

'Expert in the Art of Triage'



By Jennifer Altfield Landau

I refuse to apologize because I work. I like to work. The sanctity of my office on Monday mornings is a welcome respite from my family's frenetic weekend pace. And the challenges I face daily in my practice provide far more intellectual stimulation than I could find at home. Indeed, though I love my children dearly, I have no plans to quit my day job.

Of course, like any working mother, I have difficulty balancing the competing demands in my life: mother of two young boys; wife; partner in an international law firm; president of the Women Lawyers Association of Los Angeles and its foundation; daughter; sister; friend; mentor.

People often ask me how I manage to balance those obligations. Sometimes, I laugh in response.

"Balance?" I say. "There's no such thing; I've simply become an expert in the art of triage."

Other times, I truthfully admit that, although it doesn't take a village, I have learned to rely on my supportive, hands-on spouse, my mother and a dedicated group of professionals to pick up the slack at home.

In addition, I constantly feel guilty about the choices I have made.

When my oldest son started nursery school, his nanny was responsible for arranging and accompanying him to play dates. At first, I felt like crying every time a mother of one his classmates confessed, "Your son loves his nanny so much. I thought she was the mom."

I recognized that we were extremely lucky to have found such a loving caregiver. Similarly, I cringed when an Emmy-winning writer-producer loudly stated at the end-of-the-year party we were hosting, "I see your husband and nanny all the time; it's nice to finally meet you."

Later, I reminded myself that we had met several times previously and concluded that his lack of memory must have been caused by Hollywooditis rather than by my absence from school.

Given that I, someone who thrives on work, have experienced such difficulty juggling and justifying my work life outside the home, it is not surprising that women lawyers are leaving our profession in droves.

The statistics are clear. Despite constituting half of our nation's law-school graduates, women make up only 17.9 percent of partners in law firms nationwide and 31 percent of total lawyers, according to a 2006 study by the National Association for Law Placement.

The number of women partners has increased only slightly over the past decade, and the problem seems to be not really a "glass ceiling" capping women's advancement, but a wedge driving them from the practice of law altogether.

As reported in a recent *California Lawyer* article, "We're Outta Here: Why Women Are Leaving Big Firms," the "trend in departures means that, by the time female associates come up for partnership consideration, ... they have already gone missing."

This is not solely a big-firm problem. According to the National Association for Law Placement, the average percentage of women associates and of women partners, and the differential between the two, is essentially the same across firm sizes.

There are as many different reasons for this phenomenon as there are different types of women. Many women, given the ability, may choose to forgo firm life for less-demanding legal jobs. Indeed, I suspect many women have always wanted and planned to leave the profession to be full-time mothers and homemakers. Other women simply are not partner material.

But there is a significant number of women lawyers who truly want to work and who possess the analytical abilities and technical skills to succeed. Unfortunately, many of them believe

that they are faced with an all-or-nothing choice between career and family. And, given that choice, they reasonably opt for family.

Whether women choose to work or to leave the profession, the essential point is that they must be making that choice for themselves; the legal profession should not be making it for them.

Indeed, as many law-firm partners have recognized, it is in our interest to figure out how to compete for and retain

the best and most-talented women lawyers. Women make superb attorneys, attrition is expensive, and our clients demand diversity. Yet, to recruit and retain women lawyers, we need to overcome problems not only on an operational level but also on a cultural one.

For example, people often cite the growing trend of part-time or flex-time programs as a promising solution for retaining women who want to devote time to their families. Such programs, however, face serious obstacles.

First, going part-time often carries a stigma corresponding to prevalent gender stereotypes, as recognized by professor Joan C. Williams, in her article "Gender Bias in the Law," in another recent issue of *California Lawyer*.

So part-time lawyers often perceive themselves as having been demoted to second-class status.

Second, as a result of the press of work, part-time lawyers frequently find themselves putting in full-time hours, sometimes without recognition or compensation from their firms.

Third, even though law firms are increasingly willing to tout their part-time programs, they are often not as clear on how going part time, either as a partner or associate, will affect one's long-term prospects. Thus, a program designed to give women the best of all worlds may, in practice, provide the worst: less respect, less pay and questionable career prospects in exchange for only a marginal reduction in hours and no reduction in stress.

By acknowledging the obvious deficiencies of part-time programs, I do not mean to discard their importance. To the contrary, part-time programs undoubtedly will be part of the solution.

However, in order to make these kinds of programs successful, we must do even more.

The first thing we — and now I am speaking as a woman partner — can do to attract and retain the best and brightest of the new generation is to offer ourselves as role models. By this, I do not mean simply acting as "mentors." I mean walking and talking exemplars of what it means to be a satisfied woman partner.

We must demonstrate that a lot of us out there love our families and our jobs, and although we struggle with the competing demands in our lives, we could not imagine giving up one for the other.

We have a duty to pass on our enthusiasm and our stories — never sugar-coated but often triumphant — as we take the time to train and develop relationships with our associates, both formally and informally.

A second, related point involves teaching young associates the power of networking and professional development.

For many lawyers — male and female — the path to success is grounded in professional development, connections and business. If you are responsible for an institutional client or significant legal matter, you will have power. You will become indispensable to your firm, and, as a result, obtain control of your career. You will be recognized as a Top Lawyer, and you'll generate even more business. And if you have a lot of business, then no one will bat an eye if you leave early on Fridays to coach your child's t-ball team.

To that end, we who are staying at firms have to remember that women leaving for in-house counsel positions are our allies. They present a great opportunity for practice development (what woman doesn't love an afternoon at a spa?). They also offer the hope — slim as it may be — of a more understanding client who recognizes the difference between real and artificial deadlines.

Each of us has an obligation to make the profession more palatable for women. That necessarily includes exploring the reasonableness of the demands placed on practicing lawyers.

Our collective goal must be to help women lawyers achieve a manageable balance between home and work, with the opportunity to achieve real success at work, so that women will want to keep working.

Thankfully, I know that many firms and organizations are working both to build awareness and to improve the conditions for women attorneys. I've been lucky to have spent the last 11½ years at Sidley Austin, which for decades has focused on recruiting, retaining and promoting women lawyers.

In fact, as a result of its efforts, Sidley received the Catalyst Award in 2005, which is given annually by the leading research and advisory organization dedicated to expanding opportunities for women and business.

As much as we focus on statistics and on programs and policies at the institutional level, each individual in this next generation of women lawyers must decide for herself how best to live her life and what role her career will play. We cannot make that decision for her.

But, as women leaders in our field, we owe it to her to share our cautionary tales and secrets of success. We cannot pretend that it has been easy. But we can and should spread the word that it is worthwhile.

Jennifer Altfield Landau is a partner at Sidley Austin and president of the Women Lawyers Association of Los Angeles. Sidley Austin associate David R. Carpenter contributed to this column.

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Jennifer Altfield Landau,
Women Lawyers Association of
Los Angeles president

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Jennifer A. Landau

Los Angeles

Place of Birth: San Francisco

Law School: University of Chicago
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Law Firm: Sidley Austin

Practice Area: Complex litigation,
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Years in Practice: 16

Jennifer Landau recently negotiated a favorable settlement for her client, Cardservice International, in a complex litigation case brought by 200 individual plaintiffs against 13 defendants, including Cardservice, over RICO violations.

Despite pressure from her co-defendants' counsel to walk out of the settlement conference, she stayed and articulated her position to the magistrate judge. At the end, she was able to put forth a compelling case, and the judge made a fair recommendation, she said.

Landau moved to Los Angeles after two summers spent at prestigious Manhattan law firms to begin her practice, knowing only one person in the city.

When she finally stopped second-guessing her decisions and skills, she realized she was a fine litigator, and that very few people can do what she does.

Her next big case is defending Tribune Co. and some of its board members against a class and derivative action brought by shareholders alleging breach of fiduciary duty.

"My leap of faith was really about trusting myself and my own abilities," said the current president of the Women Lawyers Association of Los Angeles. "Once I did, I suddenly became a much stronger and more confident litigator."

— Anne Marie Ruff

