

Glass Ceiling Report: How Does Your Firm Stack Up?

By **Gerald Schifman**

Law360 (September 13, 2021, 3:03 PM EDT) --For years, the legal industry has made a modicum of progress at improving gender parity. The vast majority of law firms are led by men, who are often evaluated by relaxed standards relative to their female counterparts.

Women faced even taller obstacles amid COVID-19 last year, as female attorneys reported more stress and less organizational support than their male peers. The closure of schools and day care facilities also led many mothers to shoulder more child care responsibilities, exacerbating existing imbalances in the home and workplace.

With concern heightening that the inequities facing women will expand as a result of disproportionate attrition rates and the return to in-office work, Law360 has redesigned its Glass Ceiling report to assess female lawyers' industry standing from a new angle.

Last year's Glass Ceiling report scored firms based on their proportion of female attorneys and female equity partners, awarding points based on their rank within the two categories. The methodology behind this year's feature is aligned with our latest Diversity Snapshot report. In this case, we show how law firms' percentage of women across three attorney levels compares with the potential marketplace of hires. The resulting pipeline score accounts for how gender diversity tends to dwindle at successive levels of the attorney hierarchy, in spite of the talent waiting in the wings.

The scores measure a firm's percentage points above or below a set of benchmarks we assembled with data from the American Bar Association and previous Law360 survey submissions. Firms were ranked within one of four headcount groups to be compared with peers of relatively similar size. A total of 269 firms were evaluated in this edition.

How Does Your Firm Measure Up?

The top firms in each size category are shown with their pipeline score, as well as their portion of female equity partners, nonequity partners and associates.

601+ attorneys



Rank	Firm	Total Attorneys	Score	Equity Partners	Nonequity Partners	Associates
1	Jackson Lewis	963	+0.8	31.9%	41.4%	62.4%
2	Littler	1069	+0.6	30.6%	60.9%	60.5%
3	Debevoise	628	-3.3	24.5%		51.7%
4	WilmerHale	975	-3.8	26.9%		52.6%
5	Ogletree	864	-4.1	25.7%	40.7%	55.7%
6	Covington	1262	-4.6	28.6%		50.7%
6	Jones Day	1694	-4.6	30%		51.9%
8	Orrick	849	-4.8	28.3%	25%	55.2%
9	Wilson Elser	847	-6.3	21.2%	40%	50.6%
10	Cooley	1027	-6.5	25.3%		49.7%
11	Lewis Brisbois	1560	-6.7	16.7%	36.3%	51.6%
11	Morrison & Foerster	716	-6.7	32.3%		46.8%
13	Gordon & Rees	1025	-6.9	13.7%	35.9%	48.5%
13	Morgan Lewis	1695	-6.9	28.4%	28.1%	50.1%
15	Baker McKenzie	683	-7	24.1%	36%	51.8%
16	Skadden	1187	-7.1	27.1%		47.3%
17	Ballard Spahr	632	-7.2	28.4%		51.1%
17	Ropes & Gray	1125	-7.2	31.1%		45.6%
19	Paul Weiss	939	-7.4	25.3%		46.2%
20	Simpson Thacher	852	-7.6	20.9%	9.1%	47.9%
21	Arnold & Porter	859	-8	25.6%		49.7%

Rank	Firm	Total Attorneys	Score	Equity Partners	Nonequity Partners	Associates
22	Faegre Drinker	1168	-8.1	24.3%	40.4%	52.3%
22	Goodwin	1143	-8.1	19.7%	35.3%	49%
24	Davis Polk	849	-8.2	19.1%		46.5%
24	Husch Blackwell	754	-8.2	19.5%	37.6%	52.7%
26	Hogan Lovells	995	-8.3	24.1%	33.6%	49.3%
26	Perkins Coie	1216	-8.3	20.4%	34.1%	50.3%
28	Wilson Sonsini	926	-8.4	24.7%		46.9%
29	Akerman	721	-8.5	22.1%	44%	53.4%
29	McDermott	908	-8.5	24.2%	39.5%	48.3%
31	O'Melveny	636	-9.3	24%		46.6%
32	Reed Smith	1137	-9.8	21.1%	27%	52.2%
33	Akin Gump	765	-9.9	16.8%	33.1%	48%
34	Sullivan & Cromwell	742	-10.2	23.3%		43.5%
35	Sidley Austin	1507	-10.3	25.5%		45.8%
36	Venable	800	-10.5	19.4%	27.9%	52.4%
37	McGuireWoods	905	-10.7	19.6%	31%	49.7%
38	Seyfarth Shaw	876	-10.9	23.5%	36.1%	45.9%
39	Fox Rothschild	950	-11	23%	35.3%	53.1%
40	Baker Botts	615	-11.1	20.5%	30.4%	46.8%
41	Dinsmore	613	-11.4	23.4%	31.4%	46.2%
42	Holland & Knight	1216	-11.8	19.5%	31.4%	53%

Rank	Firm	Total Attorneys	Score	Equity Partners	Nonequity Partners	Associates
42	Troutman Pepper	1182	-11.8	17.1%	30.6%	48.4%
44	Bryan Cave Leighton Paisner	731	-11.9	20%	32.7%	48.8%
44	Dentons	1154	-11.9	25.4%		49.7%
44	DLA Piper	1520	-11.9	24.3%		47%
47	Hunton Andrews Kurth	881	-12	22.5%		48.4%
47	Sheppard Mullin	876	-12	19.5%	32%	46.2%
49	Baker Donelson	628	-12.1	23.1%	35.6%	47.6%
50	Greenberg Traurig	1814	-12.2	24.6%		47.8%
50	K&L Gates	1046	-12.2	21.3%	31.1%	46.2%
52	King & Spalding	1096	-12.5	19.9%	29.1%	45.2%
52	Mayer Brown	1013	-12.5	21.9%		46.8%
54	Polsinelli	856	-12.6	20.1%	28.7%	50.4%
55	Duane Morris	711	-12.8	13.6%	29%	48.3%
56	Dechert	632	-13.1	16.7%	21.9%	45.4%
57	Winston & Strawn	791	-13.4	23.6%		43.1%
58	Katten	607	-13.6	18.2%	28.9%	47%
59	Blank Rome	614	-14.3	21.1%	24.3%	50%
60	Norton Rose Fulbright	776	-14.4	21.9%	25.8%	41.2%
61	Vinson & Elkins	605	-14.6	16.3%		42.4%
62	Nelson Mullins	801	-14.7	17.4%	28.6%	47.8%
63	Cozen O'Connor	763	-14.8	17.6%	29.4%	52.2%

Rank	Firm	Total Attorneys	Score	Equity Partners	Nonequity Partners	Associates
64	Clark Hill	640	-15.5	19.5%	31.9%	44.1%
65	Taft	608	-16.5	23.5%		41%
66	Barnes & Thornburg	649	-17.8	15.8%	26.5%	50.3%

The analysis revealed that just 7.4% of firms met or bettered the benchmarks, and the success stories largely come from smaller firms.

Among BigLaw firms with at least 601 attorneys, Jackson Lewis PC and Littler Mendelson PC were the only two firms to emerge in the positive range. They came in above the thresholds by 0.8 and 0.6 points, respectively. At both firms, women make up more than 30% of equity partners and 60% of associates.

For firms with 251 to 600 attorneys, Fragomen, Del Rey, Bernsen & Loewy LLP emerged on top by surpassing the benchmarks by a substantial 16.9 points. It was the only firm in that size category to earn a positive score, which was the result of leading all of its peers in the portion of equity partners, nonequity partners and associates who are women.

Firms in the 101-to-250-attorney category were led by Withers LLP, which exceeded the standards by 11.5 points. This was partly the result of women outnumbering men in its equity partner ranks. Berry Appleman & Leiden LLP finished at a close second in this group, bettering the benchmarks by 11.2 points. The immigration-focused firm scored well in all categories, leading its peers by posting more than a 3-to-1 ratio of women to men at the nonequity partner level.

A baker's dozen of small firms (employing 100 attorneys or fewer) bettered the benchmarks. This group was fronted by Wilson Turner Kosmo LLP, which eclipsed the standards by 25.6 points. No. 2 Walsworth-WFBM LLP posted a higher proportion of women attorneys in all three categories, but weighting differences pushed the firm to 22 points above the benchmarks and a second-place finish.

As with the Diversity Snapshot results, a considerable number of firms were close to clearing the targets. Approximately 10% of firms finished no more than five points away from these break-even points. Many more firms came out farther behind, as almost 60% of participants dipped beneath the targets by between five and 15 points. The remainder of firms — 23.8% — missed the benchmarks by more than 15 points.

Of course, these uninspiring numbers aren't a sudden result of the pandemic. Many firm leaders have entrenched biases about women that affect compensation, assignments and evaluations — judgments that can present particularly large obstacles for female attorneys of color. In spite of parental leave policies, female attorneys who shift time from their careers to their children risk the perception of being uncommitted to their firms, creating a tougher climb up the legal hierarchy.

If these barriers were eliminated industrywide, the number of women coming through the legal pipeline would likely be even larger. At this stage, firms' headcounts show that many industry heavyweights face extensive work at creating an equitable gender breakdown in their attorney ranks.

Methodology

The breakdown of representation of women among firms' 2020 attorneys is evaluated as follows:

First, firms' portion of female associates is compared with the proportion of female students among all third-year J.D. students attending law schools accredited by the American Bar Association from 2017 to 2019. We calculate that figure as 51.3%. A three-year window is used because 2017 is the earliest year that the ABA tracks a gender split among students. The ABA does not currently record data on the gender of law school graduates in its required disclosures.

Next, firms' 2020 portion of female nonequity partners is compared with the total portion of women nonpartners in Law360 headcount survey submissions from 2017–2019. This benchmark comes out to 45.6%.

Finally, firms' portion of female equity partners is compared with the overall portion of women nonpartners and nonequity partners in Law360's survey data from the three previous years. That benchmark is tallied at 42.8%. Nonequity partners are included here because that role can lead to the equity tier, though that's not always a reality for that level of the partner track.

Benchmarks were subtracted from the rate of female attorneys at each level. We then added the results for the three categories at two-tier firms, weighting each level by its portion of the firm's total partners and associates. Other lawyers, such as counsel and staff attorneys, were not included in the calculations. The exercise is similar for one-tier firms, where the nonequity partner comparison is left out. Firms that did not provide a gender breakdown of their attorneys or refrained from identifying which partners were equity and nonequity were omitted from the Glass Ceiling report.

To pose an example of the calculation, say that half of a firm's evaluated attorneys are associates, one-quarter are nonequity partners and one-quarter are equity partners. Across every level of this two-tier firm, women represent one half of attorneys. It would mean that their associate diversity is 1.3 points behind the benchmark of 51.3%, while their two partner scores come out ahead. They top the 45.6% nonequity partner benchmark by 4.4 points and exceed the 42.8% equity partner benchmark by 7.2 points. With the associate difference weighted by half and the two partner scores weighted by one-quarter, the firm's score comes out to 2.3 points ahead of the benchmarks.

Data for all firms is as of Dec. 31, 2020. Any firms that have merged since that date are listed by their prior names.

--Editing by John Campbell and Kerry Benn. Graphics by Rachel Reimer.