

Perspective

Lessons I've Learned As a Young Woman Lawyer

BY LAUREN M. WEINSTEIN

Last month, the New York State Bar Association published a report revealing that only about 25 percent of attorneys with speaking roles in New York courts are women. Responding to the study, Judge Shira Scheindlin described, in a New York Times op-ed, an all too familiar scene: A male senior partner is asked a tough question in court, he turns to the young woman next to him who hurriedly whispers something brilliant in his ear, and he knocks the answer out of the park.

The study shocked me. But the anecdote didn't.

While I'm lucky enough to count myself among the 25 percent of women who have argued in New York state and federal courts, I've also been that young woman whispering to the male senior partner. So what can we—young, bright women attorneys—do to launch ourselves from one category to the next? What can we do to make our voices heard?

I started my career at that mythical firm that actually does provide “on your feet” opportunities to young associates—men and women associates

alike. I've found mentors at that firm who have advocated for me. And I've advocated for myself plenty. No one has ever accused me of being a shrinking violet. When I started at the firm (which, at the time, was five years old and comprised of about 25 lawyers), there were no women partners, nor had there ever been one. There had never even been a woman associate in the

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office I joined. In fact, there was only one other woman attorney in the entire firm. When I interviewed, I didn't understand why—and three years later I still can't explain it. The firm is a collegial place where men and women are treated with equal respect.



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I had more than a few concerns about starting my career at a place with so few women attorneys. Female mentorship has always been important to me: I attended all girls' school for 14 years, I was raised by my mother, and my mentors up to that point had been almost exclusively women. When I expressed these reservations, my mentor and then-boss, Judge M. Margaret McKeown,

responded: “Someone has to be the first. Why not you?”

Why not me indeed? I trusted my instincts, heeded my judge’s advice, and accepted the offer. It was among the best decisions I’ve ever made. In the three years since joining the firm, I’ve learned more than I could have imagined, and I’ve gotten more experience, both on and off my feet, than most tenth-year associates at other firms.

I like to think my success has benefited the firm too. Today, about one-third of the attorneys at the firm are women. We recruited a tremendously talented and accomplished woman prosecutor to join us as a partner last year, and another will be joining our ranks in just a few weeks. No doubt there will be more women partners to come.

Along the way, I’ve learned a few lessons about what I think we—young, bright women lawyers—can do to make our voices heard:

Find our allies. It’s hard to be a young woman lawyer. If you’re too timid, clients, opposing counsel, and your colleagues may underestimate your intelligence and abilities. And if you’re too assertive or aggressive, you may be told to “tone it down,” when your male counterparts would be patted on the back for the same behavior. Even if you find the perfect firm that gives you all sorts of opportunities from day one, you’ll need a support system. Find colleagues—both men and women—who will have your back and who will advocate for you to take that deposition, do that appellate argument, or examine that witness at trial. If you can’t find

colleagues you consider allies, look outside your firm: Join an organization of women lawyers who can really understand your experience. If organizations aren’t your thing, don’t be afraid to contact an attorney you admire out of the blue and ask her for advice or about her experiences. And if you still can’t find any allies, give me a call.

Be an ally. Women lawyers need to support each other. I don’t just mean emotionally, although that’s important. I mean in public, in front of colleagues and clients. If your colleague has a good idea during a client meeting, highlight it to make sure others don’t miss it: “Good idea, Tanya!” If your colleague drafted the portion of the brief the senior partner thinks is brilliant, let the partner know: “Actually, Maria wrote that section.” If an opportunity is available, suggest your colleague: “I think Ashley would do a terrific job defending that deposition.”

Advocate for yourself. Male attorneys need to do their part too, but advocating for ourselves, in my view, is the most important thing we young women attorneys can do to make our voices heard. If an argument is coming up and you wrote the brief, ask the partner if you can do the argument or at least part of it. If you drafted a complaint, but your name isn’t on the signature block, ask the partner to put your name on it. If you know the answer to the client’s tough question, speak up. It’s not just the client who is listening: Other young women looking for role models will take notice too.

These are just a few ideas based on my own experiences. Institutional change—encouraging young women attorneys

to make their voices heard in law firms and in courtrooms—is essential. Certain judges are already changing their individual rules of practice. The New York Times recently reported that, in response to the New York State Bar Association’s study, Judge Jack Weinstein amended his individual motion practice rules to expressly “invite” “[j]unior members of legal teams ... to argue motions they have helped prepare and to question witnesses with whom they have worked.” Judge Ann Donnelly has had a similar rule in place since at least October 2016, “strongly encourag[ing]” the “participation of relatively inexperienced attorneys in all court proceedings.”

While we wait for institutions to catch up to us, we should do what we can to change this troubling statistic on our own. Judge Scheindlin titled her article “Female Lawyers Can Talk, Too.” She has an excellent point. But there’s only one way to prove it: Speak up and make your voice heard.

We’re taught in law school to advocate—for our clients, for justice, for what’s right. We shouldn’t forget to use our talents to help ourselves, and the women who will come after us, too.

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