

SEEKING A JUST BALANCE

Law Students Weigh In on Work and Family

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ABOUT A BETTER BALANCE

A Better Balance is a legal advocacy organization that engages government, the private sector, and individuals to create family-friendly law and policy. A Better Balance is committed to valuing the full range of caregiving, from childcare to eldercare, and to addressing work/family issues as they affect families across the economic spectrum.

ACKNOWLEDGEMENTS

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EXECUTIVE SUMMARY

“I definitely do think that there’s still a lot of stigma to taking time off, and it’s really hard to reintegrate.”

—Female law student

“I wouldn’t like sending my kids to child care all day, and I’d rather be around for them.”

—Male law student

“With all the extra hours, I find [law firm perks] disingenuous . . . why don’t you give us divorce counseling too? . . . we can do our own dry cleaning.”

—Male law student

WHAT LAW STUDENTS TELL US

Worries about balancing work and family weigh far more heavily on the minds of top law students—both men and women—than other career concerns including compensation and job prestige. These findings are based on an online survey of 351 law students at one of the nation’s premier law schools. Seventy-two percent of male and 76 percent of female students said they were very or extremely worried about being able to balance work and family. That’s more than twice the number of law students who were worried about earning top pay, handling high profile cases or working for a prestigious firm.

Moreover, students are prepared to put their money where their mouths are. Eight out of ten indicated a willingness to trade money for time, that is, to accept reduced earnings in return for flexibility and reduced hours.

While both male and female students expressed intense worries about achieving work/family balance, the women were much more concerned about the practical implications. They were worried about the availability of specific workplace policies and the impact that taking advantage of them would have on their careers. Third year women law students interviewing at law firms also identified diversity of partnership as the most important issue in deciding where to work. It may be that they regard this as a litmus test for whether or not women are able to succeed at a firm, and whether the firm’s work/life realities live up to its written policies.¹

KEY FINDINGS

- Male and female law students, including those bound for law firms, were very concerned about their ability to balance work and family. They were much more worried about work/family tensions than about joining a prestigious firm, doing high profile work, or earning top pay.
- Eight out of 10 survey respondents, including those planning on law firm careers, were willing to trade money for time,

i.e., earn less in exchange for greater workplace flexibility or reduced hours.

- Women were more concerned than men about the nuts and bolts of employer policies that will help them to achieve work/life balance.
- Half of female third-year law student respondents identified diversity of partnership as an issue of concern in their job search, compared with only 19% of their male counterparts.
- Seven out of ten respondents, including both men and women, expect to make career sacrifices in order to have a satisfying personal life, but female respondents were more concerned than male respondents about how their decisions about work/life balance would affect their careers.

This survey is noteworthy in that it examines the attitudes and expectations of law students at a top-rated law school, most of whom are members of Generation Y (Americans born between 1978 and 1998). Our findings support the conclusion that there is a generational gap in attitudes about balancing work and family. Today's youngest workers put a high priority on their family life and do not want to make the same sacrifices for their careers as their parents did.² These future lawyers want to have fulfilling careers and still be able to spend time with their families.³

WILL LAW FIRMS LISTEN?

As the demand for greater work/life balance grows among up-and-coming associates, law firms would be wise to take heed. Over the past 10 years, these firms have been competing for talent by raising associate salaries exponentially.⁴ The sterling salaries often come hand in hand, however, with increased billable hour requirements and the expectation of 24/7 availability.⁵ Many young lawyers would happily trade sky-high salaries, which their firms feel competitive pressure to provide, in exchange for more personal time.⁶

In another effort to attract and retain top talent, firms offer workplace benefits that make it easier for associates to spend more time at their desks when they really yearn for time away from the office to spend with their families.⁷ Instead of offering stigma-free flexible work options, these firms promote “lifestyle” perks, such as

Demographics & Methodology

The survey was emailed to the New York University School of Law student body between November 14 and 19, 2007. The email was sent numerous times to multiple listserves, including Coases (the general listserve). Students were invited to participate in a survey on work/life balance. An incentive was provided, with eight survey participants randomly selected to win \$50 gift certificates.

Out of a total enrollment of 2,167 students, 248 women (24% of women) and 103 men (9% of men) completed surveys. The respondents are representative of a cross-section of the NYU student body, with the exception that women were more likely to participate than men. Given that the entire sample was self-selected, it is likely that the men and women who responded are more interested in work/life issues than the average law student. The results may thus slightly overstate concern about work/life balance.

In March 2008, we convened focus groups of NYU law students in order to further explore student attitudes about work/life balance. Students were asked to volunteer their time and were given dinner. The group of 6 male law students was led by a male facilitator, and the group of 8 female law students was led by a female facilitator. Both groups had 1Ls, 2Ls and 3Ls, and a mix of students bound for law firms, public interest, and government careers. Some, but not all, of the focus group participants had taken the survey.

fancy snacks and parties, personal valet services, stress and anxiety counselors, and dinner delivered to the office, all of which aim to keep lawyers happy but also keep them at work.⁸

While the business world, including client-driven industries like accounting, has made significant strides addressing work/life challenges, the legal profession lags far behind. There are signs, however, that real change may be on the way. A few firms are rethinking their billable hour policies and offering a slower path to partnership for less pay to associates who want to work fewer hours and meet family responsibilities.⁹ Others have done away with the billable hour model altogether, charging clients instead by the project or paying salaries and bonuses based on revenue generation.¹⁰

Such changes make good business sense and are long overdue. Flexible work schedules make for happier and more efficient lawyers.¹¹ Clients also recognize that the law of diminishing returns applies to lawyers; they would prefer to be represented by lawyers whose minds are well rested and alert rather than blurry from billing late into the night week after week.¹² Improving work/life balance also helps to reduce the cost (as much as \$200,000 to \$500,000 per lawyer) associated with attrition of talented attorneys, 78% of whom leave their firms by their fifth year of practice.¹³ By preventing high turnover and encouraging employee loyalty, better work/life practices also prevent costly disruptions to continuity of service and client relationships.¹⁴ And finally, as more corporate clients take diversity into account when selecting outside law firms, it is in a firm's business interests to do whatever possible to prevent attrition of women and minorities.¹⁵

Law student concerns about work/life balance are not a passing trend. They reflect a fundamental shift in the demographic realities and cultural values of this next generation of lawyers.¹⁶ Law firms that wish to stay competitive in the fight for talent, and for clients, must pay attention and adapt their internal policies accordingly if they are to succeed in this changing landscape.

KEY FINDING # 1

Male and female law students, including those bound for law firms, were very concerned about their ability to balance work and family. They were much more worried about work/family tension than about joining a prestigious firm, doing high profile work, or earning top pay.



Work/family balance was the top concern for both men and women respondents, with 72% of men and 76% of women saying they were very or extremely worried about whether they will be able to have both a successful career and a satisfying family life. Moreover, they registered their concern with similar intensity—35% of the male respondents and 41% of the female respondents were extremely worried.

Q: How concerned are you that you will...

...be able to have a satisfying career and a satisfying family life?



...find intellectually challenging work?



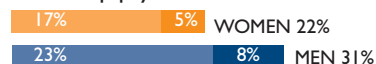
...work for a prestigious firm or institution?



...find high profile work?



...earn top pay?



"[Firms are] going to realize it's not just these slackers who are concerned about [work/life balance], it's people who come from good schools who have options who are concerned about this . . ."

—Female Law Student



"Having worked a few years, being married, not having kids, and just seeing some of the downsides to trying to maintain a proper balance even without kids, . . . kind of brought to the forefront, okay, what's going to happen when the hours get even worse and I do have kids?"

—Male Law Student

In contrast, both men and women were much less concerned about prestige, high profile work, and earnings.

"All the firms pay pretty much the same amount, and prestige, you know, means something, but I think it's a lot less important than kind of being in control of what your life looks like."

—Male Law Student

[Of 80 hour work weeks at large firms,] "it's like more money than you could have."

—Male Law Student

The only other career concern that rose to the top was intellectual challenge. Fifty-nine percent of female respondents and 65% of male respondents said they were very or extremely concerned about whether they will have intellectually challenging work.

In addition to their desire to secure satisfying and meaningful work, focus group participants also talked about their desire to have flexibility and control over when and how they do that work, and to feel effective at what they do.

"And also I think control is a big part of it . . . over your hours, over your work, where you produce and when you produce."

—Female Law Student

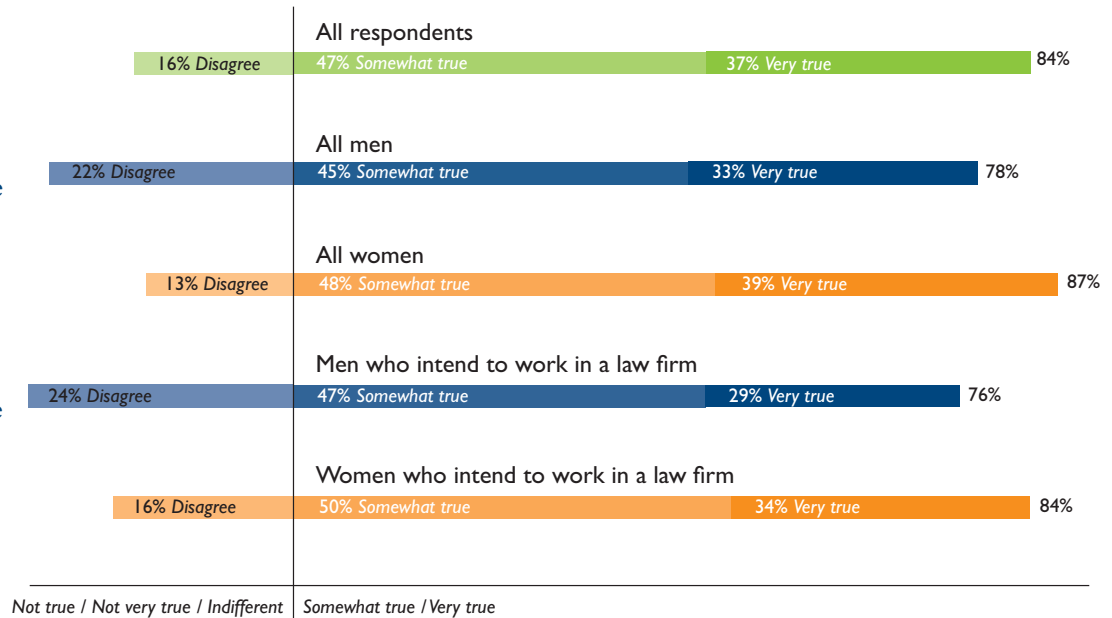
"The control thing is a big deal to me . . . Flexibility is important to me and I think that is related to control."

—Female Law Student

KEY FINDING #2

Eight out of 10 survey respondents, including those planning on law firm careers, were willing to trade money for time, i.e., earn less in exchange for greater workplace flexibility or reduced hours. Women felt more strongly about this than men.

Q: I am willing to trade money for time.



“[H]opefully you can get in with a [law firm] culture where your boss actually cares what your work product looks like more than how many hours you’ve billed . . .”

—Male Law Student

“For me, feeling effective in what I’m doing and . . . what the organization is doing, and how I fit into that is probably the number one factor in where I want to be.”

—Female Law Student

Eighty-four percent of all survey respondents, 87% of women and 78% of men, said it was somewhat or very true that they would be willing to trade money for time. Similarly, among survey respondents who plan to work at law firms, 84% of women and 76% of men, were willing to trade money for time.

“I think that 90 some percent of all law students around the country would be happy if firms paid 15, 20 percent less and it was expected that you worked 15 or 20 fewer hours a week.”

—Male Law Student

“But here’s actually what I would really [like] . . . it would be great to see it in a New York firm . . . what if some of these firms started offering some . . . 50 hours [per week] jobs . . .”

—Male Law Student



“I’m not on the same 80 hour [per week] page. If that’s full-time work at a firm, then I’m not going to stay.”

—Female Law Student

“With what firms pay nowadays, it’s actually the paid leave isn’t as important as the respected leave . . . it’s not the money.”

—Male Law Student



Female focus group participants spoke in great detail about the tradeoffs they anticipate making in their careers in order to fulfill their roles as parents. These young lawyers want to work full-time but also anticipate that they will need to balance work with family responsibilities, and they are worried about the negative consequences to their careers.

“[I]t depends on how much involvement you want in your kid’s life. That’s what it comes down to. If you are okay with seeing your kid on weekends, then, you’re fine. But, if you want to be a more active mom . . . then it’s going to be really difficult to reconcile those two interests. You want a career that moves forward . . . but you also want your children to see you and to love you so, it becomes difficult to balance the interests.”

—Female Law Student

“There is going to be a tradeoff, I don’t think you can have both. I think there is a tension, if you want kids, to be the mom, or the professional. . . . It depends on how old my kids are [whether I’d give up my flexible schedule.]”

—Female Law Student

“I find it interesting how our childhood upbringing affects our expectations and our willingness to do things . . . I have that feeling that family comes first, always, and I worry about how that is going to conflict with my career aspirations.”

—Female Law Student



Overall, both male and female law students in our focus groups expressed tremendous frustration about the ballooning number of hours they are expected to bill while working full-time at large law firms. They are all desperately seeking more sane schedules and are willing, and planning, to leave their law firm jobs if that is what it takes.

“It’s the hours, stupid.”

—Male Law Student

“The private sector pays a lot, but they work you to death.”

—Male Law Student

“It’s not worth dying for.”

—Male Law Student

“We’re not work machines, forever working 12 hours a day!”

—Female Law Student

“[If] I’m staying because I have to have face time and I can’t leave until the partner leaves and the person above me leaves, then I’m not going to stay. That’s going to make me leave a firm.”

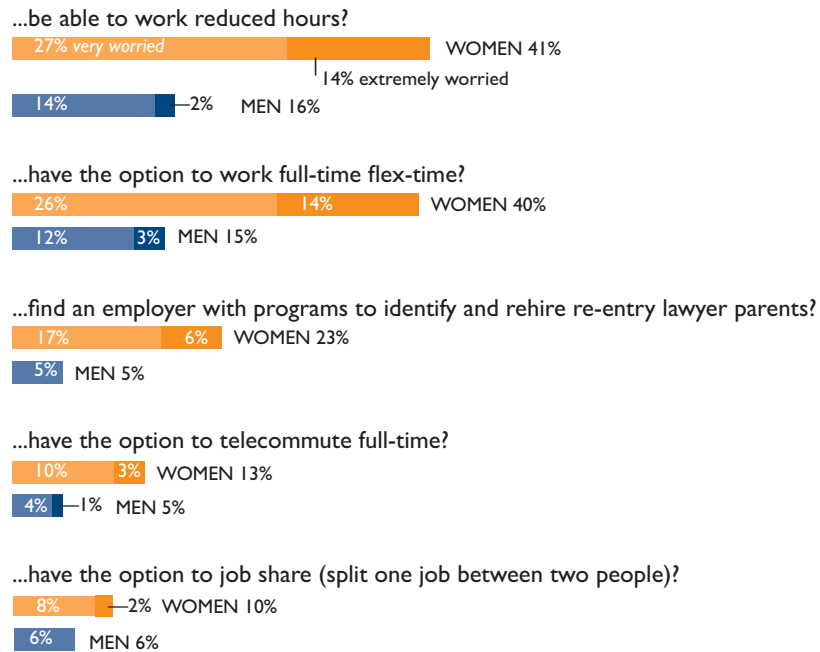
—Female Law Student

KEY FINDING #3

Women were more concerned than men about the nuts and bolts of employer policies that will help them to achieve work/life balance.

Female respondents expressed greater concern than male respondents about the nuts and bolts of a range of workplace policies.

Q: How concerned are you that you will...



Women were more worried than men about having the option to work full-time flex-time. Forty percent of women compared to only 15% of men were very or extremely worried about this.

Forty-one percent of women, and only 16% of men, were very or extremely worried about having the option to work reduced hours, with 7 times as many women (14%) as men (2%) extremely worried about this.

Twenty-three percent of women, compared with only 5% of men, were very or extremely concerned about whether their employer would have programs to identify and re-hire lawyers who had taken time off for parenting.

Only 10% of women and 6% of men were very or extremely concerned about having the option to job share (split one job between two people, allowing for flexible hours and workload). Similarly, 13% of women and 5% of men were very or extremely worried about having the option to telecommute full-time.

Telecommuting was a less salient concern for survey respondents than flexible hours, reduced hours or job re-entry. It may be that law students in today's wired world already expect to have telecommuting as an option, or perhaps it suggests a sort of 24/7 availability that is unattractive.

Although the survey did not reveal widespread concerns about having job sharing as an option, focus group participants independently offered up this idea as a pragmatic solution.

"I think it might be feasible if the model were to have two people work together all the time, so that each person does 80%, or something like that, and so you overlap in some of the work. I don't know if that's economical but I think it's certainly a solution that would work."

—Female Law Student

"I guess I don't see clients being flexible in what they want. They are probably always going to want service 24/7. But I still think a kind of model where two people really are a team together on the same thing, so work very closely with the client together, the client will probably I think get used to you that way."

—Female Law Student

How well do law firm policies match up with law student expectations? A 2007 national survey of the best law firms for women shows that 94% of the best firms have written policies for reduced hours; 46% of them offer full-time telecommuting; 28% have written policies for full-time flex-time; 16% have programs to identify and rehire re-entry lawyer mothers, and 8% offer job-shares.¹⁷ While it seems that firms are on the right track, at least with respect to written policies, focus group participants expressed widespread skepticism about whether these were real options for a successful career.

"I would describe law firms as cynical and disingenuous about these topics [work/life]."

—Male Law Student

"I think the most important thing . . . is not only what the policy is on paper, but what associates typically actually do."

—Male Law Student

Indeed, firms have a long way to go in bridging the gap between written policies and reality. According to a study of over 1,500 firms and law offices nationwide, nearly all of which offer part-time scheduling options, just 5.4% of attorneys worked reduced hours in 2007, and 75% of them were women.¹⁸ And a survey of the 50 best law firms for women in 2007 found that only 2% of male and 2.5% of female equity partners, and just .5% of male and 5.3% of female associates, worked reduced hours, even though 94% of the firms had written policies allowing for reduced hours.²⁰

“I think one concern I noticed at a lot of law firms is that women are frequently typecast as ‘that woman’ who has so many obligations she can’t be trusted to come in and put in the hours and be one of the boys and stay till 4am in the morning and do it again at 9am the next morning. There was a woman I talked to a lot about this, who was leaving for that reason. She didn’t feel she could be that person and she felt it was affecting her career prospects at the firm.”

—Female Law Student

“[A]s a man, good luck, me trying to get 4 days a week . . . I would love to do that . . .”

—Male Law Student

“I definitely do think that there’s still a lot of stigma to taking time off, and it’s really hard to reintegrate.”

—Female Law Student

“I think for paternity leave, I could just think ‘major stigma, huge stigma.’”

—Male Law Student



KEY FINDING #4

Half of female third-year law student respondents identified diversity of partnership as an issue of concern in their job search, compared with only 19% of their male counterparts.

Graduating women law students care deeply about diversity of partnership. When asked about areas of concern during the interview and selection process in their job searches, half of the female respondents checked diversity of partnership, while only 19% of men did. Indeed, diversity of partnership was the most important area of concern for female respondents. This suggests that diversity of partnership may be a litmus test for women, more meaningful than the existence of written family-friendly policies.

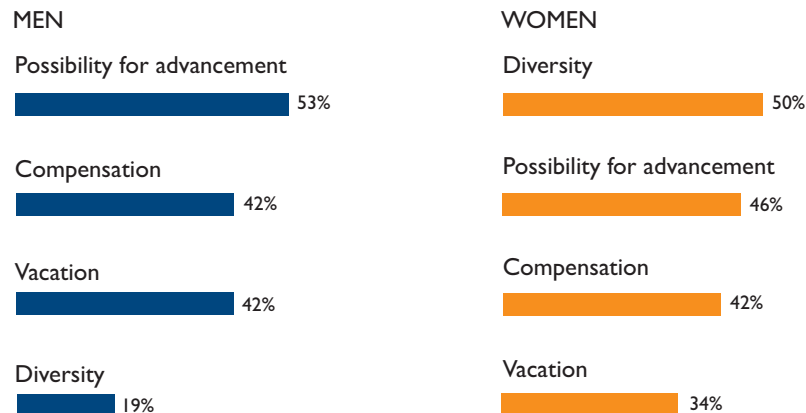
“[The firm where I am going] ha[s] good benefits and . . . they have part-time women who have become partners . . . and have a really good focus around that and family issues . . . they are really respectful of your time as much as they can be while also working you as much as any law firm probably will.”

—Female Law Student

“I think as more women become partners . . . I know that the women at my firm who are partners are helping to make this push, it’s not just associates. They have more say in what goes on in the firm.”

—Female Law Student

Q: What were areas of concern you asked about during your interview and selection process?



KEY FINDING #5

Seven out of ten respondents, including both men and women, expect to make career sacrifices in order to have a satisfying personal life, but female respondents were *more* concerned than male respondents about how their decisions about work/life balance will affect their careers.

Seven out of ten respondents, including both men and women, expect to make career sacrifices in order to have a satisfying personal life.

Q: I expect to make career sacrifices in order to have a satisfying personal life...

All respondents



All women



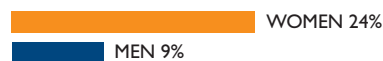
All men



Female respondents were more concerned than male respondents about how their decisions about work/life balance will affect their careers.

Q: I'm extremely worried about...

my ability to find meaningful work, if I trade money for time.



whether it will be difficult to re-enter the workforce if I take time out.



Twenty-four percent of women versus only 9% of men respondents were extremely worried about their ability to find meaningful legal work if they trade money for time. Male focus group participants also expressed concern about securing quality work while working fewer hours.

"[I]f you take that job, it would have to be not lower prestige . . . people would have to believe you're putting in the same quality work product, just in fewer hours a week before people would really take it."

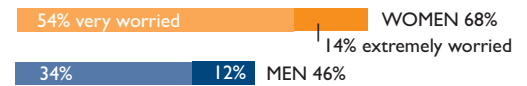
—Male Law Student



Along the same lines, female respondents were 6 times more likely (26%) than the male respondents (4%) to be extremely concerned about whether it would be difficult to re-enter the workforce after taking time out of their career.

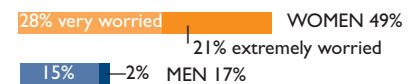
According to their survey responses, women were also more concerned than men—68% versus 46%—about getting their careers back on track after taking time out of their careers to raise children.

Q: I'm worried whether it will be easy to get my career back on track, if I take time out to raise my children.



And half of the female respondents (49%), compared to less than a quarter of the male respondents (17%) were very or extremely worried about whether they would suffer a major setback in earnings or responsibility after returning to the workforce.

Q: If I take time out from my career, I'm worried whether I'll suffer a major setback in terms of earnings or responsibility after returning to the workforce.



However, when we probed this issue with focus group participants, we uncovered an interest in extended leaves and re-entry among men as well as their female classmates.

"I also think [on-ramp programs would] be appealing to everyone . . . it indicates the firm is not just interested in the bottom line but in actually keeping these people."

—Male Law Student

"They've already spent all the resources to train you, and now they are getting someone who's . . . trained, and you are getting someone . . . who still is dedicated."

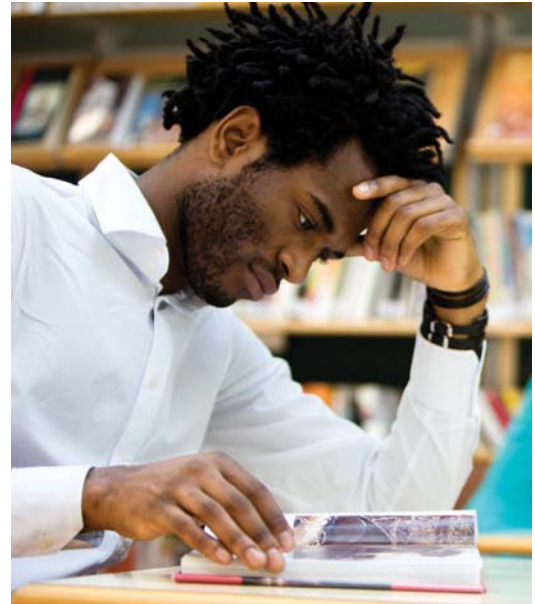
—Female Law Student

"It'd be great if there were just a way, if I needed to take time off, even for a couple of years, and come back, . . . to raise kids or whatever . . . it's great to know the door is open."

—Male Law Student

"Rather than seeing it as this risky person who might leave again, it should be seen as someone who really loves what they do and just wanted to take a time off for a major life event that was happening."

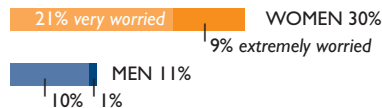
—Female Law Student



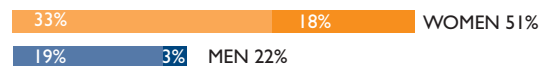
Female survey respondents were much more concerned than their male counterparts about how working reduced hours would affect their chances for partnership.

Q: I'm worried whether I'll be considered for partnership, if I work reduced hours.

Those who plan to go to a law firm



Those who plan to make partner



It is not surprising that the men and women who intend to stay on the partnership track were more worried about this than those who do not. Over one fifth of the men who plan to make partner were very or extremely worried about this, but the women were

more worried, as reflected in higher percentages in each category and more extremes. This is consistent with women's heightened concern over diversity of partnership.

"I was at a dinner at a firm, and a male partner said to me, 'Yeah, so, before you make partner, don't have kids, but once you get made partner, start popping them out.'"

—Female Law Student

"I think that the law profession doesn't offer a lot of opportunity for, what if you wanted to work a 20 hour week . . . what if you wanted to work part-time?"

—Male Law Student

"I think it takes a lot of conscientious management discussion within a workplace, not just to be like, 'Ok, fine, we can allow telecommuting,' or 'Oh, fine we're going to allow flextime,' but to have . . . a way that they are allocating cases that isn't quite so haphazard with who is in the office or have a way of really taking into account who's working when and where and why."

—Female Law Student

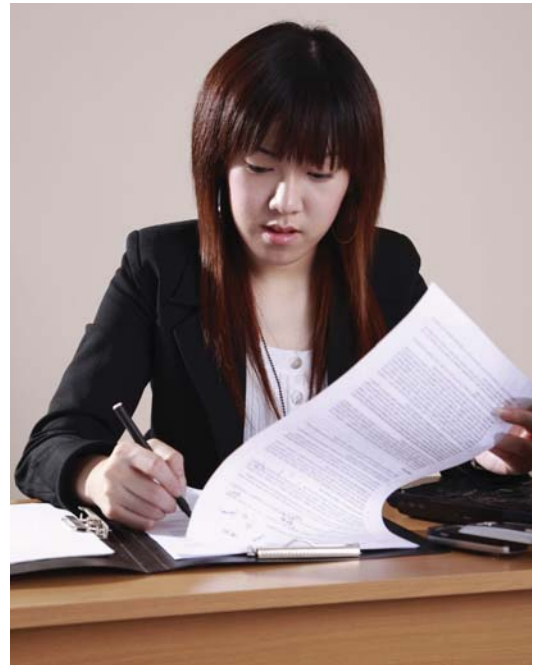
"People who can work less hours and do as good a job as someone working longer hours . . . feel like people who work longer hours don't understand that sometimes, and it can lead to . . . hurt feelings . . . firms kind of have the set up that . . . feeds into this . . ."

—Male Law Student

"Advocacy, I think has a lot to do with it. Having someone at the firm who is willing to stand up for you, and talk well of you, partners who believe in you, I think that's a really big part of it."

—Female Law Student

In sum, across a range of dimensions—the ability to find meaningful legal work; workforce re-entry; the effect on earnings and responsibility; getting one's career back on track, and effect on chances for partnership—both men and women are worried about how taking time off or working a reduced schedule might affect their career, but women survey respondents expressed this concern with the most intensity.



WILL LAW FIRMS EVER CHANGE?

Students agree that the main problem with law-firm life is the expectation of extreme hours and they are skeptical about firms' attempts to attract and retain them with "lifestyle perks" or policies about work/life balance that are not backed by a supportive culture. These future lawyers are searching for and craving a real solution.

"I think legitimate time off is the most important [perk] . . . if you could really take 4 weeks off a year and be expected to work only 48 weeks out of the year."

—Male Law Student

"If a firm tells me I'm not judged on hours, but on my work . . . If my boss said exactly that to me, that would go a long way in establishing firm loyalty."

—Male Law Student

These young men and women agree that a larger cultural shift is necessary within the legal profession to make a healthy work/life balance a reality.

"I think it's important for colleagues to sort of band together on the 'we're not going to work ridiculous hours' front, because otherwise it's too easy to get rallied into a competition against each other, and it's a downward spiral on the work/life balance."

—Male Law Student

"I don't think that men necessarily like all the negative aspects of firms either, but I feel like they don't have as many choices to reject that . . . If men realize that it doesn't have to be this way, maybe we can get more on the same page and get more people pushing."

—Female Law Student

"Guys need to come out and say this as well . . . I don't want to say that hours matter to me because now firms are just going to say, 'look—all these women are saying hours matter to them and it's just proving our stereotype that women don't want to work.' So I think that it is important that it's not just a woman thing but that it's a people thing."

—Female Law Student

"[The Stanford group, Building a Better Legal Profession] interviewed a lot of women at many different offices and many different large firms. I actually bought the packet and I emailed it around to my friends because I thought it was so important that you really take a look at, you know, what the women at these firms are saying when they're not under the

eye of their firm. I turned some firms down because of how low they were ranked, and in one case I wrote on my rejection letter that was the reason I was turning them down.”

—Female Law Student

“A lot of this stuff seems part of like a bigger cultural shift that we are talking about . . . Maybe those aren’t the expectations [i.e. 24/7 availability] that we want, maybe a client shouldn’t expect this kind of crazy work. I think it’s part of something bigger than just being able to say ‘20 people in this firm are going to get flex-time,’ when there’s no larger shift going on.”

—Female Law Student

“[A law firm] is the worst of private sector environments to work in because . . . it’s all . . . lock step by how many years you’ve been there and your bonuses are how many hours you’ve worked and . . . hopefully you can get in with a culture where your boss actually cares what your work product looks like more than how many hours you’ve billed.”

—Male Law Student

“I think workplaces should be much more supportive of that [time off], especially in a job that’s working so hard and in such a specific way. I think people would be eternally more productive, and more satisfied with their job, and happier to work that many hours . . . It’s a huge cultural shift, but I’d definitely want to work in a place that cares about that.”

—Female Law Student

“[Law firms] will change not because they care, but because they want the best and the brightest to come. Showing that we care and making a decision based on that is what is going to change the culture.”

—Female Law Student

While both women and men acknowledge that real workplace transformation will require a cultural shift and group pressure, there is a disconnect between that view and the way they anticipate resolving the issues in their own lives. Women still talk about solving the conflict on an individual level, by relying on a supportive spouse.



“I’m sure it’s doable—I’m not quite sure how yet . . . [F]eeling effective and intellectually simulated by my job are so important to me, and . . . I’d want a partner who has that equal opportunity to have a fulfilling job, and so, somehow I feel like the childcare and the balance will have to come somewhere in between that.”

—Female Law Student

“I think that you should be able to leave, even early on [for a family event], because it is something very important. But this is where I think for me, having a supportive husband would come in, where you might balance who goes to [your child’s school] play.”

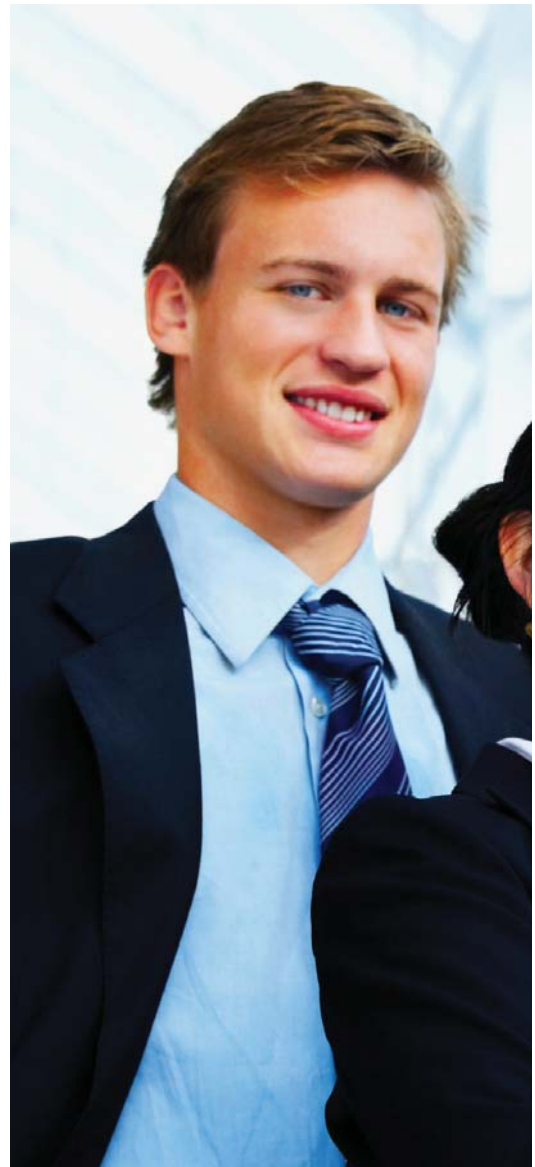
—Female Law Student

“There’s always the worry, especially because I want to be at a firm, that it might be taking up a lot of time, and so I wouldn’t know exactly how I’d be dealing with that but I would hope that I’d have a husband who understands the demands on my time, and I am still working at a firm, and we can, I guess, balance the child-taking-care-of business together.”

—Female Law Student

“The women who I met . . . who were partners at their firms all said they had very supportive husbands and that’s what made them able to do what they did. So if you don’t have that, then it’s really hard I think.”

—Female Law Student



Men talk about relying on the inevitable change that an increasing flow of women into the field will bring – despite the fact that high numbers of women have been entering the legal profession for years with relatively little impact on the workplace.²¹

“I think that the biggest changes that are waiting to happen . . . have a lot to do with the increasing number of women in law schools now who are gonna be going into the work force. I think there are some severe problems right now for women in law firms that are going to have to be changed drastically, and will be changed specifically when the women right now that are flooding the first year associates, when some of them make it to partner. I think there will be some significant changes.”

—Male Law Student



Notwithstanding the disconnect we heard in the focus groups, law students are beginning to organize and voice their desire for work/life balance. Stanford law students started a national grassroots movement in January 2007 when they founded Building a Better Legal Profession (“b.b.l.p.”). The group ranks law firms in order to address law student concerns about increasing billable hour requirements, lack of racial diversity and gender equity, and other issues jeopardizing the future of the legal profession. Female law students from schools around the country launched Ms. JD in March, 2007. Ms. JD provides an on-line forum aimed at improving the experiences of women in law school and the legal profession, and has focused on work/life balance as an issue of concern. These student-led groups signal a growing desire among law students to reform the legal profession. As b.b.l.p. says in its mission statement: “We are working to ensure that practicing law does not mean giving up a commitment to family, community, and dedicated service to clients. By advocating for reforms to law firms we hope to help keep law both a business and a profession to be proud of.”²²

CONCLUSION

For more information about work/life issues and the legal profession:

A Better Legal Profession

www.betterlegalprofession.org

Flex-Time Lawyers

www.flextimelawyers.com/index.asp

Ms. JD

<http://ms-jd.org>

NALP—The Association of Legal Career Professionals

www.nalp.org

Work Life Law

www.worklifelaw.org

NYU law students have spoken. Both men and women are worried about whether they will be able to have a successful legal career, particularly in a high-powered New York firm, and have time for family responsibilities. Both men and women point to the expectation of putting in extremely long hours as the main problem. They also identify control and flexibility as important factors in job satisfaction. Although law firms court top students with written policies that offer workplace flexibility, students remain skeptical about how advantageous these opportunities are if they want to be taken seriously and advance in their careers.

It is hard for low-level professionals to change the entrenched rules of firm culture by themselves. If they remain at a firm long enough to achieve seniority and impact internal policies, they may have already sacrificed a great deal of their career or family aspirations to get there. Instead, young lawyers should band together now and put their advocacy skills to work to negotiate real solutions. Groups like b.b.l.p. and Ms. JD may be at the leading edge of a grassroots movement of law students seeking to reform their profession. Research such as this study is important because it lets students know that they are not alone in their worries and that together they can be successful agents of change.

There is also a clear opportunity here for enlightened firms to take a major step towards transformation, particularly by providing more reasonable work hours, flexibility, and control. Such a change would gain tremendous support from lawyers and would give such firms an advantage in recruitment and retention. In an industry where good ideas spread quickly, proven success by trailblazing firms would soon lead others to follow suit.

NOTES

1. Adam Liptak, *In Students' Eyes, Look-Alike Lawyers Don't Make the Grade*, NY TIMES, Oct. 29, 2007 (reflecting on the relatively small number of female partners in New York firms, Deborah L. Rhode, a professor at Stanford Law, said that the numbers are "a bit of a canary in the coal mine" because "[t]he absence of women as partners often says something about how firms deal with work-family issues"), <http://www.nytimes.com/2007/10/29/us/29bar.html?em&ex=1194498000&en=8a360b17b502e151&ei=5070>.
2. Stephanie Armour, *Generation Y: They've Arrived at Work with a New Attitude*, USA TODAY, Nov. 6, 2005, http://www.usatoday.com/money/workplace/2005-11-06-gen-y_x.htm.
3. See Linda Bray Chanow, *The Business Case for Reduced Hours*, Project for Attorney Retention, Center for Worklife Law, at http://www.pardc.org/Publications/business_case.shtml (last visited May 30, 2008); 'Less Money, Fewer Hours,' Say Many Summer Associates, Law Students Building A Better Legal Profession, ("Work/Life balance is a big issue for our generation, and will continue to be as we become associates and partners in large law firms."), at <http://refirmation.wordpress.com/2007/12/04/less-money-fewer-hours-say-many-summer-associates> (Dec. 4, 2007).
4. The median starting salary for first-year associates in large firms with over 251 lawyers rose 86% between 1996 and 2007, and even more so at large firms in Chicago (99%), Los Angeles (93%), New York (88%) and Washington, DC (100%). *How Much Do Law Firms Pay New Associates? A 12-year Retrospective as Reported by Firms*, NALP – National Association of Legal Career Professionals, at <http://www.nalp.org/content/index.php?pid=543> (last visited May 30, 2008). One managing partner explained that his firm was raising starting salaries to record highs in order "to attract and retain excellent lawyers." Gina Passarella, *Law Firm Salary Increases Raise Eyebrows, Expectations*, THE LEGAL INTELLIGENCER, Feb. 8, 2007, <http://www.law.com/jsp/article.jsp?id=1170842573516>.
5. *Retention and Reduced Hours*, Project for Attorney Retention, Center for WorkLife Law, available at http://www.pardc.org/Publications/retention_and_hours.shtml.
6. Roughly 51% of 700 associates who responded to a survey on the website Above the Law said they would be interested in working fewer hours for less pay if their employer gave them the option. *Featured Survey Results: Less Billing, Tastes Great?* ABOVE THE LAW: A LEGAL TABLOID, available at http://www.abovethelaw.com/2008/02/featured_survey_results_less_b.php. As one summer associate put it, "Stop raising salaries, it is just going to hit us in the hours in the end." 'Less Money, Fewer Hours,' Law Students for a Better Legal Profession.
7. According to a global human resources consulting firm, although concierge services were popular in the 1990s, what workers want more now is flexibility to take care of important family priorities themselves. Sue Shellenbarger, *What Makes a Company A Great Place to Work Today*, WALL ST. J., Oct. 4, 2007, <http://online.wsj.com/article/SB119145669806048394.html>.
8. Lynnley Browning, *For Lawyers, Perks to Fit a Lifestyle*, NY TIMES, Nov. 22, 2007, <http://www.nytimes.com/2007/11/22/business/22legal.html>; Kellie Schmitt, *Concierge Service, Other Perks Put New Spin on Term 'Full-Service Firm,'* THE RECORDER, Nov. 9, 2007, <http://www.law.com/jsp/article.jsp?id=1194516248845>.
9. Lisa Belkin, *Who's Cuddly Now? Law Firms*, NY TIMES, Jan. 24, 2008, <http://www.nytimes.com/2008/01/24/fashion/24WORK.html>.
10. *Id.*
11. Linda Bray Chanow, *The Business Case for Reduced Hours*; Deborah Epstein Henry, *The Business Case for Flexibility: Why Flexible and Reduced Hours are in a Legal Employer's Financial Interest*, DIVERSITY & THE BAR, March/April 2007, at 19-20.
12. Comment by In-House Counsel, THE WALL ST. J. LAW BLOG ("Frankly I do not want a lawyer who regularly bills 3200 hours working on our legal matters for the following reasons:

- (1) In terms of hours spent per day or per week, there is a law of diminishing returns. The mind gets tired and becomes less creative and productive. I would prefer someone who works hard but also brings a rested mind to work. (2) Lawyers who are less productive are more expensive because they get less quality work done as the number of hours they work increases. A lawyer who is still working at midnight is less effective than one with a fresh mind. They are more prone to make mistakes in judgment and in the clarity of their work.”), <http://blogs.wsj.com/law/2006/11/10/3200-hours-a-year-you-gotta-be-kidding-me> (Nov. 10, 2006).
13. See Henry, *The Business Case for Flexibility*, at 19.
 14. *The Business Case for a Balanced Hours Program for Attorneys*, Project for Attorney Retention, Center for WorkLife Law, at 2, at http://www.pardc.org/LawFirm/PAR_Business-Case_8-23-07.pdf (Aug. 2007).
 15. See *id.*; Henry, *The Business Case for Flexibility*, at 20.
 16. See Sharon Jayson, *Companies Slow to Adjust to Work-Life Balance Concerns of Gen Y*, USA TODAY, Dec. 8, 2006, http://www.usatoday.com/news/nation/2006-12-06-gen-next-life-work-balance_x.htm.
 17. *Trends Identified from National Survey*, 2007 Working Mother & Flex-Time Lawyers Best Law Firms for Women, at 2, at <http://www.flextimelawyers.com/best/trends.pdf> (Sept. 24, 2007).
 18. Few Lawyers Work Part-Time, Most Who Do Are Women, NALP – National Association of Legal Career Professionals, at <http://www.nalp.org/press/details.php?id=74> (Dec. 5, 2007).
 19. *National Survey of Retention and Promotion of Women in Law Firms*, National Association of Women Lawyers, at 3, http://www.abanet.org/nawl/docs/FINAL_survey_report_11-14-07.pdf (Nov. 2007).
 20. *Trends Identified from National Survey*, at 2.
 21. Women have been enrolling in law schools in large numbers for decades, climbing from about 10% in 1972 to 40% in 1985, and peaking at 50.4% in 1993. The percentage of women law partners has remained low, with 12.9% in 1994 and growing only to 17.9% in 2006. *Quick Takes: Women in the Law*, Catalyst, at <http://www.catalyst.org/files/quicktakes/Quick%20Takes%20-%20Women%20in%20Law.pdf> (last updated Mar. 25, 2008). According to the research group Catalyst, women will achieve parity with men in law firm partnerships in 2088. *Id.* “[A]lmost three decades of consistently high numbers of women graduates has been a factor for advancing women into senior positions, [but] the high number alone has not been enough to achieve the rates of law firm advancement that are enjoyed by men.” *National Survey of Retention and Promotion of Women in Law Firms*, at 3.
 22. *About Us*, Building A Better Legal Profession, at <http://www.betterlegalprofession.org/mission.php> (last visited May 30, 2008).

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