

**Topic 1:**

The “Decade of the Female Lawyer” is Still Yet to Come

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The statistical analysis presented in the 2024 ABA Profile of the Legal Profession deeming 2016-2026 as the “Decade of the Female Lawyer”<sup>1</sup> appears promising on the surface. However, a greater focus must be placed on progression beyond the numbers. The majority figures of women law students, law firm associates, and law school faculty are not enough to justify this bold label. It is imperative that the "Decade of the Female Lawyer" designation also consider influences beyond statistical representation, such as critical issues, including pay inequity and systemic barriers faced by women lawyers.

Furthermore, the defining statistics regarding growth rates in leadership positions for women lawyers have been disappointing. Although many more women are now pursuing careers in the legal profession, their representation in leadership and equity roles has trailed significantly behind the statistical increase in the total number of female lawyers. This indicates that the growth in women lawyers is attributed primarily to support functions, also termed “rank and file” positions, rather than upper-level leadership opportunities.<sup>2</sup> The ABA has acknowledged that a mere twelve percent (12%) of firm leadership positions, such as managing partners, are held by female lawyers.<sup>3</sup> Moreover, the timeline for women to achieve senior roles is significant as the slow progression of women to higher levels demonstrates a bottleneck in the advancement of female attorneys.

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<sup>1</sup> American Bar Association, Profile of the Legal Profession 2024, *Women in the Legal Profession*, <https://www.americanbar.org/news/profile-legal-profession/women/> (last visited Feb. 01, 2025).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

Though some may assert that the possible achievement by women to make up the overall majority of all lawyers in the United States may result in diversity, equality, and inclusion consideration of women becoming inapplicable, the opposite is true. Women are still underrepresented in leadership positions, such as law firm partners, federal judges, and corporate general counsel. Men continue to dominate these senior-level roles. Women continue to face serious challenges, especially as race, background, and other social identities add together. This has led women of color and other groups that do not meet the traditional ideologies of a lawyer to be even further less represented.

The ABA has considered the performance and qualifications of women lawyers against the “agonizingly slow” to “almost invisible” progress in law firm advancement. However, more needs to be done as the issues that women face in attaining top legal positions are persistent. The profession has made inadequate efforts to promote and retain female lawyers due to widespread systemic problems rooted in faulty and unstable workplace structures. The outdated notions fostered in these unsteady organizational compositions continue pushing women further behind.<sup>4</sup> These preconceived biases wrongly attribute the lack of upward movement by women in the legal field to women being distracted by other concerns in their lives or not putting in the necessary time and effort to attain great opportunities due to insufficient commitment.<sup>5</sup> This view is not only myopic but also wholly untrue.

A 2019 study by the ABA and ALM Intelligence, “Walking Out the Door,” revealed that many women leave law firms due to low job satisfaction, resulting from a lack of recognition for

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<sup>4</sup> Patricia Lee Refo, *Women's Success in Legal Careers: Lack of Advancement is not a 'Woman' Problem, it's a 'Profession' Problem*, A.B.A. J. (July 6, 2021, 6:45 PM), <https://www.abajournal.com/news/article/womens-success-in-legal-careers-lack-of-advancement-is-not-a-woman-problem-its-a-profession-problem>.

<sup>5</sup> *Id.*

the work that they performed, few opportunities for advancement, and sexual harassment.<sup>6</sup> The report highlighted that half of all female lawyers experienced unwanted sexual conduct at work, and twenty-five percent (25%) of those women avoided reporting sexual harassment due to fear of retaliation.<sup>7</sup> Furthermore, one in six female lawyers reported lost work opportunities as a result of rebuffing sexual advances.<sup>8</sup> The types of pervasive challenges lead to fewer and fewer women being able to advance the trajectory of their careers and place them at severe disadvantages. Collectively, these issues lead to a less efficient and effective legal profession, hampering growth and progress for better advocacy.

The advancement of women lawyers enhances the entire legal field. Statistics show that gender-diverse teams financially outperform their non-diverse equivalents by fifteen percent (15%), substantially increasing the bottom line and quality of final work products.<sup>9</sup> Women lawyers bring new perspectives with their varying life experiences and home situations. Never should it be dictated to them how to change their lives to achieve success. No woman should be told that she must choose between her career or her family. Regardless of whatever shape or form their family or home situation may come in, women of all ages and backgrounds should not be put down or disadvantaged simply because of the complexities they manage in their daily lives. Instead, these women are better equipped to handle high-pressure situations, more effectively manage timelines, and navigate through competing priorities. Moreover, these women are more reliable and consistent in getting the job done, given the skills they have honed in

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<sup>6</sup> American Bar Association, Profile of the Legal Profession 2024, *Women in the Legal Profession*, <https://www.americanbar.org/news/profile-legal-profession/women/> (last visited Feb. 01, 2025).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Valerie Spengler, *Women in Law and Law Firms' Treatment of Women Attorneys*, PRACTUS LLP (Dec. 20, 2022), <https://practus.com/news/women-in-law-and-law-firms-treatment-of-women-attorneys/>.

facing their unique challenges. They have a greater sense of urgency with the understanding that others are counting on them. Wearing women down with “either-or” decisions with little to no room for flexibility only results in poor legal, ethical, and business outcomes. The legal profession has a duty to create a fair and equitable environment for women. How can the legal system effectively deliver justice if it cannot even allow for an equitable work environment for women attorneys? Simply put, if the legal field is broken on the inside, it cannot solve problems on the outside.

The women in the above-noted statistics are far more than numbers. They are people who deserve to be treated with dignity and respect. I have experienced first-hand how women are forced into a mold of what a lawyer “should” look like. Pushing women into these boxes without acknowledging the other responsibilities and obligations in their lives places the entire legal profession at a disadvantage. Women need to be permitted to work in an atmosphere that emboldens them to accomplish all they desire without constraining them with unnecessary restraints and limitations. As someone who has had a unique journey to finding a career in law, I have faced many challenges in reaching this point and continue to persevere through them. Through my experiences, I strive to empower other women to do the same. I recently published a novel under a pseudonym centered around a young woman persevering through adversity and overcoming the many obstacles in her path. A portion of the proceeds go towards the worthy cause of helping underprivileged children who do not have access to books. I hope to inspire all women from all different walks of life to keep pushing against the biases of others holding them back and to showcase their talents unapologetically.