
LC Gender Bias Committee Releases Employment Survey Results

By Paula S. Rosenstein and Angela J. Soldner

FOR the seventh consecutive year, the Gender Bias Committee has completed surveys regarding the employment and promotion of women attorneys in private law firms and public agencies in San Diego. As before, the survey results indicate that women lawyers are better off in the public sector where they are 43% of the total number of attorneys. This is a 3% increase over the 1996 figure. It has once again reached the level we saw in 1991, our previous high mark. In private firms, women account for only 28% of all attorneys. This is the third consecutive year this figure has remained the same.

Public Sector Survey

At least as important as the overall percentages is the information reflected by the portion of the survey which reviews women's career advancement. The statistics show some promise as for the first time in many years there is a significant increase in the percentages of women in top level positions. This percentage jumped from 23% to 29%, a 6% increase where we had seen only a 2% increase in the previous four years. For the first time in awhile, there

were also increases in the percentage of women at both the entry level (49% to 53%) and mid-level (38% to 41%) positions. Legal Aid Society, as it has every year since we started the survey, again has the highest percentage of women attorneys (68%), which is a 5% increase from 1996. Last year, we noted that the U.S. Attorney's office had finally moved out of last place by increasing its percentage of women attorneys from 32% to 36%. Unfortunately, however, condolences again need to be sent to them as they returned to their last place position because the percentage of women attorneys had decreased to 34%. One of the areas in the public sector which continues to be disappointing is the lack of women heading up these agencies. Of the 13 agencies surveyed, only two, Appellate Defenders and Court of Appeal have women at the top. This is a paltry 15% of the positions.

When it comes to flexibility for attorneys, the public sector is the place to be. The public agencies, in general, have more and better work options than the majority of private sector firms. Most offer full and part time options, several offer job sharing as

an option, and two now offer telecommuting as an employment option for their employees. As for child care, the County offers off-site care in the Kearney Mesa area, and the City Attorney's office has discounts arranged at certain child care centers around town.

Private Sector Survey

As demonstrated in previous surveys, there is a shortage of women partners in San Diego firms. In 1996, Kimball, Tirey & St. John had the highest percentage of women partners at 67%. They replaced Mulvaney, Kahan & Barry whose partners consisted of 45% women. This year, Kimball, Tirey & St. John was not included in the survey as its San Diego office has less than 15 attorneys. (We should mention, however, that according to their information shown in *Martindale Hubbell* online, 8 out of the 13 attorneys in Kimball, Tirey's San Diego office are women). Thus, Mulvaney, Kahan & Barry resumes its first place position, continuing with a showing of 45% of its partners being women. Brobeck Phleger & Harrison take second place with 40% women partners. While those firms with a strong showing of women partners deserve favorable recognition, there are still, unfortunately, 3 firms on the survey with no women partners at all. The largest of these three firms is Allen, Matkins, Leck, Gamble and Mallory with 24 attorneys. Equally as discouraging is Procopio, Cory, Hargreaves & Savitch which has 26 partners, only one of which is a woman (4%). Chapin, Fleming & Winet made some improvement since 1996 when it had no women partners, and

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LAWYERS CLUB SURVEY OF PUBLIC AND PRIVATE SECTOR LAW FIRMS

The following describes the Lawyers Club 1997 Surveys of Public and Private Sector Law Firms and the methodology used.

In each survey, the firms and agencies are listed in descending order. If two or more entities have an identical percentage, they are listed alphabetically. All percentages have been rounded to the nearest percentile.

The last three columns of each survey describe whether each entity has on site day care available to its employees; whether the agency has maternal, paternal or parental leave policies; and what, if any work options, e.g., job sharing, flex time or part time, the organization has available to its employees. This information was compiled by written response to the Lawyers Club questionnaire. Lawyers Club thanks the agencies and law firms involved for their participation.

Differences in data compilation of the surveys follow.

Public Sector Law Firms

The data depicted in this chart were compiled from the results of a survey sent to all public law agencies in San Diego. The data were provided by the survey respondents and are presumably current as of submission; i.e., Spring, 1997. The completed surveys, along with supporting documentation which may have been submitted by an agency, are located in the Lawyers Club office. They are available for inspection during normal business hours with reasonable notice to Executive Director, Addie Mentzer.

The first three columns of the 1997 survey describe the percentage of women in each agency as reflected by its responses to our survey, as well as the size and composition as a whole. The next three columns describe the composition of the entry level positions. For the purpose of this survey, this is defined as new attorneys along with those who are more experienced, but whose rank has little or no supervisory responsibilities. The next three describe the composition of the middle level positions. This is defined as those attorneys who are not only more experienced, but who also have a reasonable degree of supervisory responsibilities. The next three describe those in the top echelon of the agency, excluding the agency head.

Private Sector Law Firms

The figures used in this survey were compiled by sending last year's survey results to each of the firms and requesting that they update their own figures. For those who did not return the survey, the data from the 1996 survey was used. These numbers and percentages do not reflect any changes in firm size or composition after the firm's return of the survey.

Only firms of 15 or more attorneys resident in San Diego were included in this survey. Attorneys listed as advisory partners or "of counsel" were included in determining firm size or calculating percentages.

The first three columns of the 1997 Survey describe the percentage of women partners in each law firm as reflected by the figures provided by the firms themselves and the size and composition of the law firm as a whole. The next three columns describe the composition of the group of employees who are associates. Attorneys identified as "of counsel" or "special counsel" are grouped with associates. The next three columns show the overall figures. For the purpose of this survey, the words "partner" and "partnership" includes "shareholders" and "corporation" in their meaning.

Firm Name	% Female Partners	% Female Attorneys	Total # Attorneys	# Female Attorneys	# Associate Positions	# Female Associates	% Female Associates	Total Partners	# Female Partners	On Site Day Care	Emergency C/C Center	Mat/Pat Leave	Work Options ¹
Mulvaney Kahan	45%	37%	27	10	17	5	29%	11	5	No	No	Mat	No
Brobeck, Phleger	40%	32%	37	12	22	6	27%	15	6	No	No	No response	PT
Gibbs, Eppsteiner	33%	29%	14	4	11	3	27%	3	1	No	No	No	No response
Duckor & Spradling	31%	40%	25	10	9	5	56%	16	5	No	No	Mat	No response
Post Kirby	26%	34%	35	12	15	7	47%	19	5	No	No	Mat	JS/PT
Littler Mendelson	24%	41%	29	12	11	8	73%	17	4	No	No	Mat/Pat	No response
Seltzer Caplan	23%	33%	57	19	26	12	46%	31	7	No	No	Mat	PT
Nugent & Newham	23%	27%	15	4	2	1	50%	13	3	No	No	Mat	PT
Gray Cary	23%	35%	133	46	64	30	47%	69	16	No	No	Mat/Pat	PT/FT
Milberg Weiss	21%	32%	57	18	38	14	37%	19	4	No	No	Mat/Pat	No response
Luce, Forward	19%	31%	164	51	74	32	43%	77	15	No	No	Yes	PT/FT
Neil Dymott	18%	20%	35	7	24	5	21%	11	2	No	No	Family Leave	No
Chapin Fleming	17%	31%	49	15	31	13	42%	12	2	No	No	Yes	FT
Cooley Godward	17%	30%	37	11	25	9	36%	12	2	No	No	Mat/Pat	JS/PT
McKenna & Cuneo	14.3%	21.1%	19	4	11	3	27.3%	7	1	No	No	Yes	PT
Pillsbury Madison	14.28%	25.80%	31	8	17	6	35.29%	14	2	No	No	Mat/Pat	PT

1997 LAWYERS CLUB GENDER BIAS SURVEY

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Firm Name	% Female Partners	% Female Attorneys	Total # Attorneys	# Female Attorneys	# Associate Positions	# Female Associates	% Female Associates	Total Partners	# Female Partners	On Site Day Care	Emergency C/C Center	Mat/Pat Leave	Work Options ¹
Sullivan, Hill	14%	29%	24	7	10	5	50%	7	1	No	No	Mat	No
Hillyer & Irwin	13%	16%	38	6	8	2	25%	30	4	No	No	No ¹	No
Wingert Grebing	13%	20%	25	5	10	3	30%	15	2	No	No	Mat	PT
Latham & Watkins	12%	28%	60	17	32	12	38%	25	3	No	No	Mat	PT
Higgs Fletcher	12%	19%	42	8	13	4	31%	26	3	No	No	Mat	Yes
Royce Grimm	11%	17%	18	3	9	2	22%	9	1	No	No	Mat	No
Stutz Gallagher	8%	17%	23	4	11	3	27%	12	1	No	No	No ¹	No
Thornes Bartolotta	8%	14%	22	3	10	2	20%	12	1	No	No	Family Leave	PT
Lorenz Alhadeff	7%	20%	30	6	15	5	33%	15	1	No	No	Family Leave	PT
Sheppard Mullin	6%	35%	37	13	20	11	55%	17	1	No	No	Yes	PT
Procopio, Cory	4%	20%	51	10	16	8	50%	26	1	No	No	Yes	No response
Allen Matkins	0%	29%	24	7	11	7	64%	12	0	No	No	Mat/Family	PT
Hecht Solberg	0%	13%	15	2	3	2	67%	7	0	No	No	Yes	FT
Klinedinst, Flieman	0%	18%	17	3	13	3	23%	4	0	No	No	Yes	No
TOTAL	17%	28%	1,190	337	578	228	39%	563	98				

1. Work Options: JS = Job Share; PT = Part Time; FT = Flexible Time.

AGENCY NAME	% FEMALE ATTORNEYS	# TOP LEVEL ATTORNEYS	# FEMALE TOP LEVEL	% FEMALE TOP LEVEL	AGENCY HEAD	ON SITE DAY CARE	MAT/PAT LEAVE	WORK OPTIONS**	% FEMALE ATTORNEYS	# FEMALE ATTORNEYS	# ENTRY LEVEL POSITIONS	% FEMALE ELP'S	# MID-LEVEL POSITIONS	# FEMALE MLP'S
Legal Aid	68%	7	3	43%	Male	No	Mat/Pat	JS/PT/FT Telecommuting	19	13	4	3	7	7
Appellate Defenders	63%	15	8	53%	Female	No	Parental	PT/FT Telecommuting	24	15	2	1	6	5
Court of Appeal/Research Attorneys	60%	2	2	100%	Female	No	Maternity	JS/PT/FT	25	15	1	1	22	12
S.D.V.I.P.	57%	1	1	100%	Male	No	Mat/Pat	JS/PT/FT/Flex	7	4	5	3	N/A	N/A
City Atty	53%	5	4	80%	Male	No	Mat/Pat	JS/PT/FT	111	59	40	25	65	30
Superior Court/Research Attorneys	51%	8	4	50%	Male	No	Parental	PT/FT	49	25	12	9	23	15
Public Defenders Dept.	47%	15	4	27%	Male	No	No*	FT	208	97	83	52	110	41
Attorney General	41%	32	4	12%	Male	Y	Parental	PT/FT	840	346	195	102	612	240
County Counsel	41%	3	2	67%	Male	No	No*	FT	66	27	42	21	19	4
Altern Defender	39%	17	4	24%	Male	No	No*	None	39	15	0	0	21	11
District Attorney	37%	52	6	12%	Male	No	Yes	JS	267	100	36	22	179	72
Federal*** Defenders	37%	2	1	50%	Male	No	No*	Flexible	19	7	15	6	N/A	N/A
U.S. Atty	34%	15	7	47%	Male	No	Parental	PT/FT	101	34	78	27	8	0
TOTALS	41%	174	50	29%	15% Female				1,775	757	514	272	1,072	437

*All agencies comply w/state law-maternity leave requests treated same as other disability requests
 **Work Options: JB = Job Share; PT = Part Time; FT = Full Time.
 ***Federal Defenders declined to participate in this year's survey; 1996 survey figures are provided.

LAWYERS CLUB SURVEY 1997

LC Gender Bias Committee Releases Results of Employment Survey

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27 attorneys. This year, Chapin, Fleming reported having 17% female partners (2 out of 12). The overall percentage of women partners is 17%, only 1% higher than last year's number. The firm with the highest percentage of women associates is Littler Mendelson, Fastiff, Tichy & Mathiason (73%). Happily, no firms reported having no women associates at all. It is of sheer coincidence rather than consequence that Page, Polin, Busch & Boatwright, which had 86% women associates in 1996, has disbanded. Littler Mendelson has the highest overall percentage of women attorneys (47%). Thorsnes, Bartolotta, McGuire & Padilla no longer remains in last place with regard to the percentage of female attorneys employed, as its 14% is greater than Hecht Solberg Robinson Goldberg, LLP with a close 13% of women attorneys. It is interesting to note that, overall, women associates account for 39% of all associates in the survey, an increase from 35% in 1996. California Western School of Law kindly provided its numbers of male and female graduating law students in order to compare the Lawyers Club survey results to the percentage of women becoming lawyers in recent years. In 1995, only 35% of the total graduating class (January, June and September combined) was female. In 1996, 46% of the total graduating class was made up of women. January 1997's graduates included 44% women. Thus, objectively speaking, women should not yet constitute half of all attorneys in San Diego, but should be quite close to that figure. Although a higher percentage of women are graduating from law school than in the past, the percentage of women attorneys has remained stagnant. It appears that women are leaving either from the larger firms which are included in these surveys, from private practice, or from the practice of law altogether.

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Conclusion

While this year's statistics concerning the percentage of women associates is almost in parity with the percentage of women graduates, the percentage of women partners still has much room for improvement. We hope that in time, aided by the continuance of this annual survey as well as the other work performed by Lawyers Club and the Gender Bias committee, there will be no more disparity between the numbers of male and female partners and associates. This, in turn, will be a great step toward balance and equality for all in the practice of law in San Diego.

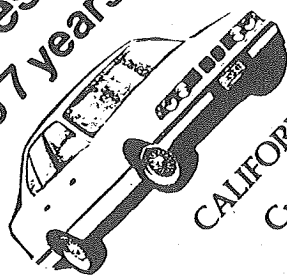
Lawyers Club of San Diego gathered its data in Spring 1997. Surveys were sent to all public law agencies in San Diego. Data for the private firms was obtained directly from the firms themselves. The figures cited above or included in the insert do not reflect any changes in firm size or composition since the time of data collection. Anyone wishing to inspect the data at Lawyers Club's office can call Addie Mentzer at 544-1478 to make arrangements. 

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Now is the time to get your photograph taken (you will never look younger), and send it to the LC office. Any size and color will do. You could even find a group photo and crop the other people out.

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