

What Women Need To Make It To The Top

Female attorneys have to work harder to make it to the top.



Most everything that can be said or suggested about client development and marketing

applies equally to

male and female lawyers. Being a rainmaker today demands exceptional legal skill, leadership, business and interpersonal skills, vision, creativity, insight into business and world affairs, and an unfailing commitment of time, energy, and follow-through. These qualities are gender-neutral.

But the question always arises: If women endeavor to become leaders in their firms or organizations and employ the same marketing strategies on the same targets using the same time and resources, will they be equally as successful at rainmaking as men?

The answer is yes—and no.

A few women will achieve the same professional and monetary success as their male counterparts. The majority, however, will not be as successful unless they acknowledge and adjust their attitudes and strategies to the realities of the marketplace.

There are some fundamental differences between female and male lawyers. Some differences reflect societal biases, which have diminished substantially in recent years but still exist. Others reflect child-rearing practices that teach girls to be self-effacing and not too aggressive, especially with boys.

A third difference is more attitudinal: Many women do not take a proactive role in business development

or firm leadership because they perceive that barriers exist (or they may work in an office where barriers do exist) or they have taken a more resigned approach to their own future, assuming that doing a lot of good work is sufficient.

Professional women who have become successful have done so in part by recognizing their own gender strengths, weaknesses, opportunities, and barriers, and by devising their goals and strategies with those in mind. The bottom line, however, for women or men aspiring to be at the top of their practice and the top of their firm or company is that to be a leader or a rainmaker, you have to start acting like one, and work hard at it.

Few Women At The Top

Despite the increasing number of women in the profession in the past 15 years, women are still not achieving senior management, partnership, or other leadership positions at the rate one might expect to see. For example, nearly 40 percent of in-house lawyers are women, but according to the August 1995 survey by *Corporate Legal Times* of the 200 largest in-house law departments, only 6 percent of the companies' legal departments are headed by women.

Women in private law firms are reporting similar inability to reach management-level positions.

In order for women to be perceived as serious "players," both by successful male colleagues in their firms and by their clients, women will have to

attain positions of leadership in their firms. The following efforts can be made to increase the likelihood of promotion and success.

- It is even more important for women than for men to become exceptional lawyers and preferably specialists in particular niches.

- Women must volunteer for strategically significant committee positions and indicate an interest in issues. The "power" committees, of course, usually include executive/policy, finance, compensation, and strategic planning committees.

If there are policies or issues of concern, women should take the initiative to research them and then write a constructive memo offering concrete suggestions to the appropriate committee or managing partner. While it may seem risky to be vocal, no one ever became successful without taking risks.

- Women must become significant business developers for their firms. Regardless of gender, nurturing clients and being a productive and profitable component of the practice will have a direct effect on compensation, promotion, and stature.

On the one hand, you could argue that without position and power, one cannot develop business. But most associates must develop business to become a partner, and then are taken seriously.

Selecting a niche and devising a well-targeted marketing plan to develop business usually helps a great deal. This more than anything will set women on their way to becoming major players in their firms.

As with men, in order to be a rainmaker, a woman must act like one. This

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presents a bit of a challenge to women. Traditionally, men have found it easier to generate business the old-fashioned way: golf and other sporting events, the "martini lunch," and private clubs. Most women are not comfortable utilizing these techniques, but fortunately, there are other alternatives that are more successful in today's market.

Self-Promotion

Women as well as men have relied—and continue to rely—on delivering quality work as a means of stimulating additional business from clients and generating new clients through these referrals. Women rainmakers also tend to rely heavily on speeches, seminars, and writing articles, particularly for other lawyers, through bar programs and CLE organizations.

Carefully selected seminar topics and audiences, as well as leadership bar roles, continue to be successful business development tools. Clients are impressed by lawyers who speak intelligently about timely issues, and female lawyers in particular are apt to refer work to each other. But seminars and bar activities will have to be augmented quite substantially with more proactive and targeted networking.

Where women will have to become more active and effective is in networking with men, promoting themselves, and asking for business. Many women still are almost apologetic about announcing their expertise or accomplishments. Women must be more assertive and competitive if they are to be successful.

The keys to developing new business effectively from new contacts, as well as from existing clients and non-client referral sources, are active networking, being visible, and initiating

ongoing and targeted follow-up.

Many women with whom I have spoken admitted that they often did not initiate or engage in one-on-one networking for specific business development purposes. Meeting nonclients and clients at business or civic meetings, professional and trade conferences, or at lunch or breakfast is essential for developing relationships. Clients still hire lawyers on the basis of chemistry and relationships, assuming that the lawyer has the requisite level of skill and expertise. This personal-service aspect of law will always require successful rainmakers to network.

With the large number of women lawyers electing to become in-house counsel and nonlawyer women rising to leadership positions in other fields, it should be easier to find women prospects, although women should not be exclusive targets for a woman lawyer's marketing efforts.

The climate for delivering legal services and competing for new business has changed dramatically in the last five years. Much of this bodes well for women aspiring to be rainmakers.

Clients these days assume that their lawyers will deliver the highest-quality legal product. What clients require that will differentiate one lawyer from another is responsiveness, timeliness, efficiency, organization, empathy, and the sense that their lawyers anticipate their needs and are creative about the way they solve them.

Special Strengths

As a general rule, women are often at an advantage in developing and nurturing client relationships, which ultimately generate more work from existing clients or from new clients. Clients want their lawyers to work together with them on their issues, to listen to their questions, and to consider the best legal strategy in the context of their business goals and limitations.

In this case, women's intuition and interpersonal skills are great strengths. They often can better read verbal and nonverbal signs. This, coupled with a genuine concern for other people, can lead to successful business relationships. While women must be analytical and decisive in order to win the client's confidence, an ability to listen well will hold them in good stead.

Today, lawyers who are most effective at marketing are those who follow industry and economic trends and respond accordingly. Markets that are in a fast growth mode are most receptive to women because they are less likely to use gender as a basis for employment or promotion.

The fastest-growing sector of the economy is entrepreneurial, and many of these businesses are owned by women. This sector, along with health care and components of the technology industry, is providing many opportunities for women and for women lawyers because women tend to hire other women.

Two recent legal niches that have become very open to women are intellectual property and health care. In the field of copyright law, for example, 40 percent of the copyright lawyers are women. And according to the *Corporate Legal Times* survey of in-house legal departments, most of these companies anticipate a sharp increase in IP work.

The field of employment law, particularly employment defense, also has become increasingly populated by

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 women. Women employment lawyers have become very successful as business developers and leaders in their firms. Women in this practice say that approximately half of their clients are women "who like to hire women, and want women representing them in court," according to one successful rainmaker in a national law firm.

Women's sensitivity to workplace issues and their ability to empathize and to be intuitive can often give them an edge over male colleagues.

Other areas of practice that have traditionally provided ample opportunity for women to become rainmakers include employee benefits, trusts and estates, and family law. Not surprisingly, these areas demand good interpersonal skills and an understanding of human relations.

Male-Dominated Practices

Women may take one of two paths early in their careers as they identify and pursue their goals of becoming leaders and rainmakers: They can choose a field that draws women either by the nature of the work or the growth of the particular industry, or they can go into such traditionally male-dominated fields as corporate law and litigation, recognizing barriers and learning how to overcome them.

The litigation field, in particular, poses challenges. Many firms seem to have a large proportion of their women lawyers in the litigation department, but most of these women do not proportionately represent female leadership in their firms.

The lack of rainmaking success and stature by many women litigators may be attributed to a strong client bias, as well as a lack of mentoring by male

litigators. A 1993 survey of female litigators by Prentice Law and Business Inc. revealed that nearly 90 percent of those surveyed believe their business development opportunities to be either severely or somewhat more limited than those of their male counter-

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parts. This was largely attributed to "the absence of women in influential positions at client companies" and to the fact that client entertainment still revolved around traditionally male interests, such as sporting events.

Female litigators, however, also reported that very few of them spent the kind of time on client or business development that is required to be successful: Less than 25 percent of the respondents spent more than 10 percent of their time on client or business development activities. In fact, more than half of those surveyed spent less than 5 percent of their time on marketing.

Assuming an annual total of 2,000 working hours, 5 percent is only 100 hours. Without spending significant time on marketing—at least 200 to 400 hours per year—neither women nor men can be successful rainmakers.

Litigation as a practice area is generally more difficult to market, partly because clients who hire a lawyer for litigation are often in terrible trouble. The lawyer's job

is to resolve the problem, usually through a stressful and expensive process.

It does not always lend itself to the ongoing, nurturing type of relationship that can often be developed in other practice specialties.

Traditionally, litigation is also considered a male-oriented practice, given its "eat what you kill" nature. Because many women were taught to be "nice" and self-effacing, being a tough litigator does not feel comfortable for many women, and clients may be more inclined to hire men.

The good news for women, however, is that the nature of litigation is changing. As corporations utilize less confrontational techniques such as alternative dispute resolution and mediation, women will increasingly have a role to play because they are very well-suited to these approaches.

Women are different from men, and these differences can have an effect on women's efforts to be successful leaders in their firms. Just as men do, women should play to individual strengths and opportunities, some of which may be gender-based. Women need only adapt their approaches to reflect cultural realities or personal styles.

As the nature of law practice continues to change and gender issues become significantly more muted in the business marketplace, women who devote time to business development and focus their energies will reach the top. Ultimately, women must compete equally in the marketplace if success is to be both equal and long-lasting. ■

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