
Parenting and BigLaw



How to become a parent in BigLaw

Every year, we speak to dozens of junior associates juggling parenthood and a BigLaw career, and their experiences are everything from frazzled to fabulous. We've compiled their stories to give you the inside track on what it's really like combining family life and the legal rat race, as well as a few of our tips on making it work.

Pregnancy

"We treat pregnancy the same as any other disability."

Bumps might be star of the show at baby showers, but our BigLaw sources weren't always overwhelmed with compliments once they announced their pregnancies. One junior associate found it *"kind of hard to talk to anyone about being pregnant – I've been told by a senior associate not to complain about it. They've been kind of straightforward about it. They expect you to still be there and to put in 100%."* This attitude can be found right up the BigLaw hierarchy. One senior source told us that *"we treat pregnancy the same as any other disability"* – this stern wording reflects the principle that's written into the 1978 Pregnancy Discrimination Act, which specifies that companies must treat pregnant women the same way as they treat any employee with a temporary disability, allowing them to accrue seniority, raises and vacation leave. But don't expect any allowances as standard.

Still, many firms are more enlightened. *"Two girls on my team are pregnant and everybody is thrilled,"* revealed one Debevoise ([/true-picture/3835/1](#)) ([/organisation/law-firms/debevoise-plimpton/](#)) associate. *"A legal associate from another firm was shocked at the fact I got married my first year, but here everybody was nice and open about it. It seemed like where she came from was much more archaic in that respect. Here it's the norm – you see pregnant women all the time."*

Some attorneys feel pressure to work right up to the very end of their pregnancies, whether because there's a big deal on, or because they want to make the most of their maternity leave. An extreme case emerged recently at Davis Wright Tremaine's Seattle office, where an attorney's baby was delivered in the office by her team-mate – aptly, both worked in the Labor ([/practice-areas/labor-and-employment/](#)) department. Expectant mothers can also find meeting billables targets a challenge as *"people are less inclined to pile on the work towards the end of your pregnancy – you're a little uncomfy and they don't want to make you even more so!"*

Maternity Leave

The US has the dubious honor of being the world's only developed country that doesn't offer paid maternity leave: joining Swaziland and Liberia at the bottom of maternal rights charts. Still, under the Family Leave Act of 1993, employers are required to give their employees 12 weeks of unpaid leave for extended illnesses (this apparently also covers the birth or adoption of a child). And most law firms we survey do only a little better than this minimum. Out of the 97 law firms who submitted data to us, the average paid maternity leave offered was 16 weeks: a figure that obliges mothers to stop breast-feeding prematurely. Fathers do still worse: the average paternity leave was 5 weeks, and six firms offered no paternity leave at all.

Although almost all law firms will pay lip service to the idea that they encourage families, scanning our full parental benefits table ([/law-firms/worklife-and-benefits](#)) and opting for firms that put their time and money where their mouths are is a safe bet. Most firms are particularly behind the times on the paternity leave they offer – two to four weeks is the general norm for fathers, but Waller ([/true-picture/65866/1](#)) and Kasowitz ([/true-picture/63253/1](#)) offer none at all, and Quinn Emanuel gives new fathers only three days to get to know their child. The legal profession will continue to fail women if new fathers are given no incentive to *be* fathers.

Still, other firms have made strides towards gender parity. Cravath ([/true-picture/3830/1](#)) were the equality stars of our survey with a generous 20 weeks for a female primary caregiver (the highest in our table) and 12 weeks for a male primary caregiver. Other table leaders Baker McKenzie ([/true-picture/2692/1](#)), Allen & Overy ([/true-picture/8989/1](#)), Kaye Scholer ([/true-picture/3630/1](#)), Linklaters ([/true-picture/3630/1](#)), and WilmerHale ([/true-picture/3675/1](#)) all give 18 weeks to the primary caregiver, regardless of sex – a step towards improving gender equality in law. A few more firms worth a nod are Clifford Chance ([/true-picture/9129/1](#)), Davis Polk ([/true-picture/3833/1](#)), Debevoise ([/true-picture/3835/1](#)), Dechert ([/true-picture/7960/1](#)), Gibson Dunn ([/true-picture/3688/1](#)), Kirkland ([/true-picture/3636/1](#)), MoFo ([/true-picture/7854/1](#)), Paul Hastings ([/true-picture/25003/1](#)), Skadden ([/true-picture/3656/1](#)), Weil ([/true-picture/3667/1](#)) and Winston & Strawn ([/true-picture/3677/1](#)), whose packages are also relatively progressive. Note that the firms above are among the biggest names in BigLaw.

Lifestyle? What lifestyle?

We heard loud and clear as a toddler's yell that raising a BigLaw baby is hard work. Sources reported getting less challenging work after coming back after pregnancy, or finding it harder to get enough work to do at all. Even with the help of a supportive partner and firm, one junior associate reported that *"between work and my two children it's tough. It feels like every moment in my day is scheduled."* Other aggravating factors can be long commutes, the difficulties of finding reliable daycare, and the combination of early mornings to take kids to school, and late nights in front of a glowing screen. They also reported some less-than-helpful attitudes from their colleagues. One source felt that *"there are pockets where there isn't a single female partner, which makes for lots of gender issues. I'm not a girly girl so I can rub elbows with the boys, but I just had a baby and definitely felt like that's changed the way people look at me."* Another junior associate was upset to be asked to prepare for and sit the California ([/where-to-start/regional-guides/california/](http://www.Abovethelaw.com/2012/11/departure-memo-of-the-day-parenting-gets-the-best-of-one-biglaw-associate/2/)) Bar Examination while caring for a new baby – *"the experience left an indelible mark on my maternity leave."*

A departure memo (<http://abovethelaw.com/2012/11/departure-memo-of-the-day-parenting-gets-the-best-of-one-biglaw-associate/2/>) by a female associate published online at Abovethelaw.com (<http://www.Abovethelaw.com>) highlighted the toll these factors can take – she chronicled, hour by hour, a day that started at 4:00am with a screaming baby and didn't end until she closed her laptop at 1:00am, ending with the instruction 'REPEAT'.

Parent and partner?

"So long as one's value to a firm is measured in time rather than your output, efficiency and relationships with clients, there will be an inherent tension between wanting to be the best mother possible, and the best employee possible."

Law firms' billable hours systems highlight the amount of time new mothers and fathers spend at work or otherwise in stark, financial terms. *"I don't want to be a partner here, which is everything to do with my changing priorities in life having had my baby,"* told one female junior associate at a California BigLaw firm. *"I think that so long as one's value to a firm is measured in time rather than your output, efficiency and relationships with clients, there will be an inherent tension between wanting to be the best mother possible, and the best employee possible."* With all eyes on the bottom line, parents can feel, or be made to feel, guilty about taking time off when needed or rushing home for family dinner.

As one source explained, *"we're all Type A personalities, and you inevitably do want the best of both worlds."* But making partner and holding a family together isn't exactly child's play, especially combined with a high-achieving lawyerly personality. According to a recent NALP survey, women accounted for only 20.22% of partners in major law firms – a big improvement compared to the 12.27% figure 20 years ago. Although there are lots of factors that contribute to these figures, a key one is the disproportionate burden that women tend to bear in raising children. Fathers, by contrast, struggle with being allotted minimal paternity leave, and suffering social pressure not to take it. Same-sex parents face challenges including prohibitive adoption, surrogacy or IVF costs, and often, a lack of formal firm policy on issues like leave and benefits.

What's the alternative?

Many of the firms we survey offer multiple billing tracks, and parents might be tempted to slip off the 2000 hour standard requirement into something a little more comfortable. There's been an increase in firms offering non-partnership-track associate positions, including Orrick ([/true-picture/7290/1](http://true-picture/7290/1)) and WilmerHale (

picture/3675/1). These guarantee lower hours but the trade off for a more family-friendly lifestyle is less high-level work and a substantial pay cut.

Other firms offer flexible working arrangements for a few years. But these often go hand in hand with assumptions that part-timers can't make partner, while at others, it's either very difficult or unheard of. One associate's arrangement involved two afternoons off a week: *"some days when it's extremely busy and I have to stay later than my hours it feels unfair, but for the most part it's a very fair agreement."* Another source warned that *"it's very, very, very hard to make part-time work, and not to end up working full-time and getting paid part-time. I constantly have to remind people and make it clear I don't work on Fridays."* Their consensus was that the key to successful part-time work is an understanding partnership, which can often mean a high proportion of female partners. One junior reported that *"I do a lot of work for one female partner who also has children. The other day she asked to do a conference call at five o'clock, and she said 'feel free to take it at home if it'll make you late to relieve the nanny otherwise! It was nice that she knows I have to get home, but that hasn't been the case across the board."*

"Having a schedule like that is only possible if partners also value spending time with their families. In an office that's full 24 hours a day you feel you can never go home."

One of our happiest associate parent sources told us that *"I wish I hadn't been so nervous, because it's been nothing but great surprises. It's been wonderful being able to structure days my way."* Reduced hour associates at her firm remain on partnership track, and are allowed to pick their own billable hour targets and compensation levels. To avoid surprises, whether good or bad, check Working Mother (<http://www.workingmother.com/content/2014-working-mother-amp-flex-time-lawyers-50-best-law-firms-women>)'s helpful list of law firms' flex-time policies and female partner percentages.

Working from home and remotely

Another thing to look out for is a firm's attitude to working remotely. For some attorneys, working from home *"makes things manageable - I leave at 5pm to pick up my son, then work from home for a couple of hours in the evening."* Smaller firms or local offices, or newer, younger firms are often more geared up to remote working. One Philadelphia-based associate found that *"it's very uncommon for the office to be full of people at 6pm. People with children go home and have dinner then maybe sign back online later. Having a schedule like that is only possible if partners also value spending time with their families. In an office that's full 24 hours a day you feel you can never go home."* Another associate with a sick child told us that *"I worked as much as I could, although it was often from the hospital. When I came in to the office, people would say 'what are you doing here? You need to be with your family' but I needed to maintain sanity."*

On the flip-side, one associate was far from alone in finding that *"I have to be in the office because the partners prefer to come and give you the assignment in person,"* although she added that *"I actually like that better than working at home with a one year old!"*

Making it work

"We were exchanging baby pics within about 15 seconds."

Sheryl Sandberg's controversial tome *Lean in: women, work and the will to lead* advises women to build their self-confidence and drive in order to get ahead at work. Our look at BigLaw parenthood policies suggests that firms should be the ones to change, not individuals. But in the meantime, feeling out the culture of a firm before joining could be key to finding a successful balance. Paying close attention to billable hours, benefits and family policies pays off, and *Chambers Associate's* Inside View (</law-firms/a-to-z-firm-list/>) features are a great place to start. It's worth thinking about the type of firm you're applying to. Many traditionally-structured firms have a high rate of associate attrition built right into their business models. It's probable that firms expecting to shed all but a minority of their summer class will have less of an incentive to make life easier for associate parents. We hear again and again from their juniors just waiting to make the leap to in-house lawyering, lured by the promise of shorter hours and a more predictable schedule. Other firms prize work/life balance, and seek to recoup the cost of training up junior associates by having them stay long term.

The key to contented legal parenthood could well be honesty with both yourself and the firms you apply to about your family life. One male associate told us that at his callback interview for his current firm, "*we were exchanging baby pics within about 15 seconds.*" Be assertive in asking about flexible hours policies, partnership for part-timers, and parenting affinity groups before you sign on the dotted line. Each BigLaw firm has its own micro climate, and more and more of them are taking steps to make life as an associate parent not just bearable but pleasant. OCI (</where-to-start/getting-hired/on-campus-interviews/>)s might not be the perfect time to lay out your dream family plans, but if a firm bristles at family-focused questions at callbacks, think hard about how they'd react to a baby shower invite five years down the line.

Further reading

Work/life benefits survey (</law-firms/worklife-and-benefits/>)

Billable hours comparison (</law-firms/law-firm-salaries/>)

Diversity survey

(</law-firms/diversity/>)

The Inside View: (</law-firms/a-to-z-firm-list/>) associates tell us about the culture at their law firms.

5 Minutes With... Sarah Weddington of Roe v. Wade fame (</the-big-interview/sarah-weddington-of-roe-v-wade-fame/>)

"For women, there are many more opportunities than when I started. I'm so delighted to see that change!"

Marci Eisenstein, Schiff Hardin (</true-picture/2605/1>)'s first female managing partner:

"I have sacrificed time with my children and time with my husband, and also downtime



with other family and friends. I can't say that there have not been regrets and self-doubts along the way. But I have been blessed with a very supportive family who believed in me." (/the-big-interview/marci-eisenstein-schiff-hardins-first-female-managing-partner/)

The top ten firms for women partners

Epstein Becker Green PC (/true-picture/3400/1) 29%

Schiff Hardin LLP (/true-picture/2605/1) 29%

Hangley Aronchick Segal Pudlin & Schiller (/true-picture/77988/1) 27%

WilmerHale (/true-picture/3675/1) 26%

Hogan Lovells US LLP (/true-picture/22606683/1) 25%

Finnegan, Henderson, Farabow, Garrett & Dunner LLP (/true-picture/2442/1) 25%

Alston & Bird LLP (/true-picture/2806/1) 24.3%

Jackson Walker LLP (/true-picture/1761/1) 24%

Duane Morris LLP (/true-picture/2840/1) 23.9%

Jones Day (/true-picture/8429/1) 23.6%

... and Crowell & Moring (/Law/FirmFeature/2838) tops the BigLaw chart for hiring and keeping female associates, at 56.2%.

Diversity in figures

From the National Association of Women Lawyers (NAWL):

- Only 17% of BigLaw equity partners are women.
- Since the mid-1980s, more than 40% of law school graduates have been women, but the typical firm reported less than 20% of its equity partners are women.
- Among the nation's 100 largest firms, women are credited for roughly 80% of the client billings credited to men.
- In the 100 largest law firms, female minorities occupy 2% of equity partnerships.

From the Keshet Consulting Report:

- Male equity partners are more highly compensated than female equity partners, with males earning \$166,932 higher than females.

From NALP Directory of Legal Employers:

- 20.22% of partners are women (19.21% in 2009)
- 2.26% of partners are minority women (1.88% in 2009)
- 44.79% of associates are women (45.66% in 2009)
- 11.29% of associates are minority women (11.02% in 2009)

Chambers Associate

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