

Articles

"Big Bucks v. Baby Bottles: Finding Balance in the Legal Business"

Kathleen J. Wu

Texas Lawyer

October 22, 2007

As we hurtle our way toward year-end — when firms hand out bonuses and make partnership decisions — I'm struck by the two concurrent, yet entirely separate, conversations going on now in the legal profession: giving associates a lot more money and achieving work-life balance.

I recently spoke on a panel with several other lawyers discussing the work-life issue and what women lawyers can or should do to try to achieve it. It was an interesting discussion with a bunch of smart women I admire. And I fear all we did was frighten the young women lawyers and law students in the room, because, at the end of the day, we don't have any better answers for them now than our predecessors had for us 20 years ago.

The legal profession is still a service industry, and it's a buyer's market. So those of us with time to sell are competing against equally talented sellers every bit as anxious to provide clients with top-notch legal services. That means serious competition, long hours and instantaneous response time — none of which makes this an easy profession for people seeking balance in their lives.

As we're discussing this issue, of course, associates at many major firms are contemplating their new, heftier salaries.

Upon hearing of the latest raises — many of which come with amped-up year-end bonuses — many associates I encountered expressed ambivalence. On the one hand, who doesn't want to pay off student loans or buy decent furniture? On the other, every associate knows there's no such thing as a free lunch at The Palm.

News coverage of the raises raised the issue of where the money to pay for the raises would come from. Clients made it clear that they wanted to see neither higher rates nor padded billings.

But the recipients of those raises know they'll do something to earn their heftier salaries. The reactions I've heard from young women lawyers have run the gamut from "great, now I get to work more" to "I'm not worthy."

Money vs. Time

It's worth considering that, at the very time firms are increasing salaries, the discussion about how to retain women lawyers — partly by offering them alternative work arrangements and other ways to help them balance their competing obligations — has increased in intensity. More firms than ever, mine included, have women's initiative committees devoted to coming up with strategies to keep women lawyers from leaving the profession. Granted, much of those committees' work is aimed at increasing networking and mentoring opportunities for women lawyers and bringing them up to speed on the unwritten rules of business development (rules that men appear to be well-versed in already).

Still, nobody can deny that one of the major reasons women leave the profession is that they are unable to balance client demands with family demands. When those women are forced to choose between their kids and their clients, their kids typically win.

Incidentally, there seems to be a growing chorus of voices advocating the "woman's place is in the home" argument. The Southwestern Baptist Theological Seminary in Fort Worth recently began offering a Bachelor of Arts in humanities with a concentration in homemaking.

Fair enough. Housekeeping is a skill we all should know, male and female alike. But here's the catch: The course of study is open only to women. As the school's president, Paige Patterson, put it, according to a Sept. 24 opinion piece in USA Today, "We are moving against the tide in order to establish family and gender roles as described in God's word for the home and the family."

Articles

Of course, this is the same man who, as then-president of the Southern Baptist Convention, led the group in reaffirming that wives should "graciously submit" to their husbands, and in 2000 issued a declaration that only men could be Southern Baptist ministers, noted the USA Today column. So working mothers may want to look elsewhere for guidance on how best to juggle work and home obligations. According to Patterson's views, no juggling is needed, because women should have no work obligations. Problem solved.

I imagine few women today are on board for such a wholesale trip back to the 1950s. In fact, the women coming out of law school today seem to want it all — domesticity and a rewarding professional life. And who can blame them? The lawyers of my generation wanted that too, but we didn't expect it, and we certainly didn't demand it. We were fresh off the generation that couldn't even get interviewed for legal jobs, so the idea that we could ask for more didn't occur to us.

But this generation seems to be serious. They want — or, at least, they'll accept — wildly inflated salaries and student loan-erasing year-end bonuses. But they also want marriage, children and the time to enjoy them.

If we, as a profession, are serious about retaining the talents of the women lawyers we spend years and millions of dollars training — if we do indeed believe that women have worth outside of doing housework and raising children — then we need to reconcile these two concurrent, yet separate, conversations.