



Issues Facing Women Lawyers Entering the Legal Profession

by Tracy L. Wareing

While women entering the legal profession today no longer face the obstacles encountered 25 to 30 years ago, they still face several unique challenges based on their gender. Women attorneys—particularly younger women—are often judged in comparison to the characteristics of their male counterparts. Women who behave aggressively run the risk of being perceived as harsh and unpleasant, while those women who are not aggressive enough are sometimes viewed as weak and lacking in the self-confidence to do the job. Many women also lack certain physical attributes—such as height, weight or a deep voice—that typically convey authority and experience in our society. Women new to the profession must be prepared to deal with these perceptions.

In preparing to write this article, I not only reflected upon my own career, but also asked several of my female colleagues—from all experience levels—what types of challenges they faced in their first few years of practice. Many of us have shared common experiences:

(1) Nearly all of the women told me they were surprised to find how strongly their gender has affected their legal careers. Most, like me, entered the profession naively believing that gender discrimination was largely a thing of the past, only to find that it still lives—albeit in a more subtle form.

(2) Most of us have been the target of various intimidation methods from a male counterpart who desired to gain an advantage in his case, not by arguing facts or the law, but by using what I refer to as “bully tactics.” While facing an overly antagonistic and aggressive adversary is not uniquely a woman’s problem, it does pose special difficulties for women lawyers. For example, a male client may form an opinion regarding the ability of a woman associate working on his case solely by observing her interaction with opposing counsel; if opposing counsel is needlessly argumentative, the female associate may be judged by the tone (not the substance) of her response.

(3) At some point in our legal career, most of us have been “misidentified” as a non-lawyer. A few years ago, I was the first to arrive for a depo-

sition scheduled to take place at an opposing counsel’s offices in California. While I had spoken on the telephone to my adversary several times, we had never met. When he entered the deposition room, he took one look at me and asked me why I had not yet set up my court reporting equipment. When I introduced myself, he simply replied “oh” and then asked me to call to check on the whereabouts of the court reporter (despite that his office had scheduled the deposition).

(4) The intertwining of gender and career affects all parts of our lives. While both genders must learn to balance family with work obligations, the challenge is generally a more significant one for women. Women must deal with how to reconcile family demands with career goals and often are forced to sacrifice one for advancement of the other. A friend who works for a large private law firm in California describes “the worst offenders of gender discrimination” as the partners in her own firm. She describes several of the partners as being from the “old school,” who “do not recognize the many demands placed on women both in the workplace and at home because they have stay-at-home wives.” While her experience may be extreme, it illustrates one way in which stereotypes continue to shape perceptions of both men and women in the workplace.

While there are no easy answers to these dilemmas, some overriding principles are useful:

- **Be prepared.** Whether you are to make a presentation to a potential new client, take or defend a deposition or argue a motion in court, thorough preparation is the key to establishing your competence. You should always strive to be better prepared than your adversary. Adequate preparation will not only further your client’s best interest, but it may also help to neutralize certain disadvantages you may face as a woman and will help build your self-confidence.

- **Be professional.** Anticipate harassment or discrimination and be prepared to react to it. Your response should establish your authority, but should always be professional. Remember that your primary objective is to advance your client’s interest. Staying focused on this objective is hard to do when

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you feel angry, demeaned or threatened. But staying focused on this objective will help you determine how best to react.

- **Be yourself and establish your own professional identity.**

Act natural and establish your own style. Avoid adopting a style that is unnatural to you because others will sense your insincerity. Create your own criteria for measuring your success. By defining—and ultimately reaching—your professional objectives, you will build self-confidence and achieve job satisfaction.

- **Find a female mentor.** Befriend a successful woman practitioner and learn from her. Ask your mentor to share her experiences with you. [Many women, including myself, have also had male mentors; I am by no means discouraging those relationships.]

- **Establish a network of colleagues.** In my experience, such a network can be the key to surviving the stresses placed upon young attorneys (regardless of whether you are male or female). In this network, share your “war stories” and other challenging experiences. Provide encouragement and support for each other.

- **Be flexible.** Be willing to re-evaluate your goals as you grow personally and professionally. Allow your goals to change when necessary for your personal well-being and happiness.

As the millennium approaches, women new to the profession must be prepared to help lead the charge to shatter glass ceilings, eliminate stereotypes and improve the image of the profession for all lawyers. Thirty-five years from now let us hope that in the *Arizona Attorney* issue celebrating the 70th anniversary of the State Bar YLD there will be no need to address these same issues. ❖

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