

EMPOWERING WOMEN IN THE WORKPLACE

by

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Empowering Women in the Workplace

A woman's guide to making sure her voice is heard in the office — and tips for how men can help.

For better or for worse, 2017 was quite a year for women, notably women in the workplace. And while many of the stories in the headlines are a discussion for another article, they do highlight one important change: Women are making sure they are heard.





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And navigating the legal workplace has its own added challenges — challenges that can be magnified for women. A competitive environment that is dominated by masculine styles of leadership and communication can often leave women struggling to find their ground.

“In the past, I always operated with the philosophy that I needed permission to state my opinion, suggest an idea, start a project or come up with a strategy. It took me a while to realize that many of the men I worked with never waited for permission and never even thought about seeking it,” says April L. Campbell, JD, ALA President-Elect and Director of Administration for McCullough Hill Leary, PS, in Seattle. “I am still trying to figure out if the requirement of seeking permission was something I self-implemented, or if it was something taught to me [or] implemented upon me in the workplace.”

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Dr. Larry Richard has spent the last 30 years researching lawyer personalities. He says the movement to have women partners in firms has, unfortunately, been monumentally slow. He notes that 20 years ago, about 14 percent of partners were women. Now it stands at just 22 percent. “When 50 percent of lawyers graduating are women, that’s just ridiculous,” says Richard.

While the numbers appear bleak, the legal environment is ripe for a change. He believes we may actually be entering a golden age for women in law firms.

“The way I look at the legal profession, the things that have happened in the last five years represent more change than at any previous time in the history of the profession,” says Richard, who is the Founder and Principal Consultant at *LawyerBrain*. He notes as recently as 10 years ago, firms were concerned with more left-brain analytical traits: Are the lawyers smart enough? Are they competent? Do they deliver on time? While those things are still vital, research is indicating that success is dependent on other skills like listening and understanding emotions — traits women rank more highly in.

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There is much discussion about firms needing to innovate to stay relevant and attract top talent. One area that shouldn’t be overlooked for making this happen is elevating more women into leadership positions. It’s an area where firms can immediately move to make strides.

“The bottom line is that people skills are going to dictate success in the next decade for firms,” says Richard. And that puts women’s

leadership strengths at a great advantage.

Here's advice for how women can make sure their voices are amplified in their firm.

EMBRACE EMPATHY

Richard says that law firm leaders are increasingly looking for colleagues who can be more collaborative and less siloed. Research at Harvard shows that greater collaboration leads to greater profitability and more loyal clients. Among the key skills that enable collaboration are emotional intelligence competencies such as active listening skills and the ability to accurately understand others' emotions.

"Women are more attuned to others' reactions and will talk through rather than ignore the reactions," says Campbell.

And the science agrees. A study from MIT researchers revealed that there are three factors that make for a smarter team: people taking turns to speak, empathy, and having more women on the team. In fact, they discovered that factors like intelligence *aren't* what makes a group productive. While diversity is good for any group dynamic, this research went a step further and noted that the more women, the better.

"Women are going to make change and collaboration work better, period, end of message," says Richard. "In a time when law firms now must pay attention to collaboration, the secret weapon is women."

ALA Past President (2015–2016) Teresa Walker is Chief Operating Officer at Waller Lansden Dortch & Davis, LLP, a large firm in Nashville. She notes that lawyers tend to be too competitive with one another — even within their own firms, which can quash teamwork and collaboration. She recommends recognizing the traits many attorneys lack that legal management professionals more routinely possess and seizing on the opportunity to bring those unique skills to the forefront.

For example, Richard notes his research consistently reveals that lawyers lack resilience, sociability and an ability to listen. One area they also notable fall short? Empathy. It's also a skill women score high in.

In fact, Walker says, empathy is one of the most valuable assets of young women entering law firms. "Look at the partnership and leadership of most law firms: it's a male majority, and as a group, they aren't naturally good at being empathetic. Skills of relating and showing empathy are game changers when dealing with client and personnel issues. To best serve a client, you have to relate to them and think like them — not become the client by substituting your judgment for theirs — but understanding what their desired outcomes are and why."

But empathy isn't a bad word, and not embracing that trait is also bad for business development. Clients are coming to firms with difficult problems, be it emotionally charged family-law issues or medically induced bankruptcies. These are tough conversations for clients, who need to feel comfortable sharing necessary details.

Caroline Turner, Principal of DifferenceWORKS LLC and author of *Difference Works: Improving Retention, Productivity and Profitability Through Inclusion*, says women are generally much better at reading the emotions of a room.

"The average woman is more likely to have that strength ... but the way leadership has been defined for decades, it can be seen as a weakness. We let our feminine strengths atrophy, and men don't feel safe using their feminine strengths either."

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That's where having legal staff who are tuned into the nuances of these conversations are vital for gaining a client's trust.

It's not just clients who will benefit from staff who have this skill set. "Some of the most difficult problems with which to deal as a legal management professional are personnel problems, especially those of a partner who has a 'life' problem," Walker says. There are many difficult conversations that law firm leaders have to have throughout the course of their careers. She notes the *prevalence of substance abuse* in the legal industry, particularly in law firms, and the high incidence of suicide within the profession. "Women in law firm leadership positions are especially equipped to have very difficult conversations. It's a huge opportunity for legal management professionals to step up and use their empathetic skills to be sure the person gets the treatment they need. It is in situations such as this that a legal professional can really shine — step up and say 'I've got this.'"

Richard notes that he'd also like to see empathy stop being classified as a "soft skill." In fact, he cites a book by Chris Voss, a former FBI hostage negotiator who says the single most important strategy and skill in rescuing a hostage is empathy. "Think about the source of that statement — it really changes your view that empathy is a soft skill. It's not soft at all."

AVOID DISCLAIMERS — AND GIVING UP THE FLOOR

Ask any woman: Have you been interrupted and talked over in meetings? Shared an idea in a meeting that went unheard and unheeded — only to have a male colleague bring up the same idea a heartbeat later and get praised for it? They're situations women know all too well.

"There have been many moments when I felt that I did not get the credit/acknowledgement for a project that I deserved because I did not boast of my accomplishments and instead 'worked quietly,' rather than 'worked loudly,'" says Campbell.

Turner notes that it often comes down to differences in styles of the average woman and man. Men are more likely to use a definitive statement: "We're going to file this pleading." Meanwhile, women are more likely to spin that as "I've been thinking about filing this pleading. What do you think?"

And it's not a bad thing to speak in this manner; in fact, Turner says it's powerful to use questions. "Open-ended statements invite conversations."

But workplaces often see this as a weakness — people erroneously assume speaking like that means a woman is not very sure of herself or committed to the idea.

"When a man is aggressive, he's often labeled in positive ways — hard-charging, dedicated to his clients. When a woman behaves in the same way, she's uppity. That's a built-in bias women face," says Richard.

Turner says women often start conversations with disclaimers or hedge statements. "They'll start with statements like 'I think' or end a statement with 'right?' which can lead to them getting talked over. Too often [women] do not take steps to change the tone or direction of the conversation."

She suggests recognizing when you need to be especially persuasive in a meeting so you can avoid hedging or using disclaimers. "We need to coach ourselves to speak in a way that's associated with certainty, competency and leadership."

And don't tolerate inappropriate interruptions or a male colleague chiming in to take over the conversation. "The average woman is more likely to give up the floor when interrupted. That's what I always did, since I was raised not to interrupt and to be polite," Turner says. But learn to break that habit and trust in your own expertise. She says when she became aware of her habit of ceding the floor, she actively sought ways to change her behavior. It took practice, but she gained confidence and finessed the skill by watching other people do it.

"Now I'll just say, 'I'm sorry, I'm not finished. Please let me finish my thoughts.' I had to learn not to give up the floor and to take it back. I wasn't doing justice to my position by giving up the floor," says Turner.

The more you do it, the easier it will become.

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MEN: BE AN ALLY

Sometimes, men aren't even aware of these issues. But calling it to their attention can mean you've got another person in your corner.

When Turner was midcareer, she recalls, she was in a senior leadership position at a beer company, where the balance of men to women in leadership was perhaps even more skewed than the legal world. She was just starting to read research related to gender communications and the importance of gender diversity. She decided it was important enough to share this knowledge with her boss, who was the Chief Executive Officer (CEO). She wanted to bring to his attention that issue of a woman proposing an idea and getting no response, only to have a male colleague chime in with a similar idea a few minutes later and get lauded for it. "He told me that doesn't happen here," Turner says.

The next Monday at the staff meeting, she was the only woman in the room. She brought up a point she thought was worthy. Nobody responded. A few minutes later, the Senior Vice President of Marketing said almost the exact same words and everyone jumped on board. The CEO looked at Turner with what she describes as an a-ha moment — he saw the behavior that she'd just described to him a few days earlier. And he said, "Bill, it looks like you agree with Caroline."

"Last year, I had lunch with that CEO and he started telling me that story, and how he came to the defense of a colleague who was in danger of having her idea stolen. He will never *not* see that now. Once it's pointed out to a man, they will see it," says Turner.

The same goes for when you see women colleagues being talked over. Richard says you need an enlightened leader or good Samaritan in a position of power who is willing to speak up and call it out as it happens. "Fixing this problem won't happen on its own," he says.

WOMEN: ENDORSE ONE ANOTHER

By that token, women can also help other women be heard. They can easily recognize this behavior — and shut it down.

Turner says when we see another woman who hasn't been heard, interject with "Catherine, that is a great idea. Can you say more about that? I'm really interested in your thoughts about that strategy." Or if you see a female colleague's idea being hijacked by a male colleague, try: "I think Catherine was just making that very point. Catherine, can you expand on your idea?" By stepping in, you're crediting and sponsoring her, giving her back the floor — and added support.

Mentoring other women is another way for women to encourage one another. Campbell says it's helped her build her confidence over the years. "I have always been more passive about standing up for myself and more active in helping others stand up for themselves. I have found that I am more comfortable with my voice when I am acting in the capacity of a supervisor, manager, coach and mentor because it allows me to encourage those that I am supervising and coaching to find their voice and authority and be taken seriously," says Campbell. "Ironically, the power, confidence and voice this has given them has made me realize that I need to take my own advice. In doing so, I have found myself to be much more action-oriented."

Plus, you never know who is watching you as a role model to learn from your actions. "Looking up to people who behave a certain way — that's more powerful than any words you can say," says Richard.

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DRIVING CHANGE IN YOUR OFFICE

When clients speak, law firms listen. Indeed, Richard says that is likely what will get firms to see a greater cultural shift — clients are placing more demands on law firms for attitudes, behaviors and diversity as conditions of doing business with firms. “That will speak louder than just about anything else,” says Richard. “Client expectations are going to make a big difference.”

In the meantime, practice and persistence go a long way to building your confidence in these situations. Campbell notes putting her ideas out there has worked for her as well. “I have always had many ideas and suggestions that require the approval of someone else,” she says. “Rather than have my suggestions sit in the pile because they are not taken seriously, I have found myself implementing them anyway, sometimes boldly and sometimes quietly.

“When they are finally noticed and/or acknowledged, I take credit for them whether they have been successful or failed. Once I have done this enough times, then it seems that people finally start listening the first time around. Just because someone chooses not to hear me does not mean that I am not speaking. Eventually, they learn to listen,” says Campbell.

Richard says it’s difficult to overcome the inertia on this matter since it’s often invisible to leadership. But firms should commit to leadership modeling these behaviors and implement new policies and hiring standards — and stick to them. “The entire leadership team needs to role model the behaviors and attitudes you want the rest of your firm to adopt.”

He says consistent, multiple implicit bias trainings are also helpful, preferably with an outside, neutral facilitator. He notes many low-resilience male lawyers will see such a suggestion as a personal attack, rather than see the positive message of it being a benefit to the whole firm. A neutral outside facilitator is less likely to be seen as partisan.

“Create and foster a set of values among your leaders where women are respected and treated equally, and it helps eradicate the double standard,” says Richard. “The more you infuse a culture of a firm with those attitudes and behaviors, the more you can foster a respectful mindset among the rank and file lawyers.”

About the Author

Valerie A. Danner is the Senior Managing Editor of *Legal Management*. She has a bachelor’s in journalism and has been writing and editing for various publications for nearly 20 years.

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