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## ***Mentorship Is Essential to Fixing the ‘Women’s Recession’***

By [James E. Meadows](#) | October 27, 2020

This has been a year the legal profession will not soon forget. Events across the nation have drawn a focus on racial injustice, involving substantive conversations about the law and prompting questions about how the profession will address diversity and inclusion going forward. The pandemic has brought further urgency to the broader issue of diversity as workplace demands and changes have starkly illuminated gender issues in the law and beyond.

As we enter a “women’s recession” we must now reckon with how attorneys, as a profession, can achieve and sustain the practice of law in a way that better reflects our society, at all levels of a firm, from the new associate fresh out of law school to the ranks of senior equity partners.

Mentorship has always defined the legal profession, as traditionally one generation passes along the tricks of the trade to the next. Law school teaches legal principles and structures, but senior lawyers have the task of teaching young lawyers how to practice and, over time, how to take over and sustain the firm for the next generation.

Over the past decade, many law firms have made a commitment to diversity by improving their entry-level hiring practices, with women and men starting their legal careers in almost equal numbers today. Mentorship of these junior attorneys is easy, as they are emerging from an academic setting and are receptive to learning how to write memos, prepare persuasive briefs, acquire basic contract drafting and negotiation skills, etc. It’s a good start, but not responsive to the need to promote inclusion at all law firm levels.

### **The Existing Model Has Not Benefited Women**

The problem is that the mentorship model has never operated to the equal benefit of women attorneys. At the most fundamental level, the cause can be attributed to comfort and the traditional senior lawyer demographics—predominately male.

It is not difficult to appreciate that it is more comfortable to interface with (and mentor) those who are “like us”—i.e., went to the same schools, have the same interests, and yes, look like us. But not all attorneys are “like us,” and a preference for comfort over equality has created systemic gender imbalance in the law.

Unlike their male counterparts, women attorneys are often perceived as having to choose between their career and family. Any disruption to the traditional path to partnership, such as a temporary step back to start a family, can become permanent for women as their connection to senior mentors is lost because consistent contact is more “comfortable” for him.

#MeToo has also been cited as a “comfort” consideration, with some senior male attorneys expressing concern that their efforts to mentor women might be misconstrued. This concern is misplaced. While mentorship does require the mentor and mentee to get to know one another, male attorneys should have no cause for concern if their motivations are aligned with the concept of mentorship.

The three “C’s” of mentorship are Consultant, Counselor and Cheerleader. The role of consultant is obvious. The role of counselor is about understanding, which involves listening to the mentee and tailoring advice to fit their individual situation and perspective. Mentors cheerlead by providing enthusiastic support for their mentee and championing them within the firm.

Remaining true to these roles is anathema to the sexual misconduct of #MeToo, which is about abuse of power. It is certainly not about teaching and otherwise assisting women in becoming better lawyers.

### **Mentoring in the Business of Law Also Is Needed**

There is a final area of discomfort for many senior attorneys which isn’t specifically about gender but still affects women. Equality ultimately requires mentorship in the business of law, which is where “leadership potential” becomes real opportunity to reach the pinnacle of the firm.

Mentorship at this level involving senior associates and junior partners focuses on the ability to lead projects and, ultimately, on client relationships. Success at this level involves a reduction of control, appreciating that expanding the leadership team should not be perceived as a threat to the senior lawyer’s “book of business,” but rather growing a larger pie.

History shows that men would rather cede that control to other men, which is reflected in the persistently low percentage of women equity partners. This lack of diversity is increasingly taking the legal profession out-of-step with those they serve.

### **Firms That Elevate Women Serve Clients Better**

As clients expand their commitment to diversity and inclusion to their in-house legal departments, law firms that elevate women attorneys to client and matter leadership positions better reflect the perspectives of their clients, improving communication and efficiency. These connections ultimately benefit the firm and illustrate the goal of mentorship.

By creating a path for women attorneys to gain experience and a “business” that they can carry into the next stage of their careers, mentors provide a foundation on which to build. Only when this opportunity is available for everyone will it permeate throughout the structure of a law firm and create gender equality.

This result, however, is dependent on those currently in power acknowledging the benefits of gender equality and accepting their responsibility in guiding a new, more diverse generation to law firm leadership. Now is the time for those senior lawyers to critically analyze their role and ask themselves if they are part of the solution.

*This column does not necessarily reflect the opinion of The Bureau of National Affairs, Inc. or its owners.*



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