



Women Attorneys

A salute to successful female attorneys and a look at the hurdles they sometimes have faced. *By George N. Saliba, Managing Editor*

Top male and female attorneys are at the pinnacle of success because their industriousness, legal acumen and commitment to their clients have brought them there. If these women and men were not consistently trusted to win major cases and/or perform at the highest level, clients and other market forces would ultimately relegate them to handle less significant cases or clients.

That said, regardless of a person's abilities and dedication, it is well-documented that women attorneys have not always been treated in a meritocratic fashion; they historically faced unique discriminatory attitudes and obstacles that, conversely, their white male counterparts largely did not. On these pages, *New Jersey Business* magazine celebrates women attorneys while simultaneously exploring whether or not negative attitudes or obstacles may be insidiously lingering within their profession. Perhaps more importantly, we gather candid, real-world advice that some of New Jersey's most strikingly successful female attorneys offer aspiring women lawyers.

History

It is now debatable whether or not our society has reached the point that an attorney's gender is essentially a "non-issue." For instance, some attorneys interviewed for this article assert the proverbial "glass ceiling" has been completely shattered in the legal world and that they were never treated unfairly (even decades ago). Others believe the glass ceiling is merely "partially" broken and that bias issues at least occasionally surface, even today. The mere existence of these varied assertions is a far cry from, say, 1959, when now-legendary U.S. Supreme Court Justice Ruth Bader Ginsburg graduated at the top of her class at Columbia University's law school, only to discover she could not get hired by law firms that were seeking graduates.

For Suzanne M. Marasco – who has been practicing law continuously for 20 years and is now a partner at Hill Wallack LLP - the law school experience was free of gender bias. She instead reports that such situations occurred "when I got out there, hit the streets, went to court and was practicing on my own without someone to look over my shoulder." In one instance in the early 1990s, a male lawyer, in a courtroom filled with other male attorneys, attempted to argue that Marasco did not understand the rules of evidence and did not even comprehend the rules of the court room. He suggested her questions for the witness were inappropriate and should not be answered.

"I am fairly positive that lawyer would not try to pull that tactic on me today, if we were in the same deposition," Marasco says. She adds that in recent years there have not only been many more practicing women attorneys, but "there's more respect, less aggression [toward them], more of a willingness to listen, and less of a perception that females can't do the same job that the men can do."

Marasco routinely appears in state and federal courts, as well as other venues, as she represents her clients during complex claims and litigation that include trials and appeals. She concentrates on a range of issues such as representing insurance companies and their insured.

Lisa Ann T. Ruggiero is a partner at Patton Boggs LLP who appears in state and federal courts while managing and defending toxic tort and product liability cases for major chemical, industrial, medical and consumer product manufacturers. She also counsels clients on related matters.

Ruggiero recalls graduating from law school

in 1993 and landing a position at a different law firm. "Because I am a litigator, I remember in the litigation department that there were two female partners. And to be honest, they were women who you could tell had to fight their way to the top - they didn't have the best reputations for being the nicest people. You could tell it was a hard road for them. But now you do see a big change. There are a lot more female partners both at that firm and others." Ruggiero also remembers working at yet a different law firm and being the only female attorney among a group of males for approximately half the time she was there.

The Glass Ceiling

Kathleen M. Connelly, a partner at the law firm of Lindabury, McCormick, Estabrook & Cooper, P.C., concentrates her practice in labor and employment law. She says, "From the places I have worked and my colleagues I have seen out there, I think the glass ceiling has been broken, if you take certain presumptions into account. ... I am presuming that we are talking about a woman who didn't make the choice to sacrifice the career for the family balance. If we are talking about a woman who committed herself to practicing law with equal dedication as her male counterparts, then, yes, I personally think the glass ceiling has been shattered."

While some men take respites from their careers or work part-time to raise children, more often it is still women who make such choices, regardless of how increasingly progressive our society may be.

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"Making choices between career and family is very difficult and may have significant adverse impacts on your career trajectory," Connelly asserts. "The practice of law is a business in which your

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Kathleen M. Connelly, of Lindabury, McCormick, Estabrook & Cooper says, "Making choices between career and family is very difficult and may have significant adverse impacts on your career trajectory."

success is also measured by your sacrifice. It's a huge component in your advancement: your self-sacrifice for the firm or the client. Well, naturally, being a parent – doesn't that demand a lot of sacrifice, too? Sure it does. So [say] you have a seat at the [law firm] table. But, now you have decided, 'This seat is a little bit too demanding for me and I have got my other demands. I am going to make the choice to push back a little bit and maybe work part-time.' Or, 'Maybe I want to do a longer leave of absence. Maybe I want two years off [from work].' Well, there's going to be consequences to that because you are not sitting right at the table."

Of note, most of the women attorneys interviewed for this article, including Connelly, have raised children, and the undertaking is not a career-altering factor in and of itself. Rather, as is true for men, it seems that what may change one's situation is working "part-time," or taking a long absence from practicing law.

Connelly herself became a part-timer and says she came to Lindabury (which has been "very good to her"), with the understanding that

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she would perform litigation support, instead of acting as a trial attorney. "That was a choice I made," Connelly says. "... Do I regret that? Not one bit."

Connelly advises that part-time attorneys remain part of a law firm's team. They should: not work from home often; be social with colleagues and the law firm's partners (instead of closing the door to their offices); and attend firm events such as the holiday party or a barbecue.

Liza M. Walsh is a partner at Connell Foley LLP who focuses on federal litigation in the arenas of antitrust and intellectual property. She joined Connell Foley in 1986 and was promoted to partner after only five years. She asserts, "I really believe that the challenges faced by women attorneys are, in a lot of ways, the same challenges faced by any professional – man or woman. We are all trying to find a balance between our careers, personal lives and family obligations."

Indeed, Walsh gave birth to the first of her three sons in 1988, and she reports that it did not impair her ability to become a full-equity partner within six years. Besides han-



Rosemary Alito, of K&L Gates says, "With respect to women, I would say that in most situations, if you don't make an issue about the fact that you are a woman, no one else will."

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NJWLA on Women in the Legal Profession

By Lynda Bennett and Lynne Anne Anderson

While we appreciate *New Jersey Business*' optimism, women lawyers still face significant challenges in terms of advancement to the highest levels of the profession. For example, according to a recent study, while women comprise 45 percent of the associates in New Jersey law firms, they only hold 17 percent of the partnerships - and we assume that a large percentage of those women are not equity partners. In addition, women are still far outnumbered in terms of representation on firms' management and executive committees.

One area where we can chart real progress is the availability of flexible work schedules so women can balance work and family obligations. Ten years ago, part-time and flexible time arrangements were few and far between, forcing many women to leave the practice of law or choose alternatives to law firm practice due to care giving responsibilities. Now, firms do offer flexible work schedules (with mixed success) and technology has enabled attorneys to work remotely yet still be accessible to their clients. However, while some firms have made part-time attorneys partners, that is the exception and not the norm. Most women who choose such options are generally derailed off the partnership path.

Another area of progress is the formation and exponential growth of affinity groups within firms and outside of firms. For example, the New Jersey Women Lawyers Association (NJWLA) was revitalized in June 2006, when it had less than 50 members. Today, the NJWLA has nearly 500 members and offers a wide variety of programming that draws women attorneys from all corners of the State and from all sectors of the legal practice. Groups like the NJWLA have provided a vital support system - both in terms of moral support and referral/networking support - that has allowed women attorneys to flourish in their legal careers.

New Jersey Business asks whether the fact that someone is a female attorney is now a "non-issue." It depends. Luckily, most of our male colleagues and clients are gender blind, probably in part due to the fact that their wives, sisters and friends are also professional women. However, some of our colleagues in certain practice areas, such as construction law, report there still is an "old boys" network. Also, while aggressive behavior in men is seen as a strength, women are still attacked for similar behavior.

When aspiring women lawyers ask us for advice, we stress that you have to start by making sure you have a strong support network at home, and find mentors at work. Notwithstanding that a strong sisterhood is developing among women attorneys, the undeniable fact is that aspiring women attorneys need support and guidance from more experienced male attorneys in order to ascend to the highest levels within their organizations. Next, there is no substitute for hard work. You need to develop and demonstrate your legal skills. Then, as you establish credibility as a lawyer, you need to get out there and make business opportunities for yourself. If you are a "rain-maker" or recognized as a leader in your area of practice, you will have the ability to control your own destiny in the legal field.

Lynda Bennett is a partner at Herold Law, Warren, and Lynne Anne Anderson is a partner at Porzio, Bromberg & Newman, P.C., Morristown. The attorneys are, respectively, president, and president-elect, of the New Jersey Women Lawyers Association.

ding litigation, she has served on the firm's management, finance and executive committees.

Meanwhile, a motif among top female attorneys is that their homes are often close to their law offices or they have family members nearby who can assist with various home-life situations. Walsh recalls, "Because I was a working mother, it was very important to me that everything in my life was within a five-mile radius. When my kids were in school, unless I was traveling or on a case, I wanted to be able to leave at 3 p.m., go pick them up, bring them home. If they were sick, I could be at the school nurse's office within five minutes. Location is very, very important. When you are able to reach home or your office within minutes, it makes your life a lot easier."

Speaking more broadly, she says, "[Advice] specifically for women is that you need to feel comfortable with who you are. You need to be comfortable in your own skin. Don't try to be anybody else. Second, as a woman, I think femininity has a place in the legal profession. Third, I think you have to be confident. I tell women all the time that you should never be afraid to ask for something, or [be afraid to] take liberties that your male counterparts would take. You shouldn't let yourself be seen as different from your male counterparts."

Equality

Rosemary Alito is a partner at K&L Gates LLP who represents management regarding employment law and employee benefit law issues. She repeats advice she was given 32 years ago at a different firm, where she first worked: "With respect to women, I would say that in most situations, if you don't make an issue about the fact that you are a woman,



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Her further advice, like much of that dispensed by other top women attorneys, is rather unisex: Be devoted to clients, work hard and pay attention to detail. If you do that, Alito says, developing a good reputation and generating business will follow naturally.

Susan K. Dromsky-Reed is a member of the firm at Brach Eichler LLC who concentrates her practice in estate planning and administration. What guides her is that she "can never lose sight of the fact" that she is in a service career and clients must be satisfied. She advises, "Once a client is satisfied with the work you are doing, I think everything else falls into place."

Conclusion

For all the equality that women have gained since the time, decades ago, when Justice Ginsburg unsuccessfully went job seeking, society and law firms may be improving their mindsets.

Dromsky-Reed concludes, "I have tried to think of myself as an attorney practicing law and not a woman attorney practicing law." **NJB**

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