

# Women in the Law



*Women members of OSB classes of 1973 and 1983 discuss their experiences with gender bias*

**H**ow has life in the law treated the women who joined the bar in 1973 and 1983? To find out, Vicki Hopman Yates, a member of the Multnomah Bar Association Status of Women Committee, invited women from these classes to a lunchtime discussion in the offices of Davis Wright Tremaine.

Four women pioneers in the law from the OSB class of 1973 and their colleagues in the class of 1983 discuss the advantages and disadvantages each group had, describe the issues they faced and tell stories about their experiences with gender bias.

This report was compiled by Judy Henderson, *Bulletin* assistant editor.

## CLASS OF 1973

**Vicki Hopman Yates:** I was applying to law school in 1973 when it was still an innovative thing for women to do. My class, the class of 1977, had approximately 20 percent women. The class just behind me, the class of 1976, had quite a few women, but certainly a lot less than 20 percent. The class of 1975 had just a handful of women. These few women were third-year students when I was in my first year. I remember being extremely disappointed about the lack of female role models in law school. I really revered the women in the class of 1975, and I considered them true pioneers because they entered law school when it wasn't particularly fashionable to do so.

You women in the class of 1973 were even earlier pioneers in the legal profession. Why did you apply, and what were your early experiences as women in law school?

**Neva Campbell:** I grew up in a small town in eastern Oregon. In order to help earn my way through college, I worked for the local district attorney. In eastern Oregon the district attorney is also the local attorney, insurance man, oftentimes owns the title company, etc. It was very challenging and fun to work for him. He recognized that I was able to do a lot of things in his office, and he allowed me to do them. I ended up doing legal research for him as a college student and handled most of his insurance business on the side, filling out Stevens-Ness forms and doing all kinds of work. I discovered I could do it and do it very well while I was earning, probably, minimum wage. My thought was, I can do this, why don't I become qualified to do it so that I can get paid what it's worth?

When I finished school at Oregon State in 1955, I married my childhood sweetheart, who had been away in the Korean War, and I continued to work while he finished school. Then we had two children. It was



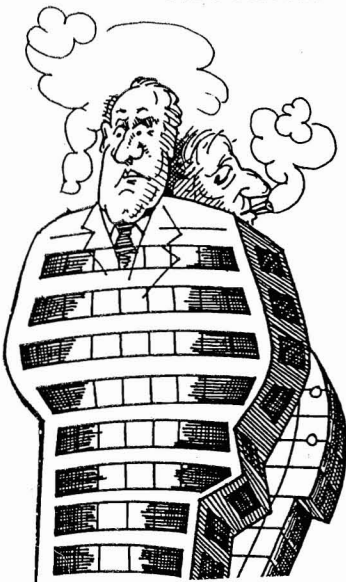
*I went to Oberlin College and then to Harvard Law School, which my father encouraged, saying, "As a woman, you need all the help you can get, and a Harvard degree means a lot." I got very little help from Harvard Law School in what I wanted to do.*

— **Susan Elizabeth Reese**



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— Julie Stevens



awhile before I found the time for law school. I didn't want to go to school during the day and not be with my children. One day I picked up *The Oregonian* and saw that Lewis & Clark was starting a day school. I thought, "Gee, maybe I could drop the kids off on my way to school and be home when they were through." And that's what I did. I had my Camp Fire girls in the afternoon after I got back from school, and I was able to be mother and student. I had a very cooperative husband and children, fortunately, and graduated in what we call the first day class at Lewis & Clark.

We had seven women who graduated, as I recall. I chuckled one day when I heard someone ask one of the young men in the class, "How many girls do you have in your class?" And he said, "We have five girls and two women." Muriel Sparkman and I knew exactly who the two women were.

I have never been sorry. I started at Schwabe Williamson on the first Monday after the new year in 1974, and I have been there ever since. The first woman, the first woman partner.

**Susan Elizabeth Reese:** I decided when I was 13 I wanted to be a criminal defense lawyer. I grew up in a small town in western Pennsylvania. I went to Oberlin College and then to Harvard Law School, which my father encouraged, saying, "As a woman, you need all the help you can get, and a Harvard degree means a lot."

I got very little help from Harvard Law School in what I wanted to do. Harvard was the last law school in the country to accept women. Supreme Court nominee Ruth Bader Ginsburg taught one year there and was refused full professorship. She tells a story about how the women of her own first-year class were interrogated by then-dean Erwin Griswold with the following question: "I want each of you to tell me what you are doing here, because the place you are occupying could have been filled by a man."

Harvard was not sympathetic to women or to people interested in going into criminal defense work.

I remember spending the interviewing season for second- and third-year law school students with a number of big firms that would ask me sexist questions about what I planned to do when I got married and how many children I expected to have.

I was flown to a firm in Cleveland that had hired a woman the year before. They interviewed me for a summer clerkship after second year and told me very nicely that while my academic credentials

were excellent, the kinds of people they normally hired were captains of football teams and Rhodes scholars, qualifications open only to men. I was also told that "there are some members of the firm who think women are not cut out to be lawyers, and to those persons your excellent academic record is irrelevant."

I started my own practice by default. There were no openings in the defender offices, I did not want to be a prosecutor, and I couldn't do criminal defense if I worked for a large firm. I started off on my own 20 years ago, doing sex discrimination and family law cases to supplement my first love, criminal defense. Because there were few of us, perhaps the novelty has something to do with my becoming a success.

**Julie Stevens:** I went to law school for an amazingly sexist reason that I did not recognize as such. I was hot out of the University of Oregon with my advertising degree, and where you go with an advertising degree is New York City. My professor, who I liked a lot and really liked me a lot, sat me down and said, "Julie, it is not going to work. They want somebody in the front office who looks really great." I had been overweight all my life. He was trying to help, and he wanted to tell me that I wasn't going to get a job in an advertising agency. I already knew that I had to start as a secretary. That was just true of women who wanted to be copywriters, but I hadn't quite absorbed that I wasn't going to get it because I wasn't pretty enough. He persuaded me, and it was like, "Oh, my God, what am I going to do? What else is there?"

There was law school, and I didn't give it a whole lot of thought. But I absolutely had to go to New York. So I applied to Columbia, which swears up and down it never, ever had a quota for women and it never, ever discriminated. They were faced with the threat of a lawsuit at the end of my first year. For years they had a 10 percent female student body. Although they never discriminated and never admitted a thing, the class of 1974 was almost a quarter female.

After law school I applied for a job in my hometown. An attorney agreed to hire me for the summer, but he got overruled by his partner, who felt that if I really wasn't going to do secretarial work for them, and I had already decided I wasn't, I probably wasn't going to be that much help.

Then I applied again for a similar internship at the district attorney's office. The DA told me he just couldn't have a woman working for him. A deputy who later became the district attorney (who did, in



fact, hire the first woman in the DA's office) was sitting there literally tugging at him and saying, "Now don't say that, don't say that." He was just convinced that there was going to be a lawsuit at any minute. There wasn't. I really wasn't thinking in those terms, even when other people were.

I directed the Coos Bay regional office of Oregon Legal Services for 10 years. Legal Services has always had a large number of women. The office I am in now, the Family Law Center, is completely female. I have never worked in a completely female office before, and I must say I really like it.

**Jody Stahancyk:** I grew up in Prineville, so we are all small-town women. Trying to decide what I wanted to do, it was between being a psychiatrist or a lawyer. My father said I liked to talk so much that I should be paid for talking and should go to law school. I went to the University of Oregon, where there were 11 women. The class ahead of us had two, and the class ahead of that I think had three. Different from Susan's experience, the next year there were 22, the next year there were 44, and by 1975 at Oregon it was parity. We were unusual because the school not only had never had this many women but it had some very interesting women.

We were very close. We were in a brand new school, where they installed the first women's bathroom. Some people made speeches at the law school accounting for the increase in enrollment of women based on having additional bathrooms, because literally before they had one bathroom for everyone.

#### RELATIONSHIPS WITH COLLEAGUES

**Jody Stahancyk:** My theory of life has been to live by two principles — finding the humorous side of every situation, which defuses tension and teaches people to laugh, and believing in yourself, trying to be the best at what you do. When you do, it makes it more difficult for people to discriminate against you.

I was hired in Prineville to be the head of the law library and help the DA. The judge made a lawyer in town take me as his assistant to try a case when I was a first-year law student. They promised the defendant that if I could defend him, he wouldn't go to jail. They promised the lawyer he would have additional money. When I tried the case I said to the judge, "This is illegal, I am only a first-year student." He said, "Jody, in my courtroom we'll do it the way I say." When I made my opening remarks he said, "That was wonderful." Then the DA said, "And I remember when she was so little."

There was an older judge who was trying to be

very kind to me, and he called me in on the day that Helen Frye was appointed to her judgeship, and he said, "Jody, Jody, guess what! One of your kind just got appointed to the bench." And I can honestly tell you that I was shaken to be in his presence because he was so important. I said, "They appointed a law student?" And then he said, "No, no."

I did find an experience where one law firm did not hire me because I was a woman. One of the partners wanted me to sue. The secretaries all told the lawyers, who are all now very good friends of mine, "Someday she'll get you because she's better than you." I never knew if any of that was true, but I always thought that the best way to teach them that maybe they had been shortsighted was to make a real success of myself and have them see what I could do.

I joined the DA's office. Harl Haas hired me. In 1973 he first hired Jane Wiener and Mary Martha McNamara, who came out of Notre Dame, and then a week and a half later he hired three more women, Jane Angus and Marilyn Curry and myself.

They did articles on us and had pictures of us in the paper because it was very extraordinary in those days. Again we used humor. The police officers didn't know what to do. I just learned that I was taller than all of them. I cussed at them, and they didn't know what to do. At one point about three years into my practice they came to me and asked me to stop calling them "boys."

I think that in 1973 there were enough of us to make a difference. I suspect my experiences were a lot easier in the DA's office than either Neva's or Susan's because they were more alone in their situations. In the DA's office there were so many women that there were other ways we could buffer each other. We could use our sense of humor, we could use the kind of things that put men in positions where they didn't really want to make issues of it, and we were consequently able to do lots of things. It is much easier now, though.

We have been around longer, but things were very different in 1973. They were very frightened of us. That would be the polite way to say it.

**Neva Campbell:** I wouldn't say frightened is the word, but I think uncomfortable. I remember I was walking down the hall one day when an attorney popped his head out of a conference room door where he was in a deposition. He started to hand me the coffee pot and ask me to get coffee. Then he did a double-take because he saw who it was. He hadn't intended to ask me to do it, but he overreacted.



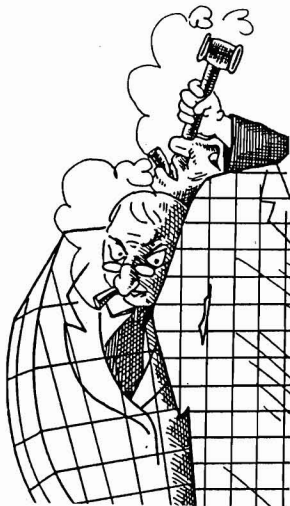
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— Neva Campbell



And the men no longer simply said, "Oh, sh-." It was, "Oh, sh-, excuse me, Neva." They were trying very hard. But I didn't want them to be uncomfortable.

**Jody Stahancyk:** I agree with you. It is hard work. You spent a lot of time putting people at ease so that you could get to the final result.

**Neva Campbell:** Exactly.

**Susan Elizabeth Reese:** I think that was my experience too, compounded a little bit by people being intimidated by the Harvard name.

**Julie Stevens:** I didn't have a lot of experience at being a good old boy. The practice of law in Coos County was very inbred, but once you caught the rhythm of it, it was a great place to practice. People protected each other, sharing information. It was no big deal. I had just come out of a year and a half in Portland where the attorney would barely tell me his name much less give me any information. So I had to learn how to play into that, to at least not fall asleep while they were talking football, because apparently the only two subjects a male lawyer can talk about with any ease are football or his cases.

If a judge was free and had his door open, it was considered rude not to go on in and at least ask him how his day had been going. The judges didn't quite seem to know how to handle me. One judge in particular was famous for telling cornball and sometimes obscene jokes. It was a tradition to go in and have him tell you the latest one. It took him awhile to be able to get the whole joke out without apologizing every two seconds as he went along.

**Neva Campbell:** I see the old boys' network work, even today. I don't know exactly how I dealt with it except with humor, trying to put other people at ease and trying to work myself into a position within the network. I thought, I am going to do a good job because I want to make it easier for women who come after me.

I was given the same assignments as everyone else. I soon found out that clients were very accepting of me. I think this helped as the other members of the firm saw that. One of the fields I still practice in is petroleum law. Shortly after I started with the firm, we had the long lines of cars around the gas stations because of the oil shortage. They asked me if I would like to become a specialist in petroleum pricing and allocation. I remember the client calling me up after I had been working with him for about six months, and he said, "Neva, you're a damn good oil man." I took that as one of the nicest compliments I had ever had.

**Jody Stahancyk:** You know, they did treat you differently, but if you acknowledged that you didn't help anything, you just changed how they saw you. Then in about five years we saw women coming in who were assuming that if a judge called you a girl he was being demeaning. There were judges who called me a woman who would just do you in. There were judges who called me a girl and didn't have a bad bone in their body. I thought that sometimes women started losing the sense of whether or not people were actually abusive or whether they just had patterns in their speech that didn't sound right.

**Susan Elizabeth Reese:** I think you are right. Portland is a small town, and since we all have to work together, being angry about small issues we perceive as sexist is less important than engendering a feeling of mutual respect as professionals.

I can remember when I tried a murder case with Bob Stoll before Judge Alan Davis. The judge took him into chambers and reportedly said, "That girl must be learning by handling all of those witnesses." And Bob, to his credit, stood up for me and said, "You know, she is second-chairing this case, and she's doing half the work." The result — not guilty by reason of insanity under the law in effect in the mid-'70s — was impressive for the judge. It made an impact on him, not only because I had worked just as hard as Bob, but also because my co-counsel was treating me as an equal in the case.

**Julie Stevens:** I agree with what Jody said, although, at least for me and for some people who were with me, I think it worked to our advantage. It threw us into the old boys' network in small towns. In Coos County, I was not the first woman attorney, but I was the only woman attorney for three years, and then the DA's office hired, a couple of other people hired, one got married to an attorney, and it went from one to about five and then increased to about 10 out of 60 members of the county bar association.

Women attorneys who came later were more strident. They didn't really take a lot of crap from anybody, including the judges. You walked a line of wanting to be part of this group because the things they were saying were correct, but you liked the feeling of being included with the old group, too. I think we are the only group that knows how to do that. Everybody else had their clear place for them, and we didn't. We were right on the line.

**Jody Stahancyk:** Well, it was really fun because we were special. Being the only one, you



know, is very different. You know there is not a lot to compare you to. The bad parts were easily made up by the fun. When you converted some of these people, like Judge Davis, who some people thought was really opposed to women (He did a couple of things for me that were just unbelievable, supporting me within the legal community and just publicly going to other judges and saying, "You'll treat her right or you'll hear from me."), we got a chance to see these people really treat us as human beings rather than as a group.

**Vicki Hopman Yates:** What I am hearing, and I am really surprised, is that you think you had it easier than the women who came maybe five years after you.

**Jody Stahancyk:** I don't think we had it easier. I think we dealt with it better.

#### HIRING, PROMOTION, WORK ASSIGNMENTS

**Vicki Hopman Yates:** How many women in your class are still practicing?

**Jody Stahancyk:** I don't think there were very many women who left law because you stepped out from the group to go to law school. It took a commitment to get into law school. If you worked that hard, there were very few who were going to come out and not be serious about practicing. If you'd put up with all the riffraff to get there, you weren't going to just stop.

**Susan Elizabeth Reese:** I think all my classmates are still practicing. If they've left, they've left briefly and then gone back into it. Somewhere along the line some powerful men had their consciousness raised, so it helped us. We were able to tap into that.

**Jody Stahancyk:** When we started 20 years ago, we were at the bottom of the heap. They treat everybody at the bottom of the heap the same way, so I'm not sure I would have known if I did or didn't get an assignment. I have never believed that I didn't ever get something where I was really strong. I think there were things that I thought I should get, but I could always understand how they could see it.

**Neva Campbell:** There have been times in our summer clerk program where we have had as many women as men. The people who are making those decisions are not at all looking at gender. In the past it took seven years to become a partner. It was usual in our firm for everyone to be treated the same and promoted accordingly. Work assignments, the same thing. The firm has a pattern of moving people around until they find the right people in the right niches, and it isn't gender-based.

There probably have been times when people

have had cases assigned, etc., based on how well they were known by others. It might have affected the women in the firm because their names might not come to mind first simply because they didn't spend as much time socializing after work with others. While that could have been true of a man whose name didn't come up, it was more gender-based because the women were more likely to be going home after work to take care of their families and certainly because women have not always had access to the clubs where the socializing took place.

**Susan Elizabeth Reese:** I may have missed out on things, not because I was a woman but because I had no experience in the area and no contacts in the community. I think in a way my experiences have come full circle. I now find that my advocacy of criminal defense issues, when it comes in conflict with what people perceive as feminist issues, gets me in trouble.

**Jody Stahancyk:** But you're getting a lot of that now. I got a call from a woman the other day who represented some women's group who wanted to talk to me about how women weren't making strides or being successful in the practice, so we needed to do all these things. I just said to her, "What does that make me, chopped liver?" I'm very pleased with the way I am after 20 years, and I guess part of me seems a little disappointed that some women don't seem to see some of the successes.

**Susan Elizabeth Reese:** I can only remember a very few bar disciplinary opinions in the *Bulletin* in the last 20 years involving women. I think the ones who are neglecting duties and misappropriating funds and the ones we hear about as the bad characters are all male.

**Julie Stevens:** I think [the way we are treated by judges and others in court] has changed quite a bit. Some of it has to do with getting younger judges or judges being through the system with us. I don't waste a lot of time educating judges over 50 at this point. They haven't got it, and they're not going to get it. Along with some of the sexism leaving, so has some of the courtesy. I liked some of the good old boyism. I don't think all of it hurt the practice of law or hurt me as a woman.

I do think there is a raised consciousness about what you should or shouldn't say. I don't know that it affects how they actually try the cases, but they're not as open with the hostility and some of the sexism. They recognize it for what it is in ways they never did.

**Neva Campbell:** I think it depended a little bit



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— Sue Ackerman



*I think it's easier for a woman to be perceived as someone who is still contributing to the maximum to the firm while working a part-time schedule. Until men are able to have the same flexibility, we are going to continue to have women treated like second-class lawyers in some instances when they work part-time.*

— Pam Stebbeds Knowles

on where you were, too. After being comfortable in Portland, I went to Albany years ago. I'm walking down the hall, and I see everybody staring. The secretaries are looking out the door, you know, "Here she comes." I hadn't thought in those terms in a long time in Portland.

Once at lunch I said, "I've got to eat fast, I'm in the middle of a trial." One of the men there said, "Oh, are you going to cry a lot and stamp your feet?" He was joking, teasing me. I could have been offended, but I took it for what it was. He was noted for his histrionics in the courtroom, so I said, "No, Gordy, you try your cases your way and I'll try mine my way." He laughed as hard as everyone else.

That's what you had to do, give it right back. One of the things they were doing was testing you to see how you reacted. They respected you, I believe, if you could give it right back to them.

**Jody Stahancyk:** I think that's true. I didn't have any friends to go to law school with. When I announced at Linfield that I was going to law school, they said, "Well, isn't that wonderful since you don't have anyone to marry." When I graduated from high school and they announced I was going to college, someone also said, "Well, that's wonderful since you don't have anyone to marry." I wasn't sure what the retort would be at the end of law school.

**Susan Elizabeth Reese:** I think what my experience has reflected is a real change in the personalities of the judges. We have younger judges, we have a lot more women judges, and that leaves people more comfortable with them. Most of the discriminatory events, if you can call it that, that I experienced were with court staff and jurors.

As these things change and we make reputations for ourselves, the stereotypes break down and people don't think of us as "women lawyers" anymore.

#### COMBINING CAREER AND FAMILY

**Jody Stahancyk:** In 1978, after having practiced law five years, we chose to have children. I deliberately waited until after Vera Katz got maternity leave passed. They said, take all the time you need to take. I was in the DA's office. I chose to be in public practice so I could have a family. I then left the practice of law for about three years and stayed at home with the children. Then I came back.

I chose the area of law that I am in now based on the fact that I had children. I am a domestic relations lawyer. Probably without children I would have gone into some other kind of area that re-

quired longer commitments of time. I think if I have children I need to be able to at least perceive the fact that I'll be able to get home with them. Unfortunately, I find at this time that I have a full-time housekeeper and a full-time nanny, and my husband is extraordinarily good with the children. In order to have a relationship with your children and to be able to practice 60 hours a week, you have to have all those kinds of things.

When I chose to have a family, a presiding judge called me in and said, "I hear that you're going to have a baby." I said, "Yes," and he said, "How did that happen?" After I made an inappropriate comment, he said, "Well, you could have been one of the best women trial lawyers." And I said, "I will be." He said, "No, you'll put as much determination into raising that family as you will in practicing law." At the time I thought he was inappropriate, that he was wrong. You know, I think he was right. I think there are only so many hours in the day. I would never, ever go back and do something different, but I would also never delude myself into believing that the choice to have a family allows me the same time to have a career.

Interestingly enough, that is not any different than for many of the men I know. I have lots of discussions with the men who work for me about how they need time with their families, that they will not work these hours or they will not be there to raise their children. So I think that whenever people choose to have a family, that will affect their career. In the '70s we were told it wouldn't. I think that was unfair because that brought on the superwoman syndrome where you thought you should be able to do everything and then you're disillusioned when you can't. Is it possible to mix them? Yes. But there is an expense.

**Julie Stevens:** I think I started my family because of my profession. I was in domestic relations and doing a lot of juvenile law. There came a point at which it seemed to me, I can do better than this as a parent, with or without a man. Then to prove to myself I wound up adopting special needs children and, yeah, I could, but it was a lot harder than I thought it was. I then went into private practice because I was under the delusion, which Susan probably could have told me wasn't true, that I'll be able to control my time in private practice and, therefore, I could take the time off that I needed and make it more of a 9-to-5 schedule. That's why I'm back in public practice, because at least it is 9 to 5. There never seems to be a balance. You know, you



just try to keep all the balls in the air at the same time and hope they don't come down on top of your head.

**Susan Elizabeth Reese:** I don't have children by choice, but I can certainly appreciate how difficult it would be. One of the reasons I don't have kids is that I am the oldest of eight, so I got to help my parents.

I see my male colleagues struggling, including my partner, with juggling the need for family time against the pressures of work. As men take a more active role in family life, they encounter the same conflicts that women as mothers and lawyers have been facing.

**Neva Campbell:** Fortunately, my children were older when I started practicing law, and I think that was a definite advantage. What I am noticing is that it's the younger, more contemporaneous men who are less sympathetic. I think it's for this very reason. They feel the same pulls and concerns. I think they compare and say, "Now wait a minute, why should we make special arrangements and concessions for women when we're not getting those same concessions?"

If you take time off, you don't step back in at the same place in your profession. You have to recognize that you have lost not only those three or four years or so but the building, the continuity that comes with those years of experience.

## CLASS OF 1983

**Sue Ackerman:** I think women have more choices now. At least I feel like I have more choices than I had 10 years ago. I don't feel like I have to put up with stuff because I am new and green and don't know what I am doing

**Sandra Kohn:** We have had several women lawyers in our firm leave during the last 10 years. We have an annual retreat every summer, and last summer one of the lawyers in the firm was commenting about all these women who have left to join their husbands or take other jobs, or whatever. I reminded him how unfair that comment was since we have also had a number of men leave for their own personal reasons that didn't necessarily have anything to do with having children.

I would have hoped that in 10 years that attitude would have changed, that hiring a woman is sort of a liability because you just never know when she is going to up and have kids or up and move to Seattle because she has a job there, or whatever. I was really disappointed that there still seems to be that mentality even though, in our firm, the numbers [of men and women leaving] are equal.

## HIRING, PROMOTION, WORK ASSIGNMENTS

**Sue Ackerman:** I was interviewed for a position once by a senior officer at a very big company in California. He looked at me and asked, "Well, are you married, and do you have children?" It was after a long line of questions about how many hours I was willing to work, so it struck me he was trying to determine if a family would impinge on my ability to work long hours.

**Nancy Greene:** When I was interviewing 10 years ago for my first job, knowing that it was taboo for the perspective employer to ask me those things, I would come out and tell them that I was married and had no children, my social life was stable and wouldn't interfere with my work.

**Karen Stayer:** I had several questions asked of me, and one that I thought was particularly bad, almost funny, looking back on it now. Someone found out that I had typed my bar examination and commented how wonderful it would be to have a lawyer who could also be a secretary, which I doubt very much they would have said to a man. I can laugh about it now; I didn't at the time.

**Pam Stebbeds Knowles:** I lost an assignment five years ago to a male partner when I was an associate because the client didn't want a woman handling his case, even though it was a man and he was being accused of sexual harassment. It made perfect sense to me that you would want a woman to defend you. On the day before the hearing, he told the partner he wanted a man to handle the case who knew nothing about it. The partner went along and sat next to me, even though I did the case, just to make the client happy. It was bizarre.

**Sue Ackerman:** Five years ago I was in an in-house setting where there were an equal number of female and male lawyers with about equal levels of skills and seniority. This organization sometimes gave small bonuses for good work. After two years I noticed that the men seemed to be getting most of the bonuses. I thought the women were contributing equal amounts to the successful handling of good cases. I remember one time I helped prosecute a case successfully worth literally hundreds of millions of dollars, and a male counterpart had another shorter, less complex case worth much less than that. He got an award, and I wasn't even considered for one.

The reason our boss gave was that Mr. X attorney had a family to raise and needed a new car. The message I got was that I was a single female, wasn't raising a family and didn't need a car, so therefore I



*"You know, young lady, back when John and I used to practice law, we didn't have to file motions to compel production because everyone got along." That had a real impact to me. The "young lady" statement, coupled with the judge's tone, caught me off guard.*

— Sandra Hansberger





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— Nancy Greene

dollars, and a male counterpart had another shorter, less complex case worth much less than that. He got an award, and I wasn't even considered for one.

The reason our boss gave was that Mr. X attorney had a family to raise and needed a new car. The message I got was that I was a single female, wasn't raising a family and didn't need a car, so therefore I wasn't considered. It was stunning and a clue that I needed to leave. Some friends who stayed behind did a bit of research and discovered that most of the women were routinely hired at lower grade levels than the men, even though the women often had more experience and better qualifications. They are still fighting that battle. I decided not to. I decided to vote with my feet.

**Susan Williams:** I started out at Legal Aid. I had a real different experience, a very positive one. There was so much emphasis and concern about discrimination in various forms, it was as if the organization overcompensated. The top brass tended to be women. Some concern was expressed by some of my male friends there that there wasn't an opportunity, in that particular office, for men to advance. I think there was probably some truth to that.

**Pam Stebbeds Knowles:** When I negotiated a part-time deal with the firm because I wanted to be at home with my family, it was a brand new thing. I think that if a male had tried to do that it would have affected his ability to make partner a heck of a lot more than it affected my ability to do so. I think it's easier for a woman to be perceived as someone who is still contributing to the maximum to the firm while working a part-time schedule. Until men are able to have the same flexibility, we are going to continue to have women treated like second-class lawyers in some instances when they work part-time.

**Joyce Hyne:** I have been litigating all the time I have been practicing. While I don't doubt that those things happen, I have never had them happen to me, and I have not seen them happen from judges. I feel like I have been treated with a great deal of respect from judges. One of the ways I think a man always has an advantage over us is that deep voice. On two occasions that I can recall, judges stepped in and got an opposing attorney to shut up so I could be heard.

Once an opposing attorney and I were going over a statute on a break and he called me "dear" in a kind of a, "Well, it's obvious, dear." I just went back to him and said, "Well, you know, I think, sweetie, that." We laughed and that was the end of it.

Sometimes when I go to another attorney's office for a deposition, the receptionist will ask if I am a court reporter. That used to really tick me off when I was first practicing, but now I just laugh because if you say, "No, I'm the attorney," they get so embarrassed. That doesn't bother me too much any more.

**Sandra Hansberger:** My very first court appearance was in a big case, and I was really out-gunned. It was complicated litigation involving condemnation of real property in downtown Portland. There were three large law firms representing the plaintiff against a very small office representing the primary defendants. The case was assigned to a judge several months before trial.

The plaintiffs had refused what we thought was a very reasonable discovery request, so our office, who represented the defendants, filed a motion to compel production. I filed and praeciped the motion. A few days later, the plaintiffs also filed motions.

On the day the motions were set for hearing, I was sitting in the hallway outside the courtroom when a very nice, older lawyer came up and introduced himself. He was very pleasant, and I had no idea that this guy was about to annihilate me in the courtroom. When the case was ready to begin, the judge started by hearing the plaintiff's motions. Shortly after we started, the gentleman I met in the hallway came into the courtroom. The judge stopped mid-sentence to acknowledge him and said, "Oh, hello, John (a pseudonym)." John said that his firm would also be representing the plaintiff on some other claims and held up some papers. The judge said, "Well, come on up here, John." The judge took the papers and then looked at me and said, "You know, young lady, back when John and I used to practice law, we didn't have to file motions to compel production because everyone got along." That had a real impact to me. The "young lady" statement, coupled with the judge's tone, caught me off guard. I didn't know how to respond.

A few minutes later, when it was time to hear the motion I had praeciped, the judge turned to me and said, "I'm sorry but we're out of time. I have a trial that starts in five minutes," or something to that effect. I was flustered, but I finally said, "But your honor, we praeciped this motion, and it needs to be heard today because the trial is less than two weeks away." He said, "What do you propose I do? Tonight is my wife's birthday. Would you like me to stay here after the trial and hear your motion then?" (I





**Joyce Hyne:** I had appeared in front of a federal judge in a case where he got very upset with me and the person from my office whom I was working with on a case, and so I kind of shied away from him for quite some time. Then I went to one of these dinners honoring the judges, and I ended up sitting at his table. Everything was very pleasant during dinner; the whole crowd at one of those round tables got along very well. After that the judge always knew me by name and said hello to me on the street and was very pleasant. I never had any further problem with him.

I was representing one of two defendants, and it really wasn't my motion but I kind of joined in. The attorney for the plaintiff was a woman who was arguing very vehemently for her cause, and my co-defense attorney was doing the argument for the other side. The same judge, in the midst of this after they had finished, turned to me and said, "Joyce, do you have anything to add?" And I'm telling you it blew my opponent away because he had been referring to her by Ms. so and so and Mr. so and so. My gosh, calling me by my first name just told her that he and I knew each other and, you know, I have never wanted to be called by my first name before but, boy, it sure was effective this time.

#### COMBINING CAREER AND FAMILY

**Nancy Greene:** I took two years off. I had my children, and I wasn't working at the time. I came back looking for a part-time job. I interviewed quite a bit for the kind of job I wanted. I wanted two days, and I didn't want three and I didn't want four because at this point in my life the children are my priority. I talked to a number of women who were working part-time, being paid for working three days a week, but who were actually there four days a week and the fifth day they were taking phone calls at home. It sounded to me like they were working five days a week and getting paid for three days a week. If you asked the women if it was working, generally they would say, "You know, it's great." They thought it was fine. They weren't working as much as they had been, which was the 10 hours per day so typical of private law firms. Then I talked to some other people in the firm, and they might say, "Well, it works great, I guess. Except the days that she's not here and I'm working on the case with her and I can't find the file . . ." I went to a number of firms where I heard that, and I'd say "Thanks, but I'm not interested, even if you wanted me to come and work here. Obviously, it's not working."

**Pam Stebbeds Knowles:** I think people are more willing to look at flexibility and still give lawyers in their firm the same amount of respect. To say that flexible work schedules would not have happened if women had not become lawyers would not be quite fair because I think women are going to be in the work force and you're still going to have those two-parent working families regardless of whether mom's working as a lawyer or working somewhere else.

I think it's the increased responsibility that men have in child rearing because mom is not home all the time that is causing them to feel more pressure. So now men want more flexibility, and because the men want more flexibility, the flexibility is more available to the women as well.

**Anonymous:** I still have this sense from my male partners that if you're not full time, you're not as committed as they are. It's real hard for them to understand that I can be as committed working fewer hours. I haven't actually tried it yet. My other female partner did, though. And she got a lot of the same comments about, "Well, the days you're gone we really need you, and clients are calling."

**Pam Stebbeds Knowles:** I think you have to take a really aggressive approach toward your practice. When I started working part-time, nobody had done it before. It was not easy. It is much easier now, and people are able to do it — but you have to be very aggressive about it.

When I started to get a lot of flak from people about, "Oh, you're not here to do this and that," it was very simple for me to draw comparisons from my attempts to get hold of another lawyer for days at a time and not have that person return my calls or be there to answer questions. I documented those things and just simply went to them and said, "I know that I only work part-time, but I have been trying to get hold of you for days. I have not been able to get hold of you, and you work full time. I'd hear, "Oh, I'm in depositions this day and I'm playing golf with a client this day . . ." Accessibility is really the issue regardless of the number of hours you work.

**Karen Stolzberg:** [This is a response to another attorney who described how her small firm told her they didn't have to give her 12 weeks off for parental leave.] I can't help but feel there's a real clear difference between big firms and small firms. I have two children under the age of 6, and I tried to go part-time a couple of years ago. It lasted for a few months, and it just didn't work out. I'm the only



*Someone found out that I had typed my bar examination and commented how wonderful it would be to have a lawyer who could also be a secretary, which I doubt very much they would have said to a man. I can laugh about it now; I didn't at the time.*

— Karen Stayer



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person in my firm who practices in my area of law. There isn't anyone who could do backup.

**Karen Stayer:** I considered a job share with someone else so there wouldn't have been the overhead factor, but there is just the resistance to it.

**Sandra Hansberger:** I have a 2-year-old son, and I started job sharing last summer with a male attorney who has two children. His wife is a lawyer who works full time. I have to work really hard to keep myself to part-time. There are a lot of extra projects that I want to take on, but I have to say "no." I battle that a lot.

My office is very supportive regarding maternity leave and family issues, but there also seems to be a bit of a stigma attached to working part-time. Maybe that's just something I need to overcome.

**Kathleen O'Brien:** I'm self-employed so I don't have that stigma within the firm. I would say to employers, never underestimate the powers of a working mother or a woman professional. I'll cite my experience in doing a four-day jury trial when my son was 5 weeks old. I was going home during the noon recess to nurse the baby. I had a lot of support from my mother-in-law and my husband. The trial outcome was a phenomenal success. I also did a two-week jury trial when my second baby was 5 months old, again with a jury verdict that was one of the best of its kind in Oregon.

What I say is that it can be done. If the determination is there and you have the desire to do that as a new mother or as a woman lawyer, you can do it. The other side of that coin, though, is you have to ask yourself, "Do you really want to do trial work if you have babies at home?" In my own case, I have had the flexibility to make that work. I'm glad I did it because it taught me enormous things about my capabilities, but I wouldn't recommend it.

What it stretches is your time. You have to decide how to do that in your life. I realized when I entered this business that the child-bearing years coincided with the career-building years, and there's no way around it. So you have to convince the men who are making the decisions about hiring women that women who choose this hard road of doing it all subject themselves to the consequences, but they are able to deliver for the employer if that's their choice.

**Karen Stayer:** I changed my practice emphasis to employment law over the last couple of years because I didn't like the long trials in commercial litigation, and I felt I was less likely to bring in my

own clients as a commercial litigator than I was as an employment lawyer. There is just more of a willingness for people to accept women in that role than as the power commercial litigator.

**Nancy Greene:** I think there are women who are misogynous. I think we all have our little blinders on a lot of the time, and we see that the choices we've made are the right ones not only for ourselves, but should be the right ones for all other women, too. I have gotten a number of misogynous comments about working part-time — that you're letting other women lawyers down because of what you're doing.

**Pam Stebbeds Knowles:** No, no, we're helping the profession because we are showing the need to lead a sane life.

**Susan Williams:** That's what we should all be doing because we are the ones who are going to be leading this movement to have a more balanced life. I truly believe that. It's the women coming in who are saying, "Wait a minute, this isn't that much fun. This is hard. I have some other things I would like to do." I think that's why it is important that we all support every variety of lifestyle choices in terms of what we want to do outside of the office. ■