

DAILY BUSINESS REVIEW

SPECIAL REPORT Diversity Scorecard

LONELY AT THE TOP

While women lawyers are making great strides at the associate level, nearly at parity with men at firms, they are still far from matching men at the partnership level.

By Julie Kay • Research by Vala Lopez •

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Two days before Cori Lopez-Castro gave birth to her second child, her partners at Kozyak Tropin Throckmorton showed up unexpectedly at her house with a surprise announcement: She had made partner.

"It was a beautiful, beautiful gesture," said Lopez-Castro, who is now managing partner of the Coral Gables law firm. "They wanted to let me know they valued what I did, that I may not bill the most hours, but that doesn't mean I don't bring value to the firm."

Lopez-Castro was made partner, and later managing partner, despite the fact that she works a relatively reduced schedule of 1,600 hours a year, or about 32 hours a week, to balance her home life with three children.

Despite the positive experience at her law firm, the commercial litigator is not satisfied with the pace of progress made by women in the South Florida legal industry.

"The last five substantive meetings I've been to, I've been the only woman

at the meeting," she said. "I've been to a lot of hearings where I'm the only woman arguing a position. I just don't think things have changed that much in the 22 years I've been practicing law."

Lopez-Castro's views are reflected by other female lawyers in South Florida, Florida and nationally, as well as in the Daily Business Review's 2012 Diversity Scorecard, an annual survey of law firms operating in South Florida and their hiring and promotion of minorities. The survey illustrates that while women are making great strides at the associate level, nearly reaching parity with men at many firms, they are still far from matching men at the partnership level.

Some firms, primarily the larger ones, are better than others at recruiting, promoting and retaining women, maintaining diversity committees, women's initiatives and mentoring programs geared to women. Other firms have seriously lagged behind, including Fort Lauderdale-based Greenspoon Marder, now Broward County's largest law firm. None of its 27 partners were women until its recent merger with Ruden McClosky

when it retained eight female partners and a chief diversity officer.

"That was a concern to us in the past as we were growing," managing partner Gerald Greenspoon said. "It's definitely a more deliberate mission of the firm that with a company with over 500 employees, we recognize the responsibility we have to reflect the community we serve."

GLASS CEILING

Of the big firms, GreenbergTraurig has the highest number of female partners in South Florida — 50 women partners out of a total of 185, or 27 percent. Holland & Knight has the same percentage, with 24 female partners in the region. Akerman Senterfitt comes in third, with 32 female partners of 129 total, or 25 percent.

After those three big firms, there is a drop-off among other large firms doing business in the region. For example, just 11 percent of Shutts & Bowen's South Florida partners are women, 13 percent for Morgan Lewis & Bockius, 15 percent for Berger Singerman and 17 percent for GrayRobinson.

More than half of all law school students and graduates are female,

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and female associate levels often near parity with men. So why are only a small percentage of women reaching the upper echelons of law firms — the power positions — and why are there so few female managing partners?

In South Florida, female managing partners can be counted on one hand — Lopez-Castro; Raquel “Rocky” Rodriguez, managing partner of McDonald Hopkins’ Miami office; Robin Symons, co-managing partner of Gordon & Rees’ Miami office; Lea Souza-Rasile, managing partner of Shook Hardy & Bacon in Miami; and Cheryl Wilke, managing partner of Hinshaw & Culbertson’s Fort Lauderdale office.

Legal insiders say there are no easy answers when it comes to women in law. Some managing partners believe women will catch

up to men at the partnership and leadership levels, but it may take another generation. Other law firm leaders say they are satisfied with their numbers showing 25 percent of their partners — or even 10 percent — are women. Many experts say the recession has been harder on minorities and women, eroding previous advances. Still others claim the gender disparity is a function of the “mommy track,” with working mothers voluntarily trading partnership prospects for part-time hours.

Jamie Cole, managing partner of South Florida firm Weiss Serota Helfman Pastoriza Cole & Boniske, shares the latter view. His firm has just three female partners out of 27 total and only two are equity partners. Cole

maintains his law firm is progressive because it allows female attorneys with children to work part-time.

“Twenty years ago when I started practicing, if women wanted to have kids, they were out,” he said. “It was up or out. The more progressive firms are willing to accommodate flexible work schedules. Some women have made decisions allowing them to have the proper balance between work and personal life, and we are supportive of those decisions.”

But others say that viewpoint is outdated, not progressive. They say the concept of mommy tracks has been replaced with a new way of thinking that reduced hours should not prevent women from becoming partners. The option is available to men as well. A new survey by NALP, the Association for Legal Career Professionals, found a growing number of male partners are opting to go part-time — 1.2 percent in 1994 and 3.6 percent in 2010.

“No one should be punished because they choose to work part-time and raise families,” said Lida Rodriguez-Taseff, a Miami partner with Duane Morris and co-chair of the firm’s diversity committee. “That is not a progressive approach, and it’s not what the top-tier firms are doing these days. The new approach is, if you’re a really good lawyer and you deliver on your promises, even if your schedule is less than full-time, we will recognize your work.”

Law firms like Duane Morris keep lawyers’ schedules private so no one knows who is full-time and who is part-time, Rodriguez-Taseff said.

WHY NOT CLIMB?

Byrd “Biff” Marshall, president of GrayRobinson, said his firm’s strategy of cherry-picking experienced laterals with books of business has translated into hiring more men than women. But the firm is trying to level the playing field by hiring and promoting young female attorneys, noting that four of nine associates hired in the last two years were women. GrayRobinson does not have a mommy track, he said.

“We have found that in the marketplace of older attorneys, there are more men than women, but we have found that with recent law school graduates, there

are more opportunities for women," Marshall said. "I see this shaking out in five or 10 years."

More than 28 percent of Carlton Fields' partners in South Florida are women, and four women are on the firm's 17-member board of directors.

"I think it's more than the national average," managing partner Gary Sasso said. "Some women drop out of the work force at a greater rate than men. To some extent we have to work with the social forces that confront all businesses, that are a way of life. We have many programs in place and a culture in place that make the workplace hospitable to women."

Sasso notes his firm has incoming Florida Bar president Gwynne Young; a women's initiative that hosts events with clients as a way to develop business; and female litigation, appellate, family law practice and Israeli practice chairs.

Greenspoon, for his part, lacks an answer for why his firm, which opened more than 30 years ago, had no female partners.

"There is no specific reason for that," he said. "It wasn't a conscious decision other than that as we've grown, we've had more important people that needed to be promoted."

Susan Healy, president of the Florida Association for Women Lawyers, is perplexed as to why women have not climbed the law firm ladder in greater numbers.

"The percentage of equity partners in at least the largest law firms in the United States has stayed relatively flat for the past 20 years, which is really surprising," she said. "More women should have made their way up to these top positions."

Healy attributes the disappointing statistics to the fact that law firms initially struggled to integrate working mothers with law careers.

"Initially, women having children were forced to take time off," she said. "Now the trend is when you do step back, you don't necessarily step off. I'm hoping we will start to see the percentage bump up. Firms realize they are losing too many good women."

PRACTICE GROUP LEADERS

Greenberg Traurig and Holland & Knight both say they have done away with mommy tracks and promote part-time working mothers. Both have special

programs in place to train women how to develop business, network and become rainmakers, essential ingredients to making partner.

In 2003, Holland & Knight implemented its Rising Star program to prepare women for partnership and senior-level positions. Thirteen of 20 associates who participated became partners.

One was Danielle Price, who joined the firm in 2002. Price said she accepted a job with Holland & Knight partially due to its advancement of women and the fact that it didn't have a mommy track. Price interviewed at other firms that did.

In 2010, Price completed the Rising Star program. She made partner in early 2011, a month after having her second child.

Price said she learned invaluable lessons in the program, primarily how to develop a solid marketing plan. Senior lawyers critiqued her marketing plan, noting which clients should receive more focus and which weren't worth it. She also observed a director's committee meeting and received one-on-one guidance from a mentor.

"This is a very demanding career and profession for a man or a woman," Price said. "I struggle with that balance every day. But I was never concerned about making partner. Both of my parents worked all my life."

Greenberg Traurig has programs to foster retention and growth of women lawyers from a firmwide "brown bag mother's lunch series" to a discussion on "The Unfinished Business of Women's Equality" to classes on how to "make it rain." The firm also sponsors a number of women's community events and charity events.

Greenberg has several female national co-chairs, including Patricia Menendez-Cambo in the global practice group; Hilarie Bass, global operating shareholder; Kerri Barsh in the firm's national environmental practice; and Debbie Orshefsky in the land development practice group.

When she decided to leave her post as a federal prosecutor, Jacqueline Becerra said she chose Greenberg Traurig partially because of the depth of women at the firm.

"I had the luxury of all the time in the world to dig in and see what my options were," she said. "I didn't have

a book of business. I was coming from the government. Greenberg really had a plan for me. They weren't looking to hire me because I was a woman."

When Becerra decided to adopt a child as a single mother, Greenberg referred her to an adoption attorney and held a baby shower at the firm. She is one of three single mothers at Greenberg who have adopted children and are partners.

"After the adoption, a lot of people thought I would leave private practice," she said. "I said, 'Why would I? I love my work.' There's no such thing as face time or rules here. I may work 10, 12 hours one day but then take time off when needed. No one says, 'Why are you taking Friday off? If it works for my clients, it works.'"

Menendez-Cambo said she joined Greenberg Traurig in 1994 as a mother of two infants, picking the firm because she perceived it offered considerable flexibility and independence. She has since had two more children, including one with special needs.

"When I had my third child, they asked if I wanted to turn over my client files," she said. "I said no, I just wanted support, but I could work on it in my own time. They were very flexible about it."

Menendez-Cambo has not cut back on her travel schedule but takes shorter trips these days. She will frequently catch a midnight flight to Sao Paulo, Brazil, meet clients the next day and catch a midnight flight back to Miami to be home in time to make breakfast for her children.

"I think being a woman is as challenging as being a man in today's legal environment," she said. "It's not complete parity at this stage. Women have been successful at this firm. It's not such a small club anymore."

But Souza-Rasile of Shook Hardy & Bacon has a different perspective. She said her firm has trouble keeping women as senior associates between the fifth and eighth years when many start having children. Some hang their own shingles, some go in-house and others leave the profession.

"A lot of firms, including ours, are still trying to figure out how we can retain women lawyers," she said. "I'm not sure anyone has it figured out."

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