earn within the top quartile (20% compared to 10%). Those in the top or bottom quartiles are more equally likely to be male associates (18% compared to 24%).

Only nine percent (9%) of those in the top 25% of monetary compensation are female equity partners, and thirteen percent (13%) of those in the bottom 25% are female equity partners. On the other hand, over half (51%) of the highest quartile is made up of male equity partners, while a lower percentage (31%) of the bottom quartile are male equity partners.



**Figure 20 -
Compensation - II**

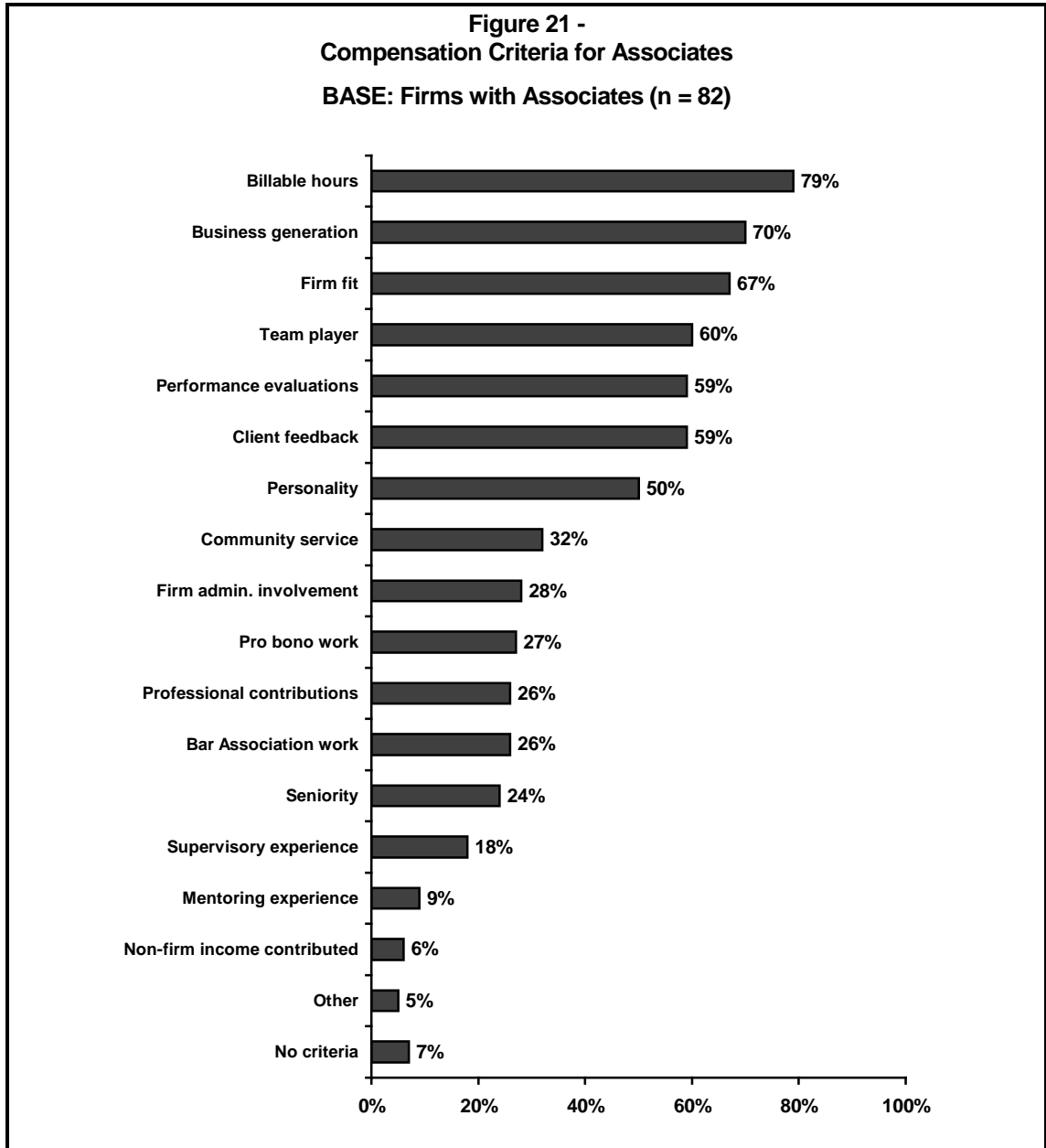
[Percent of Total for Each Position Graphed – Top 25%]



Q19a What criteria does your firm use when making compensation decisions for ASSOCIATES?

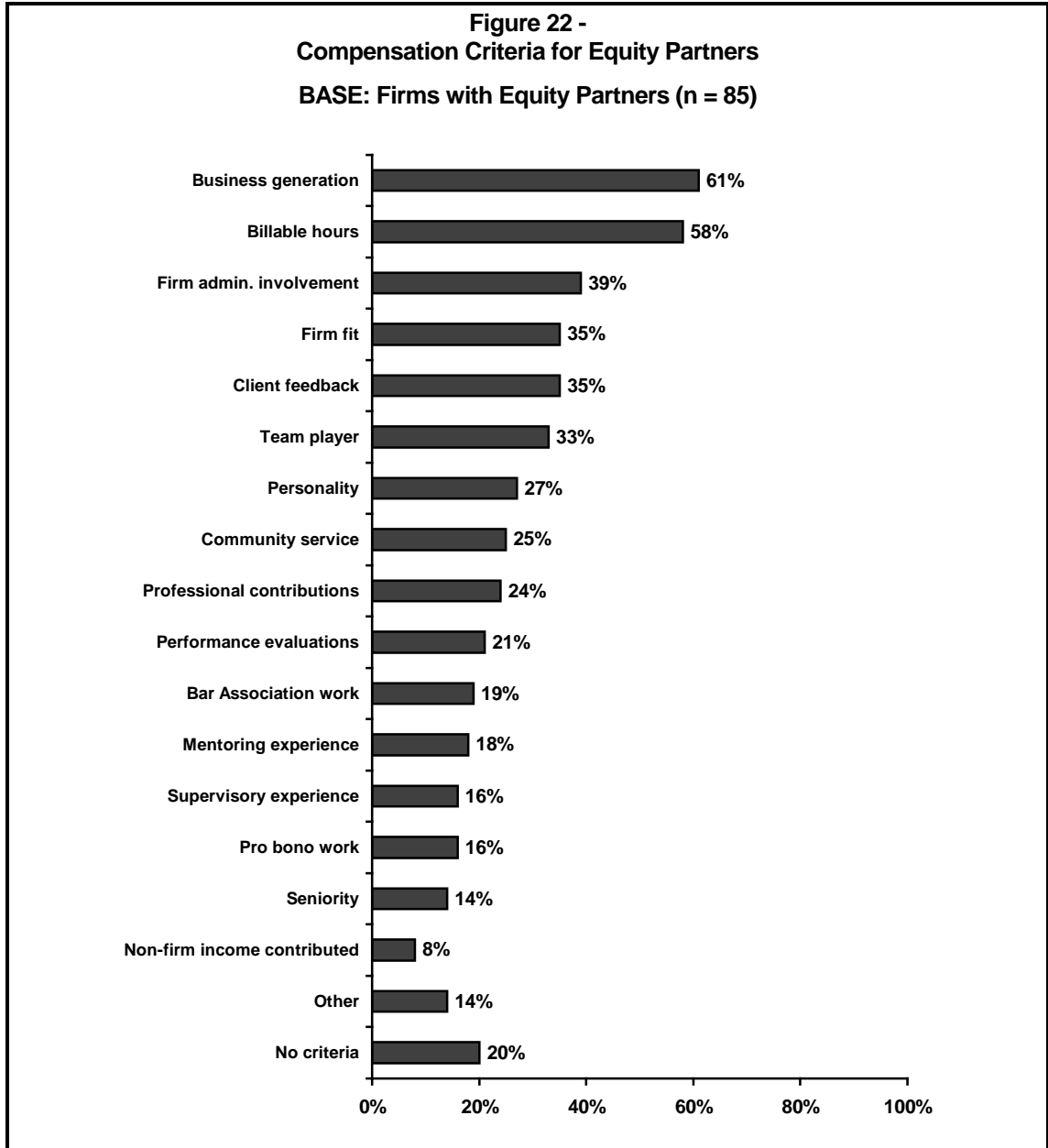
Seventy-nine percent (79%) of the firms surveyed use billable hours to evaluate compensation decisions for their associates. Other common criteria include business generation (70%), firm fit (67%), being a team player (60%), results of performance evaluations (59%), client feedback (59%), and personality (50%).

- Larger firms are more likely than mid-size and small firms to use performance evaluations, seniority, supervisory, bar association work or professional contributions experience to make compensation decisions for associates.



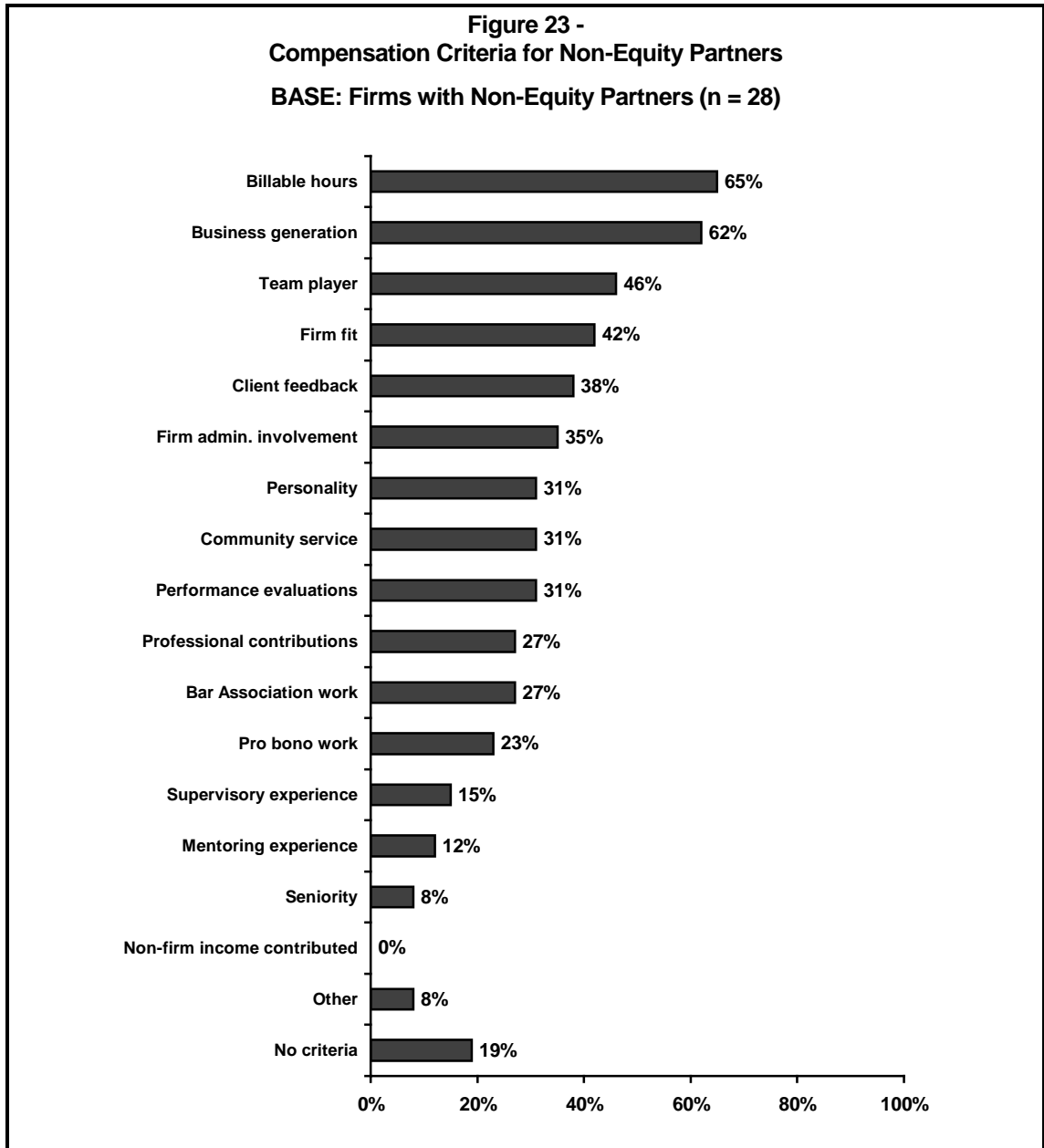
Q19b What criteria does your firm use when making compensation decisions for EQUITY PARTNERS OR SHAREHOLDERS?

Business generation is the number one criterion used when making compensation decisions for equity partners, mentioned by sixty-one percent (61%) of the responding firms. Billable hours are also commonly used to make compensation decisions for equity partners (58%). Other criteria include firm administration or committee involvement (39%), firm fit (35%), client feedback (35%), and being a team player (33%). One out of five firms (20%) says it does not have criteria for making compensation decisions for equity partners.



Q19c What criteria does your firm use when making compensation decisions for NON-EQUITY PARTNERS?

Of the twenty-eight firms employing non-equity partners, sixty-five percent (65%) use billable hours when making compensation decisions and sixty-two percent (62%) look at business generation of their non-equity partners. Other criteria commonly used are ability to be a team player (46%), firm fit (42%), client feedback (38%), and firm administration or committee involvement (35%). Nineteen percent (19%) of firms say they do not have criteria for making compensation decisions for non-equity partners.



Firms were also asked to rank each of the criteria they use to make compensation decisions in order of importance, with “1” being the “most important.”

- Billable hours are considered the most important compensation criteria for associates, equity partners, and non-equity partners.
- Firm fit is considered the second most important criteria in making compensation decisions for associates, while business generation is considered the second most important criteria in compensating both equity and non-equity partners.

TABLE 2 RANKING OF COMPENSATION CRITERIA FOR ASSOCIATES		TABLE 3 RANKING OF COMPENSATION CRITERIA FOR EQUITY PARTNERS	
	Mean Rank		Mean Rank
Billable Hours	2.22	Billable Hours	1.67
Firm Fit	2.48	Business Generation	1.69
Performance Evaluations	2.73	Performance Evaluations	3.15
Business Generation	3.07	Client Feedback	3.22
Seniority	3.73	Firm Fit	3.30
Client Feedback	3.77	Firm Admin. Involvement	4.27
Team Player	4.87	Seniority	4.38
Personality	5.09	Non-firm Income Contributed	4.60
Bar Association Work	5.31	Team Player	4.91
Pro Bono Work	5.67	Personality	5.22
Non-firm Income Contributed	5.75	Supervisory Experience	5.25
Supervisory Experience	6.00	Mentoring Experience	5.60
Professional Contributions	6.18	Bar Association Work	5.64
Firm Admin. Involvement	6.86	Community Service	5.79
Community Service	6.94	Pro Bono Work	5.89
Mentoring Experience	7.00	Professional Contributions	6.90

TABLE 4 RANKING OF COMPENSATION CRITERIA FOR NON-EQUITY PARTNERS	
	Mean Rank
Billable Hours	1.53
Business Generation	2.00
Performance Evaluations	2.17
Client Feedback	3.22
Firm Fit	3.56
Team Player	4.40
Personality	4.57
Pro Bono Work	4.67
Seniority	5.00
Bar Association Work	5.50
Community Service	6.20
Firm Admin. Involvement	6.60
Supervisory Experience	7.00
Mentoring Experience	7.00
Professional Contributions	9.00
Non-firm Income Contributed	-

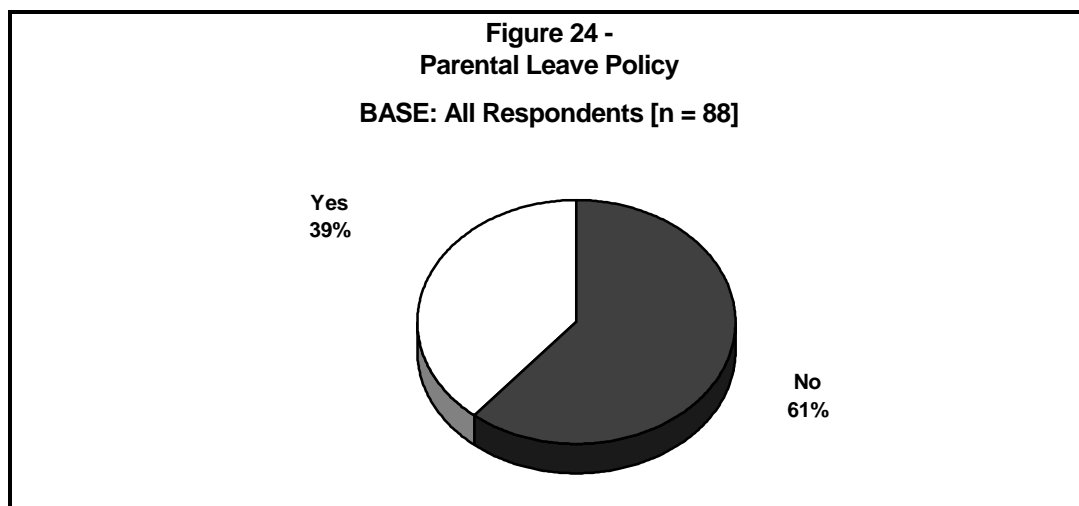
Work Life and Firm Culture

Parental Leave

Q20 Does your firm have a written parental leave policy?

Thirty-nine percent (39%) of the firms surveyed have a written parental leave policy.

- Large firms (21 or more attorneys) and mid-size firms (11 to 20 attorneys), firms in western Washington, and firms with minority lawyers are more likely to have a parental leave policy. None of the eight firms from eastern Washington participating in this study has a written parental leave policy.



Q20a Does this policy include parental leave for adoption?

Nearly all of the firms with a written parental leave policy (94%) say that this policy includes parental leave for adoption.

Q20b Does this policy apply equally to men and women?

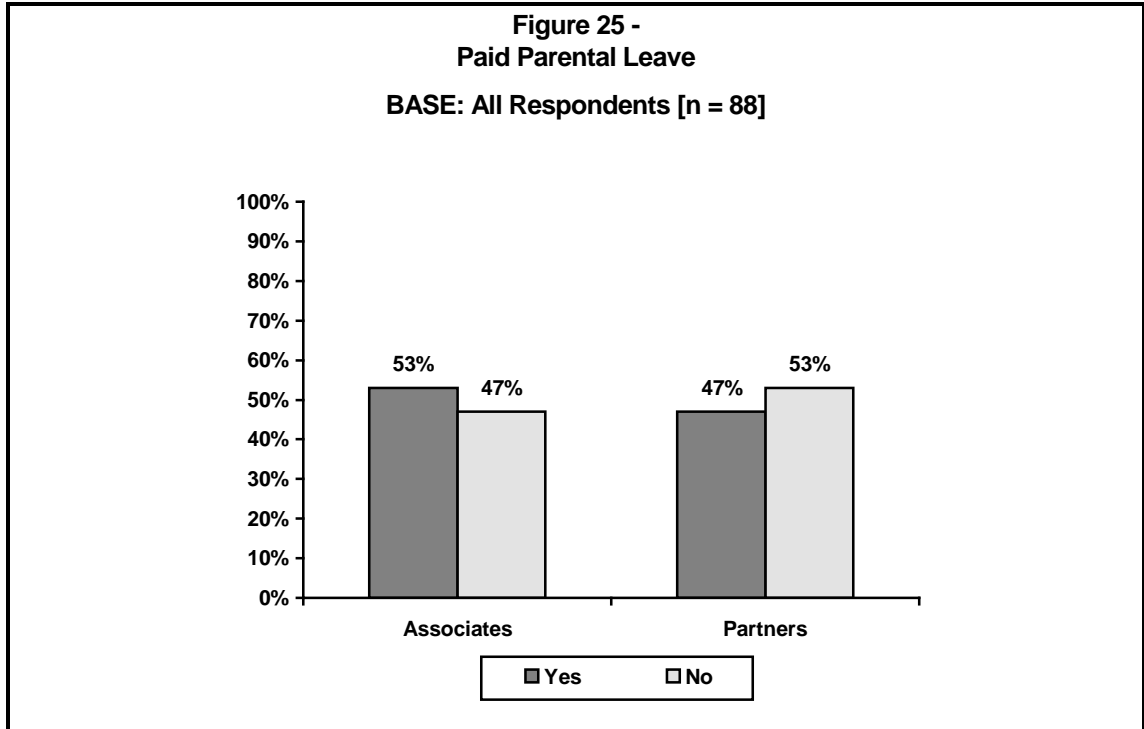
Similarly, nine out of ten (91%) firms with a written parental leave policy say their policy applies equally to men and women. At the three firms whose policy does not apply equally to men and women, the proportion of women lawyers is twenty-five percent (25%), fifty-eight percent (58%), and fifty-eight percent (58%), respectively.

Q21a Do associates receive paid parental leave?

Q21b Do partners receive paid parental leave?

Approximately half of the firms surveyed say that associates and partners receive paid parental leave.

- Large and mid-size firms are more likely to allow lawyers to take paid parental leave. While associates receive paid parental leave at one-third (33%) of firms with 10 or fewer lawyers, and partners receive paid parental leave at three out of ten (30%) such firms, associates receive paid parental leave at three-fourths (76%) of firms with more than 10 lawyers, and partners receive paid parental leave at sixty-eight percent (68%) of these large and mid-size firms.



Q21c How many weeks of paid parental leave do associates receive?

Q21d How many weeks of paid parental leave do partners receive?

Male associates receive an average of 5.9 weeks of paid parental leave, while female associates receive more paid parental leave – 6.9 weeks on average. Similarly, female partners are given more weeks of paid parental leave than male partners – 9.6 vs. 8.2 weeks, respectively.

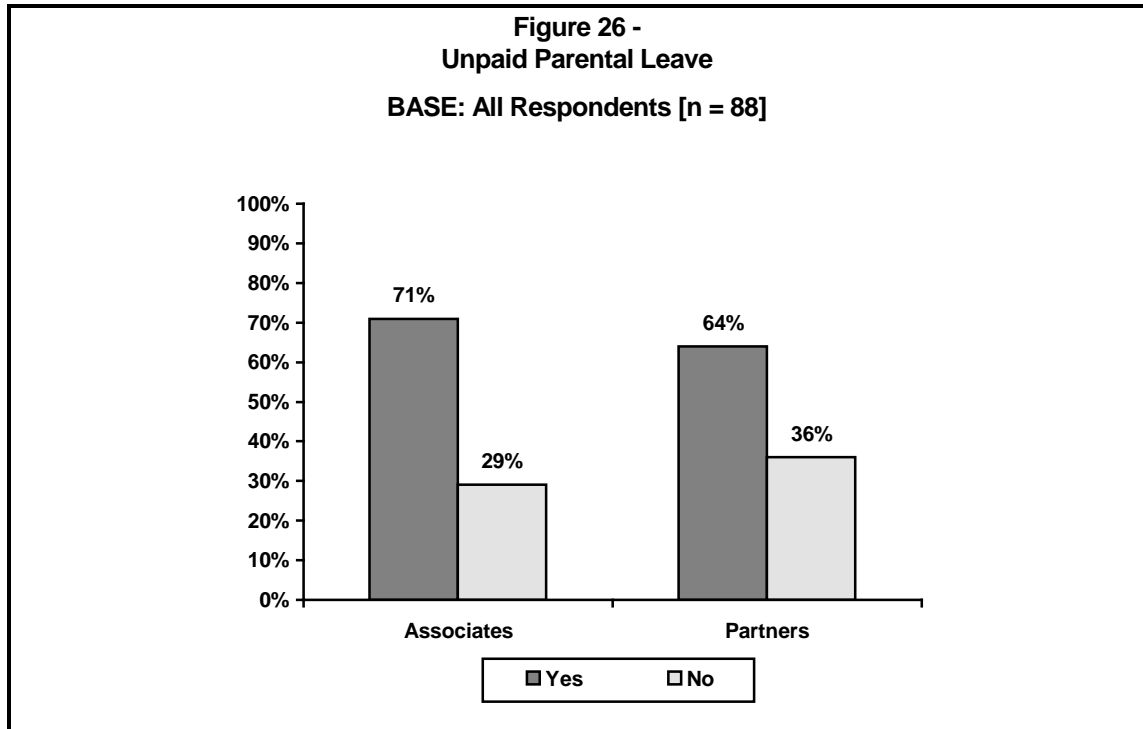
Seventeen percent (17%) of firms say that the amount of parental leave given to their associates varies or depends on circumstances. The same is true for partners at one-fourth (25%) of the firms surveyed.

Q21e Do associates receive unpaid parental leave?

Q21f Do partners receive unpaid parental leave?

Seventy-one percent (71%) of firms say their associates receive unpaid parental leave, while the same is true for partners at sixty-four percent (64%) of firms surveyed.

- Firms in which at least one-fourth of their lawyers are women are more likely to offer unpaid parental leave, compared to firms with fewer females. Seventy-seven percent (77%) of firms that are at least one-fourth female allow unpaid parental leave, compared to fifty-five percent (55%) of firms with fewer female lawyers.



Q21g How many weeks of unpaid parental leave do associates receive?

Q21h How many weeks of unpaid parental leave do partners receive?

Male associates receive an average of 7.6 weeks of unpaid parental leave, while female associates receive 8.9 weeks on average. Furthermore, female partners are allowed longer unpaid parental leaves than male partners – 10.2 vs. 9.5 weeks, respectively.

Again, the number of weeks allowed for unpaid parental leave varies or is determined based on the situation at approximately one out of five firms.

Q22 During the calendar year 2000, how many lawyers have taken parental leave?

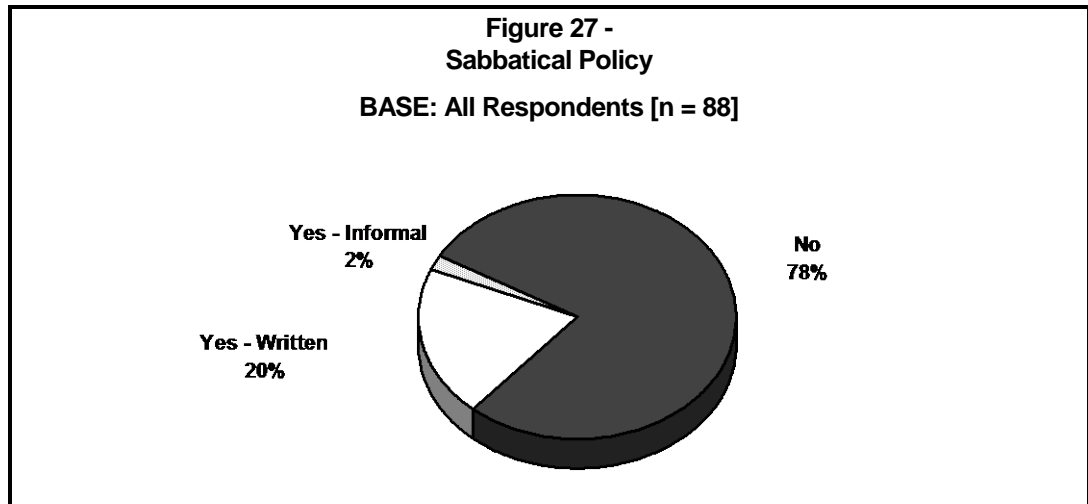
Seventy-seven (77) total lawyers are reported to have taken parental leave during the year 2000. One-third (34%) of these lawyers are men, and two-thirds (66%) are women. Ten percent (10%) are ethnic minorities. The majority of those who have taken parental leave are full-time associates (65%). Sixteen percent (16%) are full-time equity partners.

Sabbatical Policy

Q23 Does your firm have a sabbatical policy?

The majority (78%) of firms surveyed do not have a sabbatical policy.

- Large firms with over 20 lawyers are more likely to have a sabbatical policy – 63% versus 10% of mid-size and smaller firms combined.
- None of the firms surveyed in eastern Washington has a sabbatical policy, compared to one-fourth (25%) of those in western Washington.



Q23a How many lawyers have taken sabbaticals in the calendar year 2000?

An average of two male lawyers took sabbaticals during the year 2000, accounting for seventy-eight percent (78%) of the sabbatical leaves reported. Female lawyers accounted for twenty-two percent (22%) of sabbaticals taken in the year 2000, with less than one female lawyer taking sabbatical, on average.

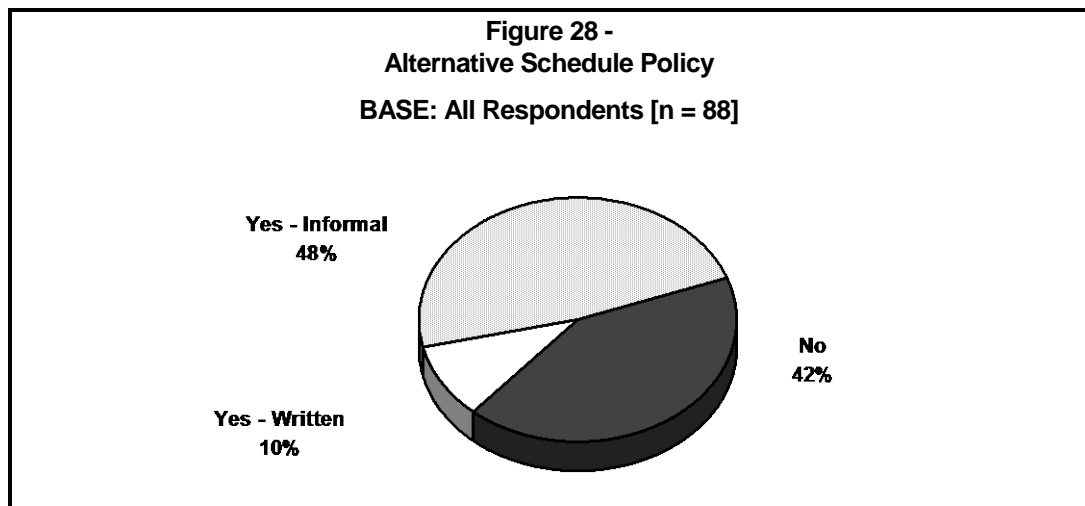
No ethnic minorities at the firms surveyed took sabbaticals during the year 2000.

Alternative Work Schedules

Q24 Does your firm have a policy on alternative work schedules, such as part-time work, job-sharing, flexible hours or telecommuting?

While over half (58%) of the responding firms have a policy on alternative work schedules, only one out of ten (10%) has a written policy covering issues such as part-time work, job-sharing, flexible hours, or telecommuting.

- Eighty-four percent (84%) of firms with over 20 lawyers have an alternative schedule policy compared to half (51%) of mid-size (11-20 attorneys) and small (ten or fewer attorneys) law firms combined. In fact, none of the mid-size or small firms have a written alternative schedule policy.



Q24a Are alternative work schedules available to all lawyers?

Of the firms allowing alternative work schedules, three-fourths (75%) say alternative schedules are available to all of their lawyers.

- While firms of different sizes are equally likely to say alternative work schedules are available to all lawyers, firms with a higher female percentage are more likely than those with fewer female lawyers to say that all lawyers may take advantage of alternative work schedules. Furthermore, firms with minority lawyers are also more likely to offer alternative schedules to all lawyers.

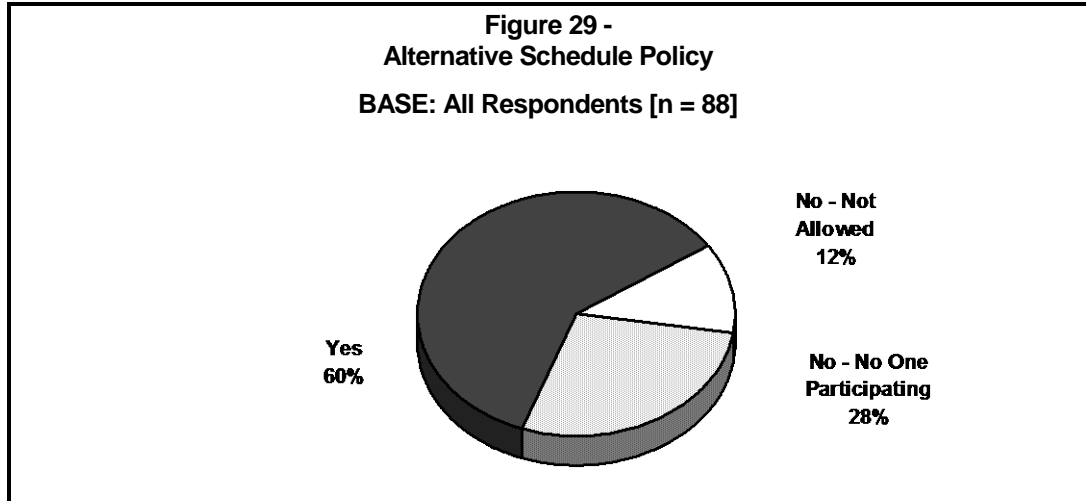
Q24b To whom are alternative work schedules offered?

Among the firms that do not offer alternative work schedules to all lawyers, thirty-six (36) positions are listed that are allowed alternative schedules. The breakdown of these positions is as follows: full-time associates (31%), part-time associates (11%), full-time equity partners (47%), non-equity partners (3%), of counsel (8%). Forty-two percent (42%) of those who are offered alternative work schedules are female lawyers.

Q25 In the calendar year 2000, did any lawyers at your firm have alternative work schedules?

Six out of ten (60%) responding firms report that some of their lawyers are working on alternative schedules. Twenty-eight percent (28%) say that no lawyers at their firms are taking advantage of alternative schedules, while twelve percent (12%) do not allow alternative work schedules.

- Large firms and mid-size firms are more likely to have lawyers with alternative work schedules.
- Furthermore, all-male law firms are more likely to say that no lawyers are participating in alternative work schedules, compared to firms that are at least one-fourth female.



Q25a Which of the following alternative work schedules did lawyers at your firm have in the calendar year 2000?

Among firms with lawyers who did take advantage of alternative work schedules in the year 2000, eighty-one percent (81%) had lawyers working part-time, seventy-three percent (73%) had flexible hours, forty-six percent (46%) had lawyers telecommuting, and two percent (2%) participated in job-sharing.

- Firms with only five attorneys are more likely to say their lawyers on alternative schedules had flexible hours, compared to firms with more attorneys – small, mid-size and large firms.

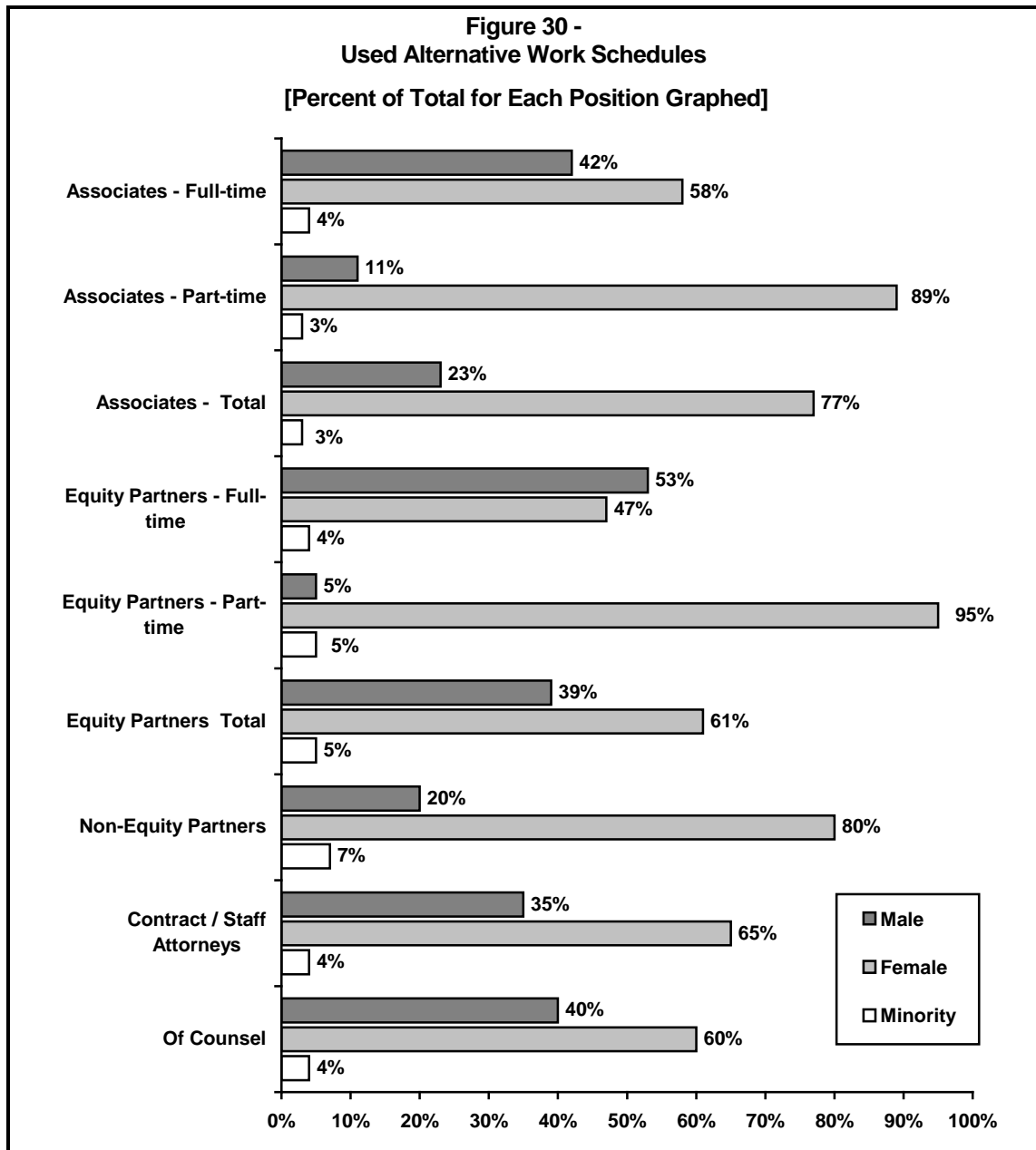
Q25b Which of the following describes the reasons these lawyers choose to have alternative work schedules?

Among the same firms, reasons lawyers chose alternative schedules include child-rearing (81%), nearing retirement (27%), personal medical needs (25%), other interests/avocation (25%), medical needs of a family member/elder care (21%), commute time/distance (4%), and other reasons (4%).

Q26 During the calendar year 2000, how many male and female lawyers in each of the following categories made use of an alternative work schedule?

A higher percentage of female lawyers use alternative work schedules across most types of positions, compared to male lawyers. One exception is that fifty-three percent (53%) of full-time equity partners using alternative schedules are men, compared to forty-seven percent (47%) of full-time equity partners who are women.

- Note that nearly all part-time equity partners using alternative work schedules are women (95%).
- Sixty-eight percent (68%) of all those reported to have made use of alternative work schedules during the year 2000 are female lawyers.

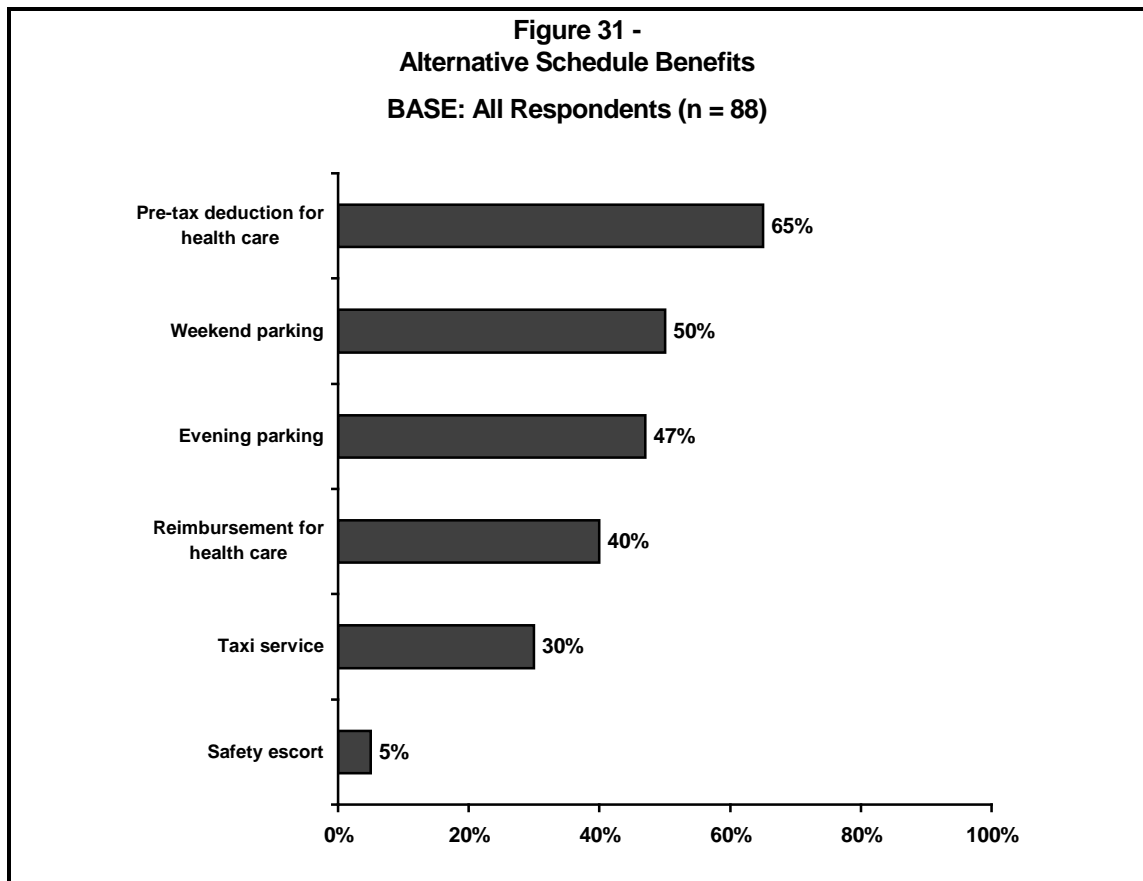


Benefits

Q27 Does your firm provide or pay for any of the following services on a routine basis?

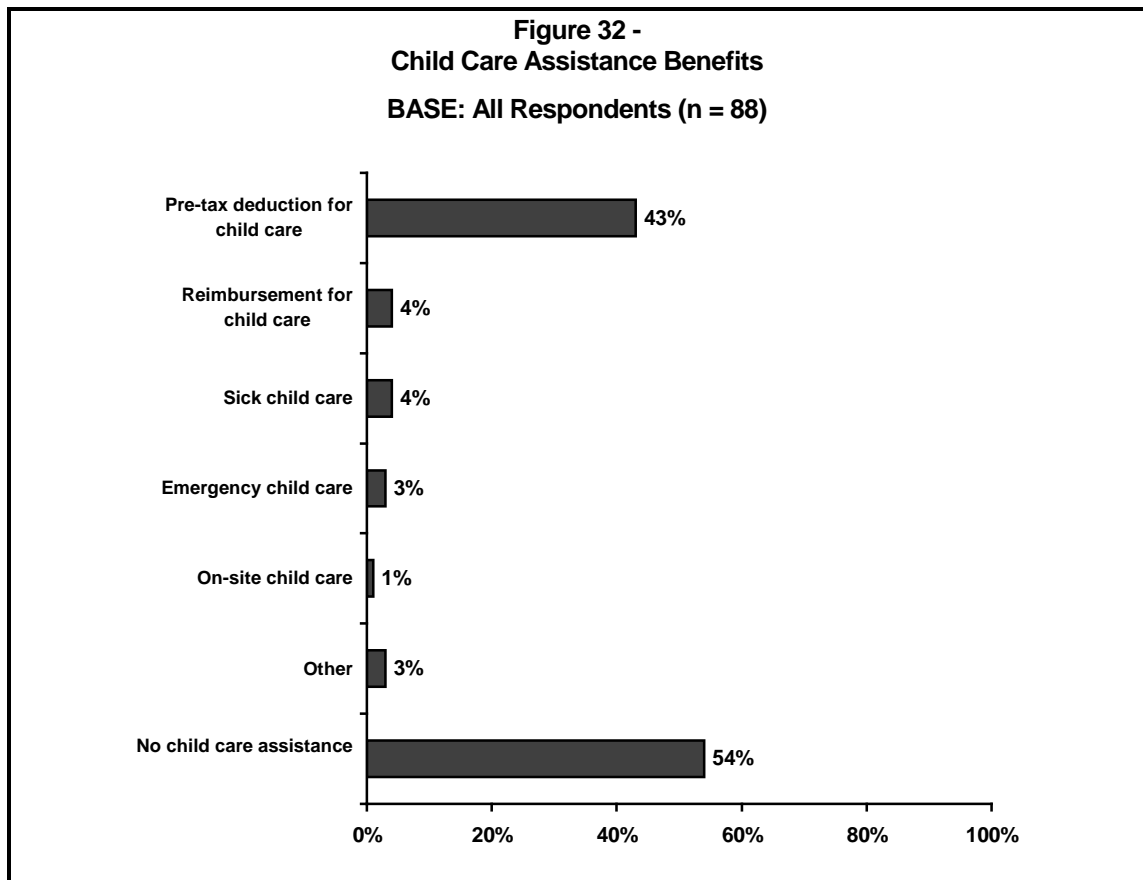
Parking during non-business hours and pre-tax deductions for health care expenses are the most common services offered to attorneys. Sixty-five percent (65%) of the firms surveyed provide pre-tax deductions for health care, half (50%) offer weekend parking, and forty-seven percent (47%) provide or pay for evening parking.

- Larger firms – those with more than 20 lawyers – are more likely to offer pre-tax deductions for health care expenses. Ninety-four percent (94%) of these larger firms provide this service, compared to sixty-five percent (65%) of firms with between 11 and 20 lawyers and forty-four percent (44%) of small firms with 10 or fewer lawyers.



Q28 Does your firm provide or pay for any of the following child care assistance on a routine basis?

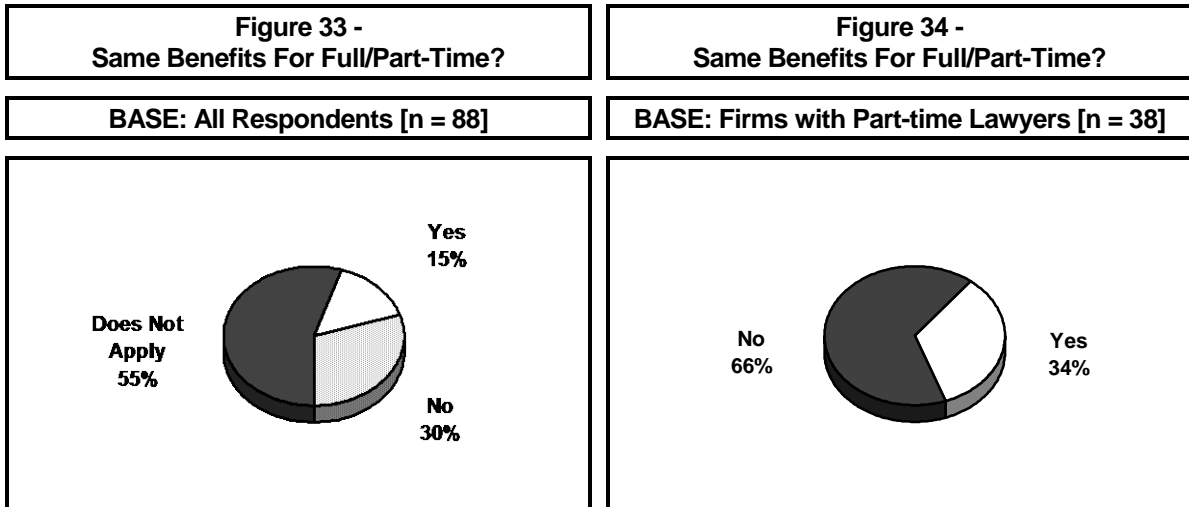
While forty-three percent (43%) of firms offer pre-tax deductions for child care expenses, few firms provide or pay for other child care assistance on a routine basis. Over half (54%) of firms participating in this study say that no child care assistance is available on a routine basis.



Q29 Are benefits the same for a lawyer at your firm who works LESS than 50% of full-time?

Over half (55%) of firms surveyed reported that none of their lawyers work less than half-time, and therefore the issue of equal benefits for full and part-time lawyers does not apply. Among the firms that do have lawyers working part-time, two-thirds (66%) say that lawyers who work less than 50% of full-time have fewer benefits than those who work full-time.

- Firms with minority lawyers are more likely to indicate that part-time lawyers at their firms are entitled to fewer benefits – 82% of firms with minority lawyers compared to 52% of firms with no minority lawyers.



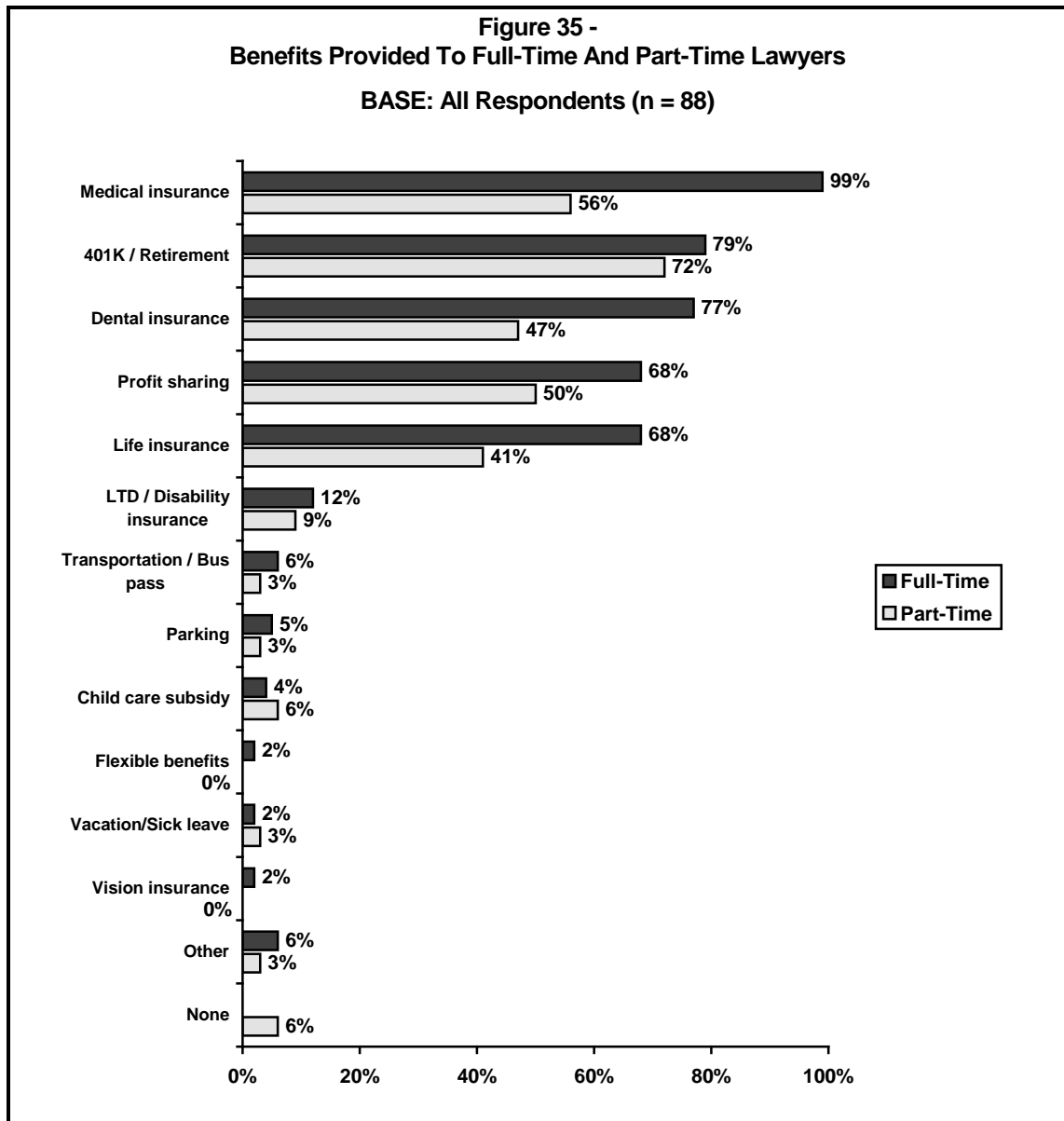
Q29a Which of the following benefits does your firm provide to full-time lawyers?

Q29b Which of these same benefits does your firm provide to lawyers who work LESS than 50% of full-time?

Medical insurance (99%), 401K or retirement (79%), dental insurance (77%), profit sharing (68%), and life insurance (68%) are the most common benefits provided to full-time lawyers.

The above benefits are also the most common among lawyers who work less than 50% of full-time, although they are provided to a lesser extent. Moreover, 401K or retirement is provided to part-time lawyers by more firms than medical insurance – 401K or retirement (72%), medical insurance (56%), profit sharing (50%), dental insurance (47%), and life insurance (41%).

- Six percent (6%) of firms say that none of the listed benefits are available to their lawyers who work less than 50% of full-time.



Q29c At what percentage of full-time employment does your firm eliminate benefits for lawyers who work LESS than full-time?

Benefits are all generally eliminated for part-time lawyers at an average of sixty-two percent (62%) of full-time. 401K or retirement is eliminated at the highest percentage of full-time, sixty-five percent (65%) on average.

TABLE 5	
BENEFITS ELIMINATED FOR PART-TIME LAWYERS	
Benefit	Mean % of Full-Time at Which Benefits Are Eliminated
401K / Retirement	65.3%
Medical Insurance	62.2%
Dental Insurance	61.9%
Life Insurance	60.1%
Profit Sharing	59.9%

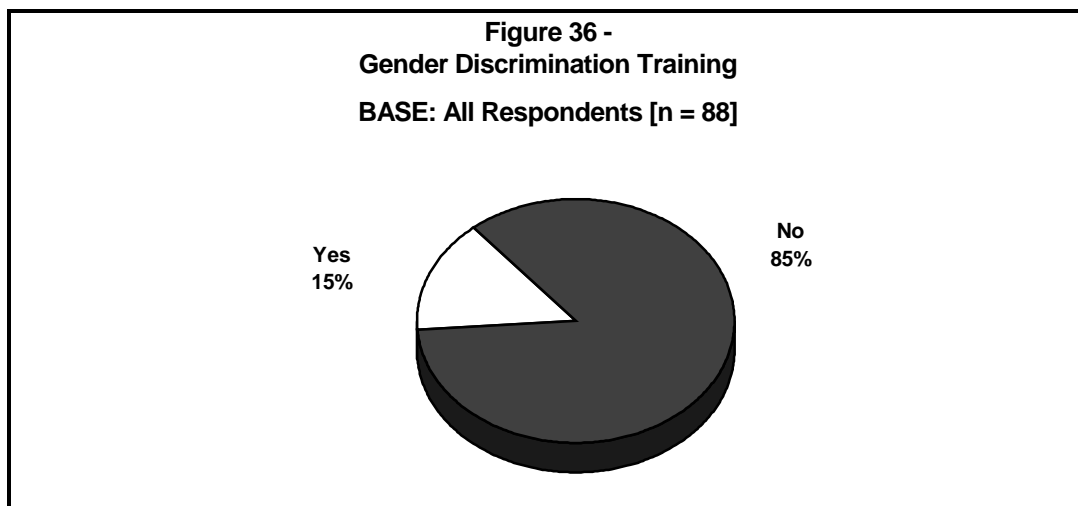
Anti-Discrimination and Sexual Harassment

Gender Discrimination

Q30 Does your firm provide anti-discrimination training that covers gender discrimination?

Fifteen percent (15%) of participating firms provide anti-discrimination training that covers gender discrimination.

- None of the firms surveyed in eastern Washington have gender discrimination training.
- In addition, none of the all-male law firms responding provide gender discrimination training.



Q30a Does your firm provide anti-discrimination training that covers gender discrimination for all employees, all lawyers, or only new lawyers?

Twelve out of the thirteen firms (92%) that provide gender discrimination training provide such training to all employees. The other firm (8%) provides this training to at least all of its lawyers.

Q30b How is this training conducted?

Firms report that their anti-discrimination training covering gender discrimination is conducted either by a member of the firm (54%), by a consultant (46%), by sending people to seminars (23%), or by showing a video (8%).

Q30c Is this training mandatory or voluntary?

Gender discrimination training is mandatory at seventy-seven percent (77%) of the firms that provide this training. This means that it is voluntary at twenty-three percent (23%) of the firms that conduct gender discrimination training.

Q30d *How often is this training conducted?*

Half (50%) of the firms providing this training conduct it once a year. Seventeen percent (17%) report that this is the first year they have conducted anti-discrimination training that covers gender discrimination. Eight percent (8%) hold this training less than once a year, and another eight percent (8%) say they provide gender discrimination training when new lawyers are hired.

Q30e *When was the last training conducted?*

The last anti-discrimination training covering gender discrimination occurred an average of 15 months ago at the firms surveyed. However, note that firms claiming to have conducted their training for the first time this year did not answer this question.

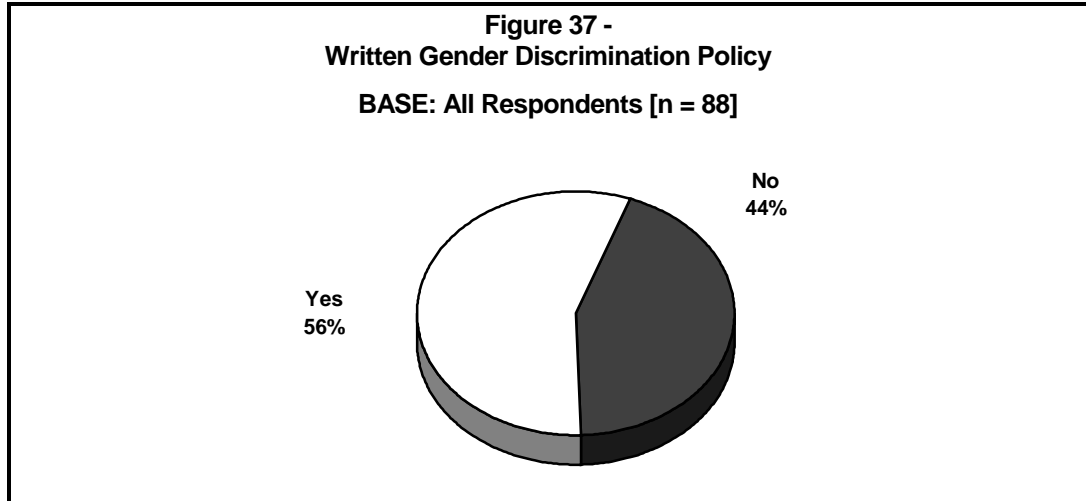
Q30f *How often are lawyers required to attend?*

Forty-four percent (44%) of firms require their lawyers to attend training covering gender discrimination annually. Twenty-two percent (22%) require attendance every two years, eleven percent (11%) hold this training every 3 to 5 years, and twenty-two percent (22%) provide gender discrimination training less than every 5 years.

Q33 Does your firm have a written anti-discrimination policy that covers gender discrimination?

While only fifteen percent (15%) of firms provide training that covers gender discrimination, over half (56%) have a written anti-discrimination policy on gender discrimination.

- Large and mid-size firms are more likely to have a written gender discrimination policy. Eighty-five percent (85%) of the large and mid-size firms combined have a written policy, compared to thirty-two percent (32%) of firms with 10 or fewer lawyers.
- Similarly, two-thirds (66%) of firms that are at least 25% female have a written policy covering gender discrimination, compared to four out of ten (40%) firms that have fewer female lawyers.



Q33a When was the policy adopted?

Written gender discrimination policies were adopted more than five years ago by seven out of ten (70%) firms with such policies. Seventeen percent (17%) adopted their policies two to five years ago, and thirteen percent (13%) say their written anti-discrimination policies covering gender discrimination were adopted within the past two years.

- All of the large firms (100%) with more than 20 lawyers have had their gender discrimination policies for more than five years.

Q33b How is the policy communicated within your firm?

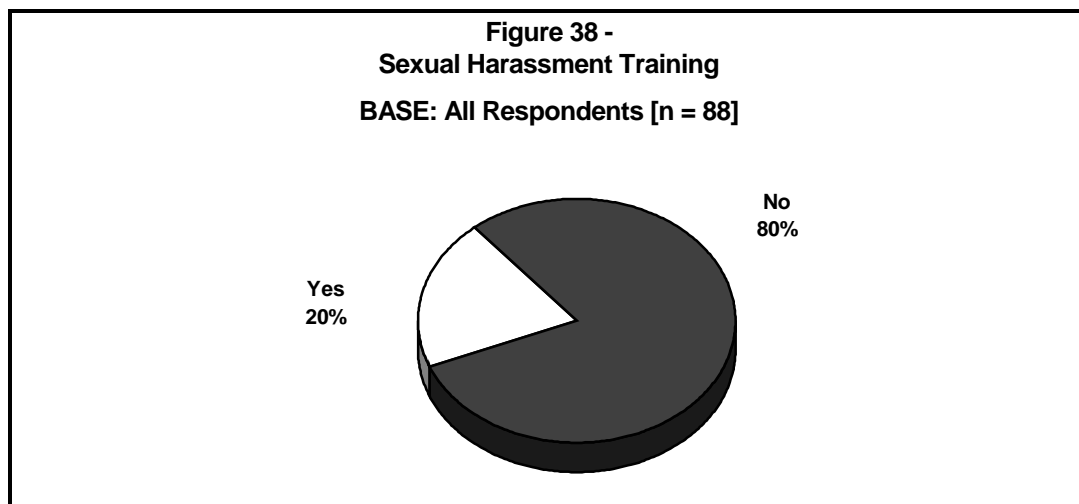
Anti-discrimination policies related to gender discrimination are largely communicated to lawyers via policy statements (85%). Other firms communicate their policies orally at meetings (28%), by posting statements in highly visible areas (28%), in an employee handbook or manual (19%), or on an Intranet or Internet site (6%).

Sexual Harassment

Q31 Does your firm provide training that focuses on sexual harassment issues?

One out of five (20%) firms responding to this survey provides training on sexual harassment issues.

- Similar to gender discrimination training, none of the all-male law firms surveyed conduct training on sexual harassment issues.



Q31a Does your firm provide training on sexual harassment issues for all employees, all lawyers, or only new lawyers?

Eighty-two percent (82%) of firms providing sexual harassment training conduct such training for all employees. Twelve percent (12%) conduct sexual harassment training for at least all lawyers.

Q31b How is this training conducted?

Training on sexual harassment issues is conducted by a member of the firm at fifty-nine percent (59%) of firms where such training is provided. Twenty-nine percent (29%) say a consultant conducts sexual harassment training at their firms, and twelve percent (12%) send staff members to seminars on sexual harassment issues.

Q31c Is this training mandatory or voluntary?

Training on sexual harassment issues is mandatory at seventy-one percent (71%) of firms, while lawyers attend voluntarily at twenty-nine percent (29%) of firms that conduct this type of training.

Q31d How often is this training conducted?

Forty-one percent (41%) of firms that provide sexual harassment training conduct sessions annually. One-fourth (24%) provide this training only when new lawyers are hired. Twelve percent (12%) claim that their first sexual harassment training session was conducted this year.

Q31e When was the last training conducted?

The last training covering sexual harassment issues occurred an average of 14 months ago at the firms surveyed. Firms claiming to have conducted their training for the first time this year did not answer this question.

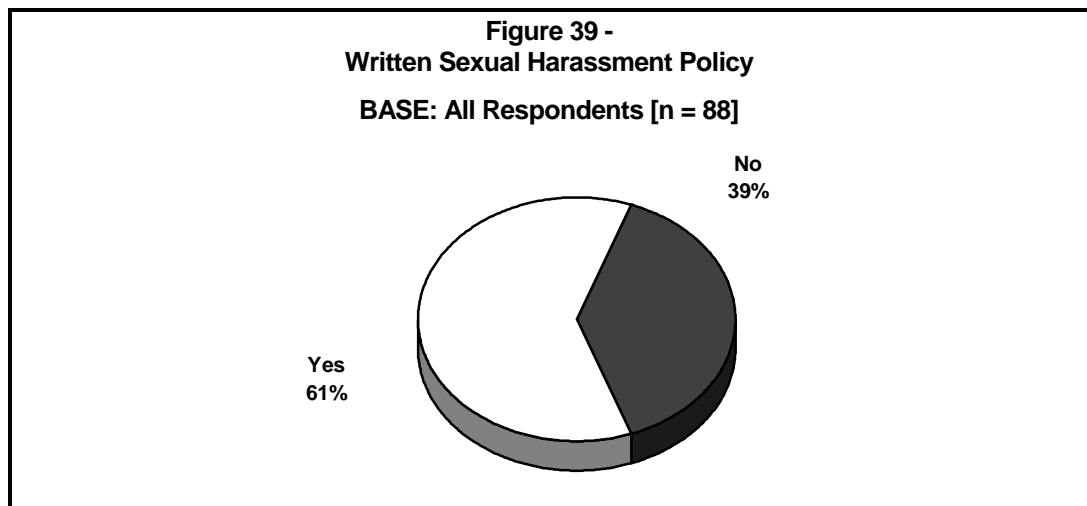
Q31f How often are lawyers required to attend?

Lawyers are required to attend sexual harassment training every year at forty-five percent (45%) of firms where such training is conducted. Attendance is required every 2 years at eighteen percent (18%) of firms. Another eighteen percent (18%) of firms require this training every 3 to 5 years, while the remaining eighteen percent (18%) provide sexual harassment training less than every 5 years.

Q34 Does your firm have a written sexual harassment policy?

Six out of ten firms (61%) surveyed have a written sexual harassment policy.

- Similar to gender discrimination policies, large firms and mid-size firms – those with 11 to 20 lawyers and those with more than 20 lawyers, respectively, are more likely to have written sexual harassment policies. Eighty-seven percent (87%) of these large and mid-size firms have a written policy, compared to thirty-nine percent (39%) of small firms with 10 or fewer lawyers.
- In addition, sixty-three percent (63%) of firms that have at least one female lawyer have a written policy covering sexual harassment issues, compared to only one out of five (20%) all-male law firms.



Q34a When was the policy adopted?

Six out of ten firms (60%) with written sexual harassment policies adopted their policies over five years ago. Written sexual harassment policies were adopted between two and five years ago at twenty-eight percent (28%) of firms with such policies. Twelve percent (12%) of sexual harassment policies were adopted within the past two years.

Q34b *How is the policy communicated within your firm?*

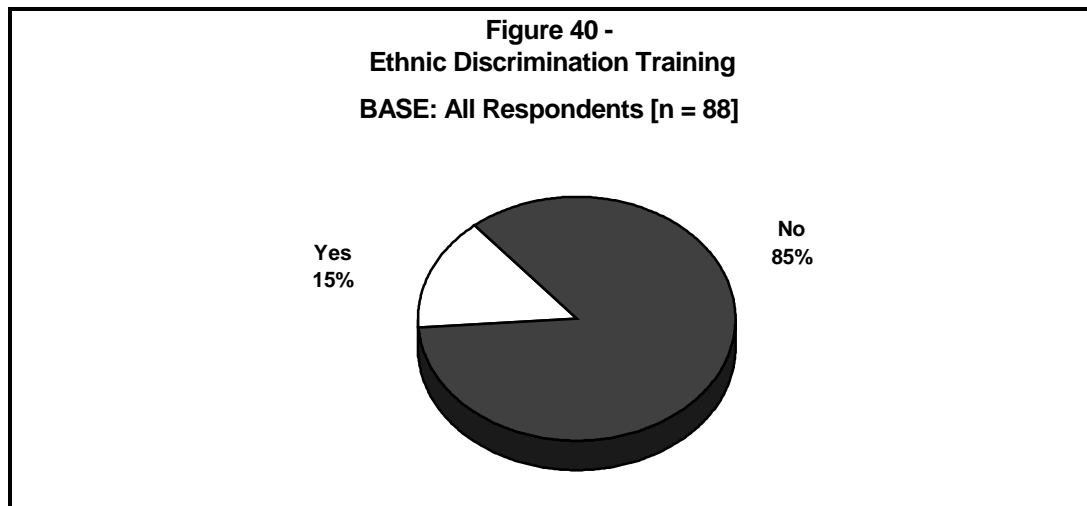
Eighty-six percent (86%) of sexual harassment policies are communicated in a written policy statement, twenty-eight percent (28%) are presented orally at a meeting, twenty-six percent (26%) are posted in a highly visible area, fourteen percent (14%) are written in an employee handbook or manual, and six percent (6%) are posted on an Intranet or Internet site.

Race or Ethnicity Discrimination

Q32 Does your firm provide training that focuses on harassment or discrimination based on race or ethnicity?

The same proportion of firms offer training focused on harassment or discrimination based on race or ethnicity as the proportion that provide training on gender discrimination – 15% of firms provide these types of training.

- As was seen regarding gender discrimination training, none of the firms surveyed in eastern Washington provide ethnic discrimination training.
- Moreover, none of the all-male firms surveyed provide training on race or ethnic discrimination.
- Note that firms with minority lawyers are no more or less likely to provide ethnic discrimination training than firms without minority lawyers. Twenty-three percent (23%) of firms with minority lawyers provide this training, compared to ten percent (10%) of firms with no minority lawyers. While this does represent a difference, the difference is not statistically significant.



Q32a Does your firm provide training on race or ethnicity harassment issues for all employees, all lawyers, or only new lawyers?

Ninety-one percent (91%) of firms that conduct training on ethnic discrimination provide this training to all employees. The remaining nine percent (9%) of firms provide ethnic discrimination training to at least all lawyers.

Q32b How is this training conducted?

A member of the firm conducts ethnic discrimination training at fifty-five percent (55%) of firms. A consultant conducts this training at another fifty-five percent (55%) of firms (note that multiple responses to this question were allowed). Twenty-seven percent (27%) of firms providing training on race or ethnic discrimination do so by sending people to seminars.

Q32c Is this training mandatory or voluntary?

Lawyers are required to attend ethnic discrimination training at eighty-two percent (82%) of the firms providing such training sessions.

Q32d *How often is this training conducted?*

Three out of ten firms (30%) hold ethnic discrimination training annually. One out of five (20%) does so only when new people are hired. Another one out of five (20%) conducted its first ethnic discrimination training session this year. Finally, one out of ten (10%) holds ethnic discrimination training less than once a year.

Q32e *When was the last training conducted?*

The average length of time since last conducting a training session on race or ethnic discrimination is 19 months. Again, note that firms claiming to have conducted their first training session this year did not answer this question.

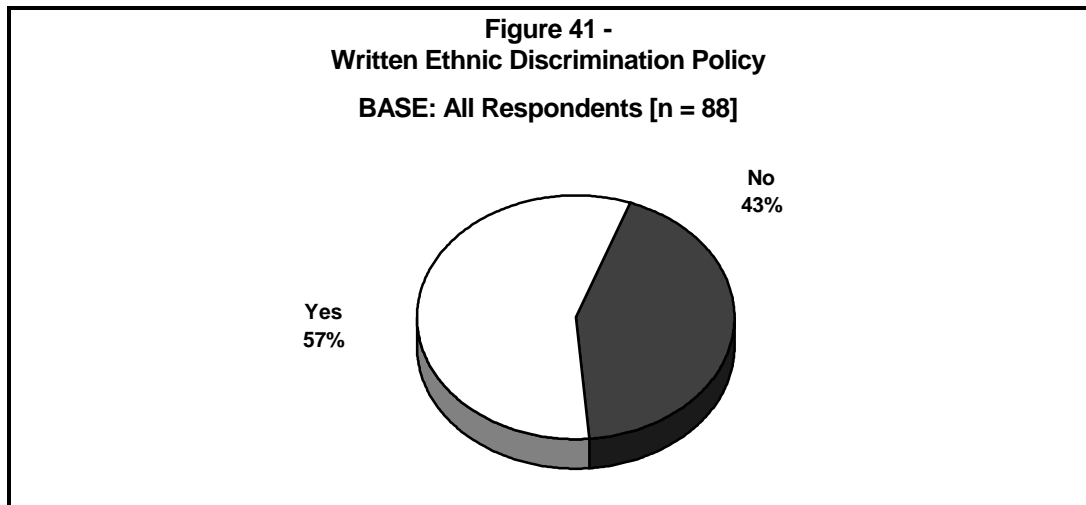
Q32f *How often are lawyers required to attend?*

The frequency of conducting anti-discrimination training on ethnic discrimination ranges anywhere from less than every five years (33%) to every three to five years (17%) to every other year (33%) to once per year (17%).

Q35 Does your firm have a written anti-discrimination policy that covers racial or ethnic discrimination?

Fifty-seven percent (57%) of firms surveyed have a written anti-discrimination policy that covers racial or ethnic discrimination.

- Similar to both written gender discrimination and sexual harassment policies, large and mid-size firms are more likely to have written ethnic discrimination policies. Eighty-seven percent (87%) of these large and mid-size firms have a written policy, compared to only one-third (32%) of small firms.
- Western Washington firms are more likely than those in eastern Washington to have a written anti-discrimination policy on ethnic discrimination – 60% vs. 25%, respectively.
- Firms employing minority lawyers are more likely than those without minorities to have written ethnic discrimination policies – 74% vs. 45%, respectively.
- Lastly, firms that are at least 25% female are more likely than those with fewer women to have written ethnic discrimination policies – 68% vs. 40%, respectively.



Q35a When was the policy adopted?

Seven out of ten (70%) firms with written ethnic discrimination policies adopted these policies more than five years ago. Twenty-two percent (22%) adopted policies between 2 and five years ago, and nine percent (9%) adopted their policies more recently, within the past two years.

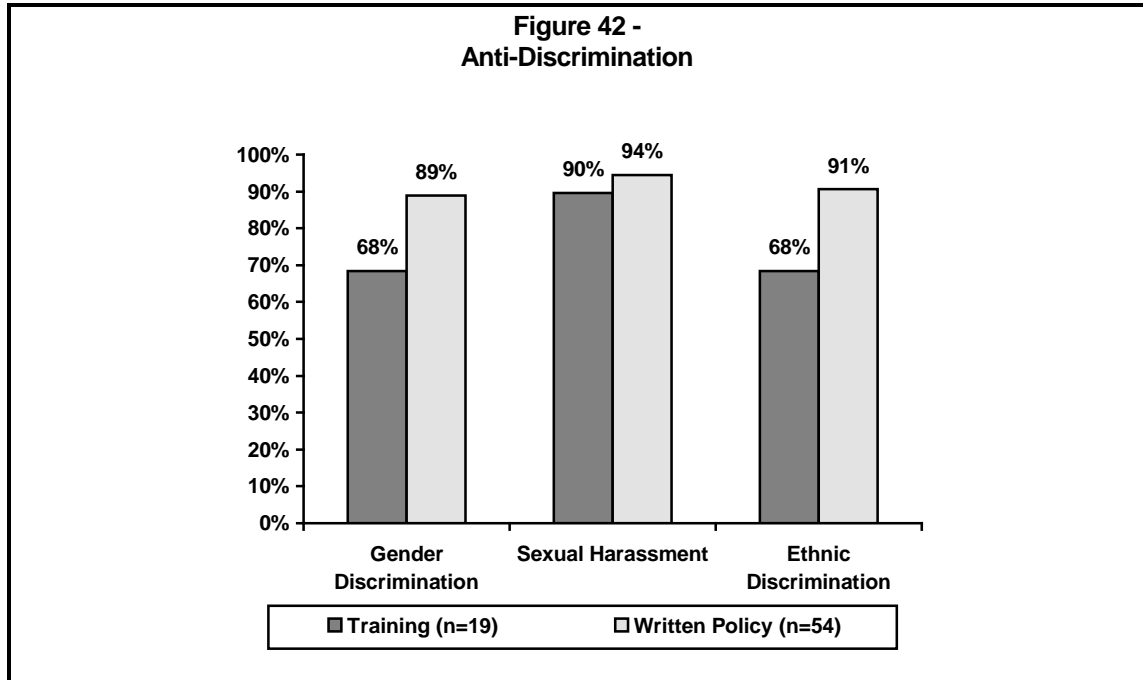
Q35b How is the policy communicated within your firm?

At firms with written anti-discrimination policies that cover racial or ethnic discrimination, eighty-five percent (85%) are communicated to lawyers in a policy statement, thirty-percent (30%) are presented orally at a meeting, twenty-eight percent (28%) are posted in a highly visible area, seventeen percent (17%) are printed in an employee handbook or manual, and six percent (6%) are posted on an Internet or Intranet site.

Anti-Discrimination Overall

Among all of the firms that offer anti-discrimination training, sixty-eight percent (68%) conduct training on gender discrimination, ninety-percent (90%) provide training on sexual harassment issues, and sixty-eight percent (68%) offer ethnic discrimination training.

More firms have written policies than training programs addressing discrimination issues. Among the firms with written anti-discrimination policies, eighty-nine percent (89%) have written gender discrimination policies, ninety-four percent (94%) have sexual harassment policies, and ninety-one percent (91%) have written policies focused on racial or ethnic discrimination.



Handling Discrimination Issues

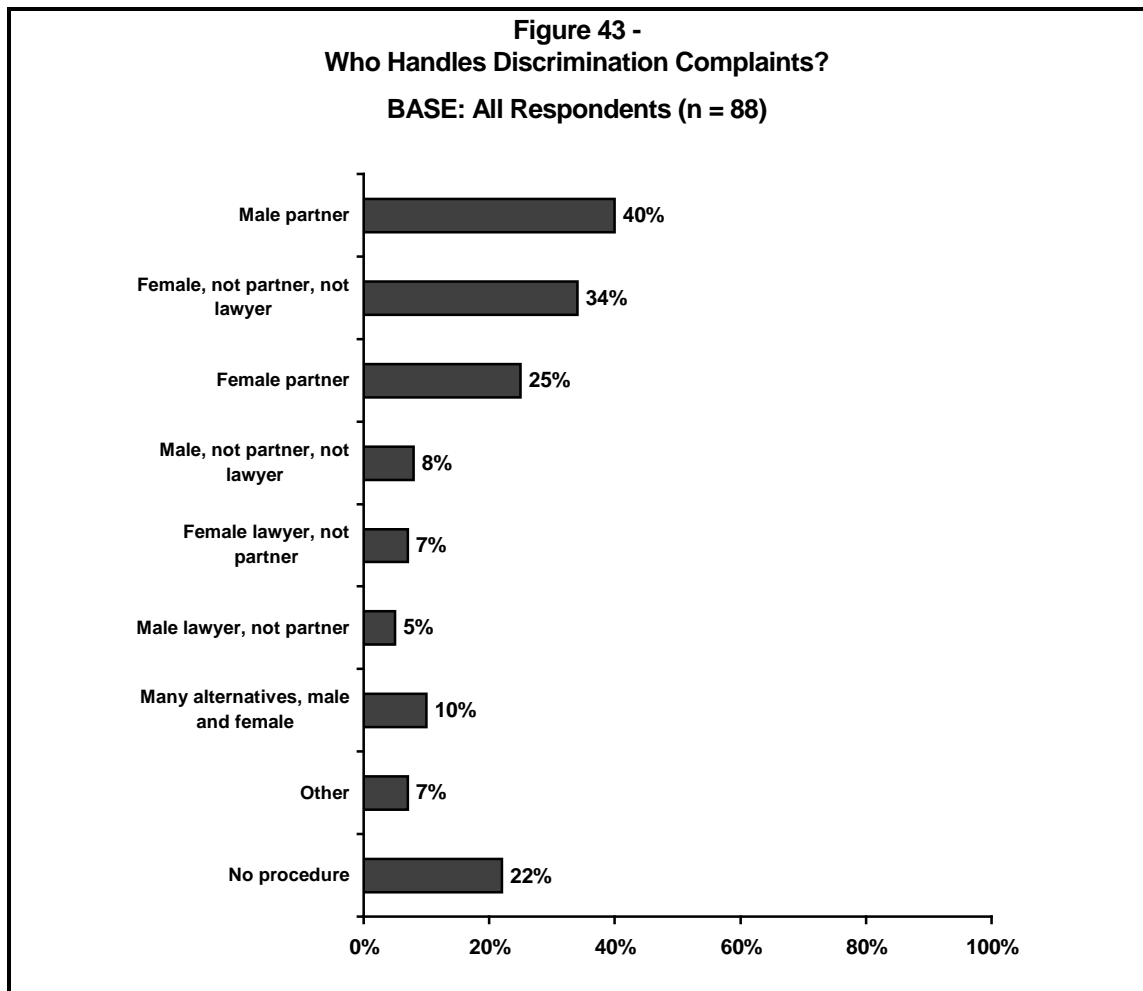
Q36 What procedures and practices are in place for receiving gender or racial/ethnic discrimination and sexual harassment complaints?

When there is a complaint related to gender or ethnic discrimination or sexual harassment, a male partner is designated to receive and handle the complaint at four out of ten (40%) firms surveyed.

While a designated female partner receives such complaints at only one-fourth (25%) of firms, a female staff member who is neither a partner nor a lawyer is designated to receive discrimination complaints at thirty-four percent (34%) of law firms.

Twenty-two percent (22%) of firms claim that they do not have a procedure in place for receiving discrimination-related complaints.

One out of ten (10%) firms reports that a number of staff members, both male and female, are available to receive such complaints, meaning that no one person or type of person is designated to handle these complaints.



Q37 Please briefly describe your procedures and policies for investigating and formally responding to complaints.

When firms are asked to describe procedures and policies for investigating and responding to complaints, their various responses tend to fall into one of two categories: formal and informal. Law firms with “formal” procedures describe in detail the chain-of-command involved and the steps taken in the investigation and management of discrimination complaints, while firms with “informal” procedures give a general depiction of speaking to the complainant and the alleged perpetrator involved and taking action on a case-by-case basis.

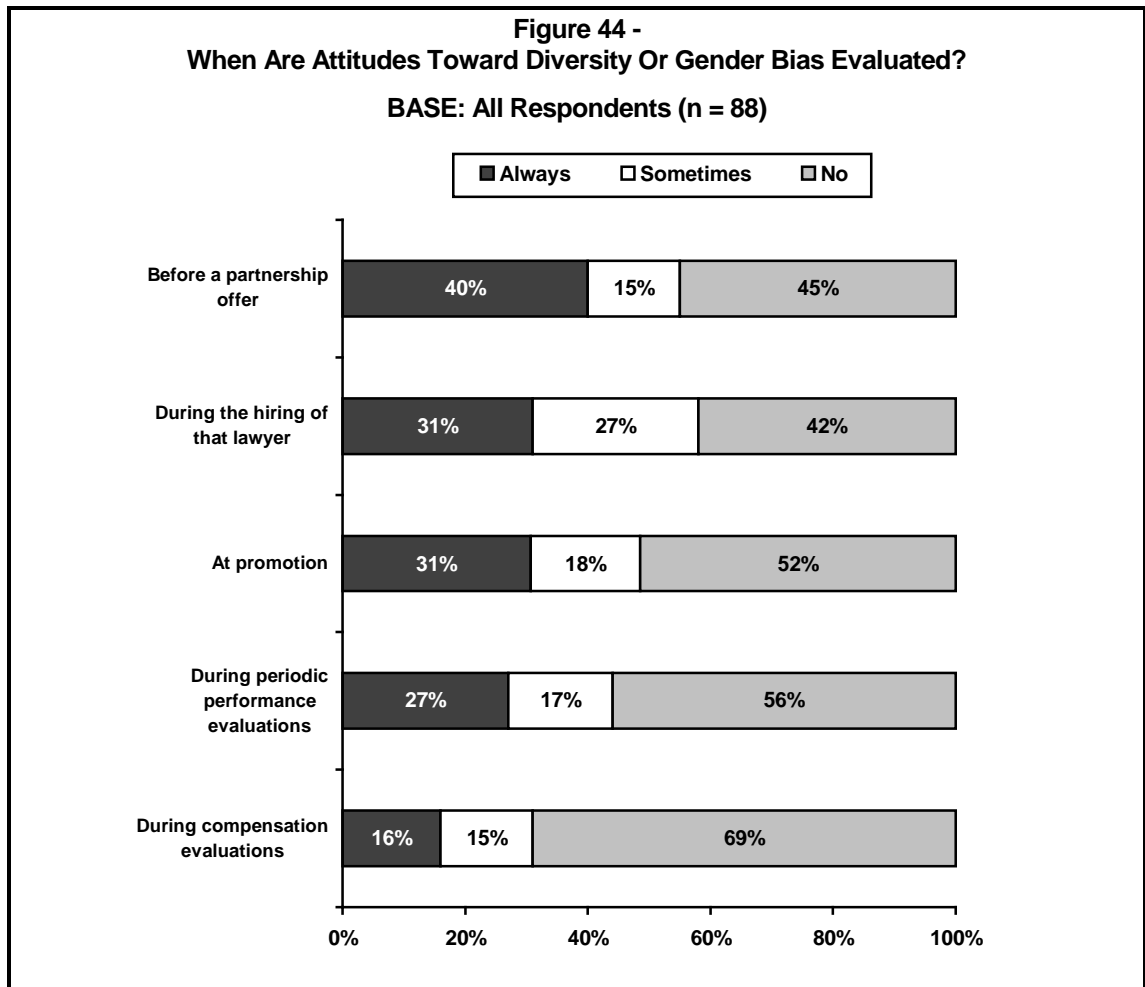
- Forty-three percent (43%) of responding firms fall into the “formal” policy category for handling complaints.
 - Larger firms - those with more than 20 lawyers - are more likely to describe “formal” policies for investigating discrimination complaints, compared to smaller firms.
- Thirty-six percent (36%) describe more “informal” procedures for responding to complaints.
- One out of five (20%) firms mention some type of corrective or disciplinary action when recounting their procedures and policies for handling discrimination complaints.
- Seven percent (7%) talk about documenting the complaints.
- Another seven percent (7%) mention using outside counsel when responding to complaints.
- One out of five firms (20%) say that they have never encountered such a complaint or they do not have procedures for formally responding to complaints.

Q38 Does your firm evaluate a lawyer's attitudes toward diversity or gender bias in the following situations?

The firms surveyed evaluate a lawyer's attitudes toward diversity or gender bias most often during the hiring of that lawyer (58% - yes, always or sometimes).

However, more firms "always" evaluate a lawyer's attitudes before making a partnership offer (40%) than in any other situation. An additional fifteen percent (15%) say they "sometimes" evaluate a lawyer's attitudes before offering a partnership, for a total of fifty-five percent (55%).

Less than half (49%) of the firms evaluate a lawyer's attitudes toward diversity or gender bias at promotion, forty-four percent (44%) during periodic performance evaluations, and thirty-one percent (31%) do so during compensation evaluations.



Professional Growth

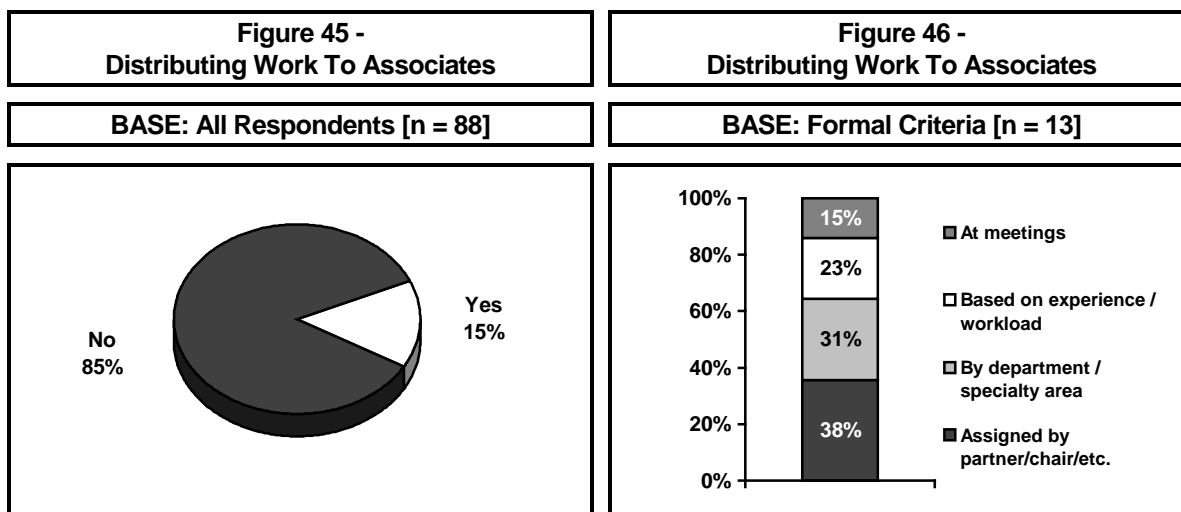
Work Distribution

Q39a Does your firm have formalized criteria or a system to distribute work to ASSOCIATES? If “yes,” please describe.

Fifteen percent (15%) of participating firms have a formalized system for distributing work to associates.

- Forty-four percent (44%) of large firms with more than 20 lawyers have formal criteria for allocating work to associates – compared to ten percent (10%) of mid-size and small firms.

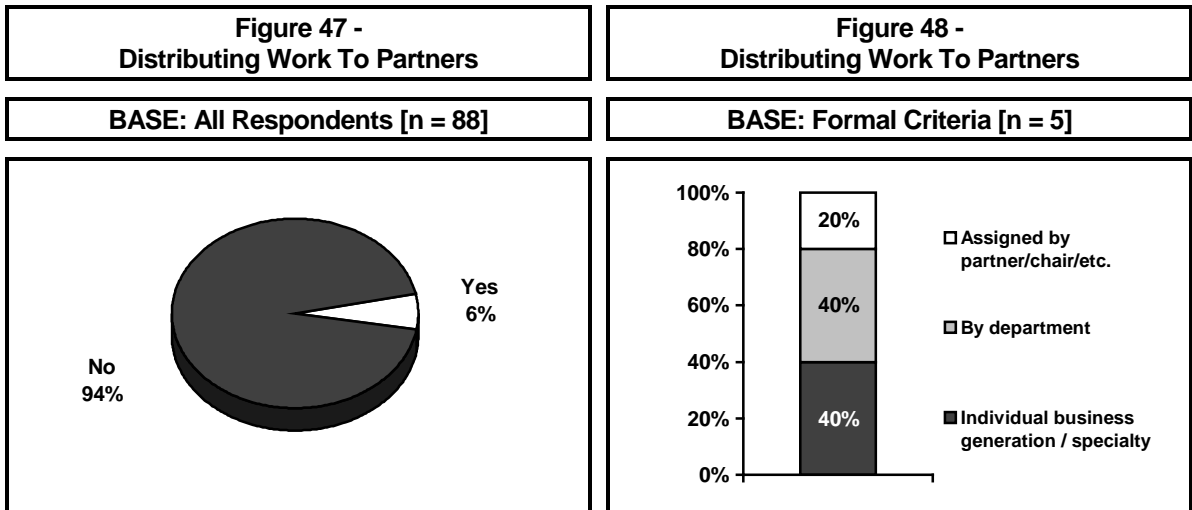
At thirty-eight percent (38%) of the firms that do have formalized criteria for distributing work to associates, a partner, chair, or mentor is responsible for assigning work to associates. Thirty-one percent (31%) say work is distributed to associates by department or specialty area. Associates receive assignments based on experience or workload at twenty-three percent (23%) of firms. Finally, fifteen percent (15%) of firms assign work to associates at meetings.



Q39b Does your firm have formalized criteria or a system to distribute work to PARTNERS? If “yes,” please describe.

Only six percent (6%) of firms have formalized criteria or a system to distribute work to their partners.

Two out of the five (40%) firms with formal systems for allocating work to partners report that partners are responsible for generating their own business and assignments in their own specialty areas. Work is allocated to partners by department in another two out of five (40%) firms. Finally, one of the five (20%) firms distribute work to partners through other partners or committee chairs.

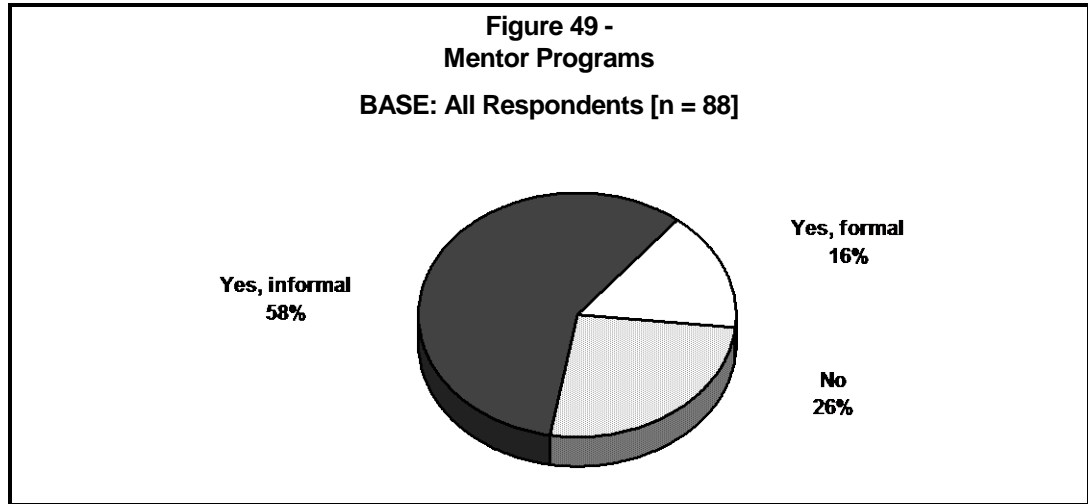


Mentoring

Q40 Does your firm have formal or informal mentoring programs?

Three-fourths (74%) of the firms surveyed have a mentoring program. This includes fifty-eight percent (58%) with an informal program and sixteen percent (16%) that have a formal program for mentors.

- Large firms – those with more than 20 lawyers – are more likely to have a formal mentoring program. Sixty-one percent (61%) of these firms have a formalized program.



Q40a Who receives the mentoring?

At the firms with mentor programs, male and female associates receive mentoring to the same extent. All male associates receive mentoring at eighty-two percent (82%) of firms, and all female associates receive mentoring at eighty-percent (80%) of the same firms. Equal levels of entry level and mid-level male and female associates receive mentoring, as well.

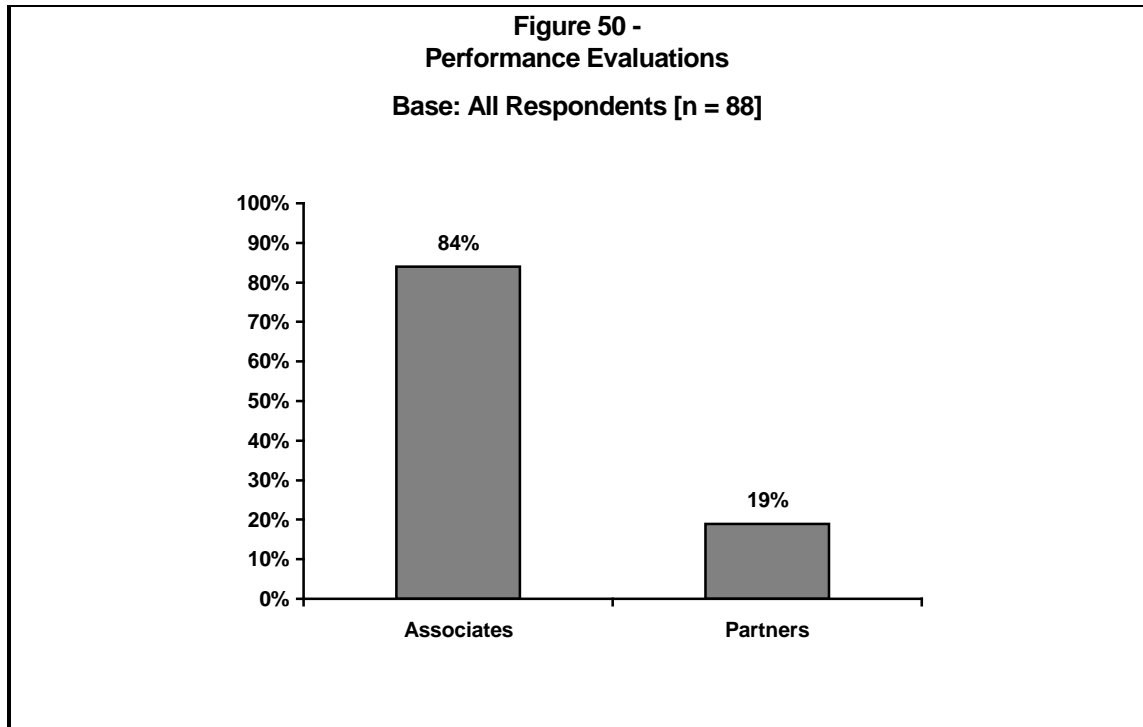
Performance Evaluations

Q42 Does your firm conduct periodic performance evaluations for ASSOCIATES?

Q43 Does your firm conduct periodic performance evaluations for PARTNERS?

Eighty-four percent (84%) of firms conduct periodic performance evaluations for associates, while partners are subject to periodic performance evaluations at only nineteen percent (19%) of the firms surveyed.

- Firms with more than 10 lawyers (mid-size and large firms) are more likely to periodically review the performance of associates than small firms. In fact, one hundred percent (100%) of these mid-size and large firms conduct periodic performance evaluations for associates.
- Firms with mentoring programs are more likely to conduct periodic performance reviews of associates – 95% vs. 52% of firms without mentoring programs.
- Half (50%) of the firms with more than 20 lawyers conduct periodic performance evaluations for partners. This is significantly higher than the incidence of partner performance reviews at smaller firms.



Q42a How often do these performance evaluations occur?

Seventy-one percent (71%) of firms that conduct performance reviews for associates do so annually. The same is true at eighty-eight percent (88%) of firms where partners receive periodic performance evaluations.

Only three percent (3%) of firms evaluate associates less than once per year, while none of the firms surveyed review partner performance this infrequently.

Q42b Does your firm have written evaluation criteria for these performance evaluations?

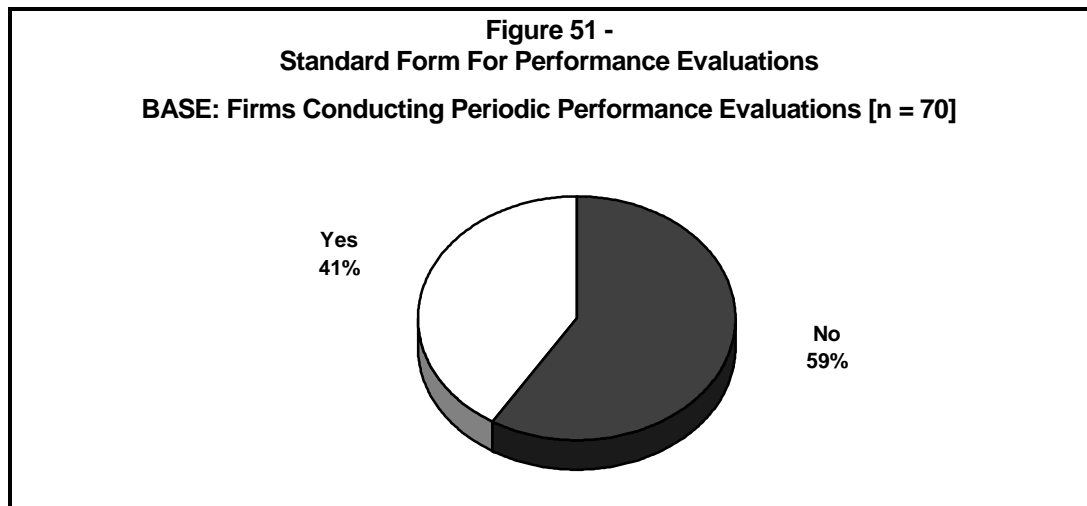
Half (51%) of the firms that conduct periodic performance reviews for associates have written criteria for these evaluations. Similarly, fifty-three percent (53%) of firms that conduct periodic performance reviews for partners have written criteria for their performance evaluations.

- Written criteria for performance evaluations is more common among firms with more than 20 lawyers. Over three-fourths (79%) of these large firms have written evaluation criteria for associate performance reviews.

Q44 Does your firm have a standard performance evaluation form for lawyers?

Among firms that conduct periodic performance evaluations for either associates or partners, forty-one percent (41%) have a standard performance evaluation form.

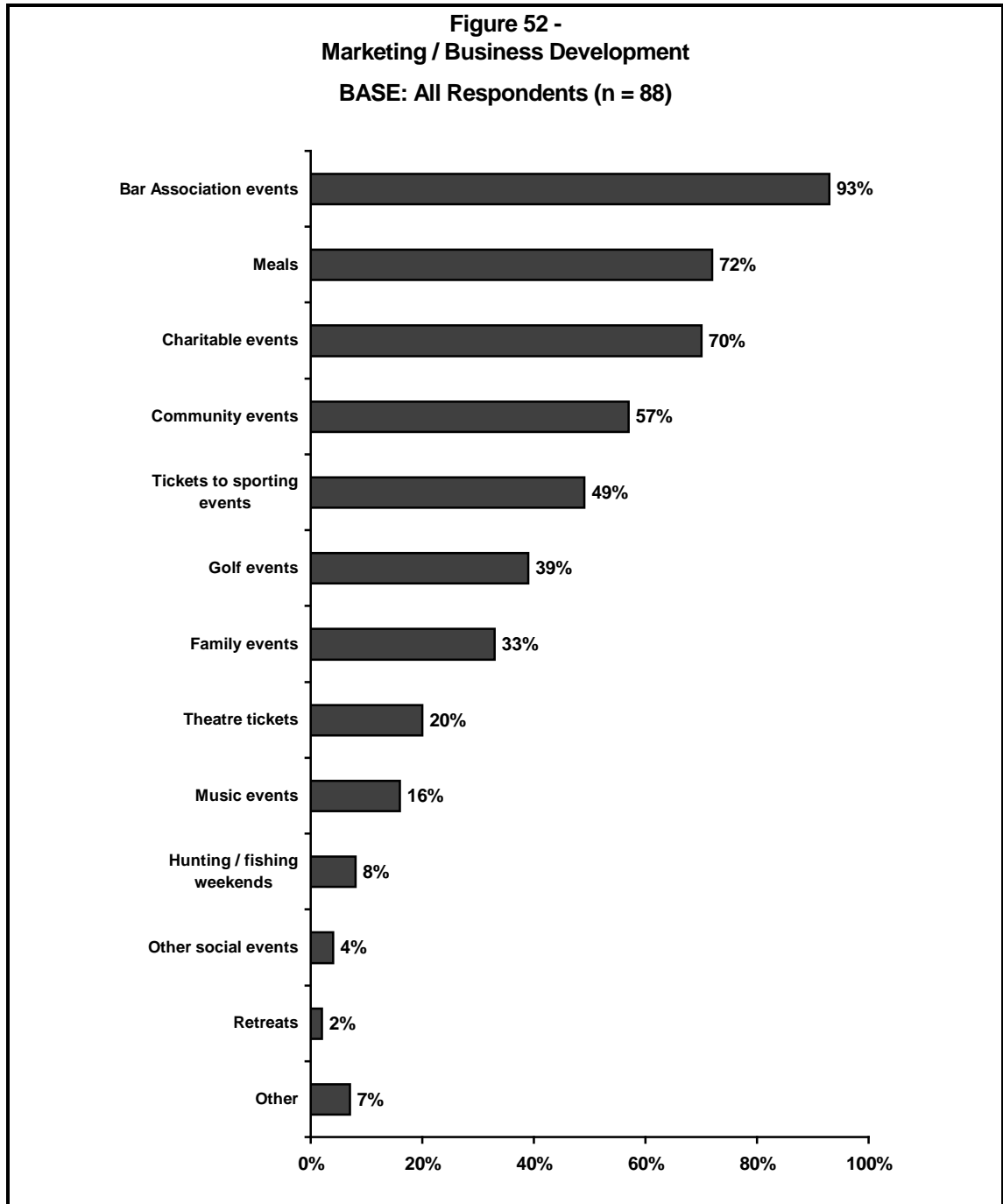
- Again, large firms – those with more than 20 lawyers – are more likely to have a standard form for evaluating lawyers (95%).



Marketing

Q45 What types of marketing and business development opportunities are paid for by your firm?

The most common types of marketing and business development opportunities paid for by the firms participating in this study are Bar Association events (93%), meals (72%), charitable events (70%), community events (57%), and tickets to sporting events (49%).



Q46 Does your firm have a process in place for non-traditional marketing?

Only six percent (6%) of firms surveyed have a process in place for non-traditional marketing. Many respondents indicated on their questionnaires that they did not understand this question or that they were unclear as to what non-traditional marketing refers to.

The five firms claiming to have a process in place for non-traditional marketing employ more than 20 lawyers.

Q46a What does your firm do to encourage non-traditional marketing?

Those firms that have a process in place for non-traditional marketing list the following as things they do to encourage non-traditional marketing:

Sporting events tickets; fine arts and theatre tickets.

Sponsorships – Garden Tour, cancer walks, Eagle Scouts, etc.

Diversity outreach at law schools and in publications aimed at diverse law students and attorneys.

Pay attention to all opportunities.

Host a website.

Q46b How does the firm decide how and what funds are spent on non-traditional marketing?

Firms that have a process in place for non-traditional marketing either decide formally – partners meet and decide – or informally on a case-by-case basis on the events they will support.

Partners meet and decide.

We talk about it.

Event-by-event decision.

Board decides budget in January.

Case-by-case basis.

Q46c What are the restrictions on non-traditional marketing?

Cost effectiveness of the event and how a partner at a firm might feel about a particular event are the only two restrictions on non-traditional marketing mentioned by firms.

Involvement in Governance

Q15 *Are compensation decisions at your firm made by one person or by a group?*

Q15c *How many lawyers are in the group that makes the compensation decisions?*

Compensation decisions at most firms are made by a group of lawyers (93%). Five percent (5%) report that a single person makes compensation decisions at their firm, while two percent (2%) do not know who makes their compensation decisions.

The average size of the group that makes compensation decisions is six lawyers. These compensation decision groups are made up of an average of five men and one woman. Women account for twenty-two percent (22%) of the compensation decision-makers reported.

On average, less than one member of the group is a minority.

Q15a *Is the person male or female?*

Q15b *Is the person a racial minority?*

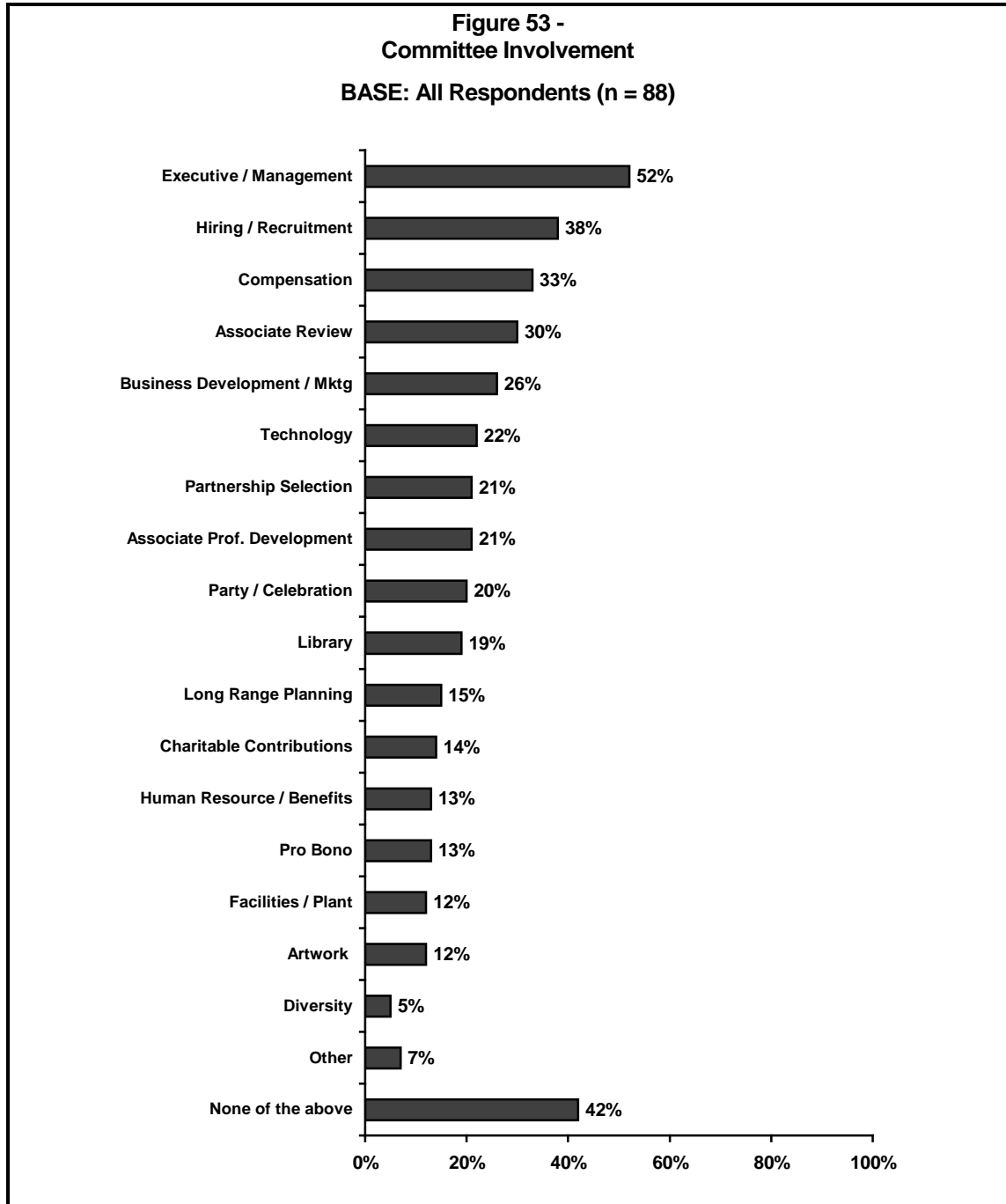
Three out of the four lawyers who are sole compensation decision-makers are men (75%).

None are an ethnic minority.

Q16 How many lawyers are members of the following committees at your firm?

While forty-two percent (42%) of the participating firms do not have lawyers involved in any of the committees listed, over half (52%) report an executive management committee, thirty-eight percent (38%) have members of a hiring or recruitment committee, one-third (33%) maintain a compensation committee, three out of ten (30%) list members of their associate review committee, and one-fourth (26%) mention a business development or marketing committee.

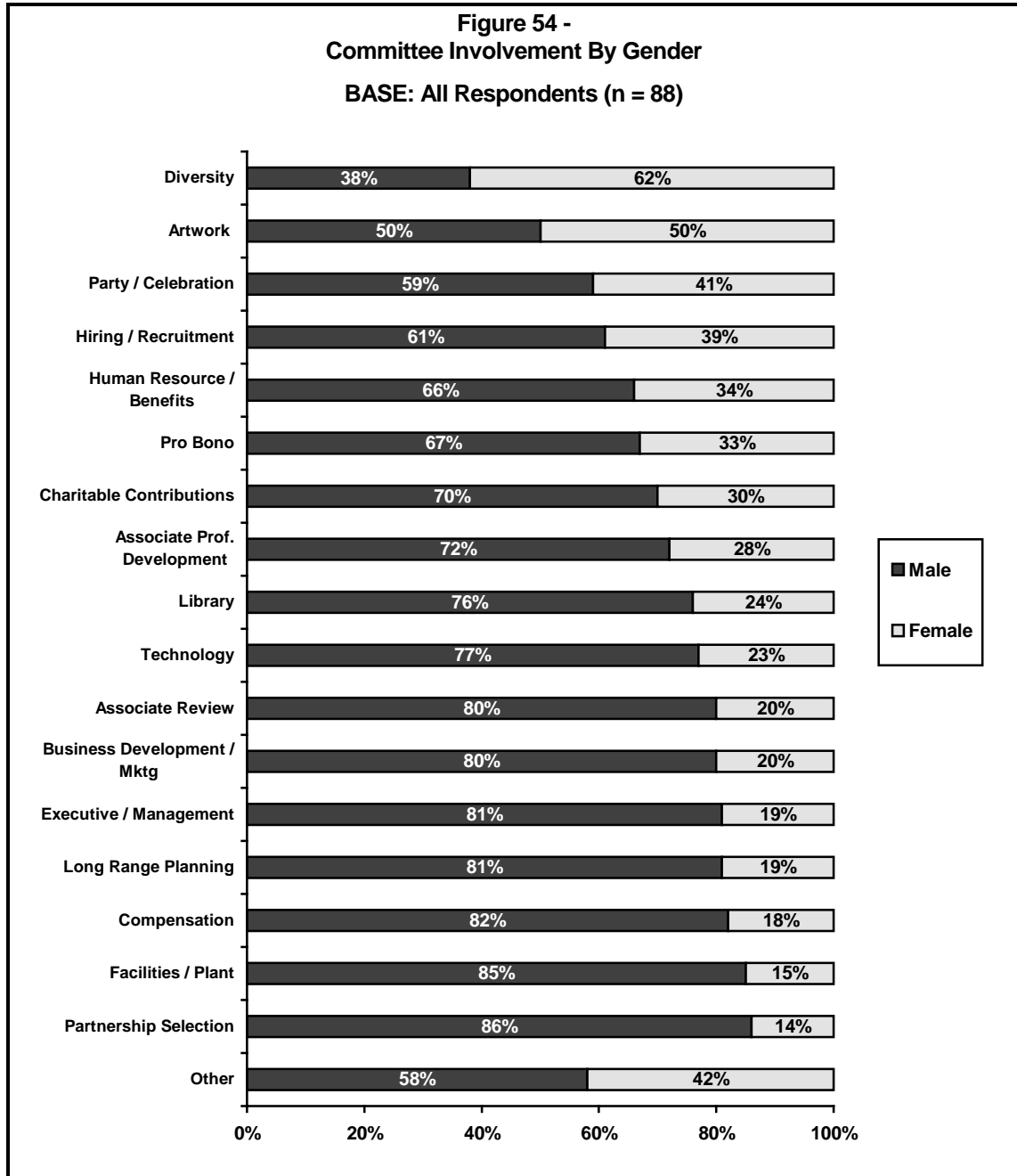
- Only five percent (5%) say that a diversity committee has membership at their firms.



Looking at the various committee memberships by gender reveals a male dominance in the majority of committees.

Female lawyers, however, make up at least half of the diversity (62%) and artwork (50%) committees. They also have representation on party/celebration (41%) and hiring/recruitment committees (39%). Female lawyers tend to be more involved in committees concerning human resources, public relations, and philanthropy.

On the other hand, male lawyers tend to dominate the committees geared toward planning and business management: executive management committee - 81% male, long-range planning committee – 81% male, compensation committee – 82% male, facilities/plant committee – 85% male, and partnership committee 86% male.



Promotion and Retention

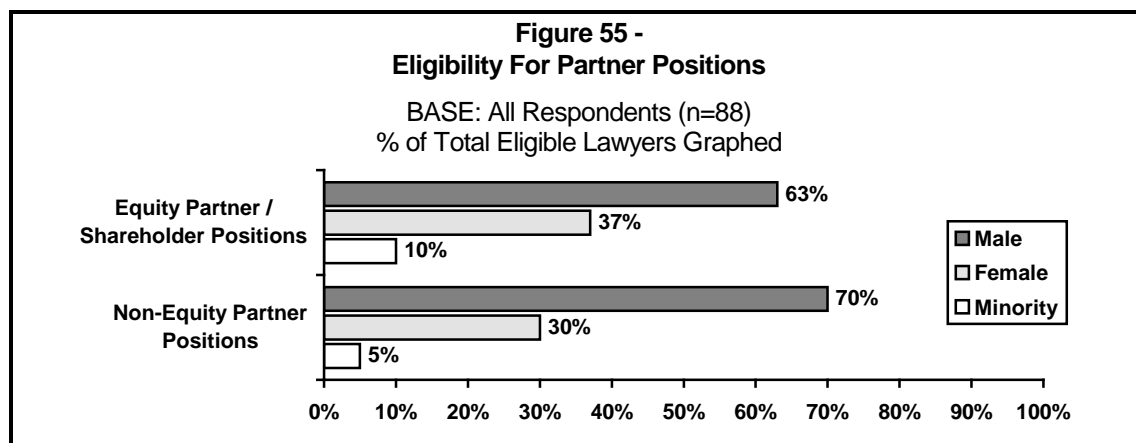
Promotion

Q10 During the calendar year 2000, how many lawyers were ELIGIBLE for partner positions within your firm?

The majority (63%) of equity partner or shareholder positions were available to male lawyers at the firms surveyed.

Similarly, seven out of ten (70%) lawyers eligible for non-equity partner positions were men.

Ten percent (10%) of equity partner or shareholder positions were available to eligible minority lawyers, while the same is true for five percent (5%) of non-equity partner positions.

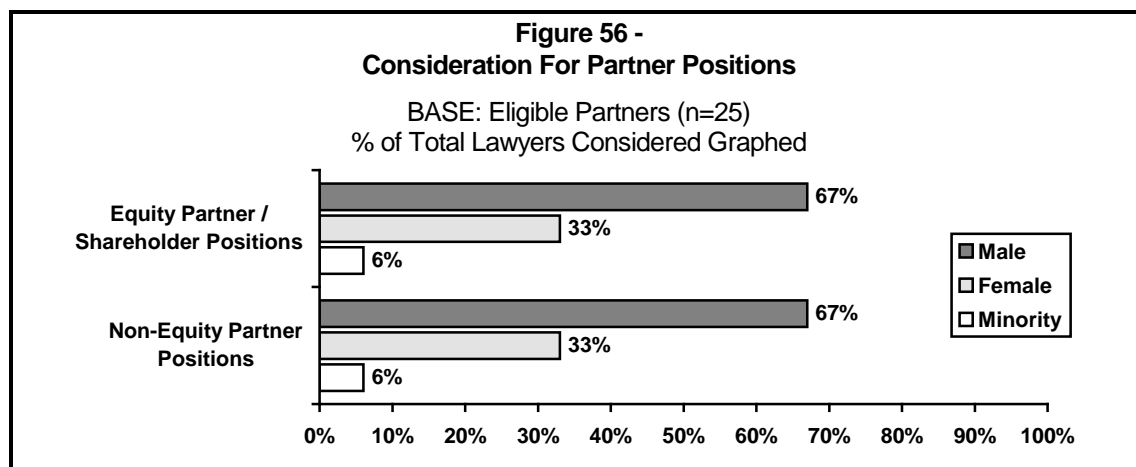


Q11 Of the above number of lawyers who were eligible, how many were CONSIDERED for partner positions within your firm in the calendar year 2000?

Among the available equity partner or shareholder positions, sixty-seven percent (67%) of the lawyers considered for these positions were men, while thirty-three percent (33%) were female lawyers.

Similarly, sixty-seven percent (67%) of the lawyers considered for non-equity partner positions were male lawyers.

Six percent (6%) of lawyers considered for both equity partner and non-equity partner positions were minorities.

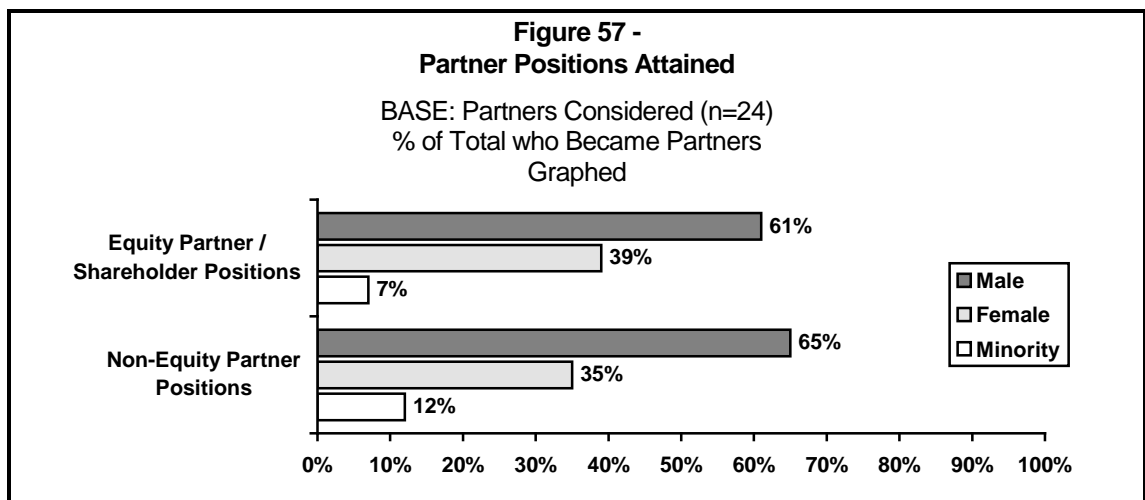


Q12 Of the above number of lawyers who were considered, how many BECAME partners within your firm in the calendar year 2000?

Sixty-one percent (61%) of the lawyers being considered who actually became partners are men, compared to thirty-nine percent (39%) women. The proportion of female lawyers who actually became equity partners is slightly higher than the female proportion of those considered for this position (33%).

The gender split of lawyers who became non-equity partners is two-thirds (65%) male and one-third (35%) female. The proportion of female lawyers who became non-equity partners is slightly higher than the female proportion of those considered for this position (29%).

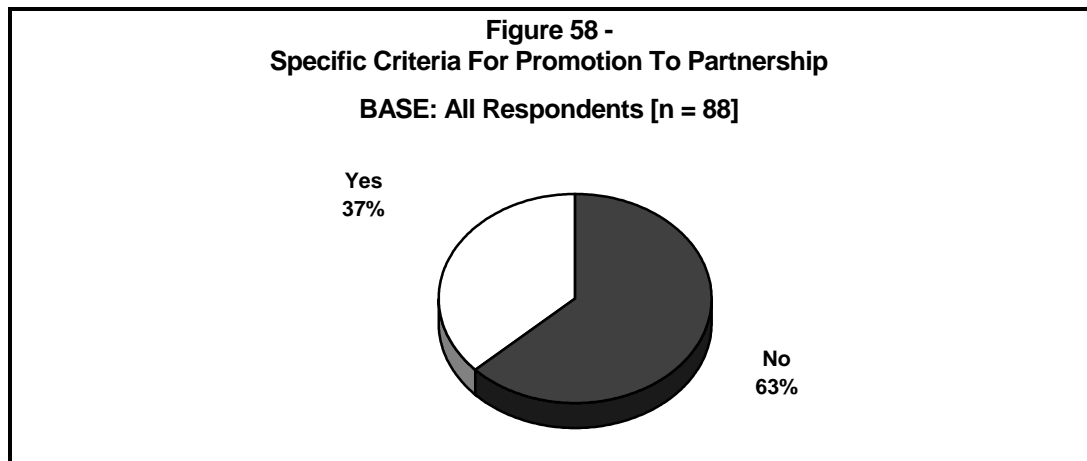
Of the six percent (6%) of lawyers considered for both equity and non-equity partner positions who are minorities, seven percent (7%) became equity partners or shareholders while twelve percent (12%) became non-equity partners.



Q13 Does your firm have specific criteria for promotion to partnership/shareholder?

Nearly two-thirds (63%) of firms surveyed indicate they do not have specific criteria for promotion to partnership or shareholder.

- Firms with more than 20 lawyers are more likely than small and mid-size firms to have specific criteria for promoting lawyers to partnership (82%) compared to 26%, respectively.



Q13a Do lawyers at your firm know the criteria?

Each of the firms surveyed say that their lawyers know the criteria for promotion to partnership. Seventeen percent (17%) of firms say that lawyers being considered for promotion know the criteria, while eighty-three percent (83%) claim that all lawyers at their firms know the criteria.

Q13b How are the criteria communicated to lawyers within your firm?

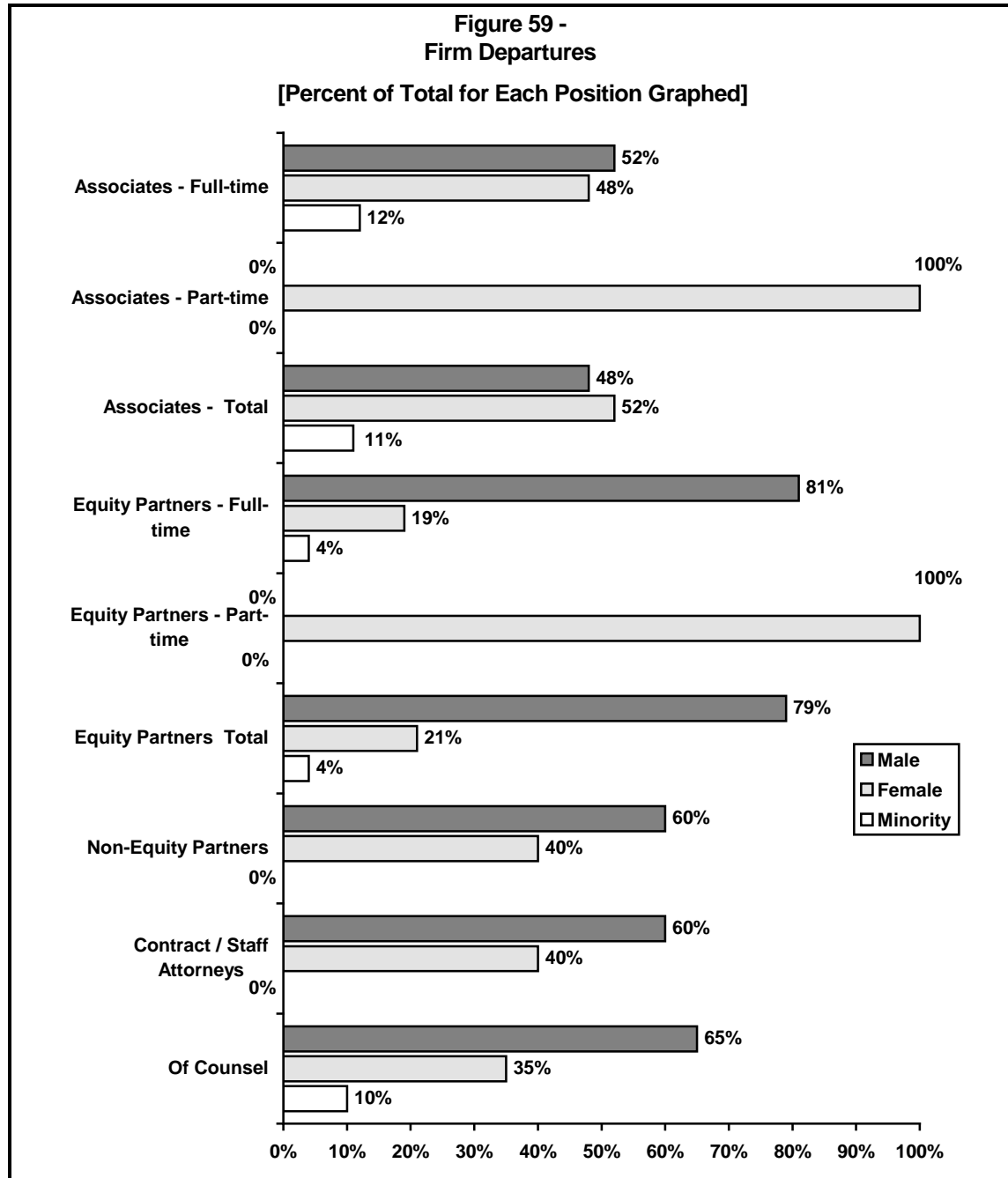
The most common way in which specific promotion criteria are communicated to lawyers is presenting the criteria orally at meetings, mentioned by eighty-one percent (81%) of the firms participating in this study. Criteria are also communicated in writing (58%), in a policy statement (26%), and by posting a statement in a highly visible area (6%).

Retention

Q14 During the calendar year 2000, how many lawyers left your firm for any reason?

The proportion of lawyers who left their firms during the year 2000 is more heavily female among part-time positions: part-time associates (100% were female departures), part-time equity partners (100% were female departures).

Retention of male lawyers was lower among full-time equity partners (81% were male departures) and of counsel positions (65% were male departures).



Q14a Of the ASSOCIATES who left your law firm during the calendar year 2000, how many left for the following?

Responding firms report that the most common reason for the departure of associates was to go to another law firm – fifty-four percent (54%) say that associates left for this reason during the year 2000. Associates also left for corporate or in-house positions (30%), to take time for family responsibilities (27%), were asked to leave the firm (21%), left for government or public law (18%), or to start a solo practice (9%).

Men and women gave the following reasons for leaving their law firms:

- Corporate or in house law – 63% male, 37% female
- Government or public law – 27% male, 73% female
- Another law firm – 55% male, 45% female
- Taking time for family responsibilities – 8% male, 92% female
- Asked to leave the firm – 60% male, 40% female
- Solo practice – 25% male, 75% female

Q14b Of the EQUITY PARTNERS OR SHAREHOLDERS who left your law firm during the calendar year 2000, how many left for the following?

The most common reason for the departure of equity partners or shareholders was also to go to another law firm, mentioned by thirty-seven percent (37%) of responding firms. Other reasons give by equity partners or shareholders for leaving their firms include solo practice (26%), corporate or in-house law (22%), government or public law (15%), and taking time for family responsibilities (15%). Only four percent (4%) of firms with an equity partner who left report that he/she was asked to leave the firm.

Equity partners or shareholders left their law firms during 2000 in the following proportions:

- Corporate or in house law – 73% male, 27% female
- Government or public law – 75% male, 25% female
- Another law firm – 85% male, 15% female
- Taking time for family responsibilities – 25% male, 75% female
- Asked to leave the firm – 100% male, 0% female
- Solo practice – 100% male, 0% female

Q14c Of the NON-EQUITY PARTNERS who left your law firm during the calendar year 2000, how many left for the following?

Of the seven firms reporting that non-equity partners left their law firms during the year 2000, forty-three percent (43%) say they left for another law firm, twenty-nine percent (29%) corporate or in-house law, and fourteen percent (14%) each left for government or public law, taking time for family, or solo practice, respectively.

Of the ten non-equity partners that were reported to have left their firms – four were female lawyers (40%) and six were male lawyers (60%).

Additional Information on Gender and Minority Equality

Q47 *Is there any other information you would like to share about the experiences of women in the legal profession at your firm?*

We have come to a point where women have proven they make very capable lawyers. I see no need to try to show that they are somehow receiving 2nd class treatment. The problem only arises in the situation where the woman wants to work part-time.

We have 2 equity partners. One male, one female. We treat all our lawyers and non-lawyer staff with respect and hire/promote people without taking gender into account.

Firm was 25% women attorneys. 2 attorneys opened their own shop. Firm became 100% male - Haven't hired in years - male or female.

Our Managing Partner/Shareholder is a woman.

I am a female and the Managing Partner. I have never felt any discrimination in my firm. However, while working at a large firm prior to joining my current firm, there was a distinct difference in the way female and male associates were treated.

The woman partner in our law firm is the "founding partner" and is equal in salary, benefits and position. We are a small law office and this survey is clearly aimed at a larger office - many issues in this survey we do not encounter.

We are separate from mainstream in that this firm was started and developed by a female, so no 'pre-set' exists to exclude females, minorities, etc.

I am fortunate; most of the survey is not applicable because it is geared towards large firms. We are small and able to grow our own practices according to our own values.

I, as a female partner, am profoundly disappointed in the "drive", attitude and overall performance of the female associates and clerks who have been hired over the last 4 years.

Firm founded by 2 women and 2 men, power and shared equally.

We are a woman-owned business employing 7 people, one of whom is male.

In our office (small family firm) the women ran the show! Our employees can leave anytime for anything from family matters to personal breaks. We show a lot of respect to our employees. The men are more old school but are adjusting to the new ways!

I have found the attitude toward parental leave to be cool - I am allowed to take it but made to feel as if I am less dedicated to the firm because I do. Other than this issue, a big one! - I have always been treated equally.

Has worked well that we have equal numbers of men and women as partners in firm.

I was the only woman at my firm for years. I successfully recruited 2 more women during the last year. My partners are terrific, but do not realize the ways in which women are treated differently. I was not invited to play golf with clients.

We have always had women Associates since 1992. It has been a good experience.

The firm managing partner (out of our Portland office) is a woman. She has authority equal to that of the senior partner, and is compensated nearly as well. We hire the best lawyers we can get, period.

They tend to take more time off than the male lawyers.

We have only had one female shareholder in the history of our firm. We are hoping to have more in the future, but we are wrestling with the issue of part-time partners. One female has been offered partnership, but at this point prefers part-time status

Over the last 20 years, we have had one female partner, two female associates and one female contract lawyer. All were excellent. All left because of family demands. Female attorneys improve the practice and law office functioning and given the decision

Lack of a "wife" for female attorneys has an impact on time spent by female attorneys outside of work. Also, the attitude that married female attorneys somehow also have their husbands income.

The majority of attorney staff are women in the organization

1 of 3 partners (this writer) a woman. No experience of gender discrimination by the attorneys but lots of hostility from women staff and office administration based on gender. Lots of double standards from older women employees vis a vis woman and mal

After spending several years and considerable expense to develop her legal expertise, our last woman associate decided to get pregnant and stay at home.

The women and minority lawyers committee is comprised of women and minority attorney's firm-wide. The committee works to enhance the hiring, recruitment and retention of female and minority attorneys. In particular, the committee plans events, implements

Q48 *Is there any other information you would like to share about the experiences of racial minorities in the legal profession in your firm?*

We have never had a lot of racial minorities apply for positions here.

Of the attorneys currently in this firm, several are African-American. Consequently, this is a firm that is very sensitive to the concerns of minority lawyers, staff and clients.

We have always been open to minorities - but find most prefer to work in more metropolitan areas where there is a community of their race, etc. - and not deal with what they see as the social isolation of a smaller outlying county.

For the most part, all the racial minorities hired have been comparable to the non-minorities. I see no difference whatsoever.

We are always looking for qualified racial minority-and other types of minority applicants.

We have Chinese, Latin and Korean representatives in our office and our minority clients are treated differently by the insurance adjusters than our English-speaking clients. It is a shame!

Unfortunately we have not had a lot of racial minorities in our firm other than a few clerical staff. We are a small firm and do not often hire new lawyers.

We have none- believe need primary focus on increasing diversity in law schools to make it easier to hire minority attorneys.

We have never employed a racial minority as an attorney. We have offered a job to one African-American woman, who turned us down. It is difficult for small firms, which pay less, to attract minority attorneys.

We hire the best lawyers we can get, period. In the three years I have managed the Seattle office, I've never been sent a minority attorney applicant by our "headhunters." In addition, I can rarely recall one resume that was identifiable as being from a

I am sorry to say we have not had any racial minorities to date due to very rare applications, which may be due to our location.

Only one minority male has ever applied and did so at a time we were not hiring. One of our female associates was a minority - great lawyer - moved to east side of state w/husband, because of his employment.

We are a very diverse organization.

Appendix

Methodology

Questionnaire

The questionnaire used for the Washington Glass Ceiling survey is based on the existing SAGE questionnaire developed by the Minnesota State Bar Association. Discussions within the Task Force, with members of the Washington State Gender and Justice Commission, and input from the researchers and the team who worked on the initial and subsequent SAGE surveys were incorporated into the Washington State survey.

Specifically, survey content includes the following – each broken out by gender and ethnicity:

- Number of lawyers currently on staff at all locations;
- Number of lawyers currently on staff in Washington State;
- Number of lawyers employed by employment type (e.g. clerk, internship, associate, equity and non-equity partners, etc.)
- Description of the firms effort to recruit female lawyers, if any;
- Number of employment offers made to lawyers by employment type (e.g. clerk, internship, associate, equity and non-equity partners, etc.);
- Number of employment offers accepted by lawyers by employment type (e.g. clerk, internship, associate, equity and non-equity partners, etc.);
- Participation of female lawyers in recruiting and retention activities of new hires – from law school, lateral hires, etc.;
- The position or makeup of the group who makes the final hiring decisions;
- Makeup of membership of committees such as Associate committee, Business development/marketing committee, etc.;
- Aggregate number of male and female lawyers within firm who receive the top and bottom 25% (the highest quartile) monetary compensation by employment category (e.g. associate, equity and non-equity partners, etc.);
- Compensation criteria (including bar association work, billable hours, etc.) by employment category;
- Availability and amount of parental leave offered, by gender;
- Aggregate number of lawyers by employment category, gender and ethnicity who have taken parental leave;
- Availability of sabbatical leave offered and amount taken by gender and ethnicity;
- Availability and type of alternative work schedule offered and number of lawyers who have utilized the schedule, by employment category, gender and ethnicity;
- Availability of other benefits, such as safety escort, weekend parking, pretax deduction for health care expenses, etc.
- Availability and type of child care offered by firm;
- Availability of benefits offered for less than full-time employees;

- Availability, type and method by employee classification of gender anti-discrimination, sexual harassment, race discrimination or harassment training;
- Availability of work distribution by employee type;
- Availability and type of formal or informal mentoring programs;
- Availability and type of training programs;
- Availability, type and regularity of performance evaluations;
- Types of marketing / business development opportunities by firm;
- Compensation data by gender, ethnicity, and position type.

The current survey is 30 pages in length. It was printed in booklet form and mailed with an accompanying cover letter signed by the Task Force members and a postage paid return envelope. The questionnaire included a toll-free number for respondents to call with questions, for assistance with their survey, or if they preferred to respond electronically. Follow-up telephone calls were made and a follow-up letter was sent to encourage responses.

Methodology and Sampling Plan

Based on a database purchased by Dun and Bradstreet and confirmed by Martindale Hubbel, the Glass Ceiling Survey was sent to a total sample of 772 law firms in Washington State who had five or more employees, employees being the designator term used to categorize firm size by Dun and Bradstreet.

Initial Sample		Final Responses	
Number of <u>Employees</u>	Number of Firms	Number of <u>Attorneys</u> [At WA <u>Locations</u>]	Number of Firms
5 to 9	389	5 to 9	46
10 to 14	162	10 to 14	14
15 to 19	61	15 to 19	7
20 to 49	101	20 to 49	12
50 to 99	23	50 to 99	6
100 to 249	21	100 to 249	1
250 +	9	250 +	2

Rather than selecting a random sample from this universe to which surveys would be mailed, the decision was made to send surveys to all firms meeting the respondent firm selection criteria (five or more employees), to ensure the number of responses to the survey are adequate for analysis.

In addition to parsing information out of the list for those contacts that are government agencies, or non-law firms (ex. provide services to law firms), and based on call-backs to firms, call-backs from firms, and cross-referencing the Dun and Bradstreet list against the Martindale Hubbell directory – where information was listed for the firm in the directory – NWRG determined that at least 300 of those from the original list do not qualify for the survey as they are either: 1) firms with under five attorneys, 2) public agency listings, or 3) firms that are no longer in business or have no forwarding address available.

The survey was mailed to the managing partner or director of human resources at law firms in Washington State with five or more employees with the instruction that surveys should only be returned by firms with five or more attorneys. Reminder calls were made by NWRG employees or Task Force volunteers to all of the initial listed firms who had not returned a survey within the first two weeks of data collection. Those firms who had not returned a survey within the first month of the data collection period were sent an additional copy of the survey, with a cover letter from Washington Supreme Court Justice Madsen encouraging them to return the completed survey. Throughout the data collection process Task Force members and NWRG staff took calls from the respondent base to answer questions related to the use of the survey results, the purpose of the research, and confidentiality of the information. All surveys that were returned for incomplete addresses were assigned to an NWRG Research Coordinator who called information for the firm's telephone number and tracked down the firm's new address or, if a new address was unavailable, determined that the sample was unusable.

Overall, NWRG received 147 completed surveys, a 31% response rate. The final sample size consists of 88 usable, self-administered surveys completed by Washington law firms.

Data Entry

Results from the surveys were entered into Northwest Research Group, Inc.'s networked computer system by professional data entry personnel.

Statistical Significance

In interpreting survey results, it should be kept in mind that all surveys are subject to sampling error. Sampling error is the extent to which the results may differ from what would be obtained if the whole population were surveyed. The size of such sampling error depends largely on the number of interviews conducted. The larger the sample, the smaller the sampling error.

The overall margin of sampling error for this survey is plus or minus 10.5 percent for questions asked of all respondents.

The following table provides further detail of the sampling error at different sample sizes. The 50% / 50% proportion assumes the worst-case scenario, or the greatest margin of error at the various sample sizes. The proportion refers to the percentage of respondents who answer a question in a particular way. For example, if half of all respondents answer “yes” and half answer “no” to a question, the 50% / 50% scenario should be used to determine the margin of error for that question – while if a large majority (90%) of all respondents say “yes” and only 10% say “no,” the associated margin of error is assumed to be smaller.

Sample Size	10% / 90%	20% / 80%	30% / 70%	40% / 60%	50% / 50%
50	8.32%	11.09%	12.70%	13.58%	13.86%
88	6.27%	8.36%	9.57%	10.24%	10.45%
100	5.88%	7.84%	8.98%	9.60%	9.80%
200	4.16%	5.54%	6.35%	6.79%	6.93%
300	3.39%	4.53%	5.19%	5.54%	5.66%
400	2.94%	3.92%	4.49%	4.80%	4.90%
500	2.63%	3.51%	4.02%	4.29%	4.38%
1000	1.86%	2.48%	2.84%	3.04%	3.10%
1200	1.70%	2.26%	2.59%	2.77%	2.83%