

**Women in the Legal Profession**

**Task Force**

**1997 Report**

**Minnesota State Bar Association**  
514 Nicollet Mall, Suite 300  
Minneapolis, MN 55402

Adopted by the MSBA Board of Governors  
June 19, 1997

**Minnesota State Bar Association  
Women in the Legal Profession Task Force Membership  
1996 - 1997**

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## I. HISTORY AND BACKGROUND

The introduction to the 1995 report of the American Bar Association's Commission on Women in the Profession entitled "Unfinished Business: Overcoming the Sisyphus Factor," states:

Societal change is seldom welcome. Allies counsel patience. Less supportive colleagues temporize. But change in the status of women in the legal profession is imperative. In the intervening seven years since the Commission's last report, the professional lives of women lawyers have not materially improved. Neither the sheer number of female law school graduates, nor the mere passage of time, nor even the elevation of individual women to positions of prominence has dramatically enhanced opportunities for women as partners, law professors or judges.

During the last decade, a series of studies at the national, state and local level have identified substantial barriers to women lawyers' success and satisfaction within the legal profession. From the pioneer work of the American Bar Association's 1988 report, "The Status of Women in the Legal Profession," through the 1990 report of the MSBA Committee on Women in the Legal Profession and the outstanding work of the Hennepin County Bar Association Glass Ceiling Task Force, there has been an abundance of evidence gathered which demonstrates that the expectations of women professionals for fair and equal treatment have been frustrated by both overt and subtle gender-based discrimination in areas of career advancement, compensation, client development opportunities, firm management and governance, and satisfactory work assignments.

In August, 1988, the American Bar Association's Commission on Women in the Profession submitted its landmark report to the ABA House of Delegates (see Bibliography attached as Appendix 1 for references to each of the reports cited in this history). It found that

women lawyers are often treated with a presumption of incompetence, to be overcome only by flawless performance, whereas women attorneys perceive that their male colleagues are treated with a presumption of competence overcome only after numerous significant mistakes. The report observed that the existence of gender and race-based stereotyping and attitudes is used to postulate the lack of commitment on the part of lawyers of color and women lawyers. It concluded that women lawyers are more likely to be relegated to supporting roles such as document preparation, even when they have been taking the lead in preparing a case. At its August 10, 1988 Annual Meeting, the ABA House of Delegates adopted the recommendations accompanying this 1988 Report, recognized that persistent, overt and subtle barriers deny women the opportunity to achieve full integration and equal participation in the profession, and called upon members to eliminate those barriers.

Following up on this national call, then MSBA President Helen Kelly formed the Committee on Women in the Legal Profession in 1988 and charged it with the task of identifying and studying the issues which affect women lawyers, reporting to the bar on those issues, and making recommendations about what the Bar Association, legal employers, and individual lawyers could do to promote the professional satisfaction of women lawyers. The Committee, which included diverse representation from small and large law firms, corporate legal employers, public legal employers and membership from throughout the State of Minnesota, held a series of open meetings throughout the state to gather a wide range of input from the profession. It also held monthly meetings for a two year period of time to study the issues, and it made a detailed review of the growing body of literature dealing with gender fairness in the legal profession.

This MSBA Committee issued its own groundbreaking report over seven years ago, in April, 1990. It zeroed in on the fact that, although legal employers may have removed formal, overt policies discriminating against women, individual attitudes existed which were resistant to full acceptance of women in the practice. "As a result, the implementation of well intended policies is not always complete, and disparate treatment of women lawyers still occurs. The discrimination experienced by women lawyers is not so much in hiring as in work assignments, evaluations, compensation, and the terms and conditions of employment." The report noted that stereotypes about women's commitment to their practices, women's advocacy skills, women's client confidence and rainmaking abilities were widespread and served to further limit equal opportunities within the legal workplace. The report contained specific recommendations "to remove or minimize barriers which impede the professional success and satisfaction of women lawyers."

The recommendations of the 1990 report included regular surveying of Minnesota lawyers on gender related issues with publication of results to the bar.<sup>1</sup> In August, 1992, the results of the MSBA survey of the earnings of male and female MSBA members were published. Working through its Task Force on Gender Equality, the MSBA developed a sample mail survey designed with a unique questionnaire that provided information about each responding attorney's

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<sup>1</sup> The recommendations for change in the MSBA Report included among others:

- Developing mentoring programs for women. (MSBA Report, page 23).
- Requiring two hours of diversity training in each CLE reporting period. (MSBA Report, page 3).
- Asking legal employers to provide flexible benefit programs and flexible work schedules for lawyers, recognizing that not all lawyers within the organization have the same needs. (MSBA Report, page 13).
- Encouraging and supporting networking and marketing opportunities for women, recognizing that these may be different from traditional marketing techniques. (MSBA Report, page 9).
- Recommending that legal employers periodically conduct a self-audit and internally disseminate the results. (MSBA Report, page 9).
- Modification of employer-sponsored activities, where necessary, to assure that women are not excluded from the social aspects of the practice of law. (MSBA Report, page 23).
- Adopting sexual harassment policies and training. (MSBA Report, page 23).

career history. Among the key findings of the study were that average annual earnings for female attorneys in the sample working in firms or other organizations with five or fewer attorneys was \$50,703, compared with \$64,820 for male attorneys. The comparable figures for organizations with more than five attorneys was \$55,536 for females and \$81,383 for males. In the sample, female attorneys in Minnesota with seven or more years of experience earned less than male attorneys having the same experience. This discrepancy grew larger over time so that, for example, women with twenty years of experience earned approximately 29% less than a man with similar characteristics. The survey found that 57.4% of women associates had been promoted to partner, while the comparable rate for males was 74.1%. The survey noted that for female attorneys, an additional child is associated with a reduction in annual hours worked by 55, but the number of children had no effect on the hours worked by male attorneys.

In 1992 the Hennepin County Bar Association formed the Glass Ceiling Task Force which engaged in a thorough fact finding mission concerning the "artificial barriers based on attitudinal or organizational bias that prevent qualified individuals from advancing upward in the organizations into management level positions." Like the 1988 MSBA Committee of Women in the Legal Profession, the Task Force was composed of a diverse representation of professionals. Although it was a Hennepin County Task Force, its investigation covered the entire Twin Cities metropolitan community, and it noted in its 1993 report entitled "Walking Through Invisible Doors and Shattering Glass Ceilings" that the problems addressed by the Task Force were part of a nationwide phenomenon, and its recommendations were suitable for implementation statewide.

Meeting sixteen times during the course of its work, which began on November 4, 1992 and concluded on April 20, 1993, the Glass Ceiling Task Force solicited comments through

advertisements in local legal publications; invited individuals and organizations to meet with it to provide information and recommendations for action; interviewed lawyers of color and women lawyers with respect to their experiences; and met with representative groups of employers, including management from several large Twin Cities law firms, corporate law departments, and government offices. It also studied the growing body of national and state reports about the existence of barriers which prevent women attorneys and attorneys of color from developing a full partnership as well as leadership and management positions with legal employers.<sup>2</sup>

The Glass Ceiling Task Force made a series of recommendations for action by the Hennepin County Bar Association and legal employers which were approved by the HCBA at its annual meeting in 1993, and were then approved by the MSBA General Assembly at its convention in June of 1993. Since the adoption of the report, both the Hennepin County Bar Association and the MSBA have been active in following up on the recommendations for action

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<sup>2</sup>Issuing its Report in April, 1993, the Glass Ceiling Task Force made the following critical findings about the "glass ceiling":

1. There is a very firm "glass ceiling" in place in Twin Cities law firms, government, and corporate law offices for both women lawyers and lawyers of color.
2. Legal employers continue to insist that there is no glass ceiling problem within their organizations; denial is itself part of the problem.
3. A lack of diversity in the workforce of law firms, corporate employers and government employers will have a negative impact on the success of such organizations.
4. The glass ceiling manifests itself in some ways differently for white women lawyers than for lawyers of color. White women mainly face hurdles in retention and advancement. Persons of color face an additional burden at the hiring stage.
5. A primary cause of the glass ceiling is negative gender and race stereotypes and attitudes. The stereotypes often serve as justification for exclusion and discrimination.
6. The lack of adequate mentoring programs contributes to the problems women lawyers and lawyers of color face in advancement and retention.
7. Lawyers of color and women lawyers suffer from disparities in the quality of their work assignments.
8. Highly subjective evaluation systems compound the difficulties lawyers of color and women lawyers face in advancement.
9. Law firm structure and attention to short-term economic results rather than long-term development or talents contribute additional barriers to the advancement of lawyers of color and women lawyers.

by the Bar. For example, the Diversity Committee of the HCBA published statistics on the hiring levels of the fifty largest law firms in Minnesota and of several public employers in the March/April 1995 issue of *The Hennepin Lawyer*. The MSBA's Committee on Women in the Profession followed up on the recommendation of both the MSBA and HCBA task forces by publishing a model mentoring policy which was adopted by the MSBA Board of Governors on October 28, 1995. The HCBA and MSBA have worked together to publicize the MSBA's 1992 award winning gender bias videotape, "Getting to the Fine Points: Gender Bias in the Workplace." The HCBA's Diversity and Executive Committees have co-sponsored Managing Partner Roundtables which have focused on diversity issues, including the development and implementation of hiring, promotion and retention policies.

In addition to recommendations for action by the organized Bar, both the 1990 MSBA report and the 1993 Glass Ceiling Task Force also recommended a series of actions to be taken by legal employers. A number of the MSBA report recommendations have been summarized earlier in this report (see Footnote 1). The Glass Ceiling Task Force recommendations many of which were consistent with those in the MSBA report, urged legal employers to:

1. commit senior management to intensify efforts to create a diverse legal workplace where women lawyers and lawyers of color are hired, retained and advanced on a non-discriminatory basis;
2. budget specific, significant amounts of financial and human resources towards identifying diversity issues, educating and sensitizing the members of the organization on the subject, and taking the necessary steps to achieve true diversity;
3. create an environment in which all persons are encouraged to discuss openly issues relating to diversity;
4. create a culture that requires respect for women and persons of color, and, in fact, for all employees, regardless of position;

5. hire, retain and promote to upper levels of management significantly more women lawyers and lawyers of color;
6. provide flexible benefit programs and flexible work schedules for lawyers, recognizing that not all lawyers within the organization have the same needs; and
7. develop and implement a sexual and racial harassment policy and a policy prohibiting discrimination. Such policies must include a "no tolerance" level of harassment and discrimination and provide for immediate uncompromising sanctions.

The Glass Ceiling Task Force also made a series of recommendations concerning attorney evaluation and advancement as well as practice development aimed at eliminating attitudinal bias. The Glass Ceiling Task Force report was unambiguous in its conclusion that: "After working on this issue intensively, each member of this Task Force has come to the irrevocable conclusion that lawyers of color and women lawyers face unequal, severe, unnecessary and improper obstacles to fulfilling rewarding careers."

Most recently, the ABA Commission "Unfinished Business" report found that in spite of some successes there has not been significant progress removing barriers to the full participation of women in the profession as a whole. The situation in Minnesota mirrors the rest of the country. In 1996 for example, the National Association for Law Placement reported that only a little over 15% of the partners in Twin Cities firms were women. This puts Minneapolis and St. Paul behind Boston, Portland, Houston, Los Angeles, Seattle, San Francisco and Denver in their percentage of women partners.

It was against this backdrop of intense study and effort at the local, state and national level that our own Task Force confronted the challenge of recommending specific ways in which the MSBA could sustain its commitment to eliminating the barriers to women lawyers' equal opportunity for success and satisfaction within the legal profession. After reviewing the

enormous volume of work which had been done on this issue over the last 10 years, our Task Force made the decision not to recommend additional surveys to determine whether such barriers actually existed. Rather, we decided to focus our efforts on the task of finding ways to utilize the authority and commitment of the MSBA to spur change to break down those barriers. We attempted to find ways to transform the aspirational goals for legal employers set forth in the earlier reports into action plans which would give legal employers the incentives and assistance necessary to accomplish this change. Our recommendations involve finding ways to incentivize legal employers, particularly private law firms, to take action in the workplace to create an environment where attitudinal or organizational bias does not prevent qualified professionals from achieving professional success and satisfaction.

## II. RECOMMENDATIONS

No more studies are needed to demonstrate that the retention and promotion of women is an issue for every type of legal employer, be it the private firm, government, corporate in-house departments, law schools or the judiciary. Nor do we need more studies to document reasons underlying women's barriers to progress or to recommend actions necessary to improve the opportunities for women to succeed. The Task Force decided that what is needed is a concrete program designed to encourage and reward legal employers to take ongoing action to ensure the full participation of women in the profession.<sup>3</sup>

The Task Force decided that it is too broad a task to initially undertake a program applicable to all legal employers because the problems and solutions will vary depending on the type and size of a legal employer. Although there are barriers to the advancement of women in every legal employment work setting, the Task Force recommends that, for the first two years, its proposed program be directed toward law firms. After two years, the program should expand to include corporate legal departments, governmental entities and academic institutions.

An assumption that underlies these recommendations is that law firms will recognize that failure to retain and promote women can have an adverse economic impact on a firm, in part because an increasing number of clients are women, acting either as individuals or as buyers of

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<sup>3</sup> The Task Force is keenly aware that the barriers encountered by women in the profession have greater detrimental impact on women of color as the ABA Commission on Women in the Profession also found in its 1995 report. While focusing its attention on means of removing barriers resulting from gender-based discrimination, the Task Force recognizes that members of racial and ethnic minorities in the legal profession encounter significant impediments to successful participation in the profession, which should be the subject of a similar focused evaluation and action plan.

corporate legal services. Seasoned male attorneys can lose out on business opportunities when their words and conduct signal that they do not view women as equal business partners.

Law firms also lose time and money when they train but cannot retain women associates. When firms do not encourage open communication about gender issues, there is the risk that women leave without giving legal employers an opportunity to address their concerns. Their departure can disrupt client relationships and result in the loss of clients and of expertise not readily replaced. When women leave because they have become unhappy over denied opportunities, there can be long lasting repercussions to a legal employer. When women, for example, leave law firms for in-house legal practice with clients or potential clients, their dissatisfaction can, through direct and indirect means, impact where they place legal business. All too often a woman's departure from a law firm is accompanied by derogatory comments about the woman's ability to succeed in a highly competitive environment, thus making it difficult for both sides to have a mutually respectful working relationship in other contexts, be it in a client-lawyer situation, on bar committees or community activities.

Given these realities, the Task Force determined that any proposal must (1) be able to be sponsored by the MSBA, but implemented by legal employers; (2) provide self-assessment tools and a way to measure improvement over time; (3) give incentives to legal employers to deal openly with gender issues; (4) recognize that change comes slowly and encourage improvement over time; (5) publicly reward gender fairness improvements in a manner which reaches potential clients; and (6) provide a vehicle for change while respecting an employer's autonomy.

Using these criteria, the Task Force has created a program that involves a public commitment to eliminate the barriers to women lawyers' equal opportunity for success and satisfaction in the profession; provides employers with an assessment process that can be used to

measure objective and attitudinal data; creates a mechanism for the Bar to gather and disseminate objective data on gender progress; and creates a system where employers will use the internally generated data to improve their performance. Participating firms would be publicly recognized through a variety of publications and at an annual event involving a national speaker. After two to three years, awards would be given to categories of firms which show substantial improvement in reaching these goals. The detailed recommendations of the Task Force follow.

## **Recommendation #1**

**The MSBA should systematically measure the progress that legal employers in the state have been making toward ensuring the full participation of women lawyers in the profession by adopting and implementing an employer assessment process that combines commitment to a specific set of goals with participation in a confidential annual evaluation.**

### **COMMENT**

The Task Force recommends that Minnesota's legal employers be asked to commit to the following goals regarding the treatment of women in the legal profession.

1. To maintain a legal workplace free of sexual discrimination and sexual harassment.
2. To eliminate all vestiges of gender bias from the hiring process in the legal workplace.
3. To significantly increase the retention and promotion rates of women lawyers in the legal workplace.
4. To offer women lawyers opportunities for professional growth and development that are equivalent to those offered to men.
5. To ensure that financial compensation decisions are based on criteria that do not have a disproportionate adverse impact on women lawyers.
6. To actively promote women lawyers' full participation in workplace governance and leadership positions.
7. To provide a working environment that makes it possible for women lawyers to maintain a reasonable balance between their professional obligations and their personal lives.

The Task Force also recommends that legal employers be asked to demonstrate their commitment to these goals by participating in the following annual assessment process which will include both private and public elements.

- (a) MSBA's Women in the Legal Profession Committee would retain a professional independent consultant to prepare survey instruments for the collection of objective data and employee satisfaction information. The Task Force believes that the use of a professional consultant will ensure that the assessment is impartial and that the measuring instruments are reliable. Our Task Force has developed, as an issue guideline, suggested subjects to be covered in the assessment which is attached as Appendix 2.

- (b) Legal employers, beginning in the first year with private law firms, would be asked to voluntarily participate in a leadership program in which the firms would commit to the goals articulated above and would agree to utilize the questionnaire and survey instrument developed by the consulting firm.
- (c) The objective data questionnaires would be completed by the firms each year. The questionnaire would collect objective data regarding hiring, retention and promotion rates of women lawyers; women's opportunities for career advancement and participation in management; compensation criteria; and policies regarding gender-based discrimination, sexual harassment, and work and family life. This objective data would be submitted to the MSBA Women in the Legal Profession Committee which would on an annual basis, publish - in the aggregate form only - the results of the compilation of the data. The responses for individual participating employers would be made available to those employers, but would not be published as such.
- (d) The firms would also agree to have the attorneys in the firm fill out the attitudinal employee satisfaction survey instrument prepared by the independent consulting firm, also on an annual basis, which would provide substantial information about women lawyers' attitudes toward their workplaces. This information would be collected by the law firm and utilized by the firm for the purpose of carrying out the goals set forth above. Although the results of this attitudinal survey would not be disseminated or published outside the firm, the firm would commit to providing the results of the survey information to the lawyers within the firm.
- (e) In order to carry out the important task of enlisting the support of law firms which would commit to participate in this process, the Task Force recommends the immediate formation of a MSBA Blue Ribbon Committee to promote the importance of this project and to enlist the support of representative law firms. The Committee would include bar leaders, members of the judiciary, leaders of this Task Force and others whose reputations could lend substantial support to this project.

## **Recommendation #2**

**The assessment process should begin with the state's law firms, and should be expanded to include all legal employers.**

### **COMMENT**

The Task Force quickly reached consensus that the state's law firms, particularly the larger firms, have more difficulty retaining and promoting women lawyers than do other categories of legal employers. While the Task Force firmly believes that the assessment process it has outlined here has value for all legal employers, it decided to concentrate its efforts initially on law firms.

The Task Force recommends that during the first few years, participation in the assessment process be limited to firms. The assessment questionnaires should be tailored to address the different circumstances of large, medium and smaller firms. For example, while it may make sense to inquire about the availability of onsite child care for employees in large firms, most smaller firms would be incapable of providing this kind of benefit for their employees. Eventually, the assessment process should be expanded to include government employers, corporate legal departments, and law schools.

### Recommendation #3

Legal employers participating in the assessment process should be designated as achieving Leadership status and should be publicly recognized by the MSBA in a variety of ways.

#### COMMENT

Firms which fully participate in the process of committing to the goals regarding treatment of women in the legal profession, provide the objective data to the MSBA Committee and utilize the internal attitudinal survey within their firms to carry out the goals would be designated as Leadership firms by the Women in the Legal Profession Committee.

The Task Force recommends that announcements of a legal employer's Leadership status be placed along with appropriate feature articles in publications such as *MSBA Bench and Bar*, *The ABA Journal*, *The American Lawyer* and *The MWL Newsletter* and by means of press releases and communications from the MSBA to law schools around the country.

Legal employers who have achieved Leadership status should be further honored each year at an event featuring a speaker with a national reputation in the area of women's rights.

The Task Force recognizes that the desire to attract and retain both high quality employees and satisfied clients will be key factors in prompting employer participation in the assessment process. The forms of public recognition that it is recommending are designed to enhance the ability of legal employers to do so.

#### **Recommendation #4**

**An annual award for significant improvement in the hiring, retention and promotion of women lawyers should become part of the assessment process after the program has been operating for three years.**

#### **COMMENT**

The Task Force recommends that, after employers have had an opportunity to commit to the goals outlined in Recommendation #1, and have participated in the annual assessment for three years, a special award should be presented to employers who can demonstrate that they have made significant progress towards ensuring the full participation of women in the legal profession. This award would be made each year at the event honoring all those employers taking part in the assessment process.

The Task Force recommends that the award be made available to legal employers in these categories: large firm, medium size firm, small firm, corporate legal department, government office, and law schools. The winners of the award should be determined by the MSBA Executive Committee based on recommendations from the MSBA's standing Women in the Legal Profession Committee. In order to avoid conflict of interest concerns, subcommittees consisting of individuals who are not potentially eligible for the award should be responsible for making recommendations in each category. For example, law firms would be evaluated by representatives from the judiciary, law schools, government offices, and corporate law departments, but not by other firms.

The Task Force recommends that the award be phased in by category of legal employer in the same manner as the assessment process.

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**MSBA WOMEN IN THE LEGAL PROFESSION TASK FORCE  
PROPOSED EMPLOYER ASSESSMENT CRITERIA**

**CATEGORY A: ANTIDISCRIMINATION AND SEXUAL HARASSMENT**

**Criteria**

**Objective Data**

- Gender equality formally adopted as goal by management and articulated clearly to employees.
- Written antidiscrimination policy and methods of internal and external communication.
- Written sexual harassment policy and methods of internal and external communication.
- Policy and process for dealing with client bias.
- Policy and process for dealing with bias by opposing counsel/court personnel.
- Conflict resolution method whose contact points and process are clearly articulated.
- Elimination of bias training for employees.

**Attitudinal Questions**

- Does the employer create an atmosphere of respect for diversity?
- Do women lawyers believe they have prompt, meaningful access to leadership when and if there are incidents of inappropriate behavior?
- Does the employer actively seek input from attorneys on how it is carrying out a stated commitment to gender fairness in the workplace?

**CATEGORY B: HIRING**

**Criteria**

**Objective Data**

- Ratio of offers made to men and women candidates over the past five years for clerkships, associate positions, lateral associate positions, and lateral partner positions.
- Number of women hired out of total number hired over the past five years for clerkships, associate positions, lateral associate positions, and lateral partner positions.
- Participation of women in recruiting and hiring process, including hiring decisions.
- Established recruiting policies.
- Established hiring standards.
- Existence of mechanism for complaints regarding hiring.
- Regular assessment of hiring policies and procedures.

## **CATEGORY C: OPPORTUNITIES FOR PROFESSIONAL GROWTH (LEGAL SKILLS AND BUSINESS DEVELOPMENT)**

### **Criteria**

#### **Objective Data**

- Procedure for assignment of cases.
- Percentage of women serving as lead counsel; second chair; in-office support.
- Distribution of women across practice areas.
- Training opportunities available/percentage of women participating.
- Mentorship program/oversight and evaluation.
- Ability of associates to "second" on transactions or trials on an unbilled basis without being penalized for the unbilled hours.
- Types of marketing and business development opportunities encouraged by the employer (i.e., sports tickets/theater tickets).
- Budget available for "nontraditional" marketing.

#### **Attitudinal Questions**

- Are women given equal opportunity to advance their careers by being challenged to take on significant responsibilities?
- Is there mobility between practice areas?
- Do attorneys in leadership positions demonstrate sensitivity in promoting business development opportunities that women can fully participate in?

## **CATEGORY D: RETENTION AND PROMOTION**

### **Criteria**

#### **Objective Data**

- Promotion ratios for men and women over the last five years.
- Separation ratios for men and women (both voluntary and involuntary) over the past five years.
- Criteria for promotion: objective/subjective, published/unpublished, timelines.

#### **Attitudinal Questions**

- Has the employer taken steps to remove barriers to the advancement of women?
- What factors are most relevant to the advancement of women in the workplace?

## CATEGORY E: COMPENSATION

### Criteria

#### Objective Data

- Number of women receiving top 10, 20, 30, 50% of salary within firm.
- Evaluation criteria: objective, periodic, shared with attorney, "whole person" evaluated.

#### Attitudinal Questions

- Can the employer clearly articulate the reasons for individual salary decisions?
- Do salary and bonus requirements negatively impact women?
- How does a leave of absence or parenting leave affect a person's salary?
- Do the employer's compensation policies take the form of "unwritten rules?"

## CATEGORY F: INVOLVEMENT IN GOVERNANCE

### Criteria

#### Objective Data

- Composition of governing boards/committees/management over the past five years.
- Number of women actively participating in compensation decisions.

#### Attitudinal Questions

- Is the employer committed to developing womens' leadership potential?
- What specific efforts are being made to encourage the participation of women in governance?
- Are there women in positions of real power in the workplace?

## CATEGORY G: WORK/LIFE

### Criteria

#### Objective Data

- Parental leave policy; written, paid, length of permissible absence, number of attorneys (male and female) who have taken leave in the last five years.
- Family leave policy (covering absence from work for family responsibilities besides child care).
- Sabbatical policy.
- Policy on alternative work schedules; part-time, job-sharing, flexible hours.
- Child care assistance; on-site, supported (subsidized, reimbursed, pre-tax), emergency.
- Health care coverage.
- Adoption assistance.

## CATEGORY G: WORK/LIFE *(continued)*

### Attitudinal Questions

- Is the employer supportive of those who take leaves or make alternative work arrangements?
- What is the impact on work assignments and promotion for people who do not work full-time?
- Are firm meetings held after 5:00 p.m. and on weekends?
- Is there an open atmosphere relating to family obligations (going to a meeting v. going to child's soccer game)?
- Is parental leave treated differently from leave taken for other purposes such as recovery from a heart attack or alcoholism treatment?

## CATEGORY H: CULTURE

### Criteria

#### Attitudinal Questions

- Is the workplace a comfortable one for women?
- Does the employer encourage and recognize the value of pro bono, community and bar association work?
- What types of social events are lawyers invited/expected to participate in?
- Does the workplace culture encourage early morning or evening hours either in its social activities or in its work day?
- Is the atmosphere collegial?
- How often are team or group meetings held?
- Is the environment one where people want to get the work done rather than one where work is done to meet a "face time" obligation?
- Does the employer pay attention to physical safety issues (security arrangements, escort service)?