



**NATIONAL DIALOGUE ON  
GENDER AND JUSTICE**

March 31, 2001

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The first meeting of a series of LSC/NLADA sponsored conversations on gender issues facing the legal services community was held on March 31, 2001 in San Diego, in conjunction with the ABA/NLADA Equal Justice Conference. The session lasted three hours and was attended by approximately 35 people. LSC President John McKay welcomed participants and turned the meeting over to Judy Perry Martinez, our facilitator. Judy is in private practice in New Orleans, where she has been very involved in legal services and pro bono activities. She has also been an active member of the ABA Commission on Women in the Profession and ABA Board of Governors; currently, she is chair of the ABA Commission on Domestic Violence.

### **I. Introduction**

The meeting opened with a general discussion on challenges facing women in the legal services community. Leadership hurdles were the first topic of discussion placed on the table, and the conversation centered on the challenges some women experience in leadership positions and the frustrations others face in trying to become leaders including:

- The lack of shared leadership/shared power opportunities for women;
- The small number of individuals or situations that encourage leadership development in women;
- The failure of many who select leaders to recognize different approaches to leadership, particularly those that involve leadership styles particular to women;
- The lack of support groups for women leaders; and
- The lack of opportunities for client leadership.

Recommended solutions that were discussed included 1) setting up support groups for women within legal services, 2) training Boards of Directors in gender difference and gender sensitivity, 3) identifying aspects of organizational systems that create challenges, 4) disseminating information on successful organizational models to legal services programs (staff and board), access to justice programs, the private bar, national organizations, and 5) funding efforts to replicate successful models.

## II. LSC's Strategic Plan

Participants then turned to the following sentence from LSC's "Strategic Directions" report:

*"The absence of new leadership has inhibited our ability to remain knowledgeable and relevant to the legal needs of our increasingly diverse client community."*

While there was not unanimity that this sentence accurately reflects the current state of the legal services world, people acknowledged that state planning does simultaneously provide an opportunity for new leadership to emerge and threatens to decrease the number of existing women leaders. Of particular concern is the impact of mergers on the numbers of program directorships, and the diminution of women and minority executive directors as a result of program consolidations. LSC and its national partners were encouraged to take an active role in nurturing new leaders and to restate the importance of maintaining/achieving a diverse group of leaders in state planning. National organizations like LSC and NLADA must also model behavior they want to see in programs. Finally, LSC and other national organizations can develop written directives and goals regarding diversity, which would then be disseminated to recipients and members.

## III. Challenges/Hurdles Facing Women within Legal Services Programs and the Legal Services Community.

Prior to the meeting, Judy Perry Martinez and Pat Hanrahan (LSC) interviewed many of the meeting's participants (as well as other interested persons) to gain information on challenges/hurdles facing women and men who seek gender equality in the workplace. From those conversations, a list of challenges was created and was shared with the March 31 attendees. Other challenges were added to it during the March discussion. All are listed below, although some items were mentioned only once and others raised by several participants. They are not listed in any order of priority, but rather as they emerged in the discussion.

- Differing perceptions of situations and solutions based on gender
- Little flexibility in and availability of alternative work schedules
- Lack of critical mass (of women) in management
- Private attorney biases that impact upon women seeking leadership roles within legal services (exhibited primarily in board selections of executive director hires)
- Failure on the part of male leaders to share power with women
- Gender problems that are exacerbated or complicated by race. Discrimination experienced by women of color is rooted in race or gender or both. Many women are affected by more than one area of potential discrimination (age, sexual orientation, disability), but for women of color the experience carries historic burdens (invidious racism) and can affect the goals

they envision for themselves (what defines “leadership” or “success” in one culture may not in another). We recognize that we share bedrock values, those that brought us to legal services work. Yet we must remain aware that we will always learn from one another’s experiences, and thus affinity groups (e.g., women of color) need always relate back to the larger community of women, although small group conversations can illuminate some concerns as well as affirm shared values.

- The impact of other diversity issues on women—for example, lesbian women are often discriminated against both because of their gender and because of their sexual orientation
- Sexual harassment/other unprofessional conduct and remarks made by men about women; tolerance by some men towards the inappropriate attitudes of other men. (One example involved the woman who was told by her male supervisor that she had to be more sympathetic to the fact that her harasser was “Latino.”)
- Few multi-cultural women program directors
- Infrequent institutionalized diversity training for current leaders
- Ghettoizing of women clients’ legal needs
- Old- boy network
- Failure to address barriers to services faced by women clients
- Higher expectations for women; women are held to a higher standard; women are expected to be the nurturers within the office (remembering the birthdays and the anniversaries)
- Small number of women program managers
- Problems in and lack of support for balancing personal/professional lives (which tends to adversely affects women more frequently)
- Meetings held outside of scheduled meetings (as a way of isolating women leaders or a way to keep them outside of the power structure)
- Infrequent mentoring (of new and potential women leaders) by men
- Infrequent mentoring (of new and potential women leaders) by women
- Pay disparities
- Marginalization

- Overcoming stereotyping and stereotypical assumptions (women are not aggressive, women are not tough, women are too emotional)
- Differences in communication styles that are often misunderstood by men or inappropriately seen as signs of weakness
- Glass ceilings
- Salary depression based on gender
- Board relations (Boards tend to be dominated by white males)
- Generational differences and issues among women
- Few networking opportunities for women
- Lack of respect towards women leaders and their unique issues and problems
- Failure (by existing women leaders) to use position of authority to shape agenda
- Information hoarding/failure to share information and power
- Pipeline flow (lack of new leaders being trained)
- Failure of existing women leaders to use position of authority to enhance quality of legal services (particularly as the services or environment affects women)
- Unsupportive work environment
- Subtle messages to women that they do not belong or are not welcome (such as being excluded from social activities, not included in the after-work cocktail get-togethers, golf games, etc.)
- Impact of mergers/consolidations which reduce the number of women leaders
- An assumption that truly exceptional performers develop themselves and do not need assistance; the “Darwinian” approach to leadership development

After briefly examining each of these topics, participants discussed possible approaches to them:

1. Partnerships among national organizations to offer training on diversity concerns, needs and issues.

2. Focusing more on how to address the composition of legal services program boards of directors, with particular attention to whether boards reflect the community (on all levels) and the impact of board training on gender, race, age and other aspects of diversity.
3. Marshalling resources behind the issue of achieving a diverse legal services community at all levels; setting aside funds that can be devoted to capacity building to achieve diversity in leadership.
4. Developing ways of disseminating information and best practices on how to create an environment where power and leadership are shared by a diverse group of individuals.
5. Redefining leadership
6. Promoting an understanding of the variety of communication skills that can be used effectively; developing opportunities for women to enhance their communication skills and for men to modify those that are divisive.
7. Fostering mentoring and training opportunities and other links among women leaders and emerging leaders.
8. Funding programs to cultivate new leaders.
9. Addressing leadership issues and concerns in situations involving configuration, consolidation and other program structure changes.
10. Setting aside funds that can be devoted to capacity building to achieve diversity in leadership.
11. Educating men about stereotypical assumptions that are commonly made about women such as: they are not committed to their careers; they are too emotional; they are too sensitive; because they often have working spouses, they don't expect/need to be paid as much; and they need to be taken care of (several women expressed concern about comments like "I am doing this because it's best for her").