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PRESIDENT'S MESSAGE

AUTUMN 2007

The Results are In!



After years of preparation and nearly a year obtaining and compiling the data, our Association can now report the findings of our first annual survey on the status of women working in Manhattan law firms. This newsletter contains a summary of the results, including charts showing the major findings. The survey questionnaire can be downloaded from our website, www.nywba.org/survey2007.pdf.

The information from the survey provides a new tool for assessing both how women attorneys are faring in Manhattan and the types of programs that some firms have initiated to support their success. Managing committees of firms will be able to use the results as a basis for bench marking and comparison, as well as to facilitate the development of ideas to enhance the retention and promotion of women attorneys.

The results have broader implications for female lawyers. It shows how far we have come since women began practicing law in this City. Despite significant progress, women have thus far failed to achieve parity with men in most areas. Now that we finally know what is happening to female attorneys, we have to find out why.

While women now comprise more than fifty percent (50%) of law school classes, our survey found that significantly fewer than one half of associates in Manhattan law firms are female. Do fewer women enter the practice after attending law school? Are higher percentages of women found in less lucrative legal careers, such as government, charitable or in-house service?

The survey also documents the extremely low number and percentage of female attorneys who become partners in Manhattan firms. This is true regardless of the size of the firm, although women have made more gains in small law firms (those with fewer than 30 attorneys).

Why is it that men are still so much more likely to become equity partners? Is there true equality of opportunity? What does it take for women to break through the long-standing glass-ceiling? While some believe that women are not joining the ranks of equity partnership because a significant number of them are "opting out," others characterize it as women opting to leave in response to what can be fairly characterized as a

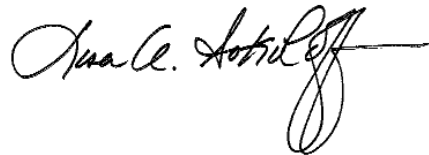
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President's Message continued from page 1

"push." What is it about the structure and process of choosing equity partners that makes it such an uphill battle for women attorneys?

Finally, the results raise the question - Why do so few females become managing attorney or partner? This question is made even more complex by the clear showing in the survey that when women do become equity partners they actually spent at least as much time as male equity partners in taking on administrative and management responsibilities within the firm. If women are qualified to take on these responsibilities, why are they so rarely rewarded with the top management position?

Our Association plans to continue the survey to monitor the progress of women practicing in Manhattan. Now that we have identified the major questions, we will pursue the answers, not only for women practicing in law firms, but also those who are working in other legal employment situations. Later this winter, we will present a program (chaired by Debra Goldberg of Fulbright & Jaworski), aimed at helping women achieve the success they seek. As an association, we have the power to affect change. I hope you will stand with us as we seek answers and ultimately help women achieve their career objectives, whatever those objectives may be.



Meeting of the Network of Bar Leaders
Report by Lois Woll

On September 11, 2007, Cassandra Acquart and I attended the first meeting of the new term for the Network of Bar Leaders. Several topics were addressed including is the issue of pay raises for judges. It was agreed that the Association should support and aid New York State Judges in their efforts to get a raise. Another topic was judicial selection and the view that the organization should have a voice in this selection process. The members also discussed the need to aid 9/11 workers.

Future meetings will include guest speakers and will take place on November 14 and December 19.

Volunteers Needed!

New York University Mock Trial Team

During the weekend of November 17-18, 2007, the New York University Mock Trial Team will be hosting its second annual tournament, the Downtown Invitational Classic. The team is looking for attorneys to act as judges, and those who participate will receive CLE credit. Please see the NYU Mock Trial Team's website for more information.

<http://www.nyumocktrial.com/judges.htm>

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and The Post-Treatment Resource Program of Memorial Sloan Kettering Cancer Center

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Wednesday, November 7, 2007

6:00 PM - 8:30 PM

New York City Bar Association

42 West 44th Street, 2nd Floor Meeting Hall

Guest speaker Dr. Larry Norton will present the latest developments in the fight against breast cancer.

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Julie Mitnick, MD, Radiologist, Murray Hill Radiology

Larry Norton, MD, Head, Division of Solid Tumor Oncology,

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Panel in formation

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Presenting Organizations

Women's Bar Association of the State of New York,

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The New York Women's Bar Association

Symposium Co-Chairs

Mikki Golar, Esq. and Barbara A. Ryan, Esq.

JALBCA Co-Presidents

Hon. Eileen Bransten and Judith A. Livingston, Esq.

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The Honorable Sherry Klein Heitler Receives a New Judicial Appointment

By Annie M. Ugurlayan

The Honorable Sherry Klein Heitler was recently sworn in as an Associate Justice in the New York Supreme Court, Appellate Term, First Department. Appointed by Chief Administrative Judge Jonathan Lippman, Judge Heitler joins an elite group of appellate judges and adds another honor to an already distinguished career. Judge Heitler first served as a judge in the Civil Court of the City of New York from 1994 to 2000, after which she was an acting justice in the New York Supreme Court until she was officially appointed in 2001.

Judge Heitler started her career as a law assistant in the Civil Court of the City of New York, where she served for two years before becoming an Adjunct Professor of Law at Baruch College of the City University of New York. After teaching law for four years, in 1979, she became a partner at the firm of Heitler & Levy, P.C. and remained there until 1993. Judge Heitler received her Bachelors degree from Hunter College, her

Masters degree from New York University, and her Juris Doctorate from Fordham University Law School.

Her Honor is also an active member of several bar associations and charitable organizations. She serves as Vice President of the National Association of Women Judges and Director of the New York County Women's Bar Association and the Jewish Lawyers Guild. In addition, she served as Director of the Metropolitan Women's Bar Association and as a member of the Tort Litigation Committee of the Association of the Bar of the City of New York. She is also a member of New York County Lawyer's Association and the Judges And Lawyers Breast Cancer Alert (JALBCA).

Judge Heitler is trailblazer and an example of how women attorneys can break through the glass ceiling. The New York Women's Bar Association extends its warmest congratulations to her and wishes her continued success in her career.

The Need for No Fault Divorce in New York State

October 11, 2007 Forum

By Jane Bevans

The Association of the Bar of the City of New York hosted the forum *The Need for No Fault Divorce* on October 11, 2007 to publicize New York State legislation proposing the adoption of a no fault divorce bill. The event was sponsored by several organizations including the New York State Judicial Institute, The Bar Association of the City of New York, and Women's Bar Association of the State of New York, Family Law Section.

The Honorable Sondra Miller (The Miller Commission) and Alton Abramowitz, chair of the Matrimonial Section of the City Bar, opened the event.

Program highlights included Myrna Felder's history of New York State divorce law from Alexander Hamilton, who drafted the first divorce law in 1787, to the present. Myrna's presentation was informative and entertaining. Judge Thomas P. Zampino of the Essex County Superior Court, Family Division, New Jersey spoke. In addition, the Honorable Judith Scheindlin, former Supervising Judge of New York County Family Court and also of "Judge Judy" fame, told war stories from her days on the bench in New York Family Court.

The program also included anecdotes from various attorneys concerning the emotional and financial costs that are inherent to our current "fault" based system. Two former litigants also spoke; both were victims of the "fault" system. The litigants' stories described terrible divorces from spouses who used the "fault" system to maintain control over them financially.

The time for New York State to join the rest of the country and adopt a no fault divorce statute has come as it is a modern and healthy way to allow people to end their marriages.

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NYWBA Surveys the Status of Women in Manhattan Law Offices

by Brenda Pomerance and Donna Praiss

The New York Women's Bar Association has completed its 2007 survey of Manhattan law offices, which provides insights into the status of women attorneys in law firms, their successes, opportunities for advancement, and their working environments. To monitor the progress of women attorneys over time, we plan to conduct the survey annually, and in future years we hope to expand the survey to other legal employers, such as corporations and government.

Future issues of this Newsletter will include a Spotlight feature. Each Spotlight will examine how the practices of a particular firm support its women attorneys.

The 47 law firms that responded to the inaugural survey employ a total of 8,842 attorneys - 3,272 women and 5,570 men - in New York City. 8,428 of the total work full time, and 414 work part time. In this article, we provide a summary of the survey's major results. A copy of our full report on the survey will be made available at the NYWBA website (www.nywba.org/survey2007.pdf).

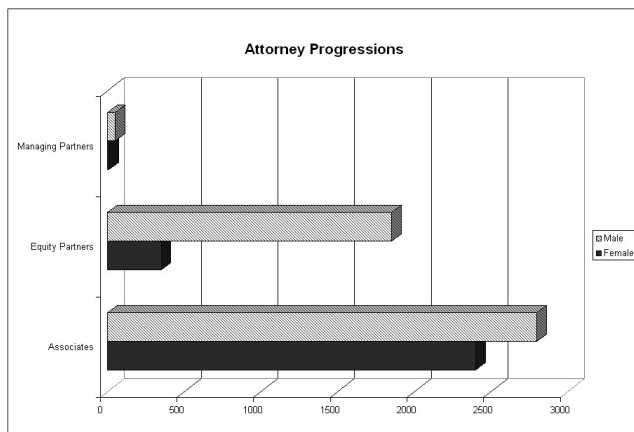
Unlike other surveys on the status of women attorneys, the NYWBA did not limit the survey scope to the largest multinational firms; it included firms of every size, but sought information specifically about the Manhattan office only. Also, where it made a difference, the responses were analyzed by office size:

- 300 or more full-time lawyers ("jumbo");
- 100-299 ("large");
- 31-99 ("medium"); and
- Up to 30 ("small").

CAREER PATHS

Equity Partnership

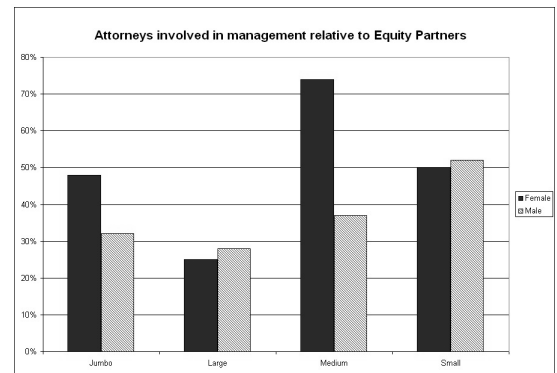
The most notable finding from the survey, as shown in the "Attorney Career Progressions" chart, is the huge gap between the number of female associates and the number of female equity partners. In short, a male associate has a substantially better chance of becoming an equity partner than does a female associate.



This is particularly troublesome when juxtaposed with the fact that there are nearly as many women associates in these offices as there are male associates. (*Id.*) Why is it so difficult for women to become equity partners?

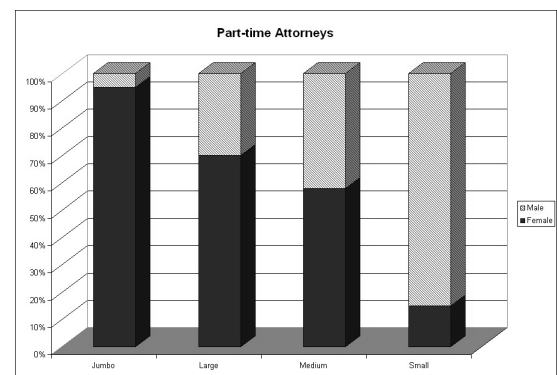
Office Management

Although there are substantially fewer female equity partners, women who attain equity partnership are involved in managing their offices at least as much as male equity partners. At jumbo and medium offices, female equity partners are actually more involved than their male counterparts, as shown in the "Equity Partner Management" chart. Why would female partners be disproportionately represented in office management than male partners?



Alternate Work Arrangements

Overall, working part-time is much more popular among female attorneys than male attorneys, and the larger the office, the higher the percentage of part-time attorneys who are women. By contrast, in small offices, a greater percentage of men work part-time. Why?



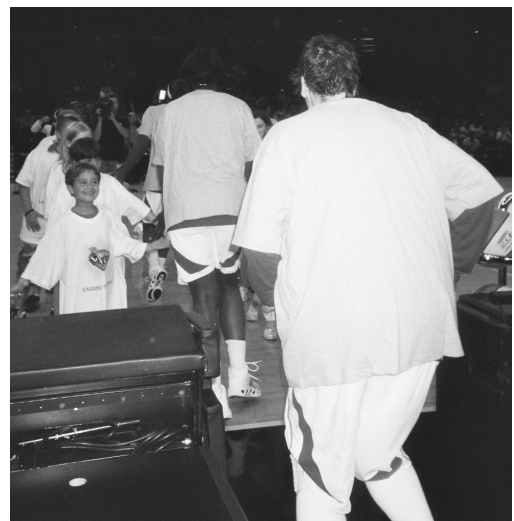
Business Development

The disparity in business development between male and female attorneys at Manhattan law offices is striking. Only in small offices is the percentage of female attorneys who originate business, measured relative to all attorneys who originate business, about equal to the percentage of female full-time attorneys, measured relative to all full-time attorneys. In all but small offices, male attorneys are better business originators than female attorneys. Why are women better at rainmaking in small offices than in other environments?

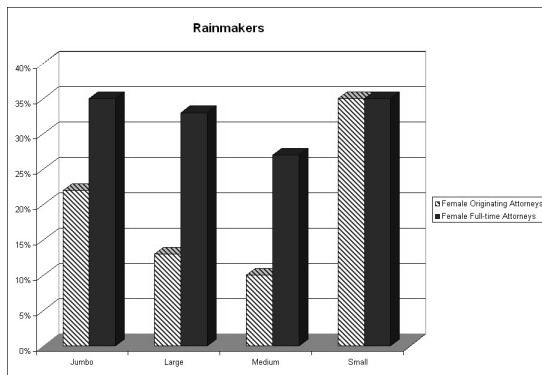
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Breast Health Awareness Night -- August 2, 2007

On August 2, 2007, the NYWBA came out to celebrate Breast Health Awareness night with the WNBA's New York Liberty. The event began on the basketball court with a pre-game warmup by the attendees' children. We had a wonderful group of judges and their families, attorneys, our organization's sponsors and some of our "regular" guests from Westchester. This was our largest group event ever! Everyone attending agreed that this event is a "must do" and we are already planning next year's festivities.

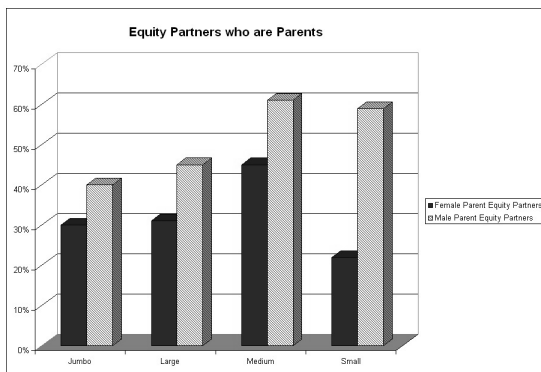


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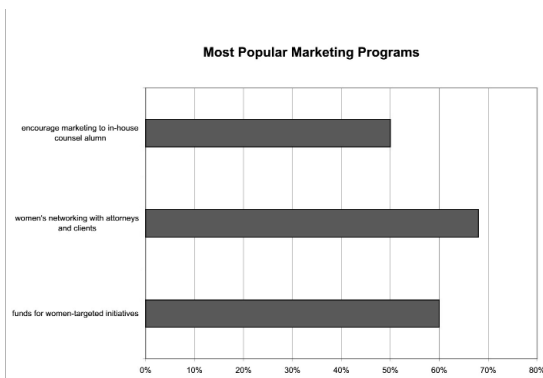
Parenthood

As shown in the "Parent Equity Partners" chart, male equity partners are more likely to be parents than are female equity partners. For male equity partners, medium and small offices are better places to be a parent. For women, medium offices are the best place to be a parent. Why does office size differently affect the likelihood of being a parent for women and men?



Marketing Support Programs

Most survey respondents have programs to provide marketing support for their women attorneys. Common examples involve supporting networking between the office's women attorneys and its women clients.



Office Programs to Support Retention and Promotion of Women Attorneys

Among the 47 respondent offices, 23 provided descriptions of programs their offices have adopted to specifically support women attorneys. These programs include:

- *Internal networking* - luncheons, mentoring groups, seminars;
- *External networking* - structured opportunities to meet with female clients, introducing diversity attorneys to clients;
- *Management* - including diversity in the evaluations for heads of the office's practice areas;
- *Measurement* - tracking the diversity of attorneys working on the client's matters, particularly for the office's largest clients;
- *Training* - for senior associates, often including specific training preparing for partnership, pairing with an influential mentor, etc.;
- *Flexible Environments and Alternate Work Arrangements* - part-time work, telecommuting, leaves of absences, free or low-cost emergency child care and elder care services; and
- *Re-entry* - welcoming attorneys who have left the office and returned.

In our next survey, we plan to inquire what firms do to promote specific women - as opposed to their programs for advancing women generally, such as arranging media coverage, obtaining speaking engagements at conferences and so on.

CONCLUSION

This initial survey provides data to stimulate questions, and hopefully attract management attention to what is being measured.

The very fact that firms are willing to share their data and provide insights into their programs and best practices will influence the ways that other offices treat attorneys - both female and male, and this in turn will improve the retention, promotion and accomplishments of women attorneys and enhance the development of appropriate work/life balance for legal employers. Comments on the survey are welcome at survey@nywba.org.

If you want to participate in the 2008 NYWBA survey and/or help write a Spotlight column, please send an email to survey@nywba.org.

THE SURVEY SUBCOMMITTEE

As chairs of the NYWBA Committee on the Advancement of Women in the Profession, we have the honor of chairing the Survey Subcommittee. Members include Elise Alpert, Gina Anderson, Elizabeth A. Bryson, Janet L. Canon, Mudita Chawla, Alexandra Duran, Leecia Eve, Susan Guercio, Stefanie S. Kraus, Karen Paik, Keila Ravelo, Narisa Sasitorn, Carol Schrager, Catherine Silie, Carla Varner, Vanessa Vazquez, Carla P. Vogel, Elizabeth Wieckowski and Jessica Zellner.

We particularly appreciate Beth Bryson's continuing involvement and work, including editing of this article.

The Subcommittee thanks Meg Gifford and Diane Yu for serving as Honorary Survey Chairpersons, Teresa Schiller and Christina Kallas for launching the survey under their terms as NYWBA Presidents, and Hunton & Williams LLP for hosting our meetings.

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Authors Donna Praiss and Brenda Pomerance are Co-Chairs of the NYWBA Committee to Advance the Status of Women in the Profession. They are both patent attorneys practicing in New York City; Donna Praiss's practice focuses on biotechnology patent litigation at a large firm while Brenda Pomerance's practice focuses on electrical and software patent prosecution in her solo firm.

International Women's Rights Committee Status Report

The WBASNY Committee on International Women's Rights met before the WBASNY Board meeting on Saturday, September 29, 2007.

The main topic for discussion was next spring's Conference arising out of UN Security Council Resolution 1325 ("Resolution 1325"). Resolution 1325 was passed unanimously on October 31, 2000. It is the first resolution ever passed by the Security Council that specifically addresses the impact of war on women, and women's contributions to conflict resolution and sustainable peace. Among other things, Resolution 1325 has encouraged the formation of numerous new NGOs, resulting in a new energy focused on seeing that women are included, not only in the negotiations to end conflict, but also in the establishment of the infrastructure that is created to sustain peace after armed conflict ends.

Text of the Resolution and background material can be accessed at <http://www.peacewomen.org/un/sc/1325.html>. The Committee members received extensive background materials from the NGO Working Group on Women, Peace, and Security, which can be accessed at www.womenpeacesecurity.org.

Committee Chairs Fay Parris and Christina Kallas gave the group an overview of Conference plans to date. The group discussed several ideas to enhance the Conference, which will be cosponsored by several WBASNY committees, along with other organizations, such as the UN Office of Drugs and Crime.

Also discussed were upcoming programs of other organizations and suggestions for additional programs to be produced by the Committee.

For more information about the spring conference or to volunteer at the WBASNY conference please contact Fay Parris at fayparris@yahoo.com or Christina Kallas at ckallas@nyc.rr.com.



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Elizabeth Tillinghast, M.D., J.D.

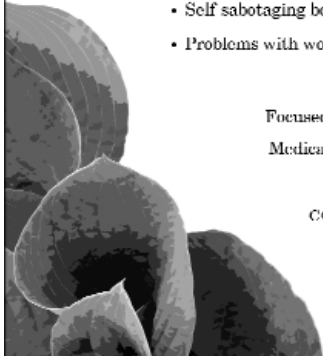
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Submissions must be sent to the Newsletter Committee by the **10th** of the month for publication in the following month's newsletter. Please email articles, notes on members, committee calendars, and any other announcements to **Cassandra Porter, Esq.**, tel. no. 845-452-4200 ext. 4503, email newsletter@nywba.org.

NYWBA List Server

The NYWBA List Server provides up-to-the-moment information concerning events, programs, and job announcements through email. Please email us at info@nywba.org if you have an announcement you would like to post on the list server or if you would like to be added to the list server.

Have you changed your address, firm, phone number, or other information? Please call 212-490-8202 or send an email to "info@nywba.org" with the updated information. This will help us keep you informed and our records up-to-date.

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