

Why Don't More Men Leave Big Law Firms?

By Jennifer Salvatore



Last year, *The New York Times* asked, once again, the million-dollar question: *Why Are Women Leaving Big Law Firms?*¹ The article explored the issues that women lawyers and, more recently, big firms interested in retaining them, have been debating in diversity seminars, panel discussions, and informal lunchtime chatter for the last decade.

Indeed, despite gender parity in law schools and in the entering ranks of America's law firms, the number of women achieving partnership at those firms remains small: 17 percent compared with 14 percent a decade ago.

The *Times'* answers track the conventional wisdom, which is that women leave big firms for a variety of reasons, including the demands of motherhood, increasing billable hour requirements, lack of informal networking and mentoring opportunities for women, and the physical and emotional isolation of big-firm life for women climbing the ladder without the support and companionship of many female peers.

As a woman attorney in my mid-30s who left a Chicago big-firm litigation practice four years ago (and as someone with a collection of successful female friends who have done the same), I can attest to the validity of the reasons listed in the *Times* piece. The discussion, however, neglected to mention a theory more

intangible (and a bit taboo) that underlies the conventional wisdom about why women leave big firms.

That hypothesis—aneecdotal, but deeply felt by many women—is that women lawyers (and maybe women generally) expect, as a gender, more from their professional careers than men do. Many women, even women who manage to break through the barriers to advancement and get to the “fun” stage of big-firm life, ultimately feel disappointed or disenchanted not only with the quality of their lives outside the law, but with the quality of their professional careers and the lack of meaning in their day-to-day work.

Spending 2,500 hours a year toiling away on million-dollar transactions or contract disputes simply does not, alone, do it for many of us. Nor does navigating the schoolyard politics and power struggles inherent and insidious in almost all big-firm partnerships.

A retired top female partner at one of Chicago's largest law firms who was an early graduate of Yale Law School and a pioneering woman in Chicago's legal community now spends her time serving as president of the board of an inner-city charter school. I've heard her say with some frequency and with palpable relief that she is happier and more fulfilled now than she has ever been professionally.

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As a young, ambitious associate, I looked to this woman and other successful partners—male and female—for advice and guidance about how to navigate my career. While I deeply enjoyed and certainly learned a great deal from my mentors, what I—and many of my female friends—came to realize is that the holy grail of partnership, even with the prestige and big paycheck, simply did not hold the luster or the interest that we thought it would. In fact, the lives of the partners 10 years ahead of us—many on second spouses and new families, and still running on a frantic treadmill of billable hours and client demands—seemed, in many ways, soulless.

We realized that it was not just that we couldn't be one of the big guys, but mostly that we *didn't want* to be. Although I enjoyed many things about working in the intense environment of a big-firm litigation practice, I realized pretty quickly that there are more interesting and creative places to use a law degree and spend one's life than in the marble-lined purgatory of big-city firms.

Women, it seems to me, increasingly and instinctively realize this sooner than men. And this—more than any other factor—drives them to leave. I don't know if this is because we actively contemplate our careers and our lives earlier and more often than men do because we have more socially acceptable choices or face a maternal wall that men don't. Or if it's because we, as a gender, are so nascent professionally and the mothers among us so stretched by our time away from home that we are simply more idealistic about and have higher expectations for the quality of our professional lives.

But what I know is that of my female and male colleagues from my firm and law school days, the women have mostly left big-firm practice. But it also seems that, on a whole, the women are happier. And so maybe this trend is not altogether a bad thing.

The women lawyers I know who have left are not staying home with children and are not economically or professionally insignificant. Nor are they dropping out of the law. To the contrary, they seem to have more fully developed senses of what they want from their careers and what they enjoy in the law and are using their

legal training and experience in more creative ways. They are serving in leadership roles in the public sector, starting small firms, developing their own practices, working as federal and state prosecutors or for the justice department, teaching law, and running nonprofit organizations. Most do this while balancing work with motherhood and other family responsibilities.

So, while as a feminist and a woman I do on some level lament the paucity of women at big firms, I also think that our obsession with the very question is itself gendered and paints women lawyers in far too simplistic terms: as mere victims of institutional bias or discriminatory social roles rather than active seekers of fulfilling lives. As a human being, a parent, and a lawyer who now truly loves her work, the more interesting question for me is not why so many women “don't make it” to the top of big firms, but why so many men—unhappy and unfulfilled—don't choose to leave. ■

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FOOTNOTE

1. Timothy L. O'Brien, *Why Do So Few Women Reach the Top of Big Law Firms?*, NY Times, March 19, 2006, <<http://www.nytimes.com/2006/03/19/business/yourmoney/19law.html?ex=1184731200&en=8543c08bb7721f3e&ei=5070>> (accessed July 15, 2007).