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This Week's Feature

You Want to Go to Law School? The Decline in Women's Enrollment and What That Means for Law Firms

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Anyone who has viewed the viral video, "So You Want to Go to Law School" on YouTube may recall an older male attorney describing one of the more mundane aspects of the practice of law (e.g., responding to Requests for Admissions created solely to confuse you) to an earnest young woman considering going to law school. Despite the male attorney's ominous warnings, the female protagonist in the video, Carrie-Ann Fox, nonetheless decides to go to a fictitious law school and even spawns a sequel YouTube video. Unfortunately, many women are making a different decision—to not go to law school. As a result, this could be a critical time for law firms to make the practice of law more "friendly" to women.

The data provided in a recent Catalyst study illustrates this fact. (Catalyst's "Women in Law in the U.S." (2011).) Catalyst is not alone in reporting this trend—according to the ABA, in the 2009 to 2010 class, women made up 47.2 percent of J.D. Students. (American Bar Association, "Enrollment and Degrees Awarded 1963-2010.") This is a noticeable change from 1993, when women comprised 50.4 percent of J.D. students. (American Bar Association, "First Year and Total J.D. Enrollment by Gender 1947 – 2010.")

Several factors are likely to blame for the erosion of female law school applicants—the economy, related concerns about student loan debt, and perhaps most importantly, the lack of women in the upper echelons of law firms and corporate law departments. This stalled advancement coupled with the perception that law school may not be a good investment in these trying economic times could contribute to a long-term setback for women in the profession. These troubling statistics have certainly been noted by the media—the *New York Times*, for example, published a piece last year documenting the progress of women in the law in light of the 30th anniversary of former Supreme Court Justice Sandra Day O'Connor hearing her first case on the United States Supreme Court. (Editorial. "The Glass Ceiling." *New York Times on the Web*, 8 Oct. 2011. 5 April 2012.) The editorial noted that women with children are having the hardest time staying in the profession, and are half as likely to be hired as women without children.

In 2010, women made up 31.5 percent of all lawyers. (Current Population Survey, Bureau of Labor Statistics, "Table 11: Employed Persons by Detailed Occupation, S*x, Race, and Hispanic or Latino



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[Ethnicity](#),” Annual Averages 2010 (2011).) However, 11 percent of the largest law firms in the United States have *no* women on their governing committees. (National Association of Women Lawyers and The NAWL Foundation, [Report of the Sixth Annual National Survey on Retention and Promotion of Women in Law Firms \(October 2011\)](#)). At many firms, female partners do not play a major role in business development. Indeed, women partners account for only 16 percent of those partners receiving credit for having \$500,000 or more business at law firms. (*Id.*)

After assessing the amount of time, effort, and money required to complete law school and make partner at a law firm, some women may determine that it is not worth the sacrifice, if being partner does not give them actual power relative to firm business decisions. In a survey of the 50 best law firms for women, only a fraction of the decision makers were women: 10 percent of firm chairpersons were women; 2 percent of the firms had women managing partners; 19 percent of the equity partners were women; and 28 percent of the non-equity partners were women. (NAFE and Flex-Time Lawyers, [“Executive Summary,” Best Law Firms for Women 2011 \(2011\)](#).)

This lack of power translates into cold hard dollars, as women lawyers made approximately 77 percent of male lawyers' salaries in 2010. (Current Population Survey, Bureau of Labor Statistics, [“Table 39: Median Weekly Earnings of Full-time Wage and Salary Workers by Detailed Occupation and S*x,” Annual Averages 2010 \(2011\)](#).) This lesser income, combined with the demands facing women at home, may not make the practice of law as appealing to females who may feel that they are choosing between a family life and a successful law practice. One study found that nearly half as many male lawyers as women lawyers (44 percent vs. 84 percent) have a spouse that is employed full-time. (Catalyst, [Women in Law: Making the Case \(2001\)](#).) So while top male lawyers may have spouses who do not work full-time, if at all, many female lawyers' spouses work full-time, and the demands of both spouses working is particularly hard on these families.

What do these declining enrollment figures mean for the future practice of law? A decreasing number of females entering law school will undoubtedly result in fewer female attorneys in the coming years. And, that could result in even fewer women in leadership positions within firms, which may further perpetuate the enrollment trend.

What can law firms do to encourage women to enroll in and complete law school? Law firms should consider instituting female-friendly work practices, such as generous maternity leave, flex-time, and telecommuting ability. These business decisions may lead to increased productivity and lower turnover rates. What goes without saying is the impact of technology on the modern lawyer's life. Gone are the days of being “off-the-clock.” The BlackBerry, iPhone, and other PDAs have contributed to a whole new level of accessibility for most attorneys, particularly those who communicate with clients. Although there are some drawbacks to the norm of around-the-clock communication, it has ushered in a new age of flexibility for attorneys who do not have to be in their office to review e-mails, work documents, and participate in telephone conferences. These advancements have benefited female practitioners to the extent that they allow for some of the same work to be done from home, which is particularly helpful for those with family obligations.

Notwithstanding the percentage reduction in law school enrollment, there are still a number of organizations focused on advancing women in the profession. Groups like DRI's Women in the Law Committee (WITL), the National Association of Women Lawyers (NAWL), and the

National Association of Women and Minority Owned Law Firms (NAMWOLF) have undertaken noteworthy work aimed at ensuring the success of women both in law school and in private practice. The WITL, for instance, holds an annual Sharing Success Seminar, n/k/a Women in the Law Seminar, which provides an opportunity for female attorneys to discuss tried and true methods aimed at achieving success in and outside of the courtroom. NAWL has similar initiatives like the continuing series, "Taking Charge of Your Career," designed to provide the skills and information that women lawyers need to reach leadership levels in their practice settings. These efforts will hopefully cause law firms to pay closer attention to these important issues moving forward in order to counteract the enrollment decline and ensure diversity in future generations of attorneys to come.

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