

MOTHERS AT LAW

Achieving Meaningful Success
In The Legal Profession

**ABOVE
THE LAW**

Generally speaking, our society does not do a particularly good job of supporting working mothers, and the law is no exception. It is well known that law firms tend to have business models that put women, especially mothers, at a disadvantage. But in the small law firm and solo practice setting, there may be a panacea for all the ills that seem to plague lawyer mothers, ranging from work-life balance (or the lack thereof) to financial considerations. Above the Law published a series of articles on motherhood in the legal profession in partnership with our friends at MothersEsquire, an organization that seeks to achieve gender equity in the legal profession, and several of them appear here. Is it possible for working mothers to achieve success as lawyers? Absolutely, and here's the proof.



WHY I'M GLAD I POWERED THROUGH AFTER HAVING KIDS

Each of us must choose what is right for us from the options we have available—and it won't be easy.

By CLAIRE E. PARSONS

Let's face it: the first year after having a kid is just tough. There's sleep deprivation. There's a new tiny human who depends on you for everything. Literally everything. All the while, you are still recovering, mentally, physically, and emotionally, from bringing this tiny human into the world. And, if it's your first, you may have no idea what you are doing. About any of it. When you put it this way, it sounds crazy that any person would say it's a good idea to add law practice into the mix after a few too short months.

But, like lots of other moms, I did it. Many days were horrible. I considered giving up all the time. I wish it had been different. It should have been different. Now, with the benefit of perspective since my kids are nearly 3 and 7, I'm glad I just powered through it.

Why? I could say it in a number of ways, but it comes down to one word: control. Two years ago, I made equity partner at my firm. This means that I have the power to make decisions about my own schedule. I can work remotely from home when I feel like it or if there's a snow day or one of the kids is sick. I can cut out early to get to a school function or handle a doctor's appointment or do something to take care of myself. And I don't have to ask anyone for permission. I don't need anyone's permission. I'm the boss. In other words, because I'm now a decisionmaker at the firm I also get to make decisions for myself. When you have kids and your spouse works too, that control really makes a difference.

WHY I'M GLAD I POWERED THROUGH AFTER HAVING KIDS

Don't for a minute think that I am saying this is easy. It's not easy. Not for a single one of us. After my first child was born, I found myself at a crossroads when after months and months I still had not figured out the magic trick to get her to sleep through the night. My litigation practice was incredibly busy, I had just moved, and I was not getting any sleep. It showed in my demeanor and I considered almost every day going part-time or taking a break from law for a while. As tired as I was, one thing ultimately helped me make the decision: I didn't want to stop my practice, or slow down, or take a break. I wanted to keep practicing full-time, so I made it work. I powered through.

In retrospect, I see how brief that year was and how quickly things changed. In the span of a few days, my life changed for the better when my husband and I finally tried sleep training and, miraculously, it worked. Though it is annoying to admit it now, those strangers who like to offer you the unsolicited advice that "it all goes by in the blink of an eye" may have a point. For many new parents, the early times with a new baby are rough but they may improve quicker than you'd think.

This isn't to say that I think all women lawyers should just suck it up. To the contrary, each of us must choose what is right for us from the options we have available. The reason that powering through worked for me was because I stopped listening to the noise in my head about what I should do and instead tried to focus on what I wanted for me and my family. The truth is that, while it was hard to do as a new mom, I loved my practice and didn't want to pause it or slow it down. In addition, I'm not saying that new parents (but especially mothers) should be put in this position. The legal profession is starting to understand how parenthood puts an unfair burden on women attorneys in particular, but we still have a long way to go.

If you are wondering whether you can hang in there, consider the long-term results that staying home or reducing your schedule can have on your career and your life. I hope one day that this choice won't be so hard but I'm glad I stuck with it because I was able to continue developing my practice, building my reputation, and climbing the ladder within my firm. It gave me a position, a practice, a reputation, and a level of control that I really enjoy now. In other words, if you find yourself at the same crossroads where I found myself years ago, consider not only how your family's life is right now, but what you want that life to be in the future. Sometimes the hard choices we face right now can make life easier down the road.



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HOW NETWORKING CHANGES (FOR THE BETTER) WHEN YOU BECOME A LAWYER MOM

Being a lawyer and a mom is tough, but being part of the lawyer mom network could be the best thing to ever happen to your career.

By SARAH E. SPIRES

One of the most vivid memories from my childhood (for some odd reason) is the first time I heard the term “networking,” as we think of it. My high school algebra teacher made an offhand comment about words changing in meaning over time (I wish I could recall why this was part of an algebra class), and specifically referenced “networking.” She must have assumed we all knew what this was (we didn’t — my mind went to computer networking), since she didn’t elaborate. Or maybe she didn’t elaborate because she, like so many of us still, had not quite figured out what networking truly is, or how to succeed at it. This theme of assuming people know all about networking — what it is, how to do it, etc. — has been pervasive throughout my life.

I spent the majority of my career in Biglaw, where we were giving an annual “networking” budget. In short, this meant we got to go out to a few nice lunches and dinners with our non-lawyer friends, and on the firm’s dime (always with a light-hearted chorus of “Thank you, Uncle [Firm Name Here]!” at the end of the meal). Most of us — myself included — never truly understood or cared about networking, since we knew clients only put up with our insane billing rates to have our firm on the case, not us as individual “baby” lawyers.

Five years ago, I moved to a boutique firm (common in my field of patent litigation), and suddenly, networking actually mattered. I had more reasonable billing rates and could offer all sorts of alternative fee arrangements that made me attractive to clients, even at my level of seniority. I immediately started trying to network, and had some limited success. But a year later, I was pregnant, and then suddenly a new mom to a gorgeous baby girl. Everything in my world changed, including my newly established networking routines. The happy hours, book clubs, dinners, and conferences that used to be so fun (and valuable) for me now suddenly meant missing the single hour or so in the evening that I got to spend with my daughter. I quickly realized that this wasn't a sacrifice I was willing to make anymore, even for my career that I had worked so hard to build.

But if you're a junior partner (like I am now), the primary way to build your practice is to get out there and make a name for yourself in your community and your practice area — in short, network. But as a new mom, I realized that if I was going to be able to continue networking, the meaning of this word was going to have to change again, just as it had for me in high school. My old way of doing things wasn't cutting it, so I had to find new ways.

Once I began looking, I found that there is enormous strength in being part of the lawyer mom network. There are so many groups out there, both locally and globally, focused on lawyer moms. These groups get it (and by "it," I mean just about everything), and so they trade the happy hours and dinners for online discussions and events after bedtime or during lunch — i.e., times I am already away from my daughter.

What's more, the connection I have with other lawyer moms is organic — the word people have always used to describe successful networking to me, but without ever explaining how to accomplish this. In other words, I have found that I often have an instant bond with the lawyer moms I meet — both virtually and in real life. Our lives (and practices) are obviously different, but so many of our experiences (and struggles) are shared. And because these women realize that it does truly take a village to do what we are doing, they put so much effort into lifting each other up. Whether it is answering daily parenting questions, tackling truly difficult life circumstances, or yes, even providing referrals, these women have become the types of connections that produce truly valuable networking — and true friendships (I am starting to see that often, there is not really a difference). These women in my new mom networks know (and have taught me) that networking is much more than about what others can do to help us — it is about knowing that lawyer moms are truly a "herd" — and that by lifting each other up, we make the road a little bit smoother for everyone.



Sarah E. Spires is a "lawyer mom" in Dallas, Texas, and a partner at the IP litigation boutique of Skiermont Derby. She focuses her practice on intellectual property litigation, and particularly patent litigation and inter partes reviews. She is a self-proclaimed "tech nerd," and loves getting to dig in and learn the technology of each new case. She is married, has an almost-three-year-old daughter, and a Boxer rescue dog name Bella. Pre-kids, she loved to travel (and even practiced patent litigation in Tokyo for several years), play volleyball, and try out new restaurants. Now, she can often be found at the best toddler-friendly restaurants in Dallas. You can read more about her law practice, and find her on Facebook, Instagram, and Peloton (LawLikeAMa).



FORGING THE PATH THAT WORKS FOR YOU

We get so caught up in following the path we think we should be taking that we sometimes forget to consider the path we want to take.

By EMILY HUNTER PLOTKIN

The law provides many different paths to success. The hard part is finding the one that's right for you. We get so caught up in following the path we think we should be taking that we sometimes forget to consider the path we want to take.

That was where I found myself in 2018. My husband and I had both chosen career paths based on what we thought we should be doing. We had both gone to law school, both spent time in Biglaw, then both moved up the standard trajectory to solid, in-house jobs with Fortune 500 companies. On the home front, we had two active elementary-age boys. Any time not working was spent shuttling them to their activities or trying to squeeze in a little time for ourselves. From the outside, it looked like we had figured out this whole work-life balance — we had the work, we had the family, we had our health, and we even found some time to travel. But instead of feeling balanced, we were on a seesaw, constantly teetering back and forth and poised to fall hard with one wrong step.

At work, I attended a women's leadership development program. I had said I wanted a seat at the table. I said it because that was what I was supposed to say. But then someone asked, "Is this the hill you want to die on?" I realized that it wasn't. I didn't actually want that seat at the table, no matter the cachet of a leadership position at a Fortune 500 company. I will help others take that seat, but I did not want it for myself.

What did I want? I knew that deep down, I enjoyed the practice of law. I also wanted to be a working mom role model for my boys, but how could I do that when all they saw of me was the desperate charge to get them out the door in the morning and a similar struggle in the evening to get them to bed so we could start all over the next day?

I began taking stock of the specific nuggets of the practice of law that meant the most to me. Much of my practice had been spent in mediation, and I realized I enjoyed facilitating successful resolution. Similarly, I loved figuring out creative solutions to solve sticky workplace compliance issues. To that end, I also loved training my clients and sharing ways to issue spot to prevent small situations from morphing into massive meltdowns.

The idea of hanging out my own shingle to practice employment law and provide mediation services was starting to brew. But I was also that typical risk-averse lawyer who was scared of taking such a huge leap. When and how would I do it? Could my family support it? Was I committing career suicide or inadvertently setting women back by declining the offered seat at the table? Could this same type of choice be available to a lawyer dad, or is it considered a "mommy-track" role?

Fortuitously, an opportunity found me in academia — Professor of Legal Writing at our local law school. This fit my personality perfectly. It was an opportunity not only to teach but also to mentor a whole new crop of lawyers. Some of these lawyers would thrive in Biglaw, some would put out their own shingles, some would enter the public sector or focus on public interest. Probably some would end up in academia themselves. Specifically, though, I would be teaching them a practical skill that they could use no matter what type of path they ended up taking themselves.

In the summer of 2018, I created my new path — part time law professor, part time solo practitioner. I focused my career on the specific aspects of the law that I love: counseling, facilitating, and teaching. Having stripped off the meaningless obligations, I have more time for each of the roles that mean the most to me: mom, wife, daughter, friend, and lawyer.

Back to those questions I asked myself. The when and how turned out to be easy — find a job, start when the semester starts, and hang out the shingle at the same time. Could my family support it? Yes, because they got me in return. Was I committing career suicide? No more so than taking a seat at a table that I didn't want and failing miserably. By not taking the seat, I also left it open for someone who did want it, and kept opportunities open for me to find a seat at a table that fit me better. Is this choice one only for the lawyer mom to make? No. If the lawyer dad wants to choose a different path than the one he is on, he can do it, too. For us, our lawyer dad has found his niche, is very happy in it, and has no desire to change paths. Part of choosing the right path is accepting and supporting others' own paths. We have done that for each other.

This path I have chosen is my own path. It may still move in any number of directions. It's also a path built on previous decisions. I have the confidence to take this path because of my experience in private practice and in-house. I also have the confidence after taking the time to watch some of my lawyer mom friends forge their own amazing and unique paths. Some have found success in the corporate world, some have found success running their own practices, some have found success at the forefront of political causes. Seeing these women forge the paths grounded in their values made me realize I can do this. We all can do this. All it takes is recognizing that there is no single path to take, but that if you take the time to step back and focus on what means the most to you, a successful and fulfilling path will reveal itself.



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SOLO PRACTICE AS THE WORK-LIFE BALANCE SOLUTION: HOW MOTHERHOOD LED ME TO LAW FIRM OWNERSHIP

Motherhood can drive your success in other areas of the legal profession.

By SARAH FELDMAN HOROWITZ

I have never considered myself to be a risk taker. I don't even like roller coasters. So how did I decide to take a life-altering risk, and quit my comfortable, part-time federal government job to start my own law practice? One word: motherhood.

Like most women in my generation, I was raised to believe that there was nothing contradictory about being a successful professional and having a family. After my first daughter was born, I went back to work full-time after a four-month maternity leave, even though I desperately wanted to be home with her. I thought that returning to work is just what you were "supposed to do," and was terrified that even a short résumé gap would ruin my career. After having my second child, I switched to part-time employment, and found a sweet spot with being able to act like a professional on some days, and a stay-at-home mom on other days.

After the birth of my third child, I started to feel like my work-life balance was shifting towards home and away from work. Even on the days I was supposed to be working, I constantly needed to take time off to care for a sick child or attend a school event. My job was very supportive, especially because I did whatever I needed to do to get my work done, including working on my days "off" and at night. But being up several times a night with my kids, and then having to wake up the next morning, rush to get everyone to school, and then just to sit at my desk and be too exhausted to function just wasn't working for me anymore.

But I knew I wasn't cut out to be a full-time stay-at-home mom either. I loved being at home with my children, but as any parent knows, taking care of young children can be very overwhelming and exhausting. Also, the thought of not earning an income went against my values of being a self-sufficient, independent woman, and I didn't feel like I'd be able to justify spending money on non-necessities if I wasn't earning my own money. I worked hard in college and law school, and wanted to use my degree, but needed it to be on my own terms.

So, I decided to start my own law practice. I justified the risk by telling myself that even if I didn't get a single client, I would still be able to put my law practice on my résumé, avoiding a résumé gap. I could practice law, hand out business cards, and share my website, while at the same time, plan my schedule around my kids' events and doctor appointments. I also desperately wanted to be able to maintain a level of basic self-care for myself, including eating three meals a day, and getting enough sleep and exercise — all of which I was previously neglecting.



SOLO PRACTICE AS THE WORK-LIFE BALANCE SOLUTION: HOW MOTHERHOOD LED ME TO LAW FIRM OWNERSHIP

To start generating business for my law practice, I decided to try advertising on several local parenting listservs that I joined in past years to find a nanny and sell baby gear. I wasn't completely prepared for the overwhelming response I received, and suddenly found myself with a booming practice overnight.

A year-and-a-half into my business ownership adventure, my law practice is more successful than I ever imagined. I receive inquiries almost every day, and recently hired a paralegal to help with my workload. I decided to increase my childcare to have the flexibility to meet with clients whenever I wanted, but I also have the flexibility to plan client meetings around my kids' schedules. I was able to take off the month of August 2018 to go on vacation with my family and get organized for the school year. I checked my work email during this time, and worked a little in the evenings to keep my client work flowing, but I wouldn't have felt comfortable asking any employer for a month off.

I won't say that owning my own law practice isn't stressful at times, but it is definitely the most exhilarating professional experience I've ever had. And also the most lucrative. I think that work-life balance is always evolving and that the key is to constantly examine where you are and where you need to be in order to achieve optimal balance.

As I am writing this article, I am home with my daughter who is home sick from school. Even at my supportive government job, I'm pretty sure I'd be fired by now for missing so many days of work this winter with each kid taking turns being sick for the past two months. Even if my job didn't fire me, I would have felt guilty for being a bad employee, and would have been stressed about finding back-up childcare.

I wish I could go back in time to tell myself how things would turn out when agonizing over the decision to quit my job. But I honestly don't think I would have had the courage to take this risk without motherhood pushing me in that direction.



Sarah Feldman Horowitz is a mother, lawyer, and “momtrepreneur” in Chevy Chase, Maryland. After completing a judicial clerkship and working at the FDA for six years, she decided to start her own mobile estate planning law practice, with the goal of making it easy for parents to cross estate planning off their to-do lists. Before spending the majority of her time on child rearing and lawyering, she used to enjoy activities like hiking, yoga, and biking. For more information about her law practice, please visit www.sarahhorowitzlaw.com, or email Sarah directly at sarah@sarahhorowitzlaw.com.



HOW TO HAVE A MATERNITY LEAVE WITH A SOLO PRACTICE

Be patient with yourself and you'll realize that maternity leave won't negatively impact your career.

By ADRIANE S. GRACE

“Voir dire” is legalese, and French for “to speak the truth.” The title of this post is a tad misleading because, truth be told, you can't have it all; at least, not all of the time. But I believe that you can have a little of everything, most of the time.

When I started my solo journey, I was a mother to one child and working part-time. The part-time solo gig allowed me to practice my craft while spending precious mommy-and-me time with my preschooler. Now, five years later, I have two children and a busy solo practice. However, this was not always the case, especially right after my second child was born.

What I learned about maternity leave with a solo practice is that nothing is permanent and time can be a great equalizer. My tips for maternity leave with a solo practice derive from this mantra.

TIP 1: SCALE BACK, INCREMENTALLY

If you are a true solo, then you wear many hats. You answer all phone calls, draft and file the pleadings, implement marketing strategies, manage the finances, and the list goes on. But when baby arrives, be prepared to “let it go,” or get help. My strategy was to let it go, and in the long run, it worked out just fine. This meant scaling back my practice the closer I approached my due date. As I reached the third trimester of my pregnancy, I stopped taking new cases and rolled off the court appointments list. I focused instead on ramping up my existing cases to a completion point one month prior to my due date (some babies arrive early!). By the 36-week mark, I had made my last court appearance. Two weeks later, my son was born.

My Social Security practice was another story, however — those cases move at the federal government's pace. Fortunately, I knew that appearances in these cases would not be necessary during my leave. Otherwise, my plan would have been to “get help” — adding trusted co-counsel or hiring other competent contract attorney(s) to make the appearances on my behalf. Pro-ethical tip: If you choose the “get help” route, be sure to inform your clients well in advance of your maternity leave and amend your representation agreements where necessary to reflect this arrangement, especially if fee-splitting/sharing is involved.

TIP 2: GROW YOUR NETWORKS, EXPONENTIALLY

True solos know better than to be truly solo. As a solo, I am always networking as a way to grow my business and improve my craft. As a result, I have a great support network that includes attorneys and other non-legal professionals I trust and rely on. This advice extends to non-business support networks as well. Strong social support networks are invaluable when raising children. Historically, these networks began and ended with our extended families. But in today's economy, education and job opportunities have geographically separated us from these family networks. Although I enjoyed some assistance from family after the birth of my children, it was my non-family social networks that got me through the tougher times.

When my first child was six months old, I joined a moms group primarily to socialize my infant daughter. When my son was born, these moms were the first to bring our family home-cooked meals. There is nothing better than a home-cooked meal prepared by a friend, especially when life becomes an endless cycle of newborn feedings! Now, as our children are older, our group gets together for social outings and book club — a welcome respite from the mental demands of home and work life.

My personal network also includes a veteran solo “law mom” with grown children who has “been there, done that” and has been mentoring me through this journey; a fellow solo “law mom” with two young children similar in age to my own who office-shares with me and is of great emotional support; and local groups of other “law moms” practicing in every area of law in my city who gather regularly for lunch and other social events. These women have helped me countless times through the ups and downs of running a solo practice while being caretaker to two young children. We often text, call, and send messages through social media to each other to discuss case strategy, pass referral business, and exchange ideas on child rearing, childcare, and managing family life and a law practice (e.g., how to motivate your partner to help you with the “mental load” of home life when you have upcoming hearings and trials to attend and prepare for!).

But if socializing/networking is not your thing, you can always “outsource” your network. For example, I also had a great birth doula and postpartum doula with my second child. In reality, the post-partum doula was my secret weapon to a successful maternity leave because she gave me the gift of sleep and physical recovery. The truth is, clients never stop calling or asking for status updates on their cases even when you give them fair warning you will be on leave. Being less sleep deprived allowed me to respond to these requests during maternity leave without missing a beat.

TIP 3: ADJUST YOUR EXPECTATIONS, REALISTICALLY

Because I chose to wind down my practice to take maternity leave, rebuilding the practice took considerable time. During this process, I learned to be patient with myself. I lowered my expectations in terms of the financial remuneration I would achieve in the year following my son's birth. I also readjusted my expectations concerning a reasonable workload. This meant declining “challenging” cases and accepting the type of legal work that would allow me to be a “present” caregiver to my young children. Nevertheless, I have come to realize that in the grander scheme, maternity leave did not negatively impact my career. On the contrary, it gave me a whole new skill set that my clients value, and irreplaceable time with my kids.



Adriane S. Grace is a “law mom” with a solo practice in Frisco, Texas (a suburb of Dallas). She primarily advises and represents clients in Estate Planning, Probate, Guardianship, and Social Security matters. She is married and has one school-aged child and one preschooler. She loves advocating for her clients’ legal rights almost as much as she loves her children. Hobbies are hard to come by with young kids, but when given the opportunity, she enjoys reading, high intensity interval training, and soaking in a bath (often while reading). You can read more about her law practice, and find her on Facebook and Instagram.

BREASTFEEDING ACCOMODATIONS FOR NURSING LAWYER-MOMS STILL DISAPPOINTING

Things are improving for working mothers, but not quickly enough. Action is needed now.

By STACI ZARETSKY

All of a sudden, [women are] at this intersection between a core part of being a mother—feeding your child—and being a professional. It literally feels like a choice between being a good mom, or good lawyer.

— Michelle Browning Coughlin, founder of MothersEsquire, a group with 3,000 lawyer-moms from across the country, commenting on the fact that breastfeeding accomodations for nursing mothers working as lawyers are still not up to snuff. MothersEsquire created a breastfeeding accommodations advisory committee in 2017, and the group is currently pushing for better accomodations in courthouses.



Staci Zaretsky is a senior editor at Above the Law, where she’s worked since 2011. She’d love to hear from you, so please feel free to email her with any tips, questions, comments, or critiques. You can follow her on Twitter or connect with her on LinkedIn.

STAYING ABREAST OF THE LAW

It should not feel embarrassing or unprofessional to ask for reasonable accommodations in order to pump.

By ELIZABETH HARRIS

Almost four years ago, I found myself in an attorney's conference room outside a Houston courtroom, half-undressed in a skirt suit and heels, trying to frantically pump over a brief lunch break during a week-long jury trial. The door did not have a lock, so I shoved a chair against the door and hoped I would have enough time to shout — "THIS IS A PRIVATE MEETING!" — if anyone tried to walk in.

It was my first trial after returning from maternity leave, and I had a four-month-old daughter who was still breastfeeding. At my firm, I had a private office with a lock on the door and a mini fridge next to my desk. There was one close call with a window washer unexpectedly appearing outside my window on the 17th floor — it is amazing how quickly you can dive underneath your desk, even in a pencil skirt and heels. Other than that, though, pumping had been smooth sailing once I got used to the awkwardness of typing emails while sitting half clothed in my office every three hours.

However, a few days before my trial started, it dawned on me that I would have to pump at the courthouse while in trial. And I realized I had absolutely no idea how to make that work.

The judge and all of the other attorneys were men, and I did not feel comfortable as the youngest (and only female) attorney in the courtroom raising the issue during the pretrial conference. (In hindsight, this was a mistake.) I showed up on the first day of trial living on a prayer that I could find a way to make it through the day.

I ended up finding that attorney conference room and making it through the week, but the circumstances were less than ideal. No one should be cross-examining a witness while simultaneously worried that there might be a "situation" involving their silk shirt.

About two months after that trial wrapped up, I had a deposition for a multi-party construction case involving a concrete pump truck breaking down during a pour. Most of the attorneys at this particular deposition were women with children, and I mentioned to them during a break that I needed to pump. The one male attorney was within earshot and I know he overheard me. After we had been going all morning, I requested a brief, 30-minute lunch break so everyone could eat (and I could pump). The witness grumbled, and the older, male opposing counsel said, "Don't blame me. It's not my 'pump truck.'" It was a clear shot across the bow and I did not immediately know how to react.

I got my lunch break, but as I stomped off to pump, I had the realization that it should not feel embarrassing or unprofessional to ask for reasonable accommodations in order to pump. As I sit here and type this today, I am preparing for my first jury trial after returning from maternity leave after having my second kid. And rather than crossing my fingers and hoping for the best, I have already reached out to the court and requested short breaks so I can pump. The court not only happily agreed to the breaks, but has located a room that I can use for the duration of the trial.

My advice to my fellow nursing mamas is to just come out and request what you need. It sounds like common sense, but I was so concerned that judges, opposing counsel, or clients would think it was somehow unprofessional or that it would be an inconvenience to others. However, secretly shuffling off to try to find an empty room at a courthouse in the middle of a trial or pumping in a germ-y bathroom at a law firm during a deposition are not adequate solutions.

You might encounter some people who react poorly, but that is their problem, not yours. Overwhelmingly, I have found that most attorneys are happy to find a room for you to pump in during a deposition, and courts are happy to work in breaks during trial. And if someone calls you a “pump truck,” it is perfectly professional to tell them exactly what you think about that opinion.



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PART-TIME LAW PRACTICE CAN WORK

Part-time work can take many forms, depending on the type of law practice and role you seek.

By MOTHERSESQUIRE

There are many paths to being a lawyer mom, and none is perfect or better than another. For me, part-time practice at a law firm has been the best fit. It enables me to have a key role in daily family activities and to volunteer at school and in the community, all while satisfying my career ambitions and desire to be a professional role model for my two daughters. For others considering part-time practice, I hope this article helps!

Part-time work can take many forms, depending on the type of law practice and role you seek. It can be more challenging or less challenging as the demands of your family evolve. I’ve worked part-time for over two-thirds of my 21-year career at three different small- to medium-sized law firms and in varying capacities.

In my experience, the key to obtaining part-time work is to ask for it. There may be occasional ads for part-time work, but you can’t depend on them as your sole resource. If you’re working full-time now and looking to reduce your hours, ask for part-time by making a proposal, and decide in advance what you will do if the firm is not willing to negotiate. If you’re trying to make a change or re-enter the workforce after being a stay-at-home mom, ask friends and former colleagues for information. Learning about current trends in the law and which firms have a sudden influx of work will help you identify who to approach about assisting in a part-time capacity. By being creative and persistent, you can find part-time work, even if on a project basis.



Another key is to negotiate and set boundaries. Most law firms and headhunters are new to part-time, so they will want to hear what you propose. Carefully consider what hours and days you want to work and how that fits into the practice. Be prepared to discuss options. Some firms may need you to work consecutive full days in the office, others may need a set daily work schedule, and some may offer remote office capabilities. Whatever arrangement you agree to, stick to it. The firm will get used to your schedule and will learn to work around it. Of course, you'll need to be somewhat flexible as the work dictates, but if you make yourself too available after hours, you may find your part-time schedule eroding.

With respect to wages, a reduced salary for part-time can work, as long as your hours don't steadily creep up without a raise in pay. One way to avoid this is to negotiate an hourly rate for billable hours worked beyond an agreed number. You might consider putting an extra premium on those hours.

I prefer an hourly wage arrangement based on billable hours worked. I earn more when I work more, and it also benefits the firm if work slows down. If you're already working full-time, you can calculate a comparable part-time hourly rate by dividing your annual salary by the number of billable hours the firm requires. You may need to adjust the rate upward if you will no longer qualify for benefits that would be included with a salaried position.

If you are changing jobs or re-entering the workforce, a firm may offer a lower hourly rate than what you would prefer. View it as a starting point and a way to get your foot in the door. Also, during negotiations, you can ask that your hourly rate be revisited, such as three to six months down the road and annually. Once they see your value, it's likely your rate and benefits will increase because they will not want to lose you!

It's also important to excel and become an invaluable asset. This is important with any job, of course. Unfortunately, women lawyers and mom lawyers still face bias in the workplace, so blaze your trail in an effective way that makes it easier for other women to follow your path. This includes a willingness to go the extra mile and be flexible. For example, I put in extra hours when writing an appellate brief or handling voluminous discovery so as not to compromise the quality of my work or a client's position. The work gets recognized for its merits when it succeeds, and I feel comfortable balancing it out by taking some personal time to catch up at home or volunteer at school.

Finally, I've found it's important to keep it professional at the office and save my mothering prowess for the family. To gain colleagues' respect, I avoid being the donut-bringer or the cake-maker. Instead, I focus on what would earn professional respect — I seek input and collaboration and try to be a go-to person for research and other expertise. You can't go wrong keeping the focus on your professional skills... unless there's a competition, such as at my current firm where we have an annual contest on National Pie Day when everybody competes. In that case, I compete to WIN!



Anna Piel is a part-time contract lawyer at a small insurance defense firm in Dallas/Fort Worth, Texas. She started a blog for attorney moms at **FlexWorkBlog.com**. She can be reached at anna@flexworkblog.com or through LinkedIn.



MARKETING MOTHERHOOD: WHY MOTHERS BRING IN MORE BUSINESS TO LAW FIRMS

Being a mom can become a marketing niche for you, and perhaps give you an advantage over more experienced attorneys who do not have children.

By NANDA E. DAVIS

“I did my research online and I chose you because you’re a mom too. You get it.” I cannot count the number of times I have heard this from nervous women sitting in my office for their first intake appointment. I’m a custody and divorce attorney in Roanoke, Virginia, and based on my conversations with other attorney moms across the country, I believe my experience is representative of a broader trend. Savvy individuals in need of legal representation no longer open the phone book and cold-call attorneys. Instead, they are carefully looking at online bios to select an attorney they believe would be a good fit for them. For women who are mothers, they are looking for attorneys who are also moms.

I worried that becoming a mom would hurt my business because potential clients would view me as “less committed” to the practice of law. I had no idea that being a mom would become a marketing niche for me, or that it would give me an advantage over more experienced attorneys who do not have children — both in attracting new client business, and advocating for those clients in the courtroom. My clients have rescheduled meetings when I have had to stay home with a sick kid, and they have known when I’ve taken a recess to go pump breastmilk. And far from being frustrated with me, they are supportive because they have been there too.

Seeking out legal advice is a vulnerable experience because intimate details about your marriage, your finances, and many of your life choices not only have to be disclosed to your attorney, but are often on trial. Motherhood is full of mistakes, frustrations, conflicting advice, and fear about whether you’re

doing the right thing. The last thing a mom wants is to encounter an attorney who is going to judge her harshly for parenting choices she's made. That's why she wants someone who gets it. It is impossible to understand the extreme fatigue of those sleepless months with a newborn, or why you might take a baby wipe to puke in your hair rather than washing it out, unless you've lived through it.

Since becoming a mom, I have been better able to prepare my clients to testify at trial about the unique challenges they face with their children. My clients open up to me better. They often feel like they have been truly heard when we go to trial, and I feel that we have educated the judges a little more about some of the challenges of raising children (because although more women are on the bench now, many judges are still older men who were not the primary caregivers for their children).

While my practice focuses on domestic relations, the experience of attorney moms can be equally helpful in other practice areas, such as criminal defense (where the stress of parenthood can affect intent, or questions about childcare should be brought up at sentencing) and trusts and estates (where the unique needs of a family's children should be taken into account in the preparation of wills and living trusts). And even in other practice areas, where potential clients are shopping around, the connection a woman may feel for another mom may be the deciding factor for which lawyer she chooses.

Law firms should advertise that an attorney is a mom in her online bio and attorneys should not be afraid to tell a potential client that they have children too. Lawyer moms financially benefit their firms by both attracting new business, and helping to retain existing clients. The practice of law is changing, and in this case, it is changing for the better. Far from viewing attorneys who become moms as liabilities, law firms should view these attorneys as the resources they are.



Nanda E. Davis opened her firm, Davis Law Practice, in Roanoke, Virginia, in 2014. She specializes in divorce and custody. She is the mother of two boys and active in the Roanoke Chapter of the Virginia Women's Attorney's Association. More about her can be found on her website and she can be reached by email at nanda@davislawpractice.com.



WHAT DO YOU DO WHEN YOU BECOME THE STATISTIC YOU DESPERATELY HOPED TO AVOID?

Most Biglaw firms are built on a business model that puts women, especially mothers, at a disadvantage. Small law firms are different.

By AMY D. CUBBAGE

When I got out of law school, freshly minted as an attorney, I was prepared to change the world for women lawyers. My law school class in the mid-1990s was only 30 percent women, and we felt it. We were told in ways both subtle and direct that we didn't belong. So when I graduated and joined the largest law firm in my state, I had a mission. I didn't just want to make money and rise through the associate ranks to become a partner — I wanted to prove that women belonged, and I wanted to be an example for others coming behind me.

Fast forward 10 years. I'd done what I set out to do. I'd become a partner in a large law firm. I had a (reasonably) thriving practice. I'd helped other women coming up behind me. Then I become a mother.

Motherhood was not a surprise. What happened after I became a mother, however, completely knocked me on my ass. I saw other women in my firm struggle after becoming a mother, but I had discounted those struggles and thought I'd be different. They were weak; they were sellouts. They let themselves become part of the sad statistic, the large number of women who quit the law after becoming parents. They didn't understand they needed to stay strong for the other women in the firm. Being a mom and a lawyer was hard, but women lawyers know hard. Adding motherhood wouldn't change that. It was all part of the package of being a woman lawyer in this day and age, and it was on me to hang strong.

WHAT DO YOU DO WHEN YOU BECOME THE STATISTIC YOU DESPERATELY HOPED TO AVOID?

I knew being a mom would be hard, but I had no idea just how hard it was going to be to balance being a mom and being a lawyer. Our society does a horrible job of supporting all working mothers, and the law is no exception. Most law firms, especially large ones, are built on a business model that puts women, especially mothers, at a disadvantage. Work assignments inside the firm, work I relied on as a young partner without a large book of business, dried up. No one wanted to give work to the new mom who was regularly at doctors' and therapy appointments for her new child. Never mind that I still got the work done. The perception was that a young mom with a needy child couldn't keep up, and perception is reality. I started feeling pressure, both in the sense of feeling like I didn't belong anymore and in the sense of declining compensation. My compensation took a nosedive after becoming a mom, even though I was working the same number of hours.

It was hard to admit to myself how wrong I was. My physical and mental health were suffering because I felt pressure at work and at home, and I was taking out the stress on my long-suffering husband. Even though I knew I had to make a change, it took me over two years to admit to myself change had to happen. It was clear to me that women who had given up on the Biglaw life weren't sellouts or failures, but for some reason it wasn't obvious to me that I wasn't a sellout or failure if I stepped back for a bit. I couldn't extend myself the grace I now extended to the lawyer-mothers who came before me. The idea that it was all on me to save woman lawyer-kind was a part of my identity since law school, and if I were honest with myself, even before law school. How could I jettison such a fundamental part of my working identity? How could I become part of the statistic I abhorred? I couldn't be just another working lawyer mom who quit law firm life.

Even when it was obvious a change needed to happen, I couldn't make it without internally deeming my whole law career a failure and seeking a total career change. I obviously had to leave the law altogether since I was a failure. I took a part-time position with a mid-sized firm and planned to get a master's in social work. But, once I started that part-time position, it started to dawn on me that maybe the world didn't have to be on my shoulders. I slowly began to forgive myself and realized that I hadn't failed anyone, whether myself or other women lawyers. That was a fantasy. I began to see there was a way forward in law practice that didn't make me a martyr. More importantly, I began to enjoy practicing law again.

It's been almost exactly eight years since I left my first law firm, feeling like I'd failed myself and other women lawyers. Giving up that burden is the best thing that ever happened to me. I rediscovered a joy for law practice, and I adjusted my expectations. I can contribute and be an example of a working lawyer and mom, but I know now the burden is not only on my shoulders. It can't be and shouldn't be. I can still contribute to the greater profession. In fact, I'm finishing up my sixth year as a member of our state's unified bar association, and I'm planning on running for an officer position in the fall. I'm back to full-time work and I'm a partner in a small law firm that gives me the flexibility I need as a mom. I'm not living the life and career I thought I would when I got out of law school, but that's okay. I've got something better, and I'm not a statistic.



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