

DISSERTATION SUMMARY:
A Qualitative Study of the
Lived Experience of
Black Women Equity Partners
in Elite Law Firms



BY

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INTRODUCTION

This article discusses the results of a qualitative study of Black women equity partners in AmLaw 100 law firms completed as part of my doctoral dissertation. The impetus for my study began with a series of observations that are well known to law firm diversity professionals. First, despite their ostensible commitment, elite law firms have a long-term challenge in improving diversity and inclusion. In addition, by disaggregating lawyers of color in these firms, a better picture of the nature and extent of the challenges emerges. Finally, I felt that it would be beneficial to go beyond business related considerations that are essential for the success of Black women equity partners and to examine their personal values, attitudes, motivation, and perspectives.

Studies focusing on Black women equity partners in *AmLaw 100* firms are infrequent. Moreover, extant studies tend to give greater emphasis to economic considerations related to business development and client relations that contribute to or inhibit success in corporate law firms. Such considerations are relevant for all partners and the women in my study and provided important data points that defined key drivers that impact success at the equity level. However, my study took the further step of examining the subjective insights and personal perspectives of Black women equity partners in *AmLaw 100* firms. Doing so revealed a more intimate view with respect to the professional and personal lives of Black women equity partners.

The examination of subjective and interpersonal factors that impact lawyers, including women of color, is not new. Studies by Catalyst (the “Catalyst Study”¹) and the ABA Commission on Women in the Profession (the ABA Report) prepared by Arin Reeves² explored interpersonal and intrapersonal factors that shape the experiences and perspectives of lawyers in various settings, including elite law firms. The Catalyst study of women of color in U.S. law firms examined behavioral adjustments required to “fit” in law firm settings³. Findings from the Catalyst study also pointed out the challenges lawyers

of color must confront as they build and sustain relationships within their firms. Finally, Reeves has analyzed success strategies for women of color and identified a variety of intrapersonal perspectives that women adopted to promote their success, including self-confidence, commitment to excellence, and focusing on physical, mental, and spiritual self-care⁴. The second wave of the *After the JD Study* (2009) explored a number of variables that effect the careers and experiences of lawyers including dimensions of job satisfaction, intrinsic motivation and relational considerations. It also included results related to work and personal life balance, and the impact of marriage and family on women and lawyers of color (American Bar Foundation, Researching Law, 2009). These studies offered important data that contributed to a more complete picture of the experiences of attorneys of color in the legal profession. However, the aforementioned studies did not consider equity level attorneys in elite law firms and, therefore, is distinguished from my research which specifically related to Black women equity partners.

THE LAW FIRM ENVIRONMENT

A beginning point for a discussion of the experiences of any attorney pursuing a long-term career in a large law firm is an examination of the drivers of

1. Deepali Bagati, *Women of Color in U.S. Law Firms*, (2009).

2. Arin Reeves, *From Visible Invisibility to Visibly Successful: Success Strategies for Law Firms and Women of Color in Law Firms* (2008).

3. *The Catalyst Study*, at 20-21.

4. *The ABA Report*, at 14-16.

and impediments to success. Inasmuch as White males dominate elite law firms, an understanding of the explicit and subtle ways that such dominance is expressed is important for historically underrepresented groups.

Black women who have achieved equity partner status must develop the capacity to navigate individual and systemic variables in settings that have historically been dominated by White men. Inasmuch as Black women have been persistently underrepresented in elite law firms, their path to success is informed by an understanding of their ability to meet challenges beginning as associates and continuing to partnership. Law firms have sought to address the long-term effect of White male dominance through various diversity-related efforts. Seminal research amply demonstrates that success in elite law firms cannot occur without vital prerequisites. The subjective nature of the process of having a successful career creates challenges for associates of color and oftentimes means that they are not well positioned to be as productive and profitable to their firms. The low representation of Black women at the equity partnership level is directly tied to a winnowing process that starts at the associate level (Wilkins & Gulati, 1996)⁵.

Despite these challenges, some Black women equity partners have been highly successful and have achieved positions of significant influence within their firms. The challenges and successes of Black women provided a framework for developing a research-based perspective regarding their experiences as senior level partners in elite law firms.

Against this backdrop, the experience of the women in my study was elucidated by an examination of research related to subtle forms of exclusion, marginalization, and constraint. This was achieved through an analysis of research related to coping, resilience, stress management, non-physical aggression and the related concept of micro-aggressions, second-generation bias and emotional

intelligence.

Racial and gender considerations provided an important context for data collection.

My study included research that informed a discussion of race and gender and their implications with regard to the experiences of Black women equity partners. I also reviewed research related to Black women in senior level positions in other professional settings. In each professional setting, I considered the impact of race and gender on structural, cultural, and behavioral dynamics.

PROFILE OF STUDY PARTICIPANTS

My study included 18 women from firms with offices across the country. Although they shared similarities in various respects, there were a number of differences within this group and, to an extent, among their firms. Those differences provided an important context for discussing their experiences.

The women in my study completed a questionnaire and participated in extensive interviews.

The data collection process provided a framework for the discussion of key questions about their experiences. Similarities and differences emerged based on the following factors that were captured in the written questionnaire:

- ◆ Age range
- ◆ Other work experience
- ◆ Partnership tiers
- ◆ Time to equity partnership
- ◆ Billable hours
- ◆ Total work hours
- ◆ Personal relationships (significant others; children)

Qualitative data came from interviews of the Black women participants. Such data provided the foundation for the grouping of participants and the development of key themes.

5. David B. Wilkins & Mitu Gulati. *Why Are There So Few Black Lawyers in Corporate Law Firms—An Institutional Analysis*. 84 *California L.R.* 84(3), 496-615 (1996).

KEY FINDINGS

PARTICIPANT GROUPINGS

The experiences of women in this study can be understood through three distinct categories of the participants:

- ◆ **Strategic Relational Group**
- ◆ **Adaptive Resilient Group**
- ◆ **Alternative Career Group**

Interview data from the women in the Strategic Relational Group reflected high levels of success and broad satisfaction with their firms.

These participants did not view their race or gender as having a limiting or negative impact on their experiences of becoming or maintaining their status as equity partners.

They were able to develop strong relationships with key partners who actively promoted their ascension to equity partnership. Their experiences are consistent with the following quote:

What I did feel was, what I've always felt at this firm, and what I still feel at this firm, and that is it's truly a meritocracy. I've never felt any judgment or decision-making based on anyone's background. It's always based on ability, personality, and willingness to be part of a team and to build the firm.

By contrast, participants in the Adaptive Resilient and Alternative Career Groups identified race and gender as having an impact on them.

The participants in the Adaptive Resilient Group had similar outcomes to the women in the Strategic Relational Group although they faced significantly greater challenges getting to those outcomes.

Women in the Adaptive Resilient Group exhibited a strong ability to overcome difficulties related to race and gender to achieve success. Their experience is captured in the following observation:

We don't have a lot of institutional clients; it's all independent—getting your own clients basically. Here we're almost all entrepreneurs and rainmakers. And I can see it around the table; the people with the highest origination make the most money and they can pretty much do what they want. It's much harder for me to get business definitely because of biases. I mean there are gender biases to begin with, and then on top of that you've got the fact that I'm a minority woman. So I believe I have to work much harder, getting business from people who don't know me because I have to prove myself multiple ways over.

The women in the Alternative Career Group reported greater barriers within their firms in comparison to women in the other two groups.

They had the most personal difficulty as equity partners and were more inclined to ascribe certain aspects of their experiences to race and gender-based behaviors.

The collective impact of these challenges was significant enough that the women in this group retired, were resigned to leave, or were giving very serious consideration to other professional options. Although their challenges differed, the following statement captures the frustration that women in this group articulated:

I do have a passion about (my career). But it's a tired passion. You know, I've been doing this for a long time. Sometimes it feels like Sisyphus's rock, you push it back and then it rolls back over you. And so you get up and you're bruised and bleeding, and you push forward a little bit more.

In essence, success for the women in my study was correlated to the barriers they identified.

Table 1 provides an overview of the impact of firm barriers on participants based on the three group designations. My study explored these barriers and the extent to which they constrained success, if at all.

TABLE 1

IMPACT OF BARRIERS ON SUCCESS OF BLACK WOMEN EQUITY PARTNERS IN ELITE LAW FIRMS



KEY THEMES

Five themes provide more specific context for the experiences of women in this study and were examined in detail. The first was Firm Culture, Structure and Processes. It was the most complex theme, giving rise to the following subthemes:

- ◆ Client Relationships
- ◆ Leadership Opportunities
- ◆ Mentorship and Sponsorship
- ◆ Diversity Commitment and Impact
- ◆ Lateral versus Organic Partners

The remaining four themes provided significant details regarding the values and more personal aspects of the experiences of the participants. Those themes were denoted as follows:

- ◆ Racialized and Gendered Interactions with Dominant Group
- ◆ Coping and Stress Management
- ◆ Motivation and Inspiration
- ◆ Work Family Integration

The collective import of these five themes suggests complex and nuanced dynamics that explain law firm life and shape the perspectives of the participants with regard to their firms.

DISCUSSION OF KEY THEMES

CULTURE, STRUCTURE, AND PROCESSES

The narratives of study participants revealed a mix of experiences related to firm culture, structure, and processes. For the most part, the participants did not discuss culture, structure, and processes as independent drivers of their experiences and perspectives but rather as integrated factors that crossed multiple dimensions. However, certain aspects of law firm life are so fundamental that they tended to have overarching significance. These were captured by the above-mentioned sub-themes.

CLIENT RELATIONSHIPS

Virtually all participants discussed whether the predominant client relationships were institutional or the result of a more entrepreneurial approach and how that impacted their experience. Inasmuch as a significant majority of participants worked for firms with a more entrepreneurial orientation, client development emerged as a key challenge—one that was complicated by relational and broader systemic dynamics. Most of the 18 participants in this study expressed the view that race, gender, or both were seen as relevant to client development challenges.

LEADERSHIP OPPORTUNITIES

In each of the participants' firms, numerous administrative committees were typical and the opportunity to participate on committees, particularly the more influential committees, affected the experience of participants. By taking a leadership role, a participant can enhance her reputation and gain greater influence. At the same time, assuming administrative roles can impinge on billable opportunities. Further, several participants questioned whether some appointments were offered

to them as “window dressing” to burnish the firm’s ostensible commitment to diversity. Thus, committee appointments were a source of ambivalence for participants especially in those cases where client development opportunities were constrained.

MENTORSHIP AND SPONSORSHIP

Having a sponsor or champion is an essential prerequisite to success in elite law firms. There was a range of participant perspectives regarding their experience with sponsors or champions and the quality of their relationship with these individuals. In addition, virtually all participants recognized that part of their responsibility was to support associates, especially associates of color.

DIVERSITY COMMITMENT AND IMPACT

Participants’ view of the quality of their firms’ commitment to diversity was central to all discussions. However, their perspectives regarding that commitment varied. For the most part, participants defined the quality of the firms’ commitment to diversity based on improvement in the numbers of historically underrepresented groups. Focusing only on numbers suggests an approach that does not give adequate consideration by firms to systemic or structural impediments to improving diversity. It seemed to contribute to the frustration articulated by some participants regarding the lack of meaningful progress in improving diversity and promoting inclusion within their firms. The quality of a firm’s commitment to diversity and the experiences of participants also could be evaluated based on personal considerations. Such considerations included whether the participants were among the few Black women, or the only one, at the partner level and their experience related to such status. Frequently, being “the only one” created a quandary for participants. Although it reflected a frustrating lack of diversity-related progress, it also led to opportunities.

LATERAL VERSUS ORGANIC PARTNERS

Being among a small group of Black women or people

of color was compounded if the attorney joined her firm as a lateral hire at the partner level. The experience of joining a firm as a lateral hire rather than moving up organically in a firm gave rise to significantly different experiences for participants. The lateral partner must develop relationships, adapt to firm culture and learn to navigate perils and pitfalls. In some instances, participants made the transition smoothly. In other cases, they confronted various challenges. A number of participants who joined their firms as lateral partners offered comments reflecting the impact of race and gender on their transition and opportunities for success.

The experiences of the Black women equity partners in my study were also shaped by data tied to the remaining four themes. These themes tended to reflect more subjective or personal views.

RACIALIZED AND GENDERED INTERACTIONS WITH DOMINANT GROUP

There was a consistent theme related to race and gender that informed the experiences of participants when interacting with White partners. In some cases, the impact was not perceived as significant. In a number of other instances, race and gender-based interaction was subtle and took the form of micro-aggressive behavior. Micro-aggressions included direct encounters, marginalization, insensitivity, and exclusion. Such behavior was reported as explicit or subtle. Sometimes the behavior reflected approaches or attitudes that were confusing, unusual, or characterized by unclear motivations. In other instances, interactions with dominant groups reflected the perception by certain participants that they did not receive any benefits of doubt, were viewed as less deserving to be in the firm setting, or were less likely to survive mistakes.

COPING AND STRESS MANAGEMENT

The women in my study epitomized clarity, strength, and grit. They were savvy, driven, resourceful, focused

and they were highly credentialed and motivated to excel. Nevertheless, their experiences differed, as did their reactions to the challenges they faced and ways they were able to overcome adversity including the behavioral and attitudinal adjustments they made reflecting varying degrees of aggression, assertiveness, compromise, sacrifice, adaptability, avoidance, humor, serendipity, and faith. These adjustments were directly related to their coping skills, ability to manage stress and exhibit resilience.

MOTIVATION AND INSPIRATION

The women described the foundations for their success and for achieving long-term goals based on their personal goals, values, and commitments. A number of them explained the exhilaration associated with being an equity partner. Others offered more pragmatic views of their motivation reflecting concrete goals related to family, money, or clients.

WORK FAMILY INTEGRATION

Most of the participants had to confront the challenge of integrating their personal and professional lives. Their success or frustration in both arenas was directly related to their effectiveness in managing this challenge. Participant age, the number of young children, and the presence of a spouse or significant other were important factors for participants regarding this challenge. Thus, for example, older women with teenage or adult children faced fewer challenges than participants with younger children. Participants whose partner also had a demanding job faced additional challenges coordinating family matters.

The discussion of the above themes was elucidated through extensive and compelling discussions with study participants. My study captured these discussions in comprehensive detail. It also provided details as to how the themes played out for participants based on which of three groups they occupied.

IMPORTANCE OF THE RESEARCH

Notwithstanding the extensive research with regard to the intersection of race and gender in “Big Law,” there is a gap with respect to Black women equity partners. In large part, this is the result of their extremely low representation in this setting. It also results from the tendency to group members of this cohort with all women or, more frequently, with all attorneys who are women of color or people of color.

The absence of research regarding Black women equity partners is important for two reasons. First, the experience of Black, Asian, Hispanic or other minority groups are not the same. As Daryl Smith noted, “When identity intersects with power, privilege, or inequity, the experience of identity is likely to be asymmetrical, depending on where one is positioned socially”⁶. Although my study did not offer a comparative analysis of other attorneys of color in elite law firms, the results do inform an understanding of their experiences.

An examination of the challenges and successes of Black women equity partners provides a foundation for a broader understanding of the process for other groups—especially minority and women associates—to achieve higher rank⁷. Secondly, an understanding of the experience of Black women equity partners has important implications for other Black attorneys, especially Black women associates who are part of the pipeline of future equity partners. Given the dramatic drop off in the number of Black women associates who become partners, an understanding of the drivers of and inhibitors to success is important. Those variables can be understood in the context of very pragmatic strategies that have been the focus of the limited research related to this group.

Many researchers and legal groups have an interest in a discussion of the experiences of Black women

6. Daryl Smith, *Diversity's Promise for Higher Education*, p. 25. (2009).

7. Deepali Bagati, *Women of Color in U.S. Law Firms*, (2009); Report of the 7th Annual NAWL National Survey on Retention and Promotion of Women in Law Firms (2012); Arin Reeves, *One Size Never Fits All: Business Development Strategies Tailored for Women (And Most Men)*, (2014).

equity partners from elite firms. My research provides a specific context for an expanded understanding of law firm cultural and behavioral considerations that inform the experiences of the subjects of my study. That context is defined by the three groupings of the 18 women in my study. This is an analytic framework that may be extended to capture the experiences of any partner from a non-dominant group in an elite firm. Non-dominant group partners are subsumed within law firm culture is what David Wilkins described as “the informal structures that some people have the benefit of and others do not.”⁸

OBSERVATIONS FROM THE STUDY

The data that emerged from interviews with study participants provided an important context for understanding the key themes described above. The context was informed by how they managed structural variables more directly related to business and economic success. This included business and client development opportunities, relational dynamics, availability of a mentor, etc. At the same time the themes helped explain participant perspectives based on internalized or personal considerations.

The intersection of race, gender and, to some extent, class was a significant underlying dynamic for most participants. These intersectional variables differed substantially among participants based on personal, interpersonal, and structural considerations. Underlying consequences tied to stereotypes and patriarchal culture attested to the “double-bind” participants face as women and individuals of color. In some cases, race and gender insensitivity was subtle and difficult to discern, an episodic annoyance, or something experienced prior to ascension to the equity level. In other instances, the impact was experienced as more pernicious insofar as it was obvious, insulting, or exclusionary even after some women became equity partners.

Participants tended to face greater challenges tied to intersectional variables along the path to becoming an

equity partner than they did after reaching such status. For some, such challenges began with the motivation to become an equity partner including the willingness to work very long hours and sacrifices by family and loved ones. A number of participants offered a view that they faced greater challenges as associates than their peers. For example, social ascriptions (based on how participants were perceived by other partners) compounded challenges for participants who found it difficult to identify a champion or develop viable client relationships. Time is currency in elite law firms. The cascading impact of devoting time to efforts to things such as fit within the firm, cultivating relationships, and improving overall diversity often imposed unique challenges for participants that made their experiences different from those of their White counterparts.

Once participants reached the equity level, the challenges they confronted were clearly differentiated among participants including the extent to which such challenges were tied to social ascriptions. Although many participants experienced significant success as equity partners, such success was frequently individualized, leaving participants painfully aware of the ongoing difficulties their firms face with regard to improving diversity more broadly. At the equity level, difficulties could be exemplified by firm approaches to client solicitation efforts (e.g., aggressive or more relaxed), compensation allocation systems (e.g., bands, allocation of points), or approaches to lateral hires (e.g., inclusion or marginalization). These examples are noteworthy because of the implications for diversity efforts. In some instances, participants managed personal, interpersonal and structural dynamics related to these examples to their advantage but more frequently, such dynamics created challenges for participants.

Data from participants suggested that the success in responding to the foregoing challenges was dependent on developing refined strategies for coping and having a high capacity to manage stress. Doing so was helped by external support systems, faith, and an unwavering commitment to improve diversity within the firms of participants.

8. American Bar Foundation, *Researching Law: Seven Years Into a Lawyer's Career*, 2009, p.7.

The law firms of the participants in this study also were not monolithic in terms of their culture and business practices. For example, some firms had more long-term, institutional clients while others had a more entrepreneurial orientation wherein partners were expected to generate clients. Most of the participants in this study were affiliated with firms that did not have strong institutional relationships. As such, success was affected by client development opportunities and underlying relationships with influential partners. In some cases, this gave rise to behavioral dynamics that were perceived as having racial and gender implications.

My study also examined the subjective mindset of the participants through an examination of resilience, stress management, and coping theory. These areas were examined independently but were informed by an examination of emotional intelligence models. With regard to emotional intelligence, the following elements helped to inform the personal perspective of women in my study:

- ◆ **Emotional Skills and Abilities (expressed as high self-expectations)**
- ◆ **Assertiveness and Independence**
- ◆ **Stress Tolerance**
- ◆ **Social Responsibility**
- ◆ **Interpersonal Relationships**

It is important to understand that the expression of these emotional intelligence elements differed substantially based on the group designations of particular study participants. For example, all participants came to their work with very high self-expectations and willingness to be very assertive. However, women in the Alternate Career Group faced great challenges achieving independence because of structural or relational constraints that limited their client development opportunities.

Women in the Strategic Relational Group and the Adaptive Resilient Group had very different experiences in this regard. All elements of emotional intelligence were analyzed based on the group framework.

FUTURE IMPLICATIONS

There are several important implications arising from my research that are reflected in each of the following areas:

- ◆ **contributions to relevant scholarship**
- ◆ **implications for law firm diversity**
- ◆ **implications for other historically underrepresented groups in elite law firms**
- ◆ **implications for Black women in elite law firms**
- ◆ **implications for Black women in other professions**

My research explored each of these areas at length. For purposes of this discussion, the implications for law firms may be particularly salient. Diversity efforts in “Big Law” have been examined extensively. Most firms articulate strong commitments to improved diversity and many devote substantial resources to their efforts. Nevertheless, the representation of Black attorneys in elite firms is falling and the number of partners is stagnant.

The challenges are even greater with regard to equity partnerships at America’s largest 100 law firms. Out of 77 Am Law 100 firms that recently reported minority numbers for equity partnerships, 31 either had no Black equity partners or just one. Only one firm had twelve Black equity partners. It was the only firm to have more than ten, which amounted to 1.8% of its equity partners. These results do not separate out Black women equity partners. This is likely the result of their small numbers and perhaps the assumption that women of color at the equity level do not have different experiences.

Despite the limitations of a qualitative study of 18 women, their stories have potentially significant implications for several reasons. Developing three categories to explain the experiences of the participants in my study is a useful way to understand how equity partners can be positioned for success or marginalized. Such an understanding also provides a foundation for developing strategies to support a pipeline of diverse talent at the associate level.



EARLEY
INTERVENTIONS