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# Women Face Challenges In The Business And Legal Worlds

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BUSINESS AND LEGAL WORLDS

BY

JACQUELINE KOPITO

Thesis Advisor

Michael S. McGraw, Ph.D.

Submitted in partial fulfillment of the requirements
for the of Master of Arts in Corporate and Public Communication
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## Author's Note

The author would like to thank Dr. Michael McGraw for his guidance and motivation. She would also would like to thank her Mom and Dad for their support, especially her Dad for being an inspiration to go back to school and her sisters for always listening to her. Mostly, the author wishes to thank Ira for his love and her son, Jared, for being so wonderful.

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Chapter I

INTRODUCTION

In the business and legal worlds, women can face challenges when interacting with men, due to language and culture differences. From childhood experiences, men and women develop different styles of interaction. In children's games, boys learn about conflict and competition. According to Tannen (1994), they learn the importance of resolving conflict and they learn to fight and to play with their enemies. Tannen (1994) also believes that because boys play in large groups, they are able to learn leadership and organizational skills. Mendell (1996) determined that since most boys' games take place away from home, in parks or streets, boys learn to effectively separate their home life from their play, and later their work life (p. 30). Another characteristic that many boys have is that they enjoy arguing as Gilligan (1993) discovered:

> Boys' games appeared to last longer not only because they required a higher level of skill and were thus less likely to become boring, but also because, when disputes arose in the course of a game, boys were able to resolve the disputes more effectively than girls. In fact, it seemed that the boys enjoyed the legal debates as much as they did the game itself. (p. 9)

Furthermore, boys usually find a way to resolve the dispute and continue playing the game.

Conversely, girls' games stress a completely different style of interaction, namely, cooperation and the development on non-competitive skills (Tannen, 1994). For example, "traditional girls' games like jump rope and hopscotch are turn-taking games, where competition is indirect since one person's success does not necessarily signify another's failure" (Gilligan, 1993, p. 10). Girls

also are more tolerant in their attitudes toward rules, more willing to make exceptions, and more easily reconciled to innovations (Gilligan, 1993, p. 10). Unlike boys' games, girls games take place close to, or in, the home (Mendell, 1996). As a result, girls do not learn to separate home and play life as well as boys do.

According to Mendell (1996), girls downplay the importance of winning because maintaining relationships is more important than proving their superiority (p.22). Girls compliment each other and avoid conflict as shown by Mendell (1996):

> They learn to compliment each other for the improvement in their skills, regardless of who
> wins. Girls experience very little conflict in their groups because girls' groups are
> homogeneous and their games have few rules to break. But this means girls have very
> little opportunity to learn how to resolve conflict. (p.22)

This lack of structure encourages girls to avoid, rather than resolve conflict. According to Tannen (1994), when girls argue the game tends to end. Tannen (1994) further explains that girls usually cannot move on, instead they take the quarrel personally and end the playing.

Boys' attitudes are just the opposite. They learn to deal with competition in a relatively forthright manner--to play with their enemies and to compete with their friends--all in accordance with the rules of the game (Gilligan, 1993, p.10). Gilligan (1993) also concludes that from the games boys play, "they learn both the independence and the organizational skills necessary for coordinating the activities of large and diverse groups of people" (p.10).

As girls mature, their goals are limited because of their culture. Gilligan, Lyon, and Hammer (1990) believe that "young adolescent girls are often quick to sacrifice their fantasies, and goals because they've been told their choices or ideas are inappropriate or too competitive for women"

(p.299). This attitude limits the potential of many young girls. Girls' culture hopefully is and will be full of changes.

The focus of this study is to show that childhood experiences might create language styles for women. Those styles might then be present for women who work as attorneys.

## Research Question

In the business and legal professions, women can face challenges when interacting with men, due to language and culture differences. In some cases, can the female language patterns and culture characteristics leave women hindered in the board room or the courtroom? This study explores this perspective in the legal professions and relies on specific accounts from women who are lawyers in two New York law firms. The author also references literature related to challenges women face in business.

## Subsidiary Questions

1. Can women's language and characteristics be seen in a positive light in the business and legal worlds?

2. Should women become more competitive to establish their authority or should the business and legal culture become less so?

3. Should women make a point of talking more as men do in the legal world?

4. What stands in the way of women's access to authority in the legal world?

5. How do women lawyers get noticed if they do not use "male traits?"

## Purpose of the Study

The purpose of this study is to explore the challenges that many women face when interacting with men, due to language and culture differences in the business and legal worlds. These gender differences are particularly apparent in the business and legal worlds. Men approach the business and legal worlds as if it were a sports contest (Mendell, 1996, p. 7). Mendell (1996) says they approach their work with the same mind-set they use in competitive sports (p. 7). Fisher (1999) adds that there are many books written by men on how to succeed in the business world that often advise that the "best way to motivate employees is to keep them 'off balance' and 'in constant competition' " (p. 33). As a result, men tend to have difficulty sharing information. Fisher (1999) continues to point out that "instead of focusing on office relationships, men are more likely to pay attention to who is dominant over whom" (p. 33).

Conversely, women's style of management is based on sharing power, inclusion, consultation, consensus, and collaboration (Fisher, 1999, p. 32). Women managers encourage their employees by listening, supporting, and encouraging them. Fisher (1999) continues to describe women's style of management:

> Women give more praise - and praise is more valuable to women. Women also
> compliment, thank, and apologize more regularly. Women ask for more advice in order to
> include others in the decision - making process. And women tend to give suggestions
> instead of giving orders.... Women pay more attention to human factors. (p. 32)

Fisher believes that men and women have different styles of interacting with one another. Many women feel these gender differences cause problems when men and women work together.

Competitive sports and the business and legal worlds are governed by a set of unwritten rules familiar to most men, but unknown to most women (Mendell, 19996). Therefore, women are at a disadvantage in the business and legal worlds. Mendell (1996) says:

> Men and women bring the patterns of moral judgment, relating, and community they learned as children to the workplace. But the workplace is a male phenomenon. It functions in the same style boys learn in their childhood play, in the same style they use in their sports teams. Men relate to each other just as they did as boys. This puts women who try to relate in their customary female style at a significant disadvantage. (p. 28)

What does this mean for women? Estrich (2000) feels the burden falls on a woman to figure out how to make the corporate culture comfortable with her, not the other way around (p. 34 ). Why can't it be the other way around? Will the business and legal worlds ever feel that women's values and their language style enhance these worlds? Or do these worlds just believe in the male language style and culture.

The question becomes how can women succeed in the business and legal worlds? Should they compromise themselves and learn about sports and the male language? Estrich (2000) believes that "to succeed, a woman must prove herself extraordinary, different from other women, better than men; and even those women face obstacles because they are women" (p. 34). What is the answer? Do the business and legal worlds have the potential for change? Can these worlds value the women's language style? The author will address these issues.

## Objectives

This study has two main objectives. The first is to show that childhood experiences cause

men and women to develop different styles of interaction. The author's focus is on women. The second objective is to explore the challenges women face in the business and legal worlds, when interacting with men, due to language and culture differences. In some cases, does the female language culture leave a woman powerless? The author seeks to meet these objectives through the review of literature and feedback from surveys distributed to New York lawyers.

## Definitions of Terms

1. Authority: the power to influence or command thought, opinion, or behavior: persons in command (Merriam-Webster's Collegiate Dictionary, 2000).

2. Characteristics: revealing, distinguishing, or typical of an individual character (Merriam-Webster's Collegiate Dictionary, 2000).

3. Culture: the customary beliefs, social forms, and material traits of a racial, religious, or social group: the integrated pattern of human knowledge, belief, and behavior that depends upon man's capacity for learning and transmitting knowledge to succeeding generations: the set of shared attitudes, values, goals, and practices that characterizes a company or corporations (Merriam-Webster's Collegiate Dictionary, 2000).

4. Metaphor: a figure of speech in which a word or phrase literally denoting one kind of object or idea is used in place of another to suggest a likeness or analogy between them (Merriam-Webster's Collegiate Dictionary, 2000).

5. Trait: a distinguishing quality (as of personal character): an inherited characteristic (Merriam-Webster's Collegiate Dictionary, 2000).

## Limitations

This study is limited to the current challenges faced by women in the legal world. The author does not discuss the history of women's challenges. She is only concerned with the present and future challenges and issues faced by women.

Another limitation is that the author does not focus on how girls are being raised today. The author focuses on how today's female lawyers were raised and how it affects them in the legal world. Therefore, the author assumes that this study will look at women whose ages range from 27 - 50.

The author's literature review is another limitation. The author believes she researched all relevant material, but she could not have possibly read all the literature on the subject of women's language. Also, the author only used current material in her study, specifically material written within the last 9 years.

The author acknowledges that this small, yet focused, sample cannot possibly represent the thought and opinions of all women who are lawyers. In addition, there is a geographic bias, as only a select group of women lawyers working in the metropolitan New York area were surveyed. There may also be different thinking among women lawyers who work as solo practitioners, or in small law firms. This sample represents women who work in what are termed large law firms.

## Chapter II

## REVIEW OF THE LITERATURE

### Women And Their Challenges in the Business World

Childhood experiences can create language styles for men and women whose differences surface in the business world. From infancy, boys are socialized toward sports. By the time boys reach their teens, they understand the rules and language of sports (Archer & Cohen, 1997). Sports are very important to boys, as well as to men. Mendell (1996) points out:

As children, boys idolize sports heroes. Sports provide a bond between fathers and sons. Men enjoy teaching their sons and applauding their competence in sports. In childhood, the community of boys and sports is what matters. In adulthood, it is the community of men and business. (p. 30)

Men are raised with the language of sports and it carries over to the business world. Mendell (1996) describes the way businessmen use phrases to describe their business strategies: "I'll have to go to the mat on this one," and "He's playing hardball" (p.30).

Girls' games teach a completely different style of language. As mentioned in Chapter I, girls' games focus on the importance of cooperation and the development of non-competitive skills. For example, games like house or dolls are role-playing games with no competitive aspects. Until recently, girls were also taught that sports were not feminine. These characteristics are often carried over as boys and girls become men and women, as demonstrated by Mendell (1996).

Sports and the workplace are governed by a set of unwritten rules familiar to most men

but unknown to most women. In order to be competitive in the game of "work," women

have to learn the rules of the game. (p. 29)

Women can choose to play the game and learn the rules or choose not and be left out of

conversations. "It is little wonder, therefore, that women who know little about sports get lost in

or left out of conversations within traditionally male professions" (Archer & Cohen, 1997,

paragraph 10).

In order to be accepted by male colleagues, many women tend to pattern their behavior after

the business around them. Purvis (2000) found that "female executives often are so tentative,

they sense this is not the time to be independent and demonstrate originality" (paragraph 1). This

technique, mimicry, is widely used by females for blending in and gaining acceptance among male

colleagues. However, this technique does not always work for women. Purvis (2000) points out

that:

When professional women imitate male management styles, though, it often seems they do

not temper such conduct to blend with their own personalities. Rather, they tend to

exaggerate male behavior just to squelch any doubts they are not strong enough to lead.

The result is some female managers can be more egocentric, more condescending and

more tyrannical with workers than their male counterparts. (paragraph 8)

Why can't women just be themselves and will their language patterns ever be looked at as a

positive?

The Way Women Act and React in the Business World

Claes (1999) found that "one of the reasons often given for the relative absence of women from top management positions is the way women act and react in organization, in leadership posts, in negotiations, etc." (paragraph 22). For instance, women are conscious of acting bossy, avoiding conflicts, and being overly sensitive or too direct. Because of our culture, women are brought up to be considerate, caring, and nurturing. Therefore, women find it difficult to compete like a man. They do not want to hurt anyone's feelings. Mendell (1996) describes this attitude:

> Winning for women becomes a mixed pleasure because women are trained not to hurt anyone's feelings. It is impossible to enjoy winning if women are concerned that by winning, women have hurt their opponent's feelings. If women are concerned that the people they triumph over will not like them, women have no choice but to be losers. In order to compete to win, women have to learn to tolerate other people's discomfort and dislike. (p.37)

In many cases, these traits can keep women from moving up in the workplace. Many women realize that they cannot be concerned with everyone's feelings and that business is business. This attitude is a big challenge for many women to overcome.

According to Tannen (1994), it is a woman's nature to ask more questions than a man. Buttner (2001) adds that women's leadership style is comfortable with ambiguity. However, men think that asking too many questions and showing signs of not knowing is a sign that someone lacks confidence and intelligence. Co-workers and executives, particularly men, want a leader who is confident (Tannen, 1994). A woman might be very confident and intelligent; however,

because of her style of asking too many questions some men see her as weak. Tannen (1994), claims that men might not know the answers; however, rather than look weak by asking for help, men will struggle to find the answer on their own or ask the question to a confidant in private. Co-workers and executives have to realize that men and women have different styles when interacting with their peers and upper management. Asking too many questions should not always been seen as a negative.

Another difficulty women face, mentioned by Mendell (1996), is that they do not spend enough time promoting themselves. Women do not make it a point to tell their boss of their accomplishments. This is another behavior that has its roots in childhood. As previously indicated, little girls want to be liked by other little girls. They don't want to stand out or receive more attention than the other girls because to do so might make the other girls jealous. According to Mendell (1996), if a little girl brags about herself, the other girls see her as a bragger or a showoff. Therefore, the talented young girl will downplay her talents to fit in with the other girls. Unfortunately, this behavior is carried over in women in the business world today. However, women are now realizing the importance of promoting themselves because they realize that in too many instances, it is the only way to get recognition.

Men have no problem telling their boss straight out what a great job they did. Tannen (1994) concludes that this stems from when little boys were being picked for a team. Boys have to let everyone know how good they are, otherwise, they fear that they may not get picked. As a result, they are comfortable flaunting their accomplishments which is carried over into the business world. For example, men will let everyone in the office know when they get a bonus where many women would never mention it, unless asked.

Men and women have different characteristics in their conversations when interacting with each other in the business world. Johnson (1994) explains the following:

> Women nurture conversation to keep it going by obeying the rules of polite interaction, while men more often dominate the conversation and violate the rules of turn-taking without repercussion. (paragraph 11)

Women were raised to be polite and supportive which is carried over to the business world. For example, Johnson (1994) believes that women will do more cooperative interrupting than men, since they have learned to be more supportive, show interest, and pay greater attention to the speaker (paragraph 19). Men, however, will use more negative types of interruptions than women since they have learned that this is an acceptable form of behavior (Johnson, 1994, paragraph 19).

Women are known as "ritual apologizers," women say "I'm sorry" to smooth out small imbalances in their conversations (Fisher, 1999, p. 3). Tannen (1994) adds that women do not mean to say that they are sorry, but it is a ritual way of restoring balance to a conversation. Men do not apologize unless they have made a genuine mistake in their work (Tannen, 1994). Therefore, Fisher (1999) points out that when "women make their ritual apologies, men often think this is an expression of weakness and lesser rank" (p. 36). The meaning of "I'm sorry" differs from men and women and can cause problems for women. This can be a one reason why women's language is depicted as powerless.

Growing up, boys learn to relate through domination and competition which are other characteristics that are carried over to the business world. Johnson (1994) believes men will be more dominant in conversation (talk more and have higher rates of neutral and negative

interruption) than women, regardless of position (paragraph 24). Further, men will be less supportive (have lower rates of positive interruptions) and more directive (Johnson,1994). Boys also learn to see the world in an adversarial manner. Because they learn to relate through tasks and games, men are most comfortable interacting around a concrete task and prefer structured, functional environments, like games or business (Mendell, 1996, p.29).

As mentioned in Chapter I, boys generally quarrel more than girls. Boys seem to enjoy quarreling. Girls have a different attitude. The game tends to end when girls quarrel. Many of these same characteristics are carried over to the business world as boys and girls become men and women. These characteristics affect the growth and strength of women in the business world. For example, in business, men can argue heartily with a co-worker, and a minute later, be discussing why the Knicks lost last night's game. Conversely, when a woman has an argument with another woman co-worker, she will often walk out and leave (Tannen,1994). She will take the argument personally and dwell on it for the rest of the day. This behavior can make a woman's already heavy workload unbearable. A challenge for women to overcome is not to take their petty arguments to heart.

Seeking consensus and harmony is important for women. Therefore, women have much more difficulty working with people they dislike or disagree with (Fisher, 1999). Fisher (1999) points out that women get visibly upset at inappropriate times, as when someone disagrees with them. This is not the case for men as Fisher (1999) describes: "Men were bullied or insulted on the playground since they began to walk; they learned early to handle verbal attacks, shrug off their losses, and try again. Men try to bury their resentments to move ahead" (p. 43). Women were not taught this attitude. They were taught from childhood to be cooperative and respect one

another's feelings. Women have to separate their emotions from their business decisions and take things less personally.

Growing up, boys games had inflexible rules on the playing field. Girls' games had flexible rules. They changed the rules on the playground to suit their more important social needs (Fisher, 1999). As a result, men suffer less stress than women from inflexible office rules, boundaries, and procedures (Fisher, 1999, p. 33). Fisher (1999) believes women become much more stressed than men when confronted with office rules they cannot bend (p. 33). Sticking to the rules of the office is another challenge that many women need to overcome.

In many situations, women find it uncomfortable taking charge without first getting someone's approval to do so. This trait stems from early childhood, when girls were encouraged to be followers. Many women overcome this obstacle and thrive on responsibility. They are not scared that if something goes wrong they will get blamed, because at the same time, they know if the plan goes smoothly, they will get the credit.

Many women have a difficult time trying to influence others. Women in mixed-sex task groups must overcome this in order to exert influence in the business world. Shackelford, Wood, and Worchel (1996) believe that:

> Women's influence may be increased through behavioral styles that attract attention to their contributions to the task. Attention - getting acts should enhance influence in so far as they focus others on women's high - quality contributions and convey women's confidence in their own skill. (paragraph 7)

The effectiveness of attention-getting illustrates how important it is for women in mixed sex groups to avoid being ignored or isolated by others in order to prevail. This method is a way

women learn how to gain power.

A part of the women's language is being able to be open and honest; however, expressing oneself can be hinderous in the business world. Rose (2001) discovered this can be a problem when she was interviewing a woman who was beginning a new business:

> At some point, I realized I was talking another language. I was talking about people's dreams. And I was being a little too honest about when the payout would come. But I thought that was what business was about. (p. 73)

Women can have great ideas; however, if they do not pitch their ideas the right way, nobody will be interested. Women have to promote themselves and learn to emphasize their abilities.

Many women are known to be team-players which upper management can view as avoiding control or power. Claes (1999) found that "conversational styles of women have been described as cooperative, those of men as competitive" (paragraph 11). These traits lead many women to be depicted as powerless in the business world. Claes (1999) found the following:

> In women's culture, people are requested to perform tasks, not commanded; hedges and disclaimers are frequent; directness is considered rude; and conflict and aggressive behavior are avoided. An indirect use is made of language, with rising intonations, in order to avoid offending and to preserve good relation at all costs. (paragraph 14)

### Women's Language and Characteristics Are Being Requested in the Business World

The characteristics that were once looked upon negatively and that kept women out of top management are now being looked at differently. The business world is realizing there are as

many management styles as there are managers. "Women concentrate on persuading subordinates to align their self-interest with the broader interests of the group" (Mendell, 1996, p.230). They do this by encouraging participation, and being personal rather than using their status as a power base. In the study of power perceptions, Buttner (2001, as cited by McClelland, 1979, paragraph 8) found that women tend to define power in terms of the ability to care for and contribute to others' well being. In addition, Mendell (1996) believes women are less interested in power than men are and more motivated by the desire to do a good job (p. 230). Doing a good job is important and, as more women assume positions of authority, they will inevitably bring these changes to the business world.

Women's values and nurturing skills are now perceived as enhancing women's management style. Buttner (2001) refers to a woman who runs her own company:

> I think the new management style that men are adopting comes from women. We do it because we have had to. You can't get a 3-year old to do things through intimidation. I raised two sons who were 6 feet tall and they did what I told them to do and in order to survive, I had to manage them. And so I manage my company through a team concept.
> (paragraph 26)

The values and skills used by women who own their own companies or in upper management are being recognized and gaining greater weight in the business world.

Women bring a management style in tune with the new needs of the business world. Buttner (2001) shows the following female qualities wanted by managers:

> Qualities culturally associated with the feminine, including sharing power and authority, assisting and developing others, and building a connected network of relationships are

now appearing in descriptions of ways to enhance managerial effectiveness. (paragraph

12)

The business world now realizes that they need the talents and temperament of women. Women's language is being requested in the business world for everybody which is comfortable and natural for many women as shown by Mendell (1996): " Corporations are demanding that their managers develop the skills necessary to achieve these goals and empathy, understanding, caring, and attention to detail" (p. 230). The female language is being redefined as a valuable interactional skill (Claes, 1999).

Upper management is also realizing that female language and traits improve communication, cooperation, team spirit and commitment within the business world. "Flexibility and teamwork are among feminine characteristics; and team behavior is seen as increasingly important for management" (Claes, 1999, paragraph 38). Female language is being valued and organizations want to see both men and women working together. Claes (1999) shows the following:

The assumption by large number of women of leadership positions is an essential element

in the shift from the traditional, hierarchical organizations to one based on partnership and

teamwork. This implies organizations need to create a favorable climate allowing

masculine and feminine models to coexist and operate in synergy. Given the proper

encouragement, women managers could apply their natural talents for empathy and

relationship-building. (paragraph 50)

Feminine qualities are essential for achieving excellence and maintaining the necessary networks.

The business world is also allowing for diversity. Claes (1999) found that managerial skills now tend to take into account men and women's cultural differences. "Openness and acceptance

of cultural differences will lead to synergy, enabling change and promoting excellence in business and communication" (Claes, 1999, paragraph 51). Fisher (1999) adds that some managers and executives will subtly build more flexible, diverse, cooperative work environments more suited to the female mind (p. 53). As more women assume positions of authority, they will inevitably bring change to the business world.

<center>Women and Sports in the Legal World</center>

Women lawyers face many challenges in the legal world. Harrington (1995) believes the big city law firm culture was formed by men who assumed that the profession was naturally a place of men and would always be so (p.122). Archer and Cohen (1997) add that the judiciary often uses sports metaphors, hindering many women from fully participating in the legal world. Many women have the potential to be excluded or confused if not familiar with sports because sports metaphors permeate the legal world. Archer and Cohen (1997), for instance, found that "the term 'end run' appears in 1,596 cases" (paragraph 29). Also, Archer and Cohen (1997) discovered "several extended baseball and football metaphors which require a reader to know the referenced sport in great detail" (paragraph 27). Additionally, Harrington (1995) shows the following from a law school graduate of the early sixties, now a federal magistrate.

> I have observed at different times in the practice of law that men do, in an all male group, have a certain kind of metaphor that they use.... I believe that language not only expresses values but influences them.... Men who grew up in the fifties and weren't accustomed to having women in decision making positions use these metaphors that have a lot to do with sports and teamwork and with the kind of competition that men engage in - physical

games, physical competition, and that sort of thing....Now, I believe this language and

metaphor, and the physical competition virility culture that it comes out of, really influence

the values of the business. (p. 132)

The usage of sports metaphors appearing in a variety of ways in the legal world is a problem for

many women and still, no action is being taken to change the usage of sports metaphors. Many

women lawyers have complained about not fitting into the sports culture and mentality (Claes,

1999). " In some cases, female lawyers and law students have left the legal profession because of

their frustration with its sportsmanship" (Archer & Cohen,1997 as cited by Harrington, 1977,

paragraph 16).

Women who do not know sports' rules, culture, and terms become powerless. Therefore,

many female lawyers have adapted the "terminology of their male counterparts to some degree in

order to survive" (Archer & Cohen, 1997, paragraph 31). Archer and Cohen (1997) for instance,

found one female law partner who "plays hardball with humor and a light touch" in order to fit in

the legal world (paragraph 16). Many other female lawyers have adapted to the "combativeness

of the courtroom in order to survive in the legal arena" (Archer & Cohen, 1997, paragraph 31).

Furthermore, the following research was found by Archer and Cohen (as cited by Harrington,

1977, pp.133-134):

To the extent that women have different views, there can be new and different and

creative approaches.... But what I have seen more often is women... learning the male

metaphors--or pretending to--whether they are comfortable with it or not. (paragraph 32)

The culture of the legal world should recognize women's unfamiliarity.

Women Lawyers and Their Language and Traits

Many women lawyers feel their values and culture are not appreciated and that they are eventually discarded as Harrington (1995) concludes the following:

> The culture of the big firms praises and rewards practitioners who demonstrate the masculine qualities of toughness and aggressiveness that make them successful competitors. And it also praises, if it does not reward, the women who drop out to give time to families. That is, the culture and its rewards harden the dichotomy between masculine and feminine, the man's world and the woman's world. And in so doing, the system both pushes women out of big firm practice and validates the competitive ethic of the men (and women) who stay. (p. 147)

Childhood experiences teach women to be caring, which is carried over to the legal world. However, this feeling is seen in a negative light. Harrington (1995) feels that "women should not have to pretend that their own experience of care giving means nothing" (p. 254). Harrington (1995) adds "what women know and value as care givers certainly should be on the new agenda of women's social participation if women want to put it there" (p. 254). Women lawyers should be themselves and not compromise their values and traits.

Another trait rooted in childhood is that girls were taught to downplay the importance of winning. As adults, this attitude effects many women lawyers' potential of winning a case or not. Harrington (1995) shows this in an interview with a state court judge who had graduated from law school in the 1950s.

> I think doing trials isn't comfortable for women, as a trial draws on a playing-field

> mentality. Women prefer to settle. They don't like the winner-take-all philosophy-and, I
>
> think rightly so. Women like to roundtable it and come out with everybody feeling a little
>
> bit the winner and a little bit the loser. (p. 132)

Being considerate is a part of the women's language; however, in many instances, women do not

move ahead from it.

Behavior styles can affect the success of many women lawyers. Mendell (1996) discovers the

following:

> Society traditionally defines females as the weaker sex. Just as boys learn to act strong if
>
> they are not strong, girls learn to act weak if they are not weak. In order to look feminine,
>
> girls are encourage to hide their competence. By adulthood, women have become
>
> accustomed to pretending to look uncertain about their competence. (p. 49)

This attitude portrays many women as weak when it's not true. Also, this attitude slows down a

woman's productivity and does not show her inner strengths.

Another reason why women face challenges in the legal world is because women were taught

not to stand out and be polite. Harrington (1995) concludes the following:

> Women cannot present themselves completely in the established mode of the big -firm
>
> lawyer, and one apparent consequence is their effective invisibility and inaudibility in many
>
> settings. They are present in the big firms in ever-increasing numbers, and, more than in the
>
> past, they are becoming partners, but still, in some sense, they are not seen or heard. (p. 124)

Why aren't women being seen or heard? Harrington (1995) believes that women are rarely

able to apply to the big firms the critiques they develop out of their particular experience because,

for the most part, they leave the firms before gaining the authority to speak and be heard (p. 150).

Harrington (1995) also adds that the women leave with little recognition gained by their firms of the significance of the conflict that drives them out.

Britton (2000) found to be a successful lawyer, one must have male qualities that include to "brag about the size and amount of their wins and describe good courtroom performance in terms of having seduced the jury" (paragraph 24). Britton (2000) also describes how men feel about being a litigator as " a male thing.... It's competition. Men beating each other up, trying to show one another up. Attorneys who lose cases or are unable to attract clients are seen as "weak" or as "having no balls"(paragraph 24). With this attitude, how are women suppose to act in the courtroom? Britton (2000) describes the following attitude from a woman litigator:

> I've fought so hard to be recognized as a lawyer- not a woman lawyer. I actually used to
> be flattered when people told me I think like a man.... To be a lawyer, somewhere along
> the way, I made a decision that it meant acting like a man. To do that I squeezed the
> female part of me into a box, put on the lid, and tucked it away. (paragraph 26)

Many women lawyers feel they have to act like a man in order to succeed.

## Women Lawyers and Family

A big challenge women lawyers face is returning to work after starting a family. Finn (2000) discovered the attitude of law firms to part-time working so inflexible they ended up turning their backs on the profession altogether (paragraph 3). Also, Finn (2000) points out the risks women have to take when they temporarily leave the firm: "Often there is no contact with their professional association while they are out of mainstream employment, which can make them lose confidence in their abilities and leave them out of touch with changes in their profession"

(paragraph 4). Women lawyers also feel that there is "no support or little encouragement from their colleagues to help them balance their home and work responsibilities through flexible working practices" (Finn, 2000, paragraph 5). Women lawyers are left with the feeling of a no win situation. Stone (2000) feels if firms want to retain these talented women, they should listen to their needs.

Many women want to discuss their issues with their firms; however, they don't want to alienate the men and become further isolated and undermined. As a result, women lawyers do not speak up. Instead, they discuss their problems in one-to-one discussions (Harrington, 1995). This trait can be rooted from their childhood experiences when little girls were taught not to stand out and to prefer small intimate discussions.

## Women Lawyers and Their Working Style

Many lawyers have their own style. Tannen (1994) writes about three women who left their large law firms to start their own firm and how their working styles are different and effective: "They represent clients not by being as aggressive and confrontational as possible, but by listening, observing, and better "reading" opponents" (p. 125). Hull (1999) adds that women lawyers "may attach more importance to relations with coworkers and less importance to pay and promotion relative to men" (paragraph 5). Women lawyers do not want to be dismissed as weak or soft; however, their styles can work for them.

Women lawyers have the ability to influence others and to be listened to. They are given the responsibility to make decisions. Fisher (1999) feels "women lawyers are drawn to lawyering positions where rank, competition, and specialization are less important, and where working with

people and thinking within a broad social context to the job" (p. 106). Women lawyers are concerned with the life at work and doing an efficient job.

## The Future of Women Lawyers

The culture of the legal world of the future can be a culture that values women and embraces their culture. Turnball (2001) points out the following from an interview: "We've had a significant percentage of women entering law school for a long time now, but of course we are not seeing that reflected at the top of the legal profession," said Sheila Wellington, president of Catalyst (paragraph 5). How do women lawyers reach the top and gain authority? Harrington (1995) feels that women need to change their attitude: "Women need to talk, to protest, to organize new structure to accommodate their values and visions. They need to speak their interests and values, not hide them" (p. 203). In some cases, not all, women lawyers might have to change their language.

Fisher (1999) feels that in the future, women lawyers will be needed and appreciated:

Women will make exceptional contributions to the law, particularly in those areas in which the lawyer must deal directly with a variety of people. In these situations, one must size up the client and the adversary, combine brainpower with empathy, weigh the data within a broad social context, work with all parties diplomatically, and strive to achieve a frequently ambiguous commodity: justice. All lawyers need these skills, but women's natural social aptitudes should give them an advantage. (p.106)

Women lawyers have strengths and weaknesses just like any other profession. Women lawyers have their own style when dealing with people that hopefully will continue to be recognized and

useful to society.

Chapter III

DESIGN OF STUDY

Population and Sample

The author of this study analyzes responses from New York women lawyers who work in big firms. The author only wants to survey women lawyers from big firms, specifically, firms with over 50 attorneys, because these women face more challenges when interacting with men than women who work for small firms or boutique firms.

To ensure the balance of the survey, the author includes lawyers at all levels; associates and partners.

Survey

Through this study, the author analyzes how women lawyers face challenges when interacting with men, due to language and culture differences. The question the author is trying to answer through her survey is the following: Can female language patterns and culture characteristics leave women hindered in the courtroom? Also, the study focuses on issues dealing with women's authority, women feeling powerless, and women using male traits to move ahead within the legal world.

Data Collection

The survey, included as Appendix A, was sent to the following New York law firms: Lester, Schwab, Katz and Dwyer and Wilson, Elser, Moskowitz, Edelman & Dicker. The author chose

these two firms because of her friendship with certain attorneys at both firms who would be able to assist her in providing access to female attorneys. The survey was delivered through electronic mail, which began in the end of April, 2001 and was completed on May 30, 2001. A total of 32 responses were received representing a return of 70 %. All participants were assured confidentiality and were not required to reveal their identity.

The survey consisted of seven questions and the respondents were asked to put an X on their choices for each answer. The first question of the survey was background information on the participants which the author felt would be informative. In four of the questions, the author gave the participants scenarios and asks the participants to choose which one or ones applied to them. The author designed these questions this way because she felt she would gain more information from each participant. In the other two questions, the participants had choices of the following: yes, no, does not apply, and comments (one's additional thoughts). These questions included information for the participants. For example, question four made one aware of women's language and question six made one aware of a situation that they might not have thought of initially.

All of the questions had a blank space for comments except for the background informational questions. This option was beneficial for the author because it gave her much insight since most of the women wrote about their challenges and struggles.

Chapter IV

ANALYSIS OF THE DATA

Introduction

The author distributed 45 surveys to women lawyers at large law firms in New York City. Of the 45 surveys distributed, 32 were returned to the author completed. Of the 32 respondents, 24 were between the ages of 31 to 35, 5 were between the ages of 36 and 40, 2 were between the age 41 to 45, and 1 was over the age of 50. Thirty of the 32 respondents are associates and 2 are partners. The author asked a series of questions, left spaces for answers, and left additional space to allow the respondents to elaborate upon their responses.

Based on much of the author's readings, certain trends were expected to be revealed through the data. In general, the answers were as the author expected; however, there were a few surprises. A majority of the responses received by the author strengthened the notion that women overall prefer to settle. As predicted, a number of respondents claimed they would prefer not to have their own firm if given the opportunity.

Many respondents felt that they needed to make an extra effort to promote themselves and to use sports metaphors to open better channels of communication with their male counterparts. A large percentage of women responding believed that, notwithstanding the extra efforts they had to make to be heard, their language traits and characteristics were productive in the firm. One respondent went so far as to point out that attention to detail, one of the most prevalent female characteristics, is a valuable trait in a lawyer, one that many of her male colleagues do not possess.

The author's assumptions regarding women's language traits and characteristics were somewhat validated. However, to the author's surprise, a significant number of respondents believed that their language traits were valued and appreciated. Also, another surprise to the author was that a number of respondents claimed they did have a voice of authority.

## Data Review

Based on the author's research, she thought the "boys club" ruled in the majority of large law firms as shown by Harrington (1995):

> The hush in the big-firm atmosphere conveys a sense of seriousness, of work conducted intellectually by reasoners tapping deep-rooted sources of legal authority. But the quiet also signals a system that works according to unspoken rules, a system in which the initiates know who they are, what they are doing, and how they relate to one another. It is a system that developed in the earlier years of the century, when member of the most esteemed law firms were highly homogeneous.... Succeeding generations of the legal elite did not need to engage in a constant process of questioning and definition. And even as the firms slowly broadened their membership, the old forms persisted, requiring fast feats of assimilation on the part of outsiders. (p. 124)

As indicated in Table 1, the "boy's club" does not play as big a part as the author expected. In the first scenario, "did not make partner", only seven respondents were affected by the "boy's club". The second scenario, "did not get a promotion", only one respondent was effected. The scenarios, "did not get respect", and "resistance to grant of authority", both received nine responses each. Nine responses is not a small number; however, in the author's research, the

"boy's club" was illustrated so harshly that the author thought there would be more. From the survey's results, the "boy's club" does not seem as severe as compared to the research. Change appears to be happening within today's large firms.

Table 1

"Boy's Club"

| Response | Yes | No | Total |
|---|---|---|---|
| Did not make partner | 7 | 25 | 32 |
| Did not get promotion | 1 | 31 | 32 |
| Did not get respect | 9 | 23 | 32 |
| Resistance to grant authority | 9 | 23 | 32 |

Table 2 illustrates that women overall prefer to settle. The author anticipated this response based on her research. For example, Harrington (1995) reveals the following conversation from an assistant U.S. attorney who litigated for years:

> This young woman enjoyed her work in court and did not think that success depends on the aggressive adversarial style she described to me, but she did not like working in an atmosphere dominated by macho promises and practices.... She did not frame her objections as criticisms of the adversary system as such, but rather of the kind of behavior that a systemic emphasis on competition and winning seems to produce-not truth-finding, but very possibly, truth-intimidation. (p. 132)

Many women dislike courtroom competition and would rather settle because of the structuring of trials. Many lawyers only see the outcome as a win or a loss.

Eight respondents explained that they each had their own style. One respondent explained that her style consisted of "whatever will serve my client the best." Another respondent

described her style as such "I like to do the best for the client; sometimes that requires different philosophies. My adversaries say I am tenacious but reasonable." One associate explained she would only litigate " if there are real issues in dispute." From these responses, women want to do a good job, but they would rather not compete in the courtroom. The survey results coincide with the author's research.

Table 2

Courtroom Philosophy

Response

| | |
|---|---|
| Winner take all | 3 |
| Settle | 16 |
| Other | 8 |
| Total | 27 |

Note: 5 respondents did not answer this question on account of not being courtroom litigators.

Table 3 indicates that overall, women lawyers have female language traits. Table 4 shows that these traits are productive in the firm. These survey results contradict the author's research. The author found in her research that women had to conform themselves to the male culture in order to fit in. Many women lawyers had to eventually leave because they refused to conform anymore as explained by Harrington (1995):

...their difference from the prevailing male look and style and sound and manner is so great that they have to reshape themselves (women lawyers) drastically even to approximate these standards. And many, feeling themselves forced to abandon parts of their own identity that they value, refuse to conform. (p. 126)

From the survey, the respondents did not feel that they have to conform to the male values. They

feel their traits and values such as being a team-player, understanding, and paying particular attention to detail works for them in the big firms.

Table 3

Female Language Traits

Does respondent believe she has stereotypical female language traits ?

| | |
|---|---|
| Yes | 28 |
| No | 4 |
| Total | 32 |

In the author's research, she found many women leaving their firms because of the "macho" ethic of their firms, the emphasis among the male attorneys on winning as the ultimate value and their habit of bragging about their victories as personal triumphs. Harrington (1995) describes this attitude from an assistant U.S. woman attorney:

> In handling a case, the style was, you have to be able to go to the person's house, and frighten them into agreeing to plead guilty, before they're indicted .... The idea was you have to have ... some kind of ability to scare people... to be able to get admissions out of your witnesses. (p. 131)

This is not the case with the majority of the respondents. They believe their female language traits are productive and they are comfortable with their own values. They do not believe that success depends on the style of intimidation, a trait known to the male language.

Table 4

<u>Female Traits in Firm</u>

<u>Does respondent believe female language traits are productive in the firm?</u>
a) Respondent has female language traits

| | |
|---|---|
| Yes | 26 |
| No | 2 |
| Total | 28 |

b) Respondent does not have female language traits

| | |
|---|---|
| Yes | 1 |
| No | 3 |
| Total | 4 |

---

As shown by Table 5, the respondents would prefer not to have their own firm if given the opportunity. From the author's research, she found that many women lawyers complain about their long hours, inflexibility, office politics, and not receiving enough recognition. Therefore, one might think women lawyers would be eager to have their own firm if given the opportunity; however, this is not the case. As an associate explained, "Women lawyers might have issues working at big firms; however, I would never want to deal with all the business aspects; which to me is a bigger headache." A partner at a large firm describes why she would not be interested in having her own firm if given the opportunity "I think running a practice on my own would be difficult and I do not think the monetary rewards would make it worth while."

Table 5

Own Firm

Would respondent prefer to own their own firm?

| | |
|---|---|
| Yes | 1 |
| No | 31 |
| Total | 32 |

---

Additionally, the author found that women lawyers who are unhappy working for big firms, leave the legal profession altogether and go to work for boutique firms or decide to work for companies as in-house lawyers. Harrington (1995) describes why a woman left a big firm to go work as an in-house lawyer for a major airline:

> 'You can see what you've done. I work on the financing of a terminal, and I can see my terminal and walk through it. I have a real sense of pride about it.' She also says that she likes being part of a company where the people for whom she provides legal services are colleagues she works with continually. 'You're working with them,' she stresses. 'You work on a deal from the beginning. You help structure it'. (p. 189)

In all of the author's literature research, only three lawyers left their big city firms to run their own firm together. Comparatively, the survey results support the author's research.

Women lawyers feel they have authority within a firm equal to their male associates, as shown in Table 6; however, the author's research contradicts the survey results. For instance, Harrington (1995) reports the following from a woman who is a partner in a prosperous firm that she hears a lot:

> What I find very frustrating is, now I've paid my dues, I've climbed up the ladder, I've

made partner, but I find there is still resistance to giving women a real voice of authority

and really listening to what they say. (p. 124)

Today, as shown by the survey, women lawyers are feeling differently than they once were. They

are making inroads in large firms. With ongoing change, the future for women lawyers can

eventually bring equality.

Table 6

Authority

Does respondent have authority equal male counterparts?

| | |
|-------|----|
| Yes | 23 |
| No | 6 |
| Total | 29 |

Note: Three part time employees did not respond to this question

---

As indicated by Table 7, at least 20% of women lawyers use "male" traits. The survey results

agree with the author's research. For example, the author found through her research that

female lawyers learn to use sports metaphors in order to fit in the legal world. One respondent

describes why she eventually learned to use sports metaphors:

In the past, I was asked the "sports metaphor" questions on interviews with "big firms," as

I sat in a conference room with five male partners who asked me if I believed that a sports

background would be helpful in litigation. Seems that litigators are supposed to be

basketball or football heroes according to some.

Table 7

Male Traits

Respondent's use of "male" traits

| Response | Yes | No | Total |
|---|---|---|---|
| Aggressive | 13 | 19 | 32 |
| Competitive | 26 | 6 | 32 |
| Use sports metaphors | 9 | 23 | 32 |
| Self-promoter | 6 | 26 | 32 |
| Resolves disputes | 19 | 13 | 32 |

According to at least 45% of the respondents, they are by nature aggressive, competitive, and resolve disputes easily. Women lawyers are not acting like men, but accenting their own strengths. From the author's research and the survey as well, many women do not use male traits because it does not come naturally to them. But if they do not, how do women lawyers compete or get noticed? The following research was found by Chaplin (as cited by Tannen, March, 2001):

> There is no one answer. Women can't just go in and start talking like men any more than they can just start dressing like men. You can't jut put on a style that's completely unfamiliar to you. If you try, it's going to come out all wrong. For example, if you're a person who doesn't chime in when other people are talking, chances are you'll be jumping in at all the wrong places if you try. If you try to do something that doesn't come naturally, you leave your intuitions behind and you're flying blind. Awareness is the answer. (p. 75)

Many women lawyers have "male traits". While some women lawyers only use their "female traits". In both cases, firms should acknowledge both styles as useful and productive.

Chapter V

CONCLUSION

Today, women lawyers are overcoming their challenges. Their language and traits are being recognized as productive. As more women take their place as lawyers, becoming even more authoritative and strong, the "boy's club" is slowly disappearing from the large law firms. The typical white male language could be slowly diminishing. Women lawyers are also using their language and strengths to get ahead. It is the author's opinion that women lawyers are on their way to opening new doors and closing old ones, albeit not as effectively as businesswomen.

Businesswomens' language and traits are being recognized by top management, so much so that management has begun to encourage men to learn many "female" traits such as attention to detail, caring, understanding, and team-playing. Top management is finally becoming aware that there are many different styles of management. Tannen (1995) agrees with the business world's attitude:

> The most important key is understanding the parameters of conversational style, which
>
> provides the tools to become more flexible not only in your own way of speaking but,
>
> equally important, in interpreting how others mean what they say.... Understanding what
>
> goes on when people talk to each other is the best way to improve communication - and
>
> get more work done - in the workplace.... (p. 309)

Many businesswomen who are unsatisfied at work due to corporate barriers such as not receiving enough recognition or not being able to spend enough time with their families, decide to

begin their own companies. Smith (2001) found the following:

> Going in search of cultural comfort, of course takes money - a prospect that has deterred
> many women. While capital still isn't plentiful, it is flowing more freely into female
> coffers. Only 6% of women who set up shop in 1994 or earlier said they had access to
> venture capital; that jumped to 19% for those opening business in the last three years. (p.
> 81)

Smith's example shows that innovative and control seeking women are making progress financially.

The author believes that businesswomen are tenacious and not afraid to go out on their own, no matter how complicated a new situation, unlike women lawyers who are not ready to venture out on their own. Blessinger (2001) discusses a 38 year old woman named Terry, whose knowledge of business came from having worked for a couple of years as a secretary. One day, Terry decided take control of her career. Her innovation was to market Polish pottery online. Today, Terry has marketing reps in more than 25 states, who sell the pottery to specialty gift stores.

> I spent a year and a half researching. I checked out library books on how to build a
> business, read marketing books, did a lot of Internet research. When I first called people
> to ask questions, I didn't even understand the jargon they were using... Some days I can't
> believe it. People in my family always had regular jobs. Now, two of my aunts are into
> Web designing - and my Mom is doing medical billing at home. We've become a family of
> entrepreneurs. (pp. 50-51)

Businesswomen, like Terry, are not intimidated and are risk takers. They promote themselves

and learn to emphasize their abilities. It appears to the author that businesswomen are acting like competent professionals, not women acting like men.

## Recommendations

One recommendation for the improvement of gender language in the legal and business worlds comes from Paredes-Japa (1999):

> Darlene Cruz, assistant director for the Bureau of Information and Education of the
> Department of Agrarian Reform, underscores the need to foster gender-fair language in
> the workplace because of the growing number of women employees.(paragraph 15)

Everyday language in the legal and business worlds are pervaded by words and phrases that discriminate against women. For example, worlds like sportsmanship, tradesman and businessman could be replaced by fair-play, trades person, and business executive. Paredes-Japa (1999) found that organizations that have adopted a more gender-fair management style seem to perform better, reporting "higher productivity, greater creativity and innovation for product development" (paragraph 17).

A combination of women using their language and traits, firms and corporations understanding that there are different styles of language and elimination of language pattens that omit women, could collectively bring great change.

## Future Study

A future study can focus on collecting more data; surveying more large firms in other big cities such as Washington, Chicago and Los Angeles.

The author's expectation if a follow-up survey were to be conducted in 5 -10 years, the results of women lawyers facing challenges would be fewer. Eventually, large firms will appreciate women lawyers more, similar to how the business world values businesswomen's language and traits.

References

Archer, M., & Cohen, R. (1997). Leaving women out in left field: Sports metaphors, women, and legal discourse. Women and Language [On-line], 20. Available: http://proquest.umi.com/pqdweb?TS=96941...

Blessinger, P. (2001, June). Army wife scores big with Internet import company based in her home. House of Business, 2, 50 - 51.

Britton, D., M. (2000). The epistemology of the gendered organization. Gender and Society [On-line], 14. Available: http://proquest.umi.com/pqdweb?TS=9...

Brown, L. M. & Gilligan, C. (1992). Meeting at the crossroads. New York, NY: Ballantine Books.

Buttner, E. H. (2001). Examining female entrepreneurs' management style: An application of a relational frame. Journal of Business Ethics [On-line] 29. Available: http://proquest.umi.com/pqdweb?TS=9...

Chaplin, H. (2001, March). Why talk ain't cheap. Fortune Small Business, 11, 74-75.

Claes, M.. T. (1999). Women, men and management styles. International Labour Review [On-line], 138. Available: http://proquest.umi.com/pqdweb?TS=96941...

Estrich, S. (2000). Sex and power. New York, NY: Riverhead Books.

Finn, W. (2000, September,21). Is there no comeback? The Times (London) [On-line]. Available: http://web.lexis-nexis. com/universe...

Fisher, H.(1999). The first sex. New York, NY: Ballatine Books.

Gilligan, C. (1993). In a different voice. Cambridge, Massachusetts: Harvard University Press.

Gilligan, C., Lyons, N. & Hammer, T. (1990). Making connections. Cambridge,

Massachusetts: Harvard University Press.

Harrington, M. (1995). Women lawyers: Rewriting the rules. New York, NY: Penguin Group.

Hull, K., E. (1999). The paradox of the contented female lawyer. Law and Society Review

[On-line], 33. Available: http://proquest.umi.com/pqdweb?TS=9...

Johnson, C. (1994). Gender, legitimate authority, and leader-subordinate conversations.

American Sociological Review [On-line], 59. Available:

http://proquest.umi.com/pqdweb?TS=96941...

Mendell, A. (1996). How men think. New York, NY: Ballantine Books.

Merriam - Webster's collegiate dictionary ( 10th ed.). (2000). Springfield, Mass.: Merriam -

Webster.

Paredes-Japa, D. (1999). Promoting gender - fair language in the workplace. Women in

Action [On-line], 2. Available: http://www.softlineweb.com/softline...

Purvis, S. B. (2000). Managerial mimicry: A form of flattery or a female technique to gain

workplace acceptance? The Dawn [On-line], 36. Availbale:

http://www.softlineweb.com/softline...

Rose, J.(2001, March). Follow the money. Fortune Small Business,11, 72-77.

Shackelford, S., Wood, W., & Worchel, S. (1996). Behavioral styles and the influence of

women in mixed - sex groups. Social Psychology Quarterly [On-line], 59. Available:

http://proquest.umi.com/pqdweb?TS=98018...

Smith, S. (2001, March). The great escape. Fortune Small Business, 11, 79-81.

Stone, P. (2000). Keeping gifted women on the job. The Boston Globe, third edition, p. A21.

Tannen, D. (1994). Talking from 9 to 5. New York, NY: Avon Books.

Turnbull, L. (2001, February, 2). Advancement at odds for women pursuing law careers. The

Columbus Dispatch [On-line]. Available: http://web.lexis-nexis.com/universe...

Walker, H., Ilardi, B., McMahon, A. M., & Fennell, M. L. (1996). Gender, interactions, and

leadership. Social Psychology Quarterly, 59, 255 - 272.

# Bibliography

Balkwell, J. W., & Berger, J. (1996). Gender, status and behavior in task situations. Social Psychology Quarterly [On-line], 59. Available: http://proquest.umi.com/pqdweb?TS=98018...

Bryant, A., and Check, E. (2000, Fall/Winter). How parents raise boys and girls. Newsweek Special Issue, 64-65.

Cameron, D. (1998). Gender, language, and discourse: A review essay. Signs [On-line], 23. Available: http://proquest.umi.com/pqdweb?TS=96941...

Herminia, I. (1997). Paving an alternative route: Gender differences in managerial networks. Social Psychology Quarterly [On-line], 60. Available: http://proquest.umi.com/pqdweb?TS=98018...

Rosenthal, C. S.(1999). One experience is worth a thousand words: Engaging under graduates in field research on gender. Political Science and Politics [On-line], 32. Available: http://proquest.umi.com/pqdweb?TS=96940...

Appendix A

Survey

# Survey

The following survey is voluntary and will remain confidential. The data compiled will aid the researcher, a graduate student, in her research: Women lawyers can face challenges when interacting with men, due to language and culture differences. The results will be reported in a master's thesis and be presented in August, 2001. Please e-mail back to me before **May 10th**. Thank you in advance for your support. Jacqueline Kopito (jkopito@home.com)

Please fill in and answer questions with an X and any comments you have.

1. Information about yourself: age ___18-21   ___22-25   ___26-30   ___31-35   ___36-40   ___41-45   ___46-50   ___50+

   How long with the firm:   ___1-3 years   ___4-6 years   ___7-10 years   ___11-15 years   ___16-24 years   ___25+ years

   Title: ___associate   ___Partner   Do you have children?   ___no   ___yes   ___how many?

2. Often, it has been said there is a "boys club" in the law profession: Has any of the following ever happened to you?
   ___did not make partner   ___did not get a promotion   ___did not get respect   ___resistance to getting a real voice of authority

3. In the courtroom, what is your philosophy?
   ___winner-take - all philosophy   ___prefer to settle   ___your own style, explain_____

4. Research shows that women have their own language and traits such as being overly understanding, paying particular attention to detail, asking questions, and being a team-player: Do you have any of these traits?   ___yes   ___no   Do you feel this language is productive in the firm?
   ___yes   ___no   ___doesn't apply   comments_____

5. If given the opportunity would you prefer to have your own firm? ___no   ___yes   If yes, for what reasons?
   ___more money   ___to avoid gender issues   ___more flexibility   ___additional reasons (please
   list_____

6. Do you feel you have authority within the firm equal to your male associates?
   ___yes   ___no   ___doesn't apply   comments_____

7. Research shows many women use male traits to get ahead: Do you use any of the following traits?
   ___aggressive   ___competitive   ___sports metaphors   ___promoting oneself   ___resolve disputes   additional traits_____